**ActionAid International submission on loss and damage**

**to UN Special Rapporteur on Climate Change and Human Rights**

**22nd June 2022**

“*Even if current [climate] targets are met, tens of millions will be impoverished,
leading to widespread displacement and hunger...[Climate change] could push more
than 120 million more people into poverty by 2030 and will have the most severe
impact in poor countries, regions, and the places poor people live and work...A robust
social safety net will be the best response to the unavoidable harms that climate
change will bring*.”

Philip Alston, UN Special Rapporteur on extreme poverty and human
rights, 25 June 2019.[[1]](#endnote-1)

**EXECUTIVE SUMMARY**

In a world facing the escalating impacts of global warming, social protection has a crucial role to play
in protecting women, communities and economies from catastrophic climate impacts, and avoiding the climate poverty spiral. Social protection tools can be used to address climate-induced loss and damage, strengthen resilience, and advance development goals and human rights.

Social protection can be used to address a range of human rights infringements related to loss and
damage scenarios including: reduced income and food insecurity from crop losses or reduced fish catch; loss or damage to homes and possessions; loss of livelihood options caused by sudden climate disasters and slow-onset changes; temporary displacement, distress migration or planned relocation as a result of climate impacts; as well as when women and families are left behind by migrating husbands or family members and have no reliable income

Social protection tools such as unconditional cash and food transfers, minimum crop price guarantees, job guarantees, cash or food for work, asset building, replacement school meals, housing support and support for retraining, reskilling and investments for new livelihood options, can all be used strategically to help families and communities cope with the loss and damage from the impacts of climate change

The Covid-19 pandemic and the rapid and widespread adoption of social protection tools such as food relief, cash transfers and furlough payments to help people survive while preventing further disaster have shown the necessity of social protection schemes to help individuals, especially women, households and national economies when crises strike. Key lessons must be learned from this response.

Governments must systematise national social protection systems and plans that provide basic coverage, ensure universal access, are proactively gender-responsive, and are shock-responsive in that they are able to respond quickly to meet climate challenges, including slow-onset impacts. If done well, social protection measures can bring profound development and human rights benefits while also scaling-up to address climate impacts and strengthen resilience as needed.

Addressing the multiple inequalities and disproportionate impacts faced by women, girls and marginalised communities must be central to addressing climate-induced loss and damage. Policies must make a specific effort to target women, otherwise they are likely to miss out on the support they need.

Social protection deserves far greater attention under national and international climate discussions,
although it is currently overlooked in favour of riskier approaches such as private insurance. The
international community, particularly under the UN Framework Convention on Climate Change (UNFCCC), its Warsaw International Mechanism on Loss and Damage (WIM) and Technical Expert Group on Climate Risk Management (TEG-CRM) must move forward an agenda to scale up climate-proofed social protection systems.

Governments and the WIM must ensure that social protection measures to address loss and damage are adequately financed through approaches including international climate finance, debt relief and progressive taxation.

**AVOIDING THE CLIMATE POVERY SPIRAL:**

**Social protection to address climate-induced loss and damage**

Many communities are dealing with crop losses due to erratic rainfall patterns.[[2]](#endnote-2) They may need to recover and rebuild after disasters such as cyclones, or take action in the face of slow-onset climate impacts such as rising sea levels and desertification. For vulnerable households with minimal economic buffers (which is often the situation for women- headed households) the loss of home, land, crops, food or livelihood as a result of climate-induced loss and damage can push people into spiralling poverty and destitution.

Women are especially vulnerable to the impacts of climate change. In the global South nearly half of the agricultural workforce are women.[[3]](#endnote-3) However women farmers face multiple challenges that increase their vulnerability to climate change. These include discriminatory patriarchal norms and gender-blind or gender-biased policies, which prevail in virtually every country in the world. These place an unequal burden of care on women while reducing their access to land, markets, finance, extension services, climate information, and decision-making processes.[[4]](#endnote-4)Women farmers are thus less able to invest in resilience, while earning less for their efforts than male farmers.

Multiple studies show that women are several times more likely to die from climate disasters as men,50 and the greater the gender and economic inequality, the greater the disparity.[[5]](#endnote-5) 80% of people displaced by climate disasters are women.[[6]](#endnote-6) If water sources dry up, women and girls must walk further to fetch water. When crop failure impacts on family income, women tend to skip meals more than men, and girls are pulled out of schooling before their brothers, setting them on an unequal path for life. When climate change leaves families hungry, women report higher incidences of domestic violence.[[7]](#endnote-7) Hunger and poverty can leave women feeling they have no choice but to undertake transactional sex work in desperation to feed their families, exposing themselves to violence and HIV.[[8]](#endnote-8) Meanwhile, the impacts of hunger and malnutrition on children can be deeply damaging to their lifelong health, learning, and future employment.[[9]](#endnote-9) This can thus have long-term impacts on poverty, well-being and development.

The toll on agriculture and rural livelihoods from climate change is accelerating rural-urban
migration. Young women in South Asia driven to rural-urban migration have been found to be vulnerable to trafficking and exploitation.[[10]](#endnote-10)It is more common, however, for men of working age, particularly young men, to migrate from rural areas in search of employment. This trend is leaving many communities across Africa, Asia and Latin America with few men, driving the feminisation of agriculture and further increasing the burdens on women.[[11]](#endnote-11) Women report increased exhaustion, poverty and hunger, and some communities report that the absence of their husbands means that are at greater risk of harassment and sexual and violent assault outside of their homes.[[12]](#endnote-12)

The climate crisis is thus rolling back development gains in many parts of the world, and women, girls, marginalised people and people living in poverty tend to be disproportionately affected by its impacts.

Social protection can make a huge difference to people’s lives as they deal with these challenges. Resilience to climate change relies on the ability of people and communities to cope with shocks and stresses. Social protection that ensures that people’s human rights are met - for example by providing help in the form of income support, unconditional cash transfers, employment guarantees and food support - can play a key role in helping vulnerable individuals - especially women - and communities to get through crises and avoid exacerbating poverty in the face of climate change. For some, **social protection can mean the difference between being able to continue in agriculture, or facing debt, poverty and hunger that forces them to migrate in search of work and food**.

In addition to being a tool for resilience and addressing climate-induced loss and damage, social protection systems can also deliver many more development benefits by addressing inequality, empowering marginalised people, and creating transformative opportunities for sustainable development. National social protection floors,[[13]](#endnote-13) which states have committed to under the Sustainable Development Goals (SDGs)[[14]](#endnote-14)and the human right to social security,[[15]](#endnote-15) can offer basic security for livelihoods and income for everyone over the whole of their lifetime,[[16]](#endnote-16) ensuring that no- one is left behind. Similarly, under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), provisions for maternity protection and child-care are proclaimed as essential rights and are incorporated into all areas of the Convention, whether dealing with employment, family law, health or education. Moreover, CEDAW calls for states to implement special measures to address the substantive inequalities that women face, and in recognition of the gender-blind nature of most policies. This clearly mandates States to ensure that, amongst other things, social protection policies are designed in gender-responsive ways that specifically seek to support and advance the rights of women.[[17]](#endnote-17) If done well, social protection measures can be a critical way for States to fulfil their commitments to protect human rights and advance sustainable development, including through approaches that respond to and scale-up to address climate impacts
and strengthen resilience as needed.

So far, however, only 29% of the world’s population are covered by the full range of social security benefits, most of whom are in the Global North.[[18]](#endnote-18) Only 45% of people are effectively covered by at least one social protection benefit and four billion people do not benefit from any form of social protection whatsoever.[[19]](#endnote-19)

Furthermore, **few countries are using social protection to reduce climate-related hardships.
Social protection is not yet being used at scale to prepare for the current and incoming climate crisis, and the disruption that is certain to result from increased floods, droughts, cyclones, rising sea levels, salination, forest fires, and the crop failures, disappearing fresh water sources, loss of livelihoods and migration that will result.** Government efforts to respond to such crises tend to be ad-hoc, insufficient and gender- blind, which often means that the people in greatest need – women and marginalised communities - are the ones that fall through the cracks.

The Sendai Framework for Disaster Risk Reduction encourages governments to use social protection policies to build resilience to disasters.[[20]](#endnote-20) However while there are examples of countries and humanitarian agencies using social protection tools for humanitarian response in the immediate aftermath of sudden-onset climate disasters, there is currently limited systematic use of social protection by governments as a proactive tool for preparedness, to strengthen resilience, or to address loss and damage caused by climate impacts.[[21]](#endnote-21)[[22]](#endnote-22)

**There is a particular lack of social protection schemes tailored to address slow-onset climate
impacts such as rising sea levels or changing weather patterns**.[[23]](#endnote-23) This is likely because the

incremental nature of slow-onset climate impacts often renders them less noticeable to communities and governments. Communities may not fully understand that climate change is a cause of their troubles, may not ask government for help, and may be taking action themselves, for example through distress migration. Without the trigger of a sudden, noticeable and visible extreme climate disaster, governments may not realise the extent to which communities are suffering. However even though the impacts may only take effect gradually, they may be even more devastating to communities if they are not fully supported to understand these changes, or to take action to protect themselves.

Governments should therefore implement comprehensive, universal gender-responsive social protection schemes to protect human rights, promote development, strengthen resilience and address loss and damage from both sudden-and slow-onset climate impacts. This should be considered as part of national policies, and under the international framework of the Warsaw International Mechanism on Loss and Damage (WIM) under the UNFCCC.

Social protection schemes are rarely perfect. Gaps in design can lead to exclusion. Lack of participation and consultation by women and marginalised including women, indigenous peoples, nomadic pastoralists, informal workers, bonded labourers, refugees, migrants and internally displaced persons (IDPs) at an early stage leads to poorly designed programmes and policies that are inaccessible to those that need it most.

Addressing the multiple inequalities and disproportionate impacts faced by women, girls

and marginalised communities must be central to addressing climate-induced loss and damage. Policies must make a specific effort to target women, otherwise they are likely to miss out on the support they need. **There is therefore an urgent need for governments to systematise and increase coverage of gender- responsive social protection systems[[24]](#endnote-24) that are accessible to all, and able to scale-up in the face of climate challenges.**

If not designed to be gender-responsive, social protection tools can also perpetuate and increase gender inequalities.[[25]](#endnote-25) This can happen if support is targeted at men, or not specifically designed to meet the needs of women; if programmes fail to recognise or address that women take on childrearing and care-oriented roles in their families and communities and that their earnings are often lower; or if they fail to ensure women’s inclusion in processes, or their active participation in the design and implementation of programmes. In countries where women struggle to get access or ownership of land, they can be barred from qualifying for support provided to farmers.[[26]](#endnote-26) Women are also more likely to work in precarious, part-time roles in the informal sector. Women are not homogeneous, however, and programmes must be tailored in design and delivery to address rights deprivations based on age, class, race and other factors.

While humanitarian agencies and non-governmental organisations often play a role in responding to disasters with measures such as cash and food transfers, these interventions tend to be ad-hoc, reactive and gender-blind. And if not flexible enough to respond rapidly and scale-up, social protection schemes can also fail to spot emerging crises, reach new people or increase levels of support when disasters strike. Thus to truly address loss and damage, strengthen resilience, alleviate poverty and protect human rights, governments must systematically implement social protection schemes through the institutionalisation of basic levels of support. When designed in combination with progressive tax policies that ensure sufficient and sustainable financing, social protection can be a powerful tool for governments to meet their human rights obligations, address inequality, redistribute wealth and ensure wellbeing to those most marginalised and in need of support

Setting up social protection systems to address loss and damage will require planning, state capacity and coordination across various policy areas.[[27]](#endnote-27) Rather than relying on individual tools, **governments should look to put in place joined-up systems of multiple social protection measures** which use the full range of schemes to meet nationally-identified challenges. This should include a mix of publicly-funded social assistance measures and social insurance for those that can afford to pay into a system. Social protection systems should be informed by legal frameworks that guarantee the right to social security, strengthen governance of social protection systems, and enable accountability for rights holders.

Rather than waiting for disaster to strike and needing to react quickly, starting from scratch, countries should look to establish systems of social protection well before a crisis hits. Preparedness is a no-regrets option that improves coordination and effective response to sudden disasters, while also helping to strengthen communities’ ability to adapt. This is in line with countries’ existing global commitments under the SDGs and the UDHR, which are needed to address not only the impacts of disasters, but prevailing poverty and inequality as well.

In order to avoid inadvertent harm to vulnerable households, groups and communities, social
protection systems should also avoid:

* Relying on means-testing to provide targeted support only to those on a list who can prove
they are “poor enough”. Means-testing and data- gathering processes are often expensive, and frequently fail to gather accurate data or deliver support to the most marginalised households, groups and communities, especially women. Thus, although means-testing is theoretically intended to save money by only targeting the poorest, in practice it can be expensive than universal schemes accessible to all. In almost all cases, targeted support through means- testing spreads discrimination and exclusion.[[28]](#endnote-28)
* Incentivising maladaptation in which communities are induced to stay on in climate-affected locations where the potential for adaptation is soon likely to reach its limits, thus increasing their vulnerability over the long term;
* Being dismantled or undermined by austerity measures and skewed spending priorities, often as a result of aid and loan conditionalities that wrongly assume market- based solutions (which only some can afford) can fill the gaps;
* Promoting privatised insurance schemes for poor communities, instead of providing tax-funded government-sponsored social protection support. Insurance is not a quick fix, and has many drawbacks and limitations. It cannot address the gap in finance for adaptation or loss and damage.

The Covid-19 pandemic has shown the vital importance of social protection schemes to prevent deepening poverty when crises strike, and key lessons can be learned from this response. Not least, the pandemic has exposed and exacerbated the huge inequalities faced by women, youth and informal sector workers; and there is a growing realisation that coverage must expand rapidly, to better prepare for future crises.

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*For further reading on this topic, please also see “*[*Social protection for climate-induced loss and damage*](https://www.climatecentre.org/wp-content/uploads/Social-protection-and-LD_RCCC_ActionAid_DIE-1.pdf)*: priority areas for increasing capacity and investment in developing countries” by ActionAid International, Red Cross Red Crescent Climate Centre (RCCC) and the German Development Institute (DIE).*

1. https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24735 [↑](#endnote-ref-1)
2. https://www.ipcc.ch/site/assets/uploads/2018/05/SYR\_AR5\_FINAL\_full\_wcover.pdf [↑](#endnote-ref-2)
3. Food and Agriculture Organization. “Smallholders and Family Farmers: Factsheet” 2012. http://www.fao.org/fileadmin/templates/nr/sustainability\_pathways/docs/Factsheet\_SMALLHOLDERS.pdf [↑](#endnote-ref-3)
4. https://actionaid.org/publications/2019/principles-just-transition-agriculture [↑](#endnote-ref-4)
5. https://www.researchgate.net/publication/30523075\_The\_Gendered\_Nature\_of\_Natural\_Disasters\_The\_Impact\_of\_Catastrophic\_Events\_on\_the\_Gender\_Gap\_in\_Life\_Expectancy\_1981-2002 [↑](#endnote-ref-5)
6. UNDP, 2016, Overview of linkages between gender and climate change, [↑](#endnote-ref-6)
7. https://actionaid.org/SAfricaFoodCrisis [↑](#endnote-ref-7)
8. ActionAid, 2016, Hotter Planet, Humanitarian Crisis https://actionaid.org/publications/2016/hotter-planet-humanitarian-crisis [↑](#endnote-ref-8)
9. https://blogs.unicef.org/blog/child-hunger-and-its-long-term-effects/ [↑](#endnote-ref-9)
10. https://actionaid.org/publications/2016/climate-change-knows-no-borders#downloads [↑](#endnote-ref-10)
11. World Bank, 2016, Feminisation of Agriculture in the Context of Rural Transformations: What is the Evidence?, http://documents1.worldbank.org/curated/en/790991487093210959/pdf/ACS20815-WP-PUBLIC-Feminization-of-AgricultureWorld-BankFAO-FINAL.pdf [↑](#endnote-ref-11)
12. https://actionaid.org/publications/2016/climate-change-knows-no-borders#downloads [↑](#endnote-ref-12)
13. http://www.socialprotectionfloorscoalition.org/civil-society-call/ [↑](#endnote-ref-13)
14. SDG 1.3 commits to: “Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.” [↑](#endnote-ref-14)
15. Article 22 of the Universal Declaration of Human Rights state that “everyone, as a member of society, has the right to social security.”, as the set of policies and programmes designed to reduce and prevent poverty and vulnerability. The Committee on Economic, Social and Cultural Rights also established this must be adequate, available, accessible, and should cover all social risks and contingencies. [↑](#endnote-ref-15)
16. https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx [↑](#endnote-ref-16)
17. http://www.socialprotectionfloorscoalition.org/civil-society-call [↑](#endnote-ref-17)
18. Including child benefits, benefits in case of maternity, unemployment, employment injury, sickness, disability, old-age and survivors’ benefits, as well as health protection. ILO (2017): World Social Protection Report 2017-2019. Universal social protection to achieve the SustainableDevelopment Goal. [↑](#endnote-ref-18)
19. Ibid [↑](#endnote-ref-19)
20. United Nations Sendai Framework for Disater Risk Reduction 2015-2030, Priority 3, Para 31g ”To promote and support the development of social safety nets as disaster risk reduction measures linked to and integrated with livelihood echancement programs in order to ensure resilience to shocks at the household and community levels.” https://sustainabledevelopment.un.org/frameworks/sendaiframework [↑](#endnote-ref-20)
21. World Food Programme, Social Protection and Climate Change (2019) [↑](#endnote-ref-21)
22. Climate and Development, Volume 12, Issue 6, Alexandrova, M. 2020, Principles and considerations for mainstreaming climate change risk into national social protection frameworks in developing countries, https://www.tandfonline.com/doi/full/10.1080/17565529.2019.1642180 [↑](#endnote-ref-22)
23. Stockholm Environment Institute, Slow-onset climate hazards in Southeast Asia: Enhancing the role of social protection to build resilience, 2021 https://www.sei.org/publications/slow-onset-climate-hazards-southeast-asia-social-protection-resilience/ [↑](#endnote-ref-23)
24. ActionAid International calls for all governments to deliver on their promise to achieve universal social protection by 2030, and to achieve the long-held goal of delivering on the right to social security, by scaling up universal social protection systems and developing basic social protection floors for all. [↑](#endnote-ref-24)
25. https://www.unwomen.org/en/digital-library/publications/2017/2/making-social-protection-gender-responsive [↑](#endnote-ref-25)
26. https://meas.illinois.edu/wp-content/uploads/2015/04/Manfre-et-al-2013-Gender-and-Extension-MEAS-Discussion-Paper.pdf [↑](#endnote-ref-26)
27. Béné, C., Cannon, T., Davies, M., Newsham, A., and Tanner, T. 2014.“Social Protection and Climate Change.” OECD Development Cooperation Working Papers 16 [↑](#endnote-ref-27)
28. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms\_568678.pdf [↑](#endnote-ref-28)