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Ref:

The Permanent Mission of the State of Qatar to the United Nations Office in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and with reference to the latter's note dated 21<sup>st</sup> December 2023, transmitting the call for inputs of the Special Rapporteur on the right to development.

The Permanent Mission of the State of Qatar is pleased to attach herewith additional information as received from the competent authorities in the State of Qatar.

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the assurances of its highest considerations.

Geneva, 14<sup>th</sup> February 2024



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UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

TELECOPIE • FACSIMILE TRANSMISSION

DATE: 21 December 2023

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REF:

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OBJET/SUBJECT: **Letter from the Special Rapporteur on the right to development**

Please find attached a letter from the Special Rapporteur on the right to development, Mr. Surya Deva, concerning a call for information for two thematic reports of 2024.



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**Mandate of the Special Rapporteur on the right to development**

21 December 2023

Excellency,

I have the honour to address you in my capacity as the United Nations Special Rapporteur on the right to development, pursuant to Human Rights Council Resolutions 33/14 and 51/7.

In 2024, I will be presenting to the Human Rights Council and to the UN General Assembly my reports on the following themes: (a) Climate justice: Loss and damage; and (b) The right to development of children and future generations. To inform these two thematic reports, I seek to collect input on certain specific issues from States and all other stakeholders – please find enclosed a call for input.

**You are herewith kindly requested to send your submissions to [hrc-sr-development@un.org](mailto:hrc-sr-development@un.org) by 29 February 2024 in English, French, Spanish or Russian.**

Should you have any questions in the meantime, please contact Ms. Antoanela Pavlova, Human Rights Officer at the Office of the High Commissioner for Human Rights in Geneva (+41 22 917 93 31, [antoanela.pavlova@un.org](mailto:antoanela.pavlova@un.org) or [hrc-sr-development@un.org](mailto:hrc-sr-development@un.org)).

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in dark ink, appearing to read "Surya Deva". The signature is fluid and cursive.

Surya Deva  
Special Rapporteur on the right to development

All Permanent Missions to the United Nations Office and other international organizations in Geneva





## **A. Climate Justice : Loss and damage**

- 1. How is the realization of the right to development impacted by both economic and non-economic loss and damage from climate change ?How is the impact experienced differently and /or disproportionately by different Individuals(e.g., children and women), groups (e.g Indigenous People s) and States (e.g., Small Island Developing States )**

*About 3.3 billion people are living in countries with high human vulnerability to climate change. Analysis by the International Federation of Red Cross and Red Crescent Societies found that 97.6 million people were affected by climate- and weather-related disasters in 2019. The intersection of gender with race, class, ethnicity, sexuality, indigenous identity, age, disability, income, migrant status and geographical location often compound vulnerability to climate change impacts, exacerbate inequity and create further injustice.*

*Source : International Federation of Red Cross and Red Crescent Societies and International Committee of the Red Cross, "Humanitarian sector joins forces to tackle 'existential threat' of climate change" (News Release, 21 June 2022).*

Available at [www.icrc.org/en/document/red-cross-redcrescent-humanitarian-sector-joins-forces-tackle-existential-threat-climate](http://www.icrc.org/en/document/red-cross-redcrescent-humanitarian-sector-joins-forces-tackle-existential-threat-climate).

- 2. What are the obligations of States and other actors such as development finance institutions and business to prevent , mitigate and remediate the impacts of climate change -related loss and damage on human rights, including the right to development?**

In its article 8, the Paris Agreement states that "Parties recognize the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change".

"Parties should enhance understanding, action and support, including through the Warsaw International Mechanism, as appropriate, on a cooperative and facilitative basis with respect to loss and damage associated with the adverse effects of climate change".

From a human rights perspective, loss and damage are closely related to the right to remedy and the principle of reparations, including restitution, compensation and rehabilitation.

*Source : Paris Agreement & Report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change Promotion and protection of human rights in the context of climate change mitigation, loss and damage and participation- A/77/226*





**3. What is the legal and/or moral basis for States and other actors including business to contribute to the Fund for climate -related loss and damage ?**

*The decision -/CP.28-/CMA.5 on the operationalization of new funding arrangements, including a fund, for responding to loss and damage highlights the following.*

17. Parties and relevant institutions should consider, as appropriate, developing and implementing additional funding arrangements for improving sources, funds, processes and initiatives under and outside the Convention and the Paris Agreement to address gaps in the speed of disbursement of, eligibility for, adequacy of and access to finance, especially prearranged finance, for responding to various challenges, such as climate-related emergencies, slow onset events, displacement, relocation, migration, insufficient climate information and data, and the need for climate-resilient reconstruction and recovery.

18. A wide variety of sources, including innovative sources, should be made available to support and complement the new and existing arrangements, including sources, funds, processes and initiatives under and outside the Convention and the Paris Agreement, and they should be made available in ways that ensure the new and existing funding arrangements target people and communities in climate-vulnerable situations (including women, children, youth, Indigenous Peoples, and climate-induced migrants and refugees in developing countries that are particularly vulnerable to the adverse impacts of climate change)

*Source : Decision -/CP.28 -/CMA.5 Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4*

**4. In addition to making financial contribution to the Fund, what non-financial components may be relevant from climate justice perspective (e.g., transfer of green technologies, building of capacity and relocation pathways for climate -induced migrants )?**

*The decision -/CP.28-/CMA.5 on the operationalization of new funding arrangements, including a fund, for responding to loss and damage highlights the following.*

21. Initiatives such as Early Warnings for All, Climate Risk and Early Warning Systems, the Systematic Observations Financing Facility and the Global Shield against Climate Risks are welcome, and relevant actors are encouraged to increase their support for activities that enhance response to loss and damage.







*Source : Decision -/CP.28 -/CMA.5 Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4*

5. **How should a human rights -based approach to operationalize and administer the Fund look like (e.g., integration of considerations such as accessibility ,non-discrimination, fair representation in decision making , gender responsiveness , and accommodation of marginalized communities and countries especially vulnerable to the adverse effects of climate change)?**

*The decision -/CP.28-/CMA.5 on the operationalization of new funding arrangements, including a fund, for responding to loss and damage highlights the following.*

#### **Board Composition**

15. The Fund will be governed and supervised by a Board that is its decision-making body. The Board will have responsibility for setting the strategic direction of the Fund and for the Fund's governance and operational modalities, policies, frameworks and work programme, including relevant funding decisions.

16. The Board will have an equitable and balanced representation of all Parties within a transparent system of governance.

17. The Board will comprise 26 members, as follows:

(a) 12 members from developed countries;

(b) 3 members from Asia-Pacific States;

(c) 3 members from African States;

(d) 3 members from Latin American and Caribbean States;

(e) 2 members from small island developing States;

(f) 2 members from the least developed countries;

(g) 1 member from a developing country not included in the regional groups and constituencies referred to in paragraph 17(b–f) above.





18. Each Board member will have an alternate member, with alternate members entitled to participate in the meetings of the Board only through the principal member, without the right to vote, unless they are serving as the member. During the absence of a member from all or part of a meeting of the Board, its alternate will serve as the member.

19. The relevant regional groups and constituencies will nominate representatives with the appropriate technical, finance, loss and damage, and policy expertise, with due consideration given to gender balance, to serve as Board members, including alternate members.

20. The Board will enhance the engagement of stakeholders by inviting active observers, including youth, women, Indigenous Peoples and environmental non-governmental organizations, to participate in its meetings and related proceedings.

*Source : Decision -/CP.28 -/CMA.5 Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4*

**6. How to ensure that the Fund and/or climate finance (including for mitigation and adaptation) does not result in a debt trap for developing countries**

*The decision -/CP.28-/CMA.5 on the operationalization of new funding arrangements, including a fund, for responding to loss and damage highlights the following.*

57. The Fund will provide financing in the form of grants and highly concessional loans on the basis of the Board's policy for the provision of grants, concessional resources and other financial instruments, modalities and facilities. In its provision of finance, the Fund will make use of, inter alia, triggers, climate impact relevant indicators, **debt sustainability considerations** and criteria developed by the Board, and take into account guidance from the COP and the CMA.

58. The Fund may deploy a range of additional financial instruments that take into consideration **debt sustainability** (grants, highly concessional loans, guarantees, direct budget support and policy-based finance, equity, insurance mechanisms, risk-sharing mechanisms, pre-arranged finance, performance-based programmes and other financial products, as appropriate) to augment and complement national resources for addressing loss and damage.

59. The Fund should be able to facilitate the blending of finance from different financial tools to optimize the use of public funding, especially in order to ensure effective results for vulnerable populations and the ecosystems on which they depend

*Source : Decision -/CP.28 -/CMA.5 Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4*

