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**Submission to the Call for input for “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”**

The African Women’s Development and Communications Network (FEMNET) is a Pan-African Feminist and membership-based network with 800 members in 50 countries across Africa working to ensure that the voices of African women are amplified, and that their needs and aspirations are prioritized in key policy dialogues and outcomes. FEMNET appreciates submissions to this call from reports and activities of FEMNET’s African Activists for Climate Justice (AACJ) Project, from members in Rwanda and South Sudan, and FEMNET implementers of the AACJ Project:

* [NAGAAD Network](https://nagaad.org/who-we-are/), Somaliland
* [Union of Ethiopian Women and Children Associations](https://uewca.org/), Ethiopia
* [Womankind](http://womankindkenya.org/), Kenya
* [Education as a Vaccine](https://www.evanigeria.org/), Nigeria

The responses aim at building the work going into Loss and Damage within civil society and climate diplomacy spaces. For any questions and clarifications, please email Anne Songole on a.songole@femnet.or.ke.

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?**

(South Sudan) In the oil producing region of South Sudan, women give birth to deformed babies or have still births, which is a Loss and Damage issue that intersects with women’s reproductive rights. The IPCC WG II report shows that there is increasing ozone related mortality from diseases due to climate change, indicating further that investments in health and other systems to protect against key health risks can effectively increase resilience. In Jonglei State, floods have displaced hundreds of thousands of inhabitants, forcing them to move to the Equatorial region looking for pasture for their animals and causing rifts and conflicts between herders and farmers. Both conditions have affected women, children and the aged, and have caused loss of property and lives of both animals and human beings due to the Nile water rising.

(Kenya) In North-eastern region of Kenya, communities feel belittled and useless as they suffer from adverse drought and can hardly afford a meal.

(Rwanda) Rwanda is very vulnerable to climate change. According to the [Climate Change profile](https://reliefweb.int/report/rwanda/climate-change-profile-rwanda) for Rwanda by the government of Netherlands, Rwanda is the 29th most vulnerable and 94th least ready country – meaning that it is highly vulnerable to climate change effects, yet its readiness to combat these effects is moderate. Rwanda is a landlocked country with a moderate climate and relatively high rainfall. In Rwanda, climate change is escalating extreme weather events that are already felt in the country. A recent period of intense rainfall in Rwanda began in December 2019 until mid-May 2020 leading to flooding and the deaths of more than 130 people. Soil was eroded, livestock killed, crops damaged and so were houses and infrastructure leading to increased food insecurity and loss of livelihoods, impacting rural Rwandans. When infrastructure is damaged, the burden falls disproportionately on rural women and young girls. Some 76% of Rwandan women rely on farming as their primary source of income. Rural women are culturally bound to manage the wellbeing and food security of their households, and both they and children face increasing risk for sexual violence when they collect firewood or fetch water in far off locations. Despite a significant increase in men’s domestic work, women continue to shoulder the major burden. The gender imbalance in family roles reinforces gender inequalities in participation in local governments and in the public life. Women with demanding work and family commitments often lack time for the networking and mentoring activities that are necessary for advancement. This reality affects women’s chance to accessing to information, which in turn affects their level of participation and influence. Droughts and flooding make these tasks harder. When floods wash away agricultural incomes, it’s the women and young girls who are left with nothing.

(Somaliland) The Prolonged drought has affected the livelihood Assets of communities including livestock, water structures, farms, etc. As per the CARE Rapid Gender Assessment conducted on 29.09.21 in all states of Somalia, the drought and COVID-19 induced economic challenges, girls dropping out of school and increase in cases of female genital mutilation have become more widespread. The Rapid Gender assessment shows that Gender-based violence also remains pervasive, with 33.9% of women and girls living in settlements reporting sexual violence as their biggest concern, followed by inability to access services and resources (27.3%), then violence in homes (25.7%). Drought has severely affected both pastoral and agropastoral communities especially vulnerable groups including women and young girls.

1. **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?**

(South Sudan) Governments should have protection laws for civilians affected by natural disasters. They should have emergency plans for any eventualities. There should be a lasting solution of building firm dikes and resettle affected communities in higher grounds. This is a long-term solution.

(Kenya) Regimes/governments/states should fully devolve such regions, introduce special programs on aid to such groups, invest in drought-resistant and friendly vegetation cover

(Rwanda) A human rights-based approach should be integrated in any climate change adaptation or mitigation measures, such as the promotion of alternative energy sources, forest conservation or tree-planting projects, resettlement schemes and others. Affected individuals and communities must participate, without discrimination, in the design and implementation of these projects. They must have access to due process and to remedy if their rights are violated.

(Ethiopia) Different policy measures such creating awareness, reforestation, tracking, energy substitution (solar energy), penalizing individuals who perform activities that affect the climate.

(Somaliland) The drought has resulted in shortage of Food and impacted human Health in Somaliland, and NAGAAD proposes to consequently push for improved land productivity and vegetation cover which have declined over time with adverse effects on the economic wellbeing of the pastoralists and agro pastoralists. There can also be scaling of what is already being done for the affected in Somaliland through Food for Asset (FFA) and Cash for work activities.

Other submissions:

Promote access to land and property rights for women. The deep relationship between women and their environments has long been established, and the agricultural sector can truly benefit from women’s improved land and property rights.

Laws and policies that seek climate justice for vulnerable people.

Losses from the climate crisis usually results in a sense of despair by communities. In designing Damage recovery policies, building of hope can be infused as and additional element that can further improve outcomes of recovery initiatives. Additionally, the policies should enforce a quota or percentage, allocating these to each community to cover the losses that the crisis may have led to.

Policies for climate proofing buildings in African cities should be considered.

1. **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.**

Based on input from South Sudan, Rwanda, Ethiopia, Nigeria and Somaliland, we recommend the following policies and practices:

* States should invest in conducting awareness raising on climate change and its effects to communities and key stakeholders
* Laws on protection of communities due to climate-induced disasters should include resettlement and compensation of affected families and communities, while relocation plans should be available to mobilize resources for temporary accommodation
* States and civil society should work together in rolling out resettlement and compensation plans, and they should work together with the private sector and intergovernmental organizations to alleviate suffering of communities. They should also as much as possible allocate some of their budgets to the support of affected individuals through sponsoring community organizations that work on climate change responses
* In Somaliland, the FEMNET African Activists for Climate Justice Project - AACJ implementing partner [NAGAAD Network](https://nagaad.org/who-we-are/) has been supporting local communities in Burco & Odwayne Districts since 1997 through direct operations to increase water availability, sanitation, rangeland productivity and promotion of women’s rights and protection and generally responding to emergencies such as droughts, Desert Locust and COVID19 pandemic. It has established robust community acceptance across the project sites and works closely with community institutions such as village committees, women groups and youth. This idea is scalable.
1. **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.**

(South Sudan) Lobby for support in kind or cash and offer psycho-social support, that includes trauma healing and income generating activities. The civil society plays a major role of training the community in different live saving skills including farming.

(Kenya) Normal food aids being provided seasonally in case if adverse hunger due to climate change.

(Rwanda) Government has paid for accommodation and constructed houses for those who lost them. Local and International NGOs have mobilized resources to provide food, sanitary pads and water to those in need of relief. In addition to this, many citizens countrywide have also willingly made their contributions to helping their vulnerable neighbours by offering food, clothes, etc. Psychosocial support (traumatic effects of extreme weather events and a changed environment, uncertainty about future risks) has been also provided promoting emotional resiliency and empowerment.

(South Sudan) Federal Government, regional states, religious organization, NGOs and business organizations are supporting displaced people due to climate change. The government has been mobilizing the citizens to plant trees every year.

(Somaliland) A project being undertaken by ‘NAGAAD’ has an overall objective to improve the resilient livelihoods and protection of the pastoralists and agro-pastoralists in Burao and Odweyne districts severely affected by the recent droughts. It will enhance the overall food security situation through improved land productivity, and sustainable land management, and improve access to water for the most vulnerable and food-insecure households in Togdheer regions. For example, Government with collaborating INGOs, NGOs and UN agencies have been struggling for emergency support as they usually distribute unconditional Cash and Food items as well as rehabilitation of water structures to improve water facilities.

1. **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?**

Based on input from organizations and communities in South Sudan, Kenya, Rwanda, Ethiopia, Nigeria and Somaliland, the following policies and legal approaches have been recommended:

* International human rights law that protects civilians(Migrant law/policies)
* Donations offered to needy nations be channelled directly to robust tree planting campaign and green movement to such areas
* Based on the specific experience of Rwanda, important approaches include banning single use plastics and Extended Producer Responsibility policies to reduce the future scale of loss and damage as well as developing national environment and climate policy with the objectives of strengthening meteorological and early warning services, promoting climate change adaptation responses and promoting well-being of communities, among other approaches.
* Integrate more women in awareness creation and economic enhancement initiatives in order to promote gender equality
* There should be a push for acceptance of carbon reduction initiatives by all states, with additional monetary support for mitigation
1. **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.**
2. **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.**

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1. **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.**

Some suggested ideas and concepts based on input from South Sudan, Rwanda, Ethiopia, Nigeria and Somaliland are:

* A quota or percentage of financial support must be paid to cover up losses each year and must be monitored effectively for results. It shouldn’t just be on paper but real actions.
* Governments and partners should provide the funds and build infrastructure e.g. schools ,hospitals, etc & Form committees and sub committees to oversee the implementation and compensation to the victims.
* The creation of a national fund through which international, local and domestic climate finance can be created and managed with technical support of the government. A fundraising committee should be created to be in charge of raising funds. Through that fund, people affected by climate change can seek loans at a lower interest rates or basing on the social economic status, a certain amount can be given either for accommodation or food and that fund can help to reallocate people who lost their houses.
* The administrative process needs to ensure that the funds are received by direct beneficiaries, and the fund should also be used to build resilience and put in place preventive measures. An institution, established by the participation of all stakeholders, can be established and the fund has to be managed transparently
1. **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?**

The adoption of the Measurement, Reporting and Verification reporting tool is an important first step that States need to enforce to understand their local GHG Inventories and key emitters. From here, States could consider working with different sectors to support enforcement of this tool, disincentivising those who do not adhere to reporting formats, frameworks, and requirements. States should also create awareness on reporting by partnering in partnership with private sector associations and key actors. On the other hand, civil society should support in the creation of demand for reporting by key private sector players and emitters through mobilizing communities and sensitizing them on this need, thereby creating greater understanding and buy-in on the implications of this transparency to their wellbeing. Once the inventory is known, culprits can then be made accountable. This should not be done at the expense of development or industrialization of global south states.

1. **What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisations 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?**

Collective appreciation of multi sectoral effects of climate change is needed – this can be done through awareness creation on multiplier effects of industrial and other actions that seem harmless, like irrigation, with alternative methods discussed. In Africa, contexts around the Agriculture, Forestry and Land Use Sectors should be prioritised, and on clean cooking and energy access, whose access rates still lag far behind. A framework for understanding the linkages of the climate crisis to SDGs would also be useful, as it would enable better understanding of how climate change affects all sectors. (Green) mitigation and adaptation technologies proposed to deal with this crisis should be developed and implemented collaboratively to ensure minimal negative impacts to ecosystems and communities. States should lead the set-up of communities of practice for developing, implementing, and monitoring National Climate Change Action Plans and National Adaptation Plans. Nevertheless, it is important for the USD 100 billion climate debt that is growing to be met, otherwise global south states will continue to utilize their GDPs in disaster response as opposed to building community resilience.