**Report to UN Special Rapporteur with the focus:**

"*Promotion and protection of human rights in the context of mitigation, adaptation and financial actions to address climate change with particular emphasis on loss and damage*"

Submitted by: Women's Rehabilitation Centre (WOREC)

Country: Nepal

Region: South Asia

Organizational Introduction:

Women's Rehabilitation Centre (WOREC) is a woman led human rights campaign-based organization that functions with the evidences of women rights and social justice as a prerequisite for peace, social justice, and sustainable development. It’s been established as a leading national organization that works to prevent violence against women, its causes and consequences, ensure economic, social-cultural well-being of women as well as other marginalized groups by promoting their access to rights and social justice.

Currently, it has been implementing three campaigns: 1. Violence against Women Campaign, 2. Human Rights & Social Justice Campaign and 3. Economic, Social, Cultural and Political Rights Campaign. All the campaigns are meaningful for creating enabling environment for a just society and social transformation to ending discriminatory social structure guided by the multi-layered patriarchal system.

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?

Nepal is a landlocked country in South Asia, located in the Himalayas between India and China. Its climate varies considerably according to altitude and season. Nepal can be divided into different climate zones according to altitude, ranging from the Terai region in the south at less than 500 m above sea-level to the High Himalayan region in the north above 5000 m[[1]](#footnote-1).

Due to the spatial climatic variation and the uneven climate events are adversely affecting in the all regions of the country. Decreased snow level, glacial lake outburst and thus sudden floods wash away many human settlements compelling them to be displaced where they faced social, economic, health hazards. It hits hardly to women and children putting them in the more risks to various forms of trafficking and violence. The 2014 Jure deadliest landslide in Sindhupalchowk district caused massive loss and damage to ecosystems, infrastructure, livelihood and death-toll of 156 people. The debris dam led to the formation of a lake resulting inundated houses, farms and a hydro power plant. There was also a high risk of an outburst of flood, necessitating the evacuation of settlements of downstream. Similarly, in Terai region in 2018 the flood caused by extreme rainfall, extreme windstorm damaged the houses, and the local people had to displace as well as many human casualties took place. One family did not have a dry place even for the cremation of their child, leaving the dead body in the flood. Melamchi flood (2021), Manang flood and the flood in western part of the country damaged human settlements along with livelihood, paddy field resulting huge food insecurities in the region. As such, women and children were suffered mostly, among them women with disabilities, single women and sexual minorities, dalits and the marginalized communities were severely affected putting them into of many-folded risks. In one hand, they faced denial of food, safe shelter and clothing caused by the displacement; in other hand the incidences of sexual violence to women and adolescent girls were increased inhumanly. It reveals that women and girls are more vulnerable relatively to men during the disaster time.

Furthermore, followings are some of the key experience and examples caused by the climate change adverse effects:

* Water sources are dried and/or water crisis are increased in many places of the country resulting the women into more physical labor to fetching water as well as their work burdens were increased especially among the indigenous women and women with disabilities. Besides, in compare to 47 percent men, 61 percent women depend on subsistence farming, it shows women are disproportionately facing food insecurity[[2]](#footnote-2).
* Rural women are mostly affected with the adverse effect of Climate change and disaster since they are not well-informed, confined within the household chores, no or less access to resources to adaptation. Due to the unequal power relation caused by patriarchal system women from the various class, caste and creed are disproportionately affected socially, economically especially the indigenous and disable women.
* Calendars of cultivation are uneven from the past trend.
* Outbreak of new genre insects in the plants.
* Increased outbreak of various diseases among the human and animals.
* Uneven rainfall patterns.

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?

* Effective execution of National Climate Change Adaptation Policy (2076 B.S.), LAPA has to make in all local government following the NAPA, the commitments outlined in the 2nd Nationally Determined Contributions, National Disaster Risks Reduction Policy (2075 B.S), Reflection of Paris Agreement and recommendation of UNFCCC are to be applied with systematic planning and mechanism. Similarly, National Adaptation Plan (NAP 2021 that includes 64 contents) has to implement with strategic focus at all level. Quality Monitoring and Review of all the policy mechanism and its implementation with corrective mechanism are must. Most of the planning and programs are harmonized under the disaster risk reduction and management and thus it has to be monitored and analyzed with specific focus. The provision of review of 2nd NDC is once in a five years, for the quality impact of the NDC the mid-term review mechanism to be placed with the focus of gender and inclusion perspective.
* The ongoing 15th National Plan (2019/2020 – 2023/2024) has planned Climate Change under the cross cutting sector theme with a vision of building a Climate- Resilient Society.
* The concept of loss and damage has to make wider discussion and disseminate in all tiers of government and institutional capacity build up prioritizing the local context promoting adaptation measures with co-benefits, gender disaggregation specifying diversity among women.
* Accountability and responsibility to be shared and borne among the 3 tiers of the government with effectual execution of adaptation and mitigation. Such as, local government: Implementing NAP and supplying the information to province and center through designated channel, Provincial government: making provincial laws, bridging mechanism among the inter-governments and support to local government, Federal level: making and enforcing laws, coordinating with other sectors.
* Based on the UN Gender Action Plan, Nepal should make Gender and Inclusion Action Plan to mainstreaming the Loss and Damage concept and its effective execution.
* Meaningful and equal participation of the local communities in the decision making bodies including the efficient governance system. Capacity build-up of the local communities has to effectively strengthened at times, if it is still a far cry then need to use the Equity and Fairness angle prioritizing the women and the vulnerable groups.
* Revival and restoration of local and indigenous skill; seeds; breeds and plants to supply nutrition, climate change adaptation. In the indigenous communities many local seeds are disappeared resulting they are in crisis to perform some special Puja, enhancers to make local wines etc.
* Communication strategy with effective IEC materials to be developed and to use public awareness extensively.
* Financial resource allocation should be sufficient including empirical and tangible initiatives to be implemented at the local level. More resources are limited for discourse at the state level that has to be equally reflected in the local level as well.

1. 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.

* The 15thNational Plan envisages as Private sector participation and investment be increased to mitigate climate change and expand clean energy programs. Building Resilience in Nepal through Public-Private Partnerships’ that shows tangible examples of where multi-stakeholder partnerships between the public and private sectors and civil society organizations.
* The Prime Minister Disaster Response and Relief Fund has been established. This is a basket fund where state, business entrepreneurships, corporate sector and international supports are collectively accumulated.
* The state mechanism are more focused disaster risks reduction and management initiatives. Climate change and especially focus to loss and damage of individual and communities are less likely to focus.

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.

- Aftermath of the disaster generally, the state disaster related mechanism and committee provide evacuation process, distribute relief materials with immediate needs. Over the process, the civil society organizations (CSOs) are seen proactive relatively. The civil societies are more concerns about the gender responsive relief package distribution and services. For example, in the case of Earthquake (2015) and the pandemic (2020 - 2021), the CSOs advocated for women friendly safer shelter, relief packages including dignity kits, separate quarantine centers for women, such places should be disable-friendly infrastructure, provided psychosocial counseling and other necessary services.

5. 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?

- The policies and the concerned frameworks should be guided by Paris Agreement (Article 1) and also special focus on minimizing economic and non-economic losses. In Nepal, the approach of loss and damage has not been extensively applied while adaptation and mitigation assessment are widely applied. Similarly, funds are focused on the same line. On top of that. More dialogues and funds are limited at the federal level but less movement are focus at the grass root levels.

- All the climate change related policies and approaches are mandatorily guided by gender responsive and inclusion principles focusing to the diversity of women (disability, indigenous and sexual minorities groups)

**International and regional policies:**

* Put a price on carbon released into the atmosphere as a result of the activities of a particular individual, organization or community.
* Make effective program for Reducing Emissions through Deforestation and Degradation (REDD) programme.
* Policies to contribute to the least developed countries suffering from the climate change impact
* Support to increase energy efficiency and use of renewable energy
* To protect human rights from the impact of climate change

National and local government can concentrate to formulate the policies concentrating the following viewpoints:

* increasing awareness of every-persons’ carbon footprint.
* Reducing carbon footprint by initiating software solutions
* Initiating carbon free clean means of transportation - encourage electric vehicles
* Conserving local natural resources
* Provisioning to recycled and treated pollution in an environmentally safe manner whenever feasible
* Incentivize carbon farming

6. 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.

a. 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.

- The funds from development country are to be distinguished between climate change fund and development fund. It impacts the host country to initiate real impact program.

- Robust data on loss and damage are to be prepared with gender disaggregate data based on the vulnerable group while assessing finance preparation.

- International supports in climate change are to be on grant basis rather than loan basis. This has adversely impacts in the least developed country like Nepal. The funds should be in easy access tapping predictability.

- Funds should be focused sufficient to switching clean energy.

- Monitoring and review of the fund utilization.

b. 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.

- The LAPA frameworks are to be prepared and executed by entire local governments (753) by the stipulated time frame with women friendly approach.

- The federal government leverage the capacity strengthening policy to the provincial and local government with effective budget plan.

- The elected local government representatives are to be enhanced their capacity on climate change adaptation, loss and damage to address and counter the adverse effect of climate change vulnerabilities resulting to enable locally sustainable programs.

- Promotion and public awareness on circular economy.

7. 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?

- Ensure the maximum promotion and use of renewable energy through subsidization schemes.

- Train to adjust thermostat at every home

- Enable people to use energy-saving light bulbs

- Orient every household to plant a native garden

- Bring reusable shopping bags and avoid products with excessive plastic packaging

8. 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?

* Education, awareness and capacity development of the entire actors: states, business enterprises, corporate sectors and civil society and intergovernmental organization are the pressing need resulting the conceptual clarity among them.
* Issue of climate change does not stand alone; it is a multi-sectoral theme. Thus, it should be underlined as only cross-cutting issue in the policy and plans.
* Participation from local communities ensuring women and their diverse group’s meaningful participation at the decision making process is a must.
* Strong advocacy and lobbying for climate change adaptation programs with focus of food security, viable alternative livelihood measures, reducing work burden of women and their diversity as well as effective execution of law, policies related to women on national and international governing mechanism.

**Other co-benefited actions can be as follows:**

* Top priority to environment friendly transport system, mass public transportation system. optimum uses of alternative energies.
* Uses of barren land with plantation (fruit plants as much as possible), restoring greeneries at the city areas.
* Promotion of nature based solutions practices are must such as f organic agricultural farming, conservation of water ponds, lake, wetlands, rainwater harvesting and its uses.

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1. World Bank Climate Change Knowledge Portal (2020), Climate Risk Country Profile: Nepal [↑](#footnote-ref-1)
2. National Labor Force Study (2074/75) [↑](#footnote-ref-2)