

# Submission on the 5year work plan of the Warsaw International Mechanism for Loss and Damage

CARE International<sup>1</sup>

28 February 2017

CARE International welcomes the opportunity to submit views for the development of the Warsaw International Mechanism 5year work plan. CARE has been engaging in the work of the WIM from its beginning and sees the 5year work plan as crucial to steer the WIM into a direction which delivers concrete sustainable development, resilience and climate action benefits for the those populations who are the poorest and often most vulnerable to climate change impacts, many of them women and girls, and small-scale food producers in developing countries. CARE looks forward to continue engagement on the design of the 5year work plan beyond this submission.

## 1. General aspects

### Develop a strong vision for the WIM

The 5year work plan is crucial for determining the direction of the WIM, in light of the growing loss and damage undermining poor countries' sustainable development efforts. So while the ExCom is advised to have a thorough, in-depth discussion on the key activities for the next years, it will also be important to kick start a set of more ambitious activities as soon as possible, to achieve strong outcomes in the next few years, not only by the end of the 5year period.

In light of other existing institutions under the UNFCCC which have a strong focus on adaptation, we would like to underline that the WIM, in line with its mandate of complementarity, has a particular role in addressing occurring and projected loss and damage which is not (and cannot be) avoided through adaptation and other means of reducing such impacts.

Furthermore, as the mandate of the WIM implies the necessary collaboration with various agencies and institutions inside and outside of the UNFCCC, some of which have a strong track record in the WIM's key work areas, the ExCom has a particular responsibility for strengthening the understanding and attention among these agencies to the specifics of climate change, its occurring and future impacts (including in relation to different temperature trajectories), and the fundamentals that underpin the UN climate convention. This includes the clear responsibility of a global minority of people and countries which have caused the larger share of greenhouse gas emissions whereby the responsibility to address loss and damage cannot just be left to and imposed on the countries particularly affected.

### Enhance action and support and generate additional, responsibility-based finance

CARE regards it as important to follow through on the mandate from the Paris Agreement to **enhance action and support** for addressing loss and damage, including through a strategic work stream in this regard as mandated by decision 3/CP.22. This work stream should be given highest priority and should seek to, amongst others, advance the generation of financial resources additional

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to those to be mobilized and invested into adaptation and other means of risk reduction. This should include a process to identify and implement innovative sources of finance which have the potential to generate such resources at a scale of billions of USD, as initial estimates are projecting.<sup>2</sup> Some of these can also address the responsibility of countries, companies and institutions for greenhouse gas emissions for providing finance and support to those countries and communities particularly affected with low levels of emission responsibility. The WIM should also seek to enhance the understanding of the scale of loss and damage in developing countries, and the financial support required to address it over and above much larger resources required for adaptation.

The ExCom should encourage other institutions and initiatives to apply financial instruments in a way that they address the special circumstances of particularly vulnerable populations, such as through smart premiums for pro-poor insurance, targeted support for vulnerable small-scale food producers.<sup>3</sup>

### **Take into account key events/reports in the coming years**

The ExCom should consider where the work of the WIM could contribute with regard to key dates of the international climate and development policy agenda in the next years, both in terms of the input it can provide, and how their outputs might affect the work of the WIM. From CARE's perspective these dates include (in addition to the COPs):

- 2017
  - o First review of progress towards SDGs 1 (poverty), 2 (hunger), and 5 (gender equality)
- 2018:
  - o IPCC special report on 1.5C (release in September) in particular regarding the impacts and potential loss and damage projected, and those avoided (and other benefits) through strong mitigation action;
  - o outcomes of the UNFCCC Facilitative Dialogue (e.g. regarding the expected warming levels based on the collective mitigation ambition and the implied level of loss and damage incl. permanent and irreversible);
  - o Global Compact on refugees with relevance to the work stream on migration, displacement and human mobility;
- 2019 (incl. in relation to the next review of the WIM as determined by COP22):
  - o First review of progress towards the SDGs and SDG 13 on climate change;
  - o IPCC Special report on climate change and oceans (release September 2019), including with regard to permanent and irreversible loss and damage from ocean-related slow-onset events;
  - o IPCC Special Report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems (SR2) (release September 2019) including with regard to impacts and

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<sup>2</sup> See e.g. CAN International submission from 2016, to which CARE is a member: [http://unfccc.int/files/adaptation/groups\\_committees/loss\\_and\\_damage\\_executive\\_committee/application/pdf/can\\_submission\\_to\\_the\\_excom\\_of\\_the\\_wim\\_on\\_loss\\_and\\_damage\\_finance.pdf](http://unfccc.int/files/adaptation/groups_committees/loss_and_damage_executive_committee/application/pdf/can_submission_to_the_excom_of_the_wim_on_loss_and_damage_finance.pdf)

<sup>3</sup> For further, more concrete activity proposals for the strategic workstream on action and support, see also CAN International's submission, to which CARE is a member

potential loss and damage in food-related areas crucial for the livelihoods of billions of people

### **Develop a gender action plan: 2017**

In line with the COP decisions on the Lima Work Programme on Gender and Climate Change and the Marrakesh decision to extend this, the ExCom should develop in 2017 a concise Gender equality action plan, building on the experience of other bodies, with a view to promote gender equality across its activities.

### **2. Paying special attention to the needs of the poorest and most vulnerable**

In the first phase of the WIM, the ExCom envisaged to pay special attention to the situation of countries, segments of the population which are already vulnerable, and the ecosystems they depend on through the cross-cutting Action Area 1<sup>4</sup>. CARE has been actively engaged in the discussions throughout the WIM work (including through sharing its experience in a submission on financial instruments<sup>5</sup>). Therefore we appreciate that this area has been explicitly included in the 5year work plan framework as a cross-cutting issue, and we expect that the ExCom and the UNFCCC Secretariat ensure that it is taken up adequately and consistently in all work streams. In its further pursuit the ExCom should uphold a differentiated approach regarding a) vulnerable countries, and b) vulnerable populations (which often will touch on situations and circumstances below the national level).

Given the significant impact inequality has on vulnerability, in light of the focus in the SDGs of leaving no one behind, and in the interest of advancing the principles of the Paris Agreement, including human rights and gender equality, CARE would like to focus the remainder of its submission to propose activities in support of this Action Area. The activities are largely designed to:

- Ascertain how well the ExCom is doing with regard to AA1 [Activity 1],
- Assess external learning with regard to AA1 [Activity 2],
- Determine how the Paris Agreement may inform the work of the ExCom, given AA1 [Add this], and
- Undertake initial activities to provide guidance regarding action & finance [activity 3], the work of sub-bodies of the ExCom [activity 4], and national plans and policy [activity 5 & 6] – to ensure attention to AA1.

### **Activity 1: Technical paper on outcomes related to AA1 in all current action areas (2017)**

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<sup>4</sup> “Enhance the understanding of how loss and damage associated with the adverse effects of climate change affect particularly vulnerable developing countries, segments of the population that are already vulnerable owing to geography, socioeconomic status, livelihoods, gender, age, indigenous or minority status or disability, and the ecosystems that they depend on, and of how the implementation of approaches to address loss and damage can benefit them”, [http://unfccc.int/adaptation/workstreams/loss\\_and\\_damage/items/8805.php](http://unfccc.int/adaptation/workstreams/loss_and_damage/items/8805.php)

<sup>5</sup> [https://unfccc.int/files/adaptation/groups\\_committees/loss\\_and\\_damage\\_executive\\_committee/application/pdf/care\\_submission\\_loss\\_and\\_damage\\_finance\\_\(final\\_11\\_03\\_16\).pdf](https://unfccc.int/files/adaptation/groups_committees/loss_and_damage_executive_committee/application/pdf/care_submission_loss_and_damage_finance_(final_11_03_16).pdf)

As a key output of the first phase of the ExCom and in order to give AA1 the adequate attention, the ExCom Secretariat should prepare a technical paper which assesses the outputs and outcomes in all current Action Areas with regard to matters related to AA1, including with regards to identified gaps and specific support needs required. This paper should be prepared in consultation with interested observers and should be delivered in time for the last ExCom meeting before the COP23, building also on further ongoing assessments of the findings of the activities of the 2015/16 work plan, in order to propose AA1 specific recommendations in the report to the COP.

### **Activity 2: Literature review on how L&D affects particularly vulnerable countries, segments of the population and the ecosystems that they depend on (2017)**

As proposed in the AA1 reference document from the ExCom meeting in September 2016<sup>6</sup>, the Secretariat could prepare a literature review on how L&D affects particularly vulnerable countries, segments of the population and the ecosystems that they depend on, and which approaches have proven useful to address the loss and damage, and also which research gaps remain. This should include experience on legal instruments on different levels that vulnerable segments of the populations can obtain to promote protection of their human rights which are potentially at risk from loss and damage associated with climate change impacts, as well as approaches of national level mechanisms to address loss and damage. Such a literature review could provide an important reference document for the further implementation of the WIM, including through the 5year work plan, and should therefore also address its different work streams and cross-cutting areas (including permanent and irreversible loss and damage). The preparation should involve active and transparent consultations with relevant institutions and experts, based on a draft of the paper.

The ExCom may consider collaborating with the LEG on their 2016-2017 workplan activity to develop a technical paper on vulnerable communities/groups/ecosystems/gender, and start considering what happens to particular segments of the population (like small-scale food producers) when they lose their livelihoods..

### **Activity 3: Elaborate key principles to guide action on loss and damage**

The ExCom should elaborate an overarching set of principles and standards to facilitate appropriate governance which would promote attention to those segments of the population which are particularly vulnerable. These should be applied across all loss and damage actions, including those supported by external finance .

The WIM should open a call for submissions from Parties and Observers at its March 2017 meeting on principles that should apply to loss and damage action and finance, regardless of source or channel of support. Amongst others, stakeholders should be invited to provide suggestions how principles contained in the Paris Agreement should be applied concretely in loss and damage action and finance. ExCom should develop a proposal for applying a set of guiding principles to guide loss and damage action at subsequent ExCom meetings with a view to recommending to COP23 to take a decision on guiding principles.

The Paris Agreement provides a key starting point, including through

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[http://unfccc.int/files/adaptation/groups\\_committees/loss\\_and\\_damage\\_executive\\_committee/application/pdf/reference\\_aa1.pdf](http://unfccc.int/files/adaptation/groups_committees/loss_and_damage_executive_committee/application/pdf/reference_aa1.pdf)

- Its preambular provisions stating that “Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,” and “recognizing the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change”,
- Art. 7.5 which lays out key guiding principles for adaptation action, incl. “a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems, and should be based on and guided by the best available science and, as appropriate, traditional knowledge, knowledge of indigenous peoples and local knowledge systems”, and which we regard as relevant despite addressing loss and damage being beyond adaptation.

In addition, it should apply principles of global equity, including taking into account a “polluter pays”-based approach to generating finance for addressing loss and damage from countries, companies and institutions who significantly contribute to the causes of climate change through fossil fuel emissions.

CARE also encourages the ExCom to take into account good practice experience with principles, such as CARE’s Adaptation Good Practice.<sup>7</sup>

**Activity 4: Ensure specific consideration of AA1 in the future work of the ExCom, including in the work plans of WIM-related task forces and expert groups (2017 and after), and dedicated reporting in ExCom meetings and COP reports**

The ExCom should ensure special attention to the aspects enshrined in AA1 (and in the associated cross-cutting area as contained in the framework of the 5year work plan) across all work streams and in the work of specific task forces and working groups, including the expert groups on non-economic losses and comprehensive risk management, the task force on migration. The work of the expert groups and task forces in this regard should be monitored in the way that (preliminary) outcomes will be included in the annual report to the COPs, as well as being considered at each ExCom meeting, as appropriate.

The ExCom shall task the different groups to provide **specific recommendations** addressing the situation and needs of particularly vulnerable segments of the population.

**Activity 5: Assess and promote good practice in contingency plans related to loss and damage from climate change impacts; work stream c) Comprehensive risk management approaches**

Contingency plans are an important tool to determine how finance in case of extreme weather events would be used (see e.g. the African Risk Capacity, ARC). CARE sees a value in the ExCom promoting exchange on good practice approaches in relation to such contingency plans, in line with its mandate, the experience in designing them in a participatory manner paying particular attention to populations especially vulnerable, and the experience in following through on them with finance received. Specific activities may include a dedicated expert meeting, development of a guidance note (with an appropriate consultation process) etc. The ExCom could task the Technical Expert

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<sup>7</sup> <http://careclimatechange.org/publications/adaptation-good-practice-checklist/>

group on Comprehensive Risk Management approaches to build this into its work plan, and provide the ExCom with draft recommendations on key guidance elements for climate-resilient contingency plans, to be taken up by the COP.

**Activity 6: Initiate/Develop a global support programme to strengthen the climate resilience of poverty-related social protection mechanisms; work stream c) Comprehensive risk management approaches**

According to a World Bank report, up to 122 million more people worldwide could be living in extreme poverty by 2030 as a result of climate change and its impacts on small-scale food producers' incomes. This would significantly hamper the possibility of achieving the SDGs in many countries. Social protection instruments and social safety nets and related organisational approaches (such as Village Saving and Loan Associations) are key tools to help poor and vulnerable populations cope with occurring loss and damage from climate change impacts and, if working properly, can avoid or at least limit the risk for these people to be unable to recover from adverse impacts. At the same time, they are at risk of becoming overly strained or, in extreme cases, even collapse, when increasing loss and damage may increase the number of people depending on them, or being hampered to become independent of them.

As such, strengthening the functioning in a climate challenged world, the climate resilience of such instruments is extremely important. It could generate benefits in key SDGs and help in preventing the extreme deterioration of livelihoods and related humanitarian crises.

*The ExCom should pursue a process considering the potential needs and design parameters for a (regional/global) support programme to strengthen the climate resilience of poverty-related social protection mechanisms and social safety nets and related national mechanisms to address loss and damage, focused on countries in climate hotspots and with high poverty rate. Such a support programme should pay particular attention to generating and channelling additional financial resources through effective protection/safety net instruments to poor and extreme poor people in case of loss and damage from climate change (as part of a comprehensive approach with other instruments such as gender-responsive pro-poor adaptation actions and funding to reduce loss and damage risks).*

**How can CARE support the WIM?**

CARE works in more than 90 countries responding to humanitarian disasters, often caused by climate extremes, and on longer-term development efforts. We look forward to opportunities to engage in the design and implementation of the 5year work plan. CARE can bring to the table a wealth of experience and evidence from its work with vulnerable countries and people, including in the areas of community-level social safety nets such as Village Savings & Loan Associations; climate risk insurance and contingency planning; integrated risk management; and social protection programmes, and its continuous engagement in the WIM for several years.