**

**Promotion and Protection of Human Rights in mitigation, adaptation and**

**financial actions to address climate change losses and damages**

*Submission by the International Federation of Red Cross Red Crescent Societies*

*and the Red Cross Red Crescent Climate Centre in response to the call for input*

The IFRC comprises 192 member National Red Cross and Red Crescent Societies, with some 14 million volunteers. As auxiliaries to the public authorities in the humanitarian field, National Societies support their governments in climate change adaptation, including through reducing disaster risks and responding when they cannot be prevented. With the support of the Red Cross Red Crescent Climate Centre, an IFRC reference center and the principal technical resource for the Movement on climate-related issues, the IFRC engages in climate policy discussions calling for prioritizing urgent action to meet the needs of the most vulnerable people facing the greatest risks and impacts of the climate crisis.

1. *What experiences and examples are you aware of that are being faced by particularly individuals and communities in vulnerable situations (as identified above) that have suffered loss and damage due to the adverse impacts of climate change?*

As the climate crisis worsens, we are seeing how the poorest and most vulnerable are disproportionately experiencing losses and damages in terms of loss of lives, livelihoods, assets and infrastructure; degraded ecosystems; displacement and more. At the same time, we know that the most vulnerable people facing the greatest impacts have the least capacity to deal with rising risks. (See Chapter 2 [World Disasters Report 2020](https://www.ifrc.org/document/world-disasters-report-2020))

Simultaneous extreme events are compounding risks particularly for the most vulnerable. Droughts, heatwaves and violent storms can all destroy crops and kill livestock, potentially causing food shortages and loss of livelihoods that can exacerbate malnutrition, displacement, political insecurity, and the risk of famine. For example, in 2019, [Afghanistan](https://go.ifrc.org/emergencies/3079%252523reports) experienced both drought and flash floods. Multiple years of drought meant that crop production was drastically reduced from a lack of precipitation leading to severe food shortages and displacement as people sought alternative food sources and livelihoods. El Nino brought above normal levels of precipitation - poor soil absorption and lack of vegetation due to the drought, created the conditions for flash flooding, causing further livelihood loss, displacement, mass destruction and loss of lives. The response to this disaster was impacted by ongoing conflict and political insecurity, resulting in challenges for affected people to access assistance. Local tensions were also further exacerbated.

Losses and damages incurred from climate related events create an obstacle to the provision of basic services such as health care, electricity, water and sanitation. They affect people’s health, productivity, and well-being, and they slow down or can even reverse development gains and the sustainable eradication of poverty. As an example, Cyclone Amphan in Bangladesh caused widespread damage, halting progress of the many cities and towns that had been working to improve access to water, sanitation and health, particularly in light of COVID-19 containment efforts. Multiple studies connected Cyclone Amphan to [climate change](https://climatetrends.in/wp-content/uploads/2020/08/Cyclone-Amphan_-link-with-climate-change.pdf), and highlighted the risk of this type of disaster worsening in the region based on climate modelling (*Mitchell et al. 2022*). Prior to the disaster, half of Bangladesh was already consuming water which did not meet safe water standards, in addition to a lack of sanitation and health facilities (*Rafa, Jubayer and Uddin 2021*). Systemic work done to address access to clean water and sanitation has been hampered by this disaster, with a continued threat to this sector as a result of the potential for an increase in these types of events in Bangladesh due to climate change (*Rafa, Jubayer and Uddin 2021*).

Conflict and violence-affected communities are another vulnerable group because, in addition to causing death and injuries, armed conflict severely limits their adaptive capacity. Conflict disrupts social, political, and economic systems that enable people to adapt and respond to shocks. People’s homes and livelihoods may be destroyed, exacerbating poverty and inequality. Essential services and infrastructure such as health, food, energy, and water systems may be compromised and damaged, and the physical and psychological impacts of conflict can exacerbate disparities in health outcomes well into the long-term (*ICRC 2020a*).

More examples of what we have seen in terms of losses and damages already experienced by communities are outlined in the Norwegian Red Cross Report [*Turning the Tide*](https://www.ifrc.org/sites/default/files/2021-12/Report_turning_the_tide_dec2021.pdf)*.*

1. *What legislation, policies and practices do you think are necessary to provide redress for particularly individuals and communities in vulnerable situations that have suffered and will continue to suffer loss and damage due to the adverse impacts of climate change?*

Our view is that preventative efforts, and support to put crisis-affected persons back on their feet, are the most pressing tasks. Even as climate change drives ever greater hazards, we can reduce the suffering they might otherwise cause.

1. **Ensure legal frameworks enable effective and integrated disaster and climate risk governance**: Without integrated laws and policies handling climate change adaptation, disaster risk management and development, institutional responses are less likely to identify and prioritize the needs of those most at risk. Key issues that benefit from a legislative foundation include effective and realistic land use and building codes (often highly under-regulated in practice, leaving people at substantial risk), building the resilience of informal settlements, participation of communities and civil society in disaster risk management, and ensuring that local governments are adequately financed to carry out their (often extensive) mandates to shoulder climate change adaptation and disaster risk management. Likewise, protecting rights in any preventative relocations of populations and ensuring durable solutions for those displaced by climate-driven disasters requires specific legislative guidance. Guidance and information can be found in the [Disaster Law Checklist](https://disasterlaw.ifrc.org/sites/default/files/media/disaster_law/2020-09/The%20Checklist%20on%20law%20and%20DRR%20Oct2015%20EN%20v4.pdf). For more information see IFRC Policy Brief on Integrated disaster and climate risk governance the [Global Synthesis Report on Law and Policies for Climate Resilience: Enhancing Normative Integration between Climate Change Adaptation and Disaster Risk Reduction](https://disasterlaw.ifrc.org/media/3268), and [Effective law and regulation of disaster risk reduction: a multi-country report](https://disasterlaw.ifrc.org/sites/default/files/media/disaster_law/2020-09/DRR%20Report%20%28full%20version%29%20final_page_LR.pdf).
2. **Public and private investment in disaster risk reduction / adaptation must be increased, in particular in communities affected by repeated impacts and those currently being left behind:** Investment in disaster risk reduction is essential to minimize losses and damages and enhance the resilience of vulnerable people facing rising climate risks and residual climate impacts. Action is needed in the wide range of countries currently being left behind (See Chapter 7 [World Disasters Report 2020](https://www.ifrc.org/document/world-disasters-report-2020)).
3. **Scale up anticipatory action:** To avert and minimize losses and damages, an important component of preventive measures includes taking anticipatory action to scale. Many disaster management systems have already become more anticipatory responding to forecasts to enable early action, to enable faster and better response, and in some cases to prevent losses altogether (though this is in practice rare). These approaches need to be available in more communities, for different types of hazards, and at a much greater scale. (See Chapter 4 [World Disasters Report 2020](https://www.ifrc.org/document/world-disasters-report-2020))
4. **Implement locally-led solutions:** Locally-led solutions, owned by local actors and supported by international donors are central to tackling losses and damages as this can help ensure measures are tailored to local needs, and reach the most vulnerable.
5. **Invest in risk reduction for smaller scale, more frequent climate-related events:**  UNDRR noted that relatively small-scale climate-related disasters are happening at the rate of one a week (though most draw little international attention). Such lower-impact events are causing death, water and food scarcity, health-related issues, socio-economic challenges and displacement. They are occurring much faster than predicted and require more action and support (IPCC, 2022).
6. **Bridge silos between policies, practices and investments:** Within donor governments and agencies (e.g., between environment, development, and humanitarian departments) as well as within climate vulnerable countries to ensure support and action goes to where it is most needed in a coherent, coordinated manner. Many lessons and experiences can be drawn from disaster risk management practitioners.
7. **Additional funding for addressing loss and damage is needed, in particular for urgent humanitarian needs:** Impacts are greatest for those with least capacity to cope, and the responsibility of supporting these people is often borne by overstretched systems at national and local levels. Humanitarian funding is minimal in comparison to Climate funding – IFRC current needs (noting this is climate related and other humanitarian needs) is roughly 1.7b USD and is only 50.2 % funded. The Global Humanitarian Overview of UN coordinated humanitarian response plans is 4.1 billion and this also is only around 50% funded. New and additional funding is needed, and this funding must be commensurate to meeting the needs on the ground.
8. *Please provide examples of policies and practices (including legal remedies) and concepts of how States, business enterprises, civil society and intergovernmental organizations can provide redress and remedies for individual and communities in vulnerable situations who have suffered loss and damage to the adverse impacts of climate change.*

**Locally Led Action:** Support for those in vulnerable situations who have suffered losses and damages must be responsive to local needs and should be designed and driven by communities. The necessity of this localized approach needs to be reflected in funding, with more of the resources made available to local organizations and locally led initiatives. Despite efforts by responsible institutions, climate finance remains all but inaccessible to civil society and community-based organizations.

Empowerment of local communities to avert, minimize and address losses and damages directly through the provision of skills, knowledge and resources will help to ensure actions are tailored to and respectful of lived experience and local realities. There should be concerted efforts to draw in and engage with local organizations that are working directly with people at risk. This is particularly important in conflict or violence affected settings where international development and climate actors, as well as central governments, have limited capacity to work.

1. *Please provide examples of ways in which States, the business enterprises, civil society and intergovernmental organizations have provided redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse effects of climate change.*

**Disaster Response Emergency Fund:** The RCRC [Disaster Response Emergency Fund](https://www.ifrc.org/disaster-response-emergency-fund-dref) (DREF), funds action immediately after a disaster strikes. In 2021 there were 34 active DREF operations amounting to almost 43 million CHF. The DREF is a central pot of money that can be released quickly following a disaster. While the volume and scope of the DREF is not unlimited, it provides a useful example of funds which can be released quickly to begin to address losses and damages from disasters increasingly attributed to climate change.

[Forecast-based Action](https://www.ifrc.org/forecast-based-action) by the Disaster Response Emergency Fund (FbA by the DREF) is a dedicated funding mechanism within the DREF for early action *before* disasters strike. Based on meteorological forecasts and risk analysis, funding is provided to National Societies for early action in advance of a predicted hazard. Money is released automatically when pre-defined forecast thresholds or ‘triggers’ are met. This allows National Societies to pre-positioning stock needed to enable early actions, engage in readiness activities so the National Society is prepared and on standby to respond, as well as take pre-agreed early action activities designed to save lives and livelihoods once a hazard is forecasted. The activities supported by the DREF and undertaken by National Societies to be prepared for and respond to the adverse effects of climate change are often done through their role as auxiliaries to government.

This type of fund could act as a guide for types of funding that are designed to facilitate anticipatory action and response to climate-related events, which can be executed and released quickly in advance of or following a climate related disaster.

1. *What international, regional and national policies and legal approaches are necessary to protect current and future generations and achieve intergenerational justice for particularly for individuals and communities, from the adverse impacts of climate change?*

**Drastic and Immediate Cuts in Greenhouse Gas Emissions:** The IPCC recalls that “near-term actions that limit global warming to close to 1.5°C would substantially reduce projected losses and damages related to climate change in human systems and ecosystems, compared to higher warming levels, but cannot eliminate them all.”

**Support Youth to Lead on Climate Action:** Youth must play a meaningful role in the climate discussions – their future is at stake.​ Youth are among the most vulnerable to climate change and also key agents of change. They can lead social movements through new forms of advocacy; they have access to unique tools, innovation and technology; they bring energy, passion and creative solutions to the climate crisis and they have access to communities around the world to incite and inspire change.

**Strengthen Coherence:** There needs to be a strengthened coherence between climate change adaptation, disaster risk reduction and sustainable development at the international, national and local levels. Integrating climate considerations into disaster law is one way to strengthen vertical alignment between the international, regional and national levels and improve, horizontal integration of law and policies at the domestic level.**Greater quantity and quality of funding for Adaptation and Loss & Damage:** There should be further efforts made at the international and regional levels to direct funds (existing or new), towards climate adaptation, in particular in countries and communities being left behind, as well as those confronting climate-related losses and damages. Impacts are greatest for those with least capacity to cope, and the responsibility of supporting these people is often borne by overstretched systems at national and local levels. Funding must be commensurate to meeting the needs on the ground. Either existing or new funding sources need to be better allocated to ensure that vulnerable communities are not left behind. Research in the IFRC World Disaster Report shows that none of the 20 countries most vulnerable to climate change (according to ND-GAIN) and to climate- and weather-related disasters (according to INFORM) were among the 20 highest per person recipients of climate change adaptation funding (*IFRC 2020*). For example, Somalia, the most vulnerable, ranks only 71st for per person funding disbursements. None of the countries with the five highest disbursements had high or very high vulnerability scores.

International and regional approaches for supporting mitigation and adaptation efforts, must ensure that the mechanisms in place to provide support are able to be accessed by communities in areas of conflict. For example, when climate finance is provided to countries in conflict, delivery mechanisms and processes often result in conflict-affected locations being omitted, particularly when these territories are not under the control of the state (*Cao 2021; IIED 2021:1; Sitati 2021:7*). This can leave large groups of people behind, as millions of people across the world live on territories that are not under government control (*ICRC 2021:2*). To ensure that funding mechanisms reach countries in crisis, and the most vulnerable and remote communities within these countries, a certain level of risk must be accepted and the scale and modalities of implementation of programs need to be tailored to contextual realities. Carving out clear exemptions for critical short and longer-term activities that are humanitarian in nature from the scope of sanction regimes and counterterrorism regulations might also be necessary (*ICRC 2019: Chap.5*).

1. *In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organizations proposed a new financial facility to support loss and damage.*
	* 1. *Please provide ideas and concepts on how a new facility would operate and how the funds needed to underwrite this fund would be established and maintained.*
		2. *Please provide ideas and concepts on how a new financial facility for loss and damage could provide redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse impacts of climate change.*

Any financial facility used to address loss and damage experienced by vulnerable individuals and communities may wish to consider the following recommendations:

* + Funding allocation should be needs driven and evidence based;
	+ Funding should be accessible immediately after a disaster occurs with criteria and process to apply established in advance (example of DREF in question 4);
	+ Funds that are anticipatory in nature should be supported;
	+ Distribution and allocation of funds should be informed by local actors in order to reach the most vulnerable;
	+ Funds should be available to a variety of actors and in smaller amounts to support community led initiatives which often do not have the capacity to absorb large amounts of funding;
	+ Funds should be accessible. This means language, application process and reporting requirements should be simple, enabling access by communities and local actors;
	+ The priority should be for the most vulnerable communities and individuals, there could be specific allocations of the funds to be distributed to target contexts often left behind, including areas experiencing conflict;
	+ Ensure funding can be available in countries where governments have limited capacity and reach, accepting a certain level of risk, and that delivery mechanisms and processes do not exclude countries in situations of armed conflict (conflict sensitive criteria);
1. *What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organizations to dramatically increase efforts to reduce emissions of greenhouse gases, including through support to developing countries, in particular small island developing States, least developed countries and landlocked developing States, to limit the human rights impacts on particularly individuals and communities in vulnerable situations to the adverse impacts of climate change?*

**Limit emissions in all sectors:** Within the humanitarian sector there has been progress to protect the environment and reducing emissions from humanitarian operations. This is one of the commitments in the [Climate and Environment Charter for humanitarian organizations](http://www.climate-charter.org) which now has over 190 signatories. Donors have committed to support implementation. Similar initiatives are needed in every sector.

**Prioritize those being left behind for adaptation action**: Increase investment in adaptation that will minimize losses and damages in marginalized and vulnerable communities being left behind. This requires funding alternate channels to funding when it is not reaching certain countries, and increased efforts to get funds to local communities, as outlined in the [principles on locally led adaptation](https://www.wri.org/initiatives/locally-led-adaptation/principles-locally-led-adaptation).

1. *What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organization to increase efforts to ensure that actions to adapt to the impacts of climate change contribute to reducing, and not exacerbating, the vulnerabilities of individuals and communities in vulnerable situations to the adverse impacts of climate change?*

**Locally Led Action:** To be successful, climate change adaptation must respond to the specific conditions people face, and must encompass the efforts of a wide range of actors, from the community level to national, regional, and international organizations, within civil society and across the public and private sectors. Where the central government might have a limited capacity and access to parts of the territory, locally driven climate change mitigation and adaptation that complements centralized efforts is critical. This entails finding ways to channel support to the subnational level and ensure that local governments, civil society and community actors have the required authority and skills to design and implement quality programs that reach the most vulnerable segments of societies.

For example, in [Honduras](https://www.ifrc.org/sites/default/files/2022-05/IFRC_%26_WWF_V_6-LR.pdf), initiatives to minimize land slides caused by land degradation and extreme events have been localized, with the Swiss and Honduran Red Cross working directly with local communities and land users (*IFRC, WWF 2022*). High levels of deforestation in Olancho, Honduras, have led to soil degradation and erosion, increasing landslide risk. Local communities and small scale farmers were engaged to implement bioengineering measures, as well as raise awareness on soil conservation and climate change to reduce landslide risk. The project ensured that the bioengineering processes were not complicated and materials used were sustainable and locally available, ensuring that the community could replicate the methods and continue their reinforcement even once the intervention was completed.

Nature based solutions are an important element of taking locally led climate adaptation, taking actions that protect, sustainably manage or restore an ecosystem. Nature-based solutions are increasingly recognized as one of the most effective and cost-efficient means to adapt to climate change, and increase the resilience of the most vulnerable through working with nature.The RCRC Movement has been implementing such solutions, such as through [mangrove and coral reef restoration in Jamaica](https://coastalresilience.org/project/resilient-islands/).

This highlights the need for locally led, evidence-based adaptation measures, ensuring that context specific needs of the most vulnerable communities are met. There must be a focus on the most vulnerable people and settings in climate adaptation, so that they are reached, informed and included in global, national and local decisions and plans. Local initiatives should drive efforts at the national, regional and international level and inform what and how adaptation measures should be implemented. Simultaneously there should be an increase in financing for adaptation and resilience, striking the agreed balance with mitigation, and supporting National Societies and other local actors’ access to climate finance.

**The** [**Climate and Environment Charter for Humanitarian Organizations**](https://www.climate-charter.org/wp-content/uploads/2022/05/ClimateEnvironmentCharter-EN.pdf)**:** The development of the Charter was led by the ICRC and IFRC, guided by an Advisory Committee of 19 people representing local, national and international NGOs, UN agencies and RCRC National Societies, as well as academics and researchers with humanitarian, development, climate and environmental expertise.

The Charter is intended to galvanize and steer collective action in response to the climate and environmental crises, for those who will feel their impacts the most. Its commitments should be implemented through organization-specific targets and action plans, informed by the need for urgent action and the individual capacity and mandates of organizations. It sends a clear signal that humanitarian organizations have a key role to play in addressing these crises. It recognizes that while humanitarian actors haven’t always played a role in climate change adaptation, they must be a part of the solution and help people adapt to a changing climate and environment, while also increasing their own environmental sustainability. This needs to be a collective endeavor, as no organization can tackle this alone. The Charter intends to provide a clear vision and principles to guide humanitarian action in the face of the climate and environment crises.

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