



Loss and Damage

Background

Climate change is a global crisis and one of the greatest injustices of our times, most affecting the countries and populations that are the least responsible for causing climate change and have the least capacity to adapt, mitigate and compensate. The most devastating climate change impacts, also known as loss and damage, range from sinking islands due to sea-level rise, to non-arable land due to soil salinization, forced migration, disappearance of language and culture. It is important to note the distinction between losses (such as human lives, habitats and species) and damages (these can be repaired, such as infrastructure).

Despite global recognition of these impacts, this is one of the most contentious issues related to climate change because of the question of responsibility for covering the cost. The lack of global financing currently available for loss and damage has meant that countries (Vanuatu and Dominica after Cyclones Pam and Maria) hit by climate related disasters have had to take out loans to cover the costs, further exacerbating their economic status. The principle of common but differentiated responsibilities (CBDR) continues to be debated.

Four years after the adoption of the Paris Agreement, which acknowledged the specificity of loss and damage by granting it a separate article (Article 8), and six years after the creation of the Warsaw International Mechanism on loss and damage (WIM), there is still much to be done to ensure loss and damage is not sidelined in the negotiations and that adequate support is provided to those who are at the frontlines of climate change's worst impacts.

The review of the WIM, which Parties will conduct at COP25, needs to fully operationalise the WIM function to support the needs of developing countries along with additional support, to avert or minimise loss and damage and address displacement. In particular, because of the location change for COP25 we need to step up to advocate for the interests of those who can no longer attend, as many of the voices who would have been advocating for this are not able to come to Madrid.

With financial support, vulnerable countries can properly assess the impacts of climate change and identify gaps, enhance their climate change risk management, and recover from loss and damage they experience due to climate impacts - and at worst, be compensated for the loss of their homes and livelihoods through migration with dignity.

To this end, Parties need to engage in a fully-fledged discussion on the availability of finance to address loss and damage beyond adaptation and similar finance provided; it is crucial to find a way to generate financing for loss and damage that is separate to overseas development assistance and separate to financing for climate adaptation and mitigation. The special event mandated in the Terms of Reference (ToR) of the review should focus on key questions and needs of vulnerable countries and Indigenous or First Peoples; and make the process inclusive and open to civil society representatives.

Gender Perspectives

Climate-induced losses and damages dramatically multiply the social crisis in societies that are already struggling with issues of social injustice, including gender injustice, poverty, food and economic insecurity. The impacts of climate disasters particularly threaten women's rights and human rights. Over 80% of people currently displaced by climate related events are women and girls (UN). Women and girls often end up trying to find jobs in urban settings where they can only work as domestic workers, often undocumented, most vulnerable to abuse and without any legal protection. Disaster relief and post-disaster rehabilitation set-ups often increase gendered dimensions of violence and social injustice, and prevent them from gaining income security and social protection. Women are often refused access to land and assets ownership after a disaster hits. Financial support schemes often lead to an increase of discriminatory practices and to increased indebtedness of women. It is especially women, girls and LGBTIQ that face a high risk of being trafficked or sexually abused in post-disaster settings either because of no protection systems in e.g. shelters or because they have to leave their homes in order to survive.

Regarding the collection and analysis of data on loss and damage a lot remains to be done. However, data is often collected and condensed in a very "male-dominated" way. Hence, assessing the gendered dimensions of loss and damage related data including a way of raising the voices of women / LGBTIQ in this field is critical.

Demands

Therefore, the WGC highlights the following key asks at #COP25:

- The review must result in setting up a financial facility to implement the WIM's mandate on action and support. The COP should provide a clear mandate with regard to the operationalization of such financial facility and urge the ExCom to deliver clear recommendations for concrete actions by COP26 on the following:

- The role of existing institutions and whether there is a need for new ones to address the multiple needs of loss and damage finance,
 - New and innovative sources of finance that can generate truly additional resources, and specifically in addition to current aid and development financing and climate mitigation and adaptation financing (such as levies on air and maritime transport, financial transaction tax, and a climate damages tax on fossil fuel exploration) at a scale of USD 50bn annually by 2022,
 - Immediate debt relief, in the form of an interest-free moratorium on debt payments, to developing countries who face climate emergencies, providing quick access to resources earmarked for debt service in the national budgets, which can be put to work for emergency relief and reconstruction,
 - And how funding can reach the most vulnerable in an efficient and effective manner taking into consideration principles of gender-responsive finance.
- In order to set up such a facility, Parties need to set up a Task Force on Action and Support for exchange and discussion, as done for other workstreams (Comprehensive risk management, Slow onset events, Non-economic losses). The Task Force should include qualified representatives from civil society, including gender experts, selected through a coordinated process self-organised by civil society, reflect gender balance, and ensure the representation of historically unrepresented groups, including indigenous people.
 - **Parties must elevate the issue of loss and damage by making it a permanent agenda item under the COP and the SBs.** So far, loss and damage under the UNFCCC is only discussed on a technical level, but some of the technical discussions will not advance without political decisions. Establishing loss and damage as a permanent agenda item under the SBs and the COP would allow for political consideration of the issue and allow Parties to discuss their challenges and needs in addressing loss and damage and how to mainstream the topic into other processes, e.g. financial support, capacity building, and technology transfer.

- In order to have a reliable assessment of loss and damage finance needs and existing funding, Parties should call for the publication of a loss and damage Gap Report - similar to the Adaptation Gap or the Emissions Gap Report. There are no official UN estimates of loss and damage finance needs and the existing estimates, based on different methods, vary significantly. The method of the Gap Report for assessing finance needs could follow the successfully tested structure of the Technology Needs Assessment. A strong focus on assessing the gender dimensions in such a loss and damage Gap Report must be secured.

Sources:

<https://www.rosalux.de/en/publication/id/39802/climate-and-gender-justice/https://climatemigrationforum.net/wp-content/uploads/2019/07/Gender-Social-Impacts-of-Climate-Migration.pdf>https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_37_8642_E.pdf