

Adaptation and Climate Justice



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Building Upon Kyoto
February 20-21, 2004
Tokyo, Japan



Climate change impacts will result in diverse needs among affected countries

- Climatic zone
- Physical characteristics
- Natural resource base
- Level of development
- Capacity, manpower, resources
- Rate and severity of climate impacts
- Borders and spatial possibilities for adaptation

Impacts of climate change

- Sea ice melt - Eskimos, Inuit
- Sea level rise, unusually severe extreme weather events in Pacific
 - Niue, Tonga, Samoa, Cooks
 - American Samoa
 - FSM
- Impacts on human settlements
- Impacts on biodiversity
- Loss of cultural heritage, languages, some islands



- Many communities with the least historical responsibility for GHG concentrations, find themselves now the most vulnerable to climate change impacts.
- Adequate funding for adaptation is critical, and equitable frameworks for addressing adaptation needs are essential.
- Delay in the provision of resources to reduce vulnerabilities is unconscionable.





Equity and Justice: how manifested in the Convention?

■ **Distinctions among Parties**

- between developed, developing, least developed countries
- Between vulnerable and particularly vulnerable countries
- Annex I and Annex II countries, EITs
- Categories in Art. 4.8 (SIDS, low-lying coastal areas, prone to natural disasters, drought, mountainous ecosystems, etc.)

■ **Differential allocations of responsibilities and costs**

- Common but differentiated responsibilities
- Developed country financial transfers
- Full cost v. incremental costs for adaptation
- Cost of tech transfer
- NC substantive reporting obligations differ
- Timeframes for reporting differ



Issues of equity

■ Among developing countries

- Identifying “particular vulnerability”
- Identifying and prioritizing adaptation activities
- Addressing disparities in institutional capacity, negotiating capacity so that needs are fully expressed
- Ensuring adequacy and predictability in the flow of funds for adaptation

■ Among developed countries

- Creating an institutionalized mechanism for adaptation funding
- Creating a mechanism for “appropriate burden sharing” of adaptation costs v. bilateral, multilateral projects
- Creating a system for transfer of adaptive technologies



Issues of Justice

■ **Procedural Justice**

- Composition and governance of subsidiary bodies, Boards, GEF, expert groups
- Participation in negotiations
- Transparency
- Legitimacy of process

■ **Distributive Justice**

- Distribution of impacts of climate change
- Distribution of resources to address adverse consequences
- Seen in financial transfers for mitigation, adaptation, national communications, enabling activities to strengthen endogenous abilities, technology transfer
- Effectiveness of process



Key issues for adaptation

- Are vulnerable countries and communities able to effectively input into the negotiating process?
 - What voices are most loudly heard and what constituencies do they truly represent? Economic interests? Vulnerable communities?
 - What impacts do a lack of effective engagement in negotiations have on distributive justice - on the allocation of resources for adaptation? On the burdens of adaptation?
- Do the mechanisms established for the transfer of resources help or hinder an equitable distribution of resources and burdens? From whose perspective?



Adaptation in the Convention

- Article 1 – Definitions
- Article 2 – Objective
- **Article 3 – Principles**
- **Article 4 – Commitments**
- Article 5 – Research and Systematic Observation
- Article 6 -- Education, Training and Public Awareness
- Article 9 -- SBSTA
- Article 10 -- SBI
- **Article 11 -- Financial Mechanism**
- Article 12 – National Communications



Adverse effects broadly defined in Article 1

- **‘climate change’** – anthropogenic, in addition to natural climate variability
- **‘adverse effects’** - changes in physical environment resulting from climate change that have significant deleterious effects on *composition, resilience* or *productivity* of
 - natural ecosystems
 - managed ecosystems
 - socio-economic systems
 - human health, welfare



Convention objective - Article 2

Stabilization

- at a *level* that prevents dangerous anthropogenic interference with the climate system,
- achieved in a *timeframe* sufficient
 - To allow *ecosystems to adapt naturally*
 - To ensure *food production not threatened*
 - To enable economic development to proceed in a *sustainable manner*



Convention Principles

Article 3.1

- “The Parties should protect the *climate system* for benefit of future generations of humankind, on basis of equity, in accordance with their common but differentiated responsibilities and respective capabilities.
- ‘Accordingly, developed country Parties *should take the lead in combating* climate change and *the adverse effects thereof.*’



Article 3.2

- “The *specific needs* and *special circumstances* of developing country Parties, *especially those that are particularly vulnerable* to the adverse effects of climate change . . . should be given full consideration.’



Article 3.3

- “The Parties should take *precautionary measures to anticipate*, prevent or minimize the causes of climate change and *mitigate its adverse effects*.”
- Where there are threats of serious or irreversible damage, *lack of full scientific uncertainty should not be used as a reason for postponing such measures*, taking into account that policies and measures to deal with climate change should be *cost-effective* so as to ensure global benefits at the lowest possible cost.”



Differentiated Commitments

- 4.1 – Commitments for all Parties
- *4.3 – Funding for developing countries*
- *4.4 – Funding for PV developing countries*
- 4.5 – Technology Transfer
- 4.7 – Links funding to implementation
- *4.8 – Actions for developing countries*
- *4.9 – Actions to consider special needs of LDCs*



Article 4.1

All Parties to:

- 4.1(b) – *formulate and implement* national, and where appropriate, regional programmes containing *measures to facilitate adaptation to climate change*
- 4.1(e) – *cooperate in preparing for adaptation*; develop and elaborate integrated plans for CZM, water resources, agriculture, and for protection and rehab of areas, *particularly in Africa*, affected by drought and desertification, floods.



Article 4.1 cont'd

- 4.1(f) *take climate change concerns into account in their social, economic and environmental policies and actions*
- 4.1(g) -- promote and cooperate in scientific *research, systematic observation*, development of data archives (see Article 5)
- 4.1(i) – promote and cooperate in *education, training and public awareness* related to cc (see Article 6)
- 4.1(j) – *communicate* information related to implementation (see Article 12)

Funding - Articles 4.3 and 4.4

- *Developed country Parties shall*
 - “*provide new and additional financial resources*” to meet *developing country costs* in implementing Article 12.1 [national communications]
 - “*provide such financial resources needed by developing country Parties to meet the agreed full incremental costs*” of implementing Article 4.1 measures
 - “also *assist* the developing country parties that are *particularly vulnerable* to the adverse effects of climate change in *meeting costs* of adaptation to those adverse effects.” (Article 4.4)



Article 4.8 – Actions for Developing Countries

- In implementing Art. 4.1, *all Parties* to give *full consideration* to what actions are necessary, *including actions related to funding, insurance* and the *transfer of technology*, to meet the specific needs and concerns of *developing country* Parties arising from the *adverse effects of climate change* and/or the *impact of response measures*



Article 4.9 – Actions related to LDCs

- Parties shall take full account of the specific needs and special situations of LDCs in their actions with regard to
 - Funding
 - Transfer of technology



Article 11 – Financial Mechanism

- **Shall function under and be accountable to the COP,**
which shall decide on its policies, programme priorities
and eligibility criteria
- **GEF to have balanced and equal representation**
 - 32 members, 16 developing, 14 developed, 2 EITs
 - Decisions by consensus
 - If no consensus, decisions require an affirmative vote by 60% of
members, responsible for 60% majority of total contributions
(20 members + 60% of funds)



Sources of Adaptation Funding

- GEF
- SCCF
- LDC Fund
- Adaptation Fund
- Bilateral and multilateral



GEF Funding

- Problem areas: Incremental cost, global benefits requirements, staged approach, (planning and measures, not projects), cumbersome process, slow project cycle, bias toward large projects
- Developing countries had difficulty accessing GEF funds under Article 4.3 for tech transfer, adaptation, and sought other funding options
- Negotiated for more targeted funds with expedited access: LDC Fund, SCCF



New Funds Under Marrakesh Accords

1. LDC Fund

Convention fund, not mandatory, now operational

2. Special Climate Change Fund

Convention fund, not mandatory

3. Adaptation Fund

Kyoto Fund, 2% share of CDM proceeds, not operational, will fund 'concrete' adaptation measures

1. LDC Fund

- Work Programme strictly for LDCs
- Core element: Supporting *development, preparation and implementation* of National Adaptation Programs of Action (NAPAs)
- bottom up country-driven process - LDCs identify their own *urgent and immediate needs* for priority adaptation activities, where delay will cause *increased vulnerability* later or increased costs
- Stakeholder process with national gov't sign-off



2. Special Climate Change Fund

- **Addresses the needs of the broader group of developing countries, in four areas:**
 - **Adaptation**, per 5/CP.7 para. 8 (top priority)
 - Technology Transfer, per 4/CP.7 (also essential)
 - Energy, transport, industry, agriculture, forestry and waste management
 - Economic diversification in fossil-fuel dependent economies.


3. Adaptation Fund

- Kyoto Protocol Fund to be used '*to assist developing country Parties that are particularly vulnerable to the adverse impacts of climate change to meet the costs of adaptation.*'
- Created with 2% of the proceeds of CDM projects, for implementation of concrete adaptation projects.
- Protocol fund, institutionalized, but no guarantee of adequacy; not yet operational, not all Convention Parties will participate.



After COP-9, do these funds solve anything?

- **LDC Fund Guidance** - GEF is requested to develop operational guidelines for NAPA implementation based on a number of elements (equitable access, expedited support) that may unravel country-driven priorities
- **SCCF Guidance** retreats from ‘starting to implement adaptation activities promptly’ language of 5/CP.7 , and is unclear on *who decides* when sufficient information is available for adaptation activities
- **Adaptation Fund** is not yet in operation to address concrete projects.

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- *Complementarity* issues remain, among all funding sources
 - *Pre-requisites* still exist for funding access (co-financing, planning frameworks)
 - *Prioritization* of activities still unresolved within each fund.
 - Funds do not address the *responsibility of all developed country Parties* to the Convention to assist vulnerable developing country Parties in meeting adaptation costs.
 - *Funds tailored to donor needs*, rather than country-identified needs.
 - Funds *insufficient* overall to address needs.



Challenges in the further elaboration of an equitable Adaptation Framework

- A. Negotiation
- B. Financing
- C. Equity Concerns
- D. Interlinkages



A. Negotiating Challenges

- Adaptation issues diffuse within text, parallel negotiations, small delegations
- Lack of resources for participation, regional consultation and position formulation ahead of negotiations for many
- Diverse interests, needs, resources among developing countries
- Separate of adaptation issues from response measures issues; differentiation (5/CP.7)
- Ensuring that discussion of future commitments is not used strategically to hamper progress on adaptation, as the most vulnerable benefit from both



B. Financing Challenges

- GEF - staged approach, operating strategy continue to render access to adaptation funds difficult
 - Project scale, process, efficiency, cost-effectiveness, no OP on adaptation
- Interplay between sources of adaptation funding
- Developing quality adaptation measures
- Burden sharing of adaptation costs among industrialized countries
- Identification of a revenue stream for costs of adaptation linked to responsibility
- Leveraging other funding sources (private capital markets, insurance, development funding, disaster relief)



C. Equity Challenges

- Disparities among developing countries in
 - institutional capacity to identify needs
 - negotiating capacity to express needs
 - Institutional capacity to access funding for needs
 - size / opportunities
 - political strength
 - cultural differences and priorities
- All impact the distribution of resources for adaptation needs, which affects retention by developing countries of climate impact burdens.
- Need to look for commonalities, and differentiate on that basis



D. Interlinkage Challenges

- Impacts of climate change / impacts of response measures
- Synergies with other Conventions
- Sustainable development and adaptation
- Existing stressors and adverse effects of climate change
- Related IGO and NGO initiatives (e.g., disaster community, aid community)
- Adaptation and mitigation