



Pacific
Community
Communauté
du Pacifique

Advocacy Strategies for Loss and Damage

Loss and damage in the UNFCCC

- Loss and damage as a concept has evolved significantly within the UNFCCC process, yet there is still no commonly agreed definition
- An aspect of loss and damage, insurance, was introduced to the process in 1991 by Vanuatu, the then Chair of the Alliance of Small Island States, seeking indemnity payments to affected developing countries, with contributions to the fund tied to greenhouse gas emissions levels from developed countries
- Consensus for the proposal could not be reached, although the word insurance was included in a list of potential remedial actions
- At COP 10 (2005), a work program to look at adaptation actions also inferred that there was a need to look at issues when adaptation was no longer feasible
- After significant and lengthy negotiations over years, a Warsaw International Mechanism was established (COP 19, 2014), a technical assistance network set up (COP 25, 2020) and financing mechanism agreed (COP28, 2023)
- So 32 years, but still not complete

Factors in preventing consensus on loss and damage

- In 1991 there was excessive confidence that the voluntary efforts by developed countries would solve the problem of climate change, adaptation had not been fully conceptualized, and there was certainly no appetite for punitive or obligatory payments
- Small islands were also isolated amongst developing countries, with collusion among oil producers, those seeking a right to pollute as part of their economic development, and others who were indifferent to the threat of climate change but were devoted to the concept of developing country unity
- The work starting in 2005 was also hampered by tying adaptation squarely adjacent to the concept of impacts of response measures
- Better scientific understanding, eloquent presentation by small islands, and growing global impacts created a broader base of countries in favour of action on loss and damage, but still developed countries had to be brought on board
- Sea change came with Paris inclusion on no compensation language

How have small island states sought agreement?

- In the 1990's there was a lot of palpable anger from small islands at the international level. To them the science and the risks were clear
- Data, information and impact studies were needed
- Alliances were slowly built – with Least Developed Countries, Central and Latin America, and African countries
- Constantly held back by argument that there should be parity/equal treatment of response measures
- Gradual whittling away of opposition, while also inserting themselves into the response measures discussion
- Visual demonstrations of actual vulnerability using modelling as well as factual representations
- Most recent is Marshall Islands and Tuvalu 3-D inundation models

Using a combination of approaches

- The lack of progress in the 1990's drove small islands to approach the issues from all available approaches
- High level officials, Ministers and Leaders were extensively briefed and prepared, and a number were willing to go to bat on the issues
- Increased capacity at the national level through training of officials, greater number of university trained students entering workforce with climate change expertise, expanded climate change teams exponentially
- Greater commitment from regional agencies to support climate change work
- Greater understanding of the issue by regional and national media
- Grass roots engagement increased through both large projects and community based small grants schemes
- Civil society activism also increased, mostly led by students and young professionals, linking up with peers at the international level

Change at the international level

- Since 2010 much more focused and evidence based methods
- Seeking out consensus by demonstrating to others that what will hit small islands will also hit them
- Finding common ground with differing countries
- Grass roots and civil society engagement at international level through special events, side events at COPs, public relations campaigns, media outreach at key points in the calendar
- Disastrous events started to show the sheer vulnerability of some developed countries
- Political realization that consensus on other issues would not be reached if small islands did not get traction on loss and damage
- Small islands now also bringing in sector expertise to show loss and damage – for example impact on tuna fisheries, public health, and culture were all show cased at COP26 in Glasgow

Conclusion

- Emotive arguments alone do not carry the day
- Facts and science are difficult to dispute
- Eloquence and moral high ground of small island states is paramount
- Patience and sound arguments have succeeded in finding consensus, but still a danger that if all are most vulnerable, then how can any preference be given to small islands.