ALLIANCE OF SMALL ISLAND STATES

Information on Loss and Damage "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"

23 June 2022

Invitation

The Special Rapporteur is seeking input from States, business enterprises, civil society organisations and intergovernmental organisations on what actions are necessary with respect to financial support, remedies and redress for particularly individuals and communities in vulnerable situations suffering loss and damage as a consequence of climate change.

The study complements the **review** undertaken by the Special Rapporteur on human rights and the environment in 2019 on "safe climate" (**A/74/161**).

The Special Rapporteur invites and welcomes your answers to the following questions:

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?
2. 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?
3. Please provide examples of policies and practices (including legal remedies) and concepts of how States, business enterprises, civil society and intergovernmental organisations 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.
4. Please provide examples of ways in which States, the business enterprises, civil society and intergovernmental organisations 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.

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?
6. In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organisations 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.
    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.
7. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisations 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?
8. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisation 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?

Information for Consideration

AOSIS welcomes the opportunity to provide input into the titled report. The information below has been compiled from various sources, all informed by member countries.

Contribution to the GST report of the ExCom

AOSIS made a submission to the Executive Committee (Excom) of the Warsaw International Mechanism for Loss and Damage (WIM) for consideration in its synthesis report, prepared as a contribution to the Global Stocktake (GST). The main points of the submission are as follows:

Observed and Potential Impacts (From Extreme Events and Slow Onset Events)

We are experiencing impacts associated with a myriad of extreme and slow onset events (SOEs) which affect our people, economies, and natural resources. The science, including the recent IPCC WG I report, is also showing that the adverse effects of climate change will increase in intensity and frequency that, for us, equates to real existential threats. Based the evidence and information gathered from our members, we wish to highlight some examples:

- As island states, there is dependence on coastal and ocean resources, including small-scale agriculture, beaches, fisheries and more. Already, our members are seeing significant changes in fisheries that have and will affect our small economies. One example is the viability of the Pacific tuna fisheries. Also, there are losses of land, cays, atolls and other coastal resources due to sea level rise, resulting in more uninhabitable locales and loss of livelihoods, culture and heritage.
- With rising sea levels, many countries have experienced salinization of their underground aquifers. This has had serious implications for water availability, often made worse during drought events.

- There is a marked increase in the frequency and intensity of extreme events, including tropical storms and cyclones, floods and droughts. Storms (including hurricanes and cyclones) have affected many islands and left significant damage and loss in their wake; Pacific countries such as Fiji, Vanuatu, and Tonga, or Caribbean countries such as Antigua and Barbuda, the Bahamas, Dominica are among them. Many if not most countries are experiencing more instances of intense (and record) rainfall, resulting in flash flooding. This affects infrastructure (particularly as many designs pre-date the more recent intense climate change impacts), agricultural production, and many other socio-economic sectors. On the flip side, extended periods of drought have also led to similar consequences in some instances resulting in states of emergency as was the case in the Republic of the Marshall Islands in 2015-2016. The impact of tropical storms and cyclones is very well known. The loss of lives and the protracted impact on economies and people's lives are the unfortunate and heart wrenching tales that are our reality, year after year.
- The issue of displacement has been a growing concern, linked directly to the hazards noted prior. Whether coastal cays or atolls, or inland communities, the effects of climate change are displacing households and communities, some temporarily, some more permanently. Jamaica, for example, has been struggling with this issue whereby communities are being displaced by rising sea levels (for example, St Margaret's Bay in Portland) or from extreme rainfall events which cause significant amounts of debris and siltation (such as the case of Bull Bay, St Andrew) to collect in houses and temporarily displace residents. Permanent loss of territory leading to displacement in low-lying atoll nations such as Kiribati, the Marshall Islands and Tuvalu in the Pacific have already begun to manifest.
- Increased temperatures are also of great concern. Among other things, this has implications for infrastructure, human health and natural resources (such as the viability of coral reefs and the complex ecosystems they support). The quality and health of coral reefs have also declined as sea surface temperatures increase. The urban heat island (UHI) effect has been observed in some countries, Singapore being one example.
- Food security in our islands is also being challenged by climate change, including in countries that rely on external sources for a significant portion of food. Adding to this are countries whose agriculture (and fisheries) sectors reel from the compound effects of extreme events and SOEs; for example, where higher temperatures, coupled with drought, or followed by heavy rainfall, cause damage to crops and livestock.
- Much more could be said, with reference to, for example, ocean acidification and the multiplier effects of hazards occurring concurrently. But the point has been made that the impacts with a risk of ending in irreversible and permanent loss and damage is great and becoming greater.

Activities Pursued relating to loss and damage

There is no denying that the needs of our members are great and growing. We have used various fora, including the recently concluded COP 26/CMA 3 to highlight some of these needs. But we want to also show that we are by no means in a 'wait and see' mode. On the contrary, in the face of the sometimes meagre resources available to us, we have proactively taken action in various ways, including:

- Conducting capacity needs assessments and building out data repositories.
- Improving on baseline data and information for sectors.
- Expanding early warning systems to reduce loss of lives and injuries.
- Exploring comprehensive risk management options such as insurance (e.g., parametric insurance at regional scales), risk transfer schemes and other innovative financing options.
- Designing and developing flood mitigation systems, through policy and institutional changes as well as through programmes on-the-ground.
- Identifying and implementing strategies relating to various elements of loss and damage, including the impacts of rising temperatures, on water resources and on food security.
- Creating partnerships with research organizations and strengthening scientific institutions or programmes to provide the evidence base for action and appropriate responses.
- Using models and localized assessments to understand changes and influence measures pursued.
- Identifying suitable locations for safe and orderly migration of persons away from hazard-prone areas.
- Building resilient infrastructure and housing (e.g., cyclone-proof houses, evacuation centres).
- Using policy and legislative instruments to incentivize and implement the above listed and other initiatives.

Lessons Learned and Remaining Gaps

Despite the activities referenced, members have highlighted significant gaps covering the breadth of thematic areas relating to loss and damage, even in those areas for which work is underway. A key gap is access to sufficient finance on a timely basis. More specifically, remaining gaps in our member countries include the following:

- Loss and damage is still an emerging area with respect to understanding the true nature of the impacts and their risk of leading to loss and damage in our countries.
- Clarity on and awareness of climate change and its impacts, especially where these lead to loss and damage, including public awareness and training with targeted communication.
- The assessment and monitoring of risks, often a challenge associated with data gaps as well as insufficiency in data and information collection and management; and access to relevant technologies.
- The collection and storage of baseline data on the impact of loss and damage has significant gaps.
- Ongoing research to understand the current and future impacts of climate change at the local/community and national levels, including those that lead to non-economic losses. Specific mention can be made of the intangible cultural heritage being lost but that is not fully understood or explored.
- Knowledge of various approaches to take action to address loss and damage, both before and after it occurs.

- More early warning systems, and more efficient and far-reaching ones where appropriate.
- No formal, structured process to clearly track and report finance specific to loss and damage.
- Systematic collection, recording and reporting of loss and damage finance needs.

With respect to lessons learned:

- Systems should be dynamic to be effective, more so to keep abreast with and incorporate the latest scientific developments.
- Nascent/emerging aspects of climate change rely on capacity being built for research and development, especially to have solutions tailored to national contexts.

Financing Arrangements for Loss and damage:

At COP 26/CMA 3, AOSIS and other developing countries pushed for the establishment of a loss and damage facility. There was no consensus for the facility to be established; the establishment of the Glasgow Dialogue (GD) was the compromise decision. The GD is slated for the first session of the Subsidiary Bodies (SBs) annually, until 2024.

During the first GD held at the June 2022 SB session, AOSIS reflected on the guiding questions. Members also highlighted the gaps with respect to addressing loss and damage. The following captures some additional views as shared during the GD.

1) There are some funding arrangements for addressing certain types of loss and damage but the internal structure and modalities are not in place to adequately address all loss and damage, both in the short and longer term.

2) To respond to growing impacts, funding arrangements must be capable of programming climate finance for the following activities, among other things:

- rehabilitation of damaged assets, ecosystems, and heritage,
- recovery of lost assets and income for people, businesses and government;
- social protection and organized relocation for displaced persons; and
- measures to address permanent loss of, among other things, land and ocean territories and their associated ecosystems, livelihoods, culture and heritage.

However, existing funding arrangements do not address these. See Box 1 for examples.

3) No funding arrangements exist to help particularly vulnerable developing countries, especially SIDS, to cover the costs of loss and damage associated with slow onset events, such as the resettlement of populations from areas rendered uninhabitable due to climate change and measures to address permanent loss of, among other things, ecosystems and heritage.

4) AOSIS is looking for climate finance that is provided on a cooperative and facilitative basis to respond to loss and damage from both extreme weather and slow-on events, as agreed under the Convention and the Paris Agreement.

Box 1: Examples of SIDS' Experience with Existing Funding Arrangements

Here are some examples of our SIDS experiences grounded in our unique combination of special circumstances, including our small size and population, remoteness, particular vulnerability to external shocks including environmental and economic.

If we apply to the Green Climate Fund, in the context of loss and damage from extreme weather events, we are faced with lengthy and bureaucratic processes. This includes:

- An average at 12-22 months for the approval processes for project development; and
- An average of 24 months for project approval when applied through the direct access modality.

Moreover, requirements to prove the climate relevance of projects through scientific studies at the local level, which we do not have available, requiring high upfront cost and time to produce, which we are unable to afford; and this is just to name a few.

If we apply to the Adaptation Fund – a fund that is working while poorly capitalised, but nevertheless, with a clear mandate to respond to adaptation needs, which can be distinguished from addressing loss and damage.

Some may turn to regional risk transfer mechanisms; and indeed, they play an active role in providing immediate assistance in the aftermath of climate-induced extreme events but these are certainly not sufficient, because the assistance is often limited to shoring up governments fiscally, in the aftermath of an event and does not otherwise directly address physical and non-economic loss and damage.

Generally, where such activities are covered under current funding arrangements, these are typically categorized as high-risk projects for which direct access entities are not accredited to access support for. Oftentimes, in addition to being hard hit by loss and damage associated with human induced climate impacts, the inequity that follows for us having to use our national budgets, to take on more debt to address these.

Science and the Global Stocktake (GST)

The reports of the Inter-governmental Panel on Climate Change (IPCC), specifically the 6th assessment cycle, speak very clearly to the growing threats and impact of climate change and loss and damage. During the SB 56 sessions held in June 2022, AOSIS welcomed the opportunity to highlight information from the reports that speak directly to loss and damage, including for the GST.

Note the following as discussed by AOSIS for the GST:

Relevant Key messages from Working Group I of the AR 6

- **Climate risks are hitting home today**
  - The world has warmed by 1.1°C due to human made climate change.

o Climate extremes such as heat waves, extreme precipitation, droughts and storms are on the rise and human-driven climate change has made them worse.

○ Sea levels have already risen by 20cm and will continue to do so for thousands and thousands of years.

- **IPCC rings the alarm bells on low probability climate risks and irreversible impacts**
    - Crossing "tipping points" of ice sheet collapse or abrupt ocean circulation changes, and the occurrence of most devastating compound extreme events cannot be ruled out if climate change remains unchecked.
    - Rapid ice sheet melt could lead to catastrophic sea level rise even before 2100.
- **Risks of sea level rise are higher than previously assessed**
    - In an extreme scenario, more than 1m or even 2m of sea level rise cannot be ruled out this century, if rapid ice sheet melt is triggered.

○ But *we can avoid the worst of it.* Limiting global warming to 1.5°C could drastically limit global sea level rise to between 0.28 and 0.55 m by 2100.
○ The IPCC has reaffirmed the huge difference in impacts between 1.5C and 2C degrees of warming. In the long-run, ***up to 3 metres of sea level rise can be avoided if we limit warming to 1.5˚C instead of 2˚C.***

- **The IPCC confirms that the *1.5°C limit agreed in Paris is still "within reach."***

○ The report considers a small set of illustrative emissions scenarios that explore different climate futures. The lowest of those scenarios shows what is required to *keep 1.5°C within reach* reaffirming findings from the IPCC 1.5°C Special Report and other organisations such as the International Energy Agency (IEA).
○ In order to limit warming to 1.5°C, deep and sustained emission reductions in CO2 and other greenhouse gases are required – starting now, and reaching net zero by 2050. ○ The report reaffirms key findings of the IPCC Special Report on 1.5°C, including on the remaining carbon budget and 1.5°C scenarios.

- **Stringent mitigation pays off in the immediate future**
    - Every extra tonne of C02 will lead to more warming. Every bit of warming will lead to strong impacts.

○ Stringent mitigation in line with the 1.5°C goal would have rapid and sustained effects to limit human-caused climate change. There would be discernible effects on greenhouse gas and aerosol concentrations as well as on air quality *within years*, and slowed-down warming compared to a world with high greenhouse gas emission levels *over the next 20 years.*

- **Limiting warming to 1.5°C would strongly reduce climate risks**
    - *Every additional increment of global warming increases changes in extremes*, including the intensity and frequency of hot extremes, heatwaves, heavy precipitation, as well as droughts in some regions.

○ Limiting warming to 1.5°C would strongly reduce climate risks and avoid the most destructive impacts of climate change and reduce impacts by at least 50% compared to a 4°C world. This is true for heat waves, extreme precipitation and drought in drying regions.
○ But even at 1.5°C of global warming, extreme climate risks such as heat waves, heavy rainfall, drought and storms will become more intense and frequent around the globe.
○ For SIDS, it confirms what we've already been experiencing: *the most intense tropical cyclones are increasing in intensity*, and will continue to do so.

Relevant Key messages from Working Group II of the AR 6

Climate change is already causing widespread loss and damage

- Human-induced climate change has caused widespread, impacts and loss and damage to nature and people, with estimates of economic damages higher than previously thought. Some of these impacts are already irreversible.
- Weather and climate extremes are on the rise, pushing people and ecosystems beyond the limits of what they can adapt to. And the most vulnerable, like small islands, are at the forefront.
- Almost half of the world's population is living in contexts that are highly vulnerable to climate change. Increasing weather extremes including tropical cyclones are driving displacement of people around the world
- Impacts from climate change endanger the prospects of sustainable development for the most vulnerable.

Limits to adaptation are being exceeded

- In the face of unprecedented climate impacts, adaptation to climate change has never been more pressing. Adaptation has progressed but adaptation gaps exist between what is being done and what is needed.
- The report also highlights profound constraints and limits to adaptation. Hard limits to adaptation for ecosystems and people are already being reached.
- By 2050, one billion people in low lying coastal areas face escalating climate risks that will undermine adaptation efforts.

Lack of climate finance is a key constraint to adaptation

- The report clearly shows that vulnerable countries are facing severe constraints to adaptation, particularly on finance.
- Global climate finance on adaptation is still insufficient. This includes public and private finance sources. Adaptation finance needs are estimated to be higher than those presented in AR5.
- Rapid scaling up of climate finance is needed. Enhanced mobilisation and access to financial resources are essential for the implementation of successful adaptation and to reduce adaptation gaps.
- Loss and damage is also negatively affecting the availability of financial resources and impeding economic growth, including through disastrous extreme weather events like tropical cyclones, further increasing financial constraints for adaptation.

Future climate impacts and loss and damage will rapidly escalate above 1.5°C

- Climate impacts will increase with every tenth of a degree of warming, but limiting warming to 1.5°C will avoid the worst impacts and loss and damage.
- Climate change risks are projected to occur earlier than previously thought and some are projected to be multiple times higher than assessed in previous reports.
- Overshooting 1.5°C would lead to more severe impacts such as extreme weather, loss of entire ecosystems, and water and food shortages. Climate impacts will also become increasingly irreversible.

- For every tenth of degree the world warms beyond 1.5°C, the more severe economic and non-economic loss and damage will be.
- Sea level rise poses an existential threat for small islands. Extreme sea level events will hit more frequently and severely in the coming decades. Adaptation challenges will be increasingly unmanageable, in particular if the collapse of parts of the polar ice sheets occurs.

There is no climate resilient development for vulnerable countries beyond 1.5°C

- The report is clear that the prospects for climate resilient development for vulnerable countries are limited if current greenhouse gas emissions do not rapidly decline in this decade in line with the 1.5°C limit.
- Exceeding 1.5°C will undermine climate resilient development, including surpassing adaptation limits for critical ecosystems and the livelihoods that depend on them.
- At 2°C, climate resilient development would not be possible for vulnerable countries.

Relevant Key Messages from Working Group III of AR 6

Notably, in this Report the IPCC highlights specific Illustrative Mitigation Pathways that can inform concrete policies to overcome implementation challenges, by using resources more efficiently and shifting global development towards sustainability. These should be considered in the context of the technical dialogues with specific recommendations reflected in the outputs of the GST process.

Additionally, for the first time, the report includes an explicit assessment of the requirements to reach net zero greenhouse gases in line with Article 4 of the Paris Agreement – this should also be extremely useful for the consideration of outputs from the GST.

We can close the 2030 emissions gap

- The renewable energy revolution has already led to drastic cost reductions for core technologies since 2010: 85% for solar energy, 55% for wind energy, 85% for lithium-ion batteries.
- Renewable energy is the core reason why the 2030 emissions gap can be closed by mitigation options costing less than USD100 per tonne of CO_2e. Wind and solar energy are the most powerful and cheap options that make up more than half of this share, with costs below USD20 per tonne of CO_2e.

Rapid deep and, in most cases, immediate reductions in GHG emissions are required in order to have a chance of keeping warming to 1.5°C

- Removing fossil fuel subsidies is critical and can reduce global greenhouse gas emissions by up to 10% by 2030, improve public revenue and macroeconomic performance, and yield other environmental and sustainable development benefits.
- The adoption of renewable energy must accelerate.

To get on a path to 1.5°C, we need to shift the trillions

- The IPCC underscores the role the financial sector and global finance has to play. The world needs to get serious about aligning finance flows with the goals of the Paris Agreement.
- In the next decade, public, private, domestic and international investments across all sectors and regions need to increase by three to six times or more. But the science is clear, there is more than sufficient global capital and liquidity to close global investment gaps.
- Accelerated international financial cooperation beyond the USD100 billon goal is a critical enabler of low greenhouse gas and just transitions, and can address inequities in access to finance and the costs of, and vulnerability to, the impacts of climate change, including losses and damages.

We need to reach net zero global emissions by 2050

- The report outlines how achieving emission reductions in line with limiting warming to 1.5°C is required to give a very likely chance of limiting warming to well below 2°C, even in a case of a temporary overshoot.
- Governments must enact policies to take full advantage of the renewable energy revolution. Electricity systems powered by renewables are becoming increasingly viable and the energy sector needs to reach net zero CO2 emissions before 2050.
- There is enormous potential for demand side mitigation (reducing energy use), infrastructure and design, and end-use technological change that alone could achieve a 50% reduction in global greenhouse gas emissions by 2050.
- As the mitigation potential of countries differ according to their respective geographical endowments, and national circumstances, international cooperation should be encouraged and facilitated, particularly on the deployment of low carbon technologies such as hydrogen, carbon capture utilisation and storage, and regional energy grids, etc.

END.