

Questionnaire in relation to Human Rights Council resolution 53/6 on human rights and climate change

Submission by the UNFCCC secretariat

This submission has been prepared in response to the call for contributions to inform the research and report of the Office of the High Commissioner for Human Rights on human rights and climate change, pertaining to the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights, exploring equity-based approaches and solutions to addressing the same. The submission seeks to highlight available resources that have been prepared or submitted under the UNFCCC process that may shed light on the questions enumerated in the questionnaire.

Indeed, under various workstreams under the UNFCCC process, countries and other stakeholders have testified to the various types of loss and damage from the adverse effects of climate change that have been experienced to date. This information contains insights both explicit and implicit on the impact of loss and damage on the full enjoyment of human rights.

A diverse set of case studies¹ and submissions² put forward to inform the work of the transitional committee on the operationalization of the new funding arrangements for responding to loss and damage and the fund³ (hereafter Transitional Committee) offers examples of such impacts, speaking to the first question of the questionnaire. Despite their preparation to inform the work of the Transitional Committee, which concluded last year, these case studies nonetheless provide valuable insights for the report on human rights and climate change. These resources detail the impacts on lives, livelihoods, ecosystems, cultural practices, sustainable development efforts and other critical areas arising from both slow onset and extreme weather events.

Speaking to the second question, some of these case studies and submissions elucidate the disproportionate impacts on certain groups and demographics and their human rights. This includes, for example, impacts on the rights of children,⁴ Indigenous Peoples,⁵ and displaced persons,⁶ as well as how impacts on rights extend across generations.⁷ Further, a subset reference relevant quantitative data as well as the methodologies used to assess and evaluate the loss and damage described, such as the Damage and Loss Assessment Methodology⁸ or the Post Disaster Needs Assessment.⁹

In relation to question 3, many of the case studies and submissions also provide examples of policies, legislation, practices, strategies, or institutional arrangements put in place to address loss and damage. A set of these are synthesized in the *Report of the first workshop on addressing loss and damage in the context of decisions 2/CP.27 and 2/CMA.4*, which also reflects associated challenges and needs.¹⁰

Beyond the resources prepared in connection with the work of the Transitional Committee, there is also a rich set of resources that were prepared in support of the first global stocktake under the Paris

¹ Available at <https://unfccc.int/process-and-meetings/bodies/constituted-bodies/transitional-committee/case-studies>.

² Available at <https://unfccc.int/process-and-meetings/bodies/constituted-bodies/transitional-committee/submissions-to-the-transitional-committee>.

³ More information available at <https://unfccc.int/process-and-meetings/bodies/constituted-bodies/transitional-committee>.

⁴ See <https://unfccc.int/sites/default/files/resource/Child%20Rights-LD%20briefing-11Aug2023.pdf>.

⁵ See https://unfccc.int/sites/default/files/resource/casestudy_finland_sami.pdf.

⁶ See

https://unfccc.int/sites/default/files/resource/TC4_Loss%20and%20Damage%20and%20Displacement_Key%20Messages%20for%20the%20Road%20to%20COP28.pdf.

⁷ See

<https://unfccc.int/sites/default/files/resource/Vanuatu%20Submission%20TC%20LnD%20Human%20Rights%20considerati ons.pdf>

⁸ See https://unfccc.int/sites/default/files/resource/CaseStudy_Honduras_HurricanesEtaandIota.pdf and

https://unfccc.int/sites/default/files/resource/casestudy_samoa_cyclone_evan.pdf.

⁹ See https://unfccc.int/sites/default/files/resource/casestudy_samoa_cyclone_evan.pdf

¹⁰ Available at https://unfccc.int/sites/default/files/resource/WS1_Report.pdf.

Agreement. Many of these resources contain information that can further inform the research and report on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of human rights. These resources are available at the Global Stocktake information portal,¹¹ as well as the Global Stocktake Explorer.¹²

Among these, the synthesis report prepared by the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts in particular offers valuable insights.¹³ The annex to the report synthesizes reflections by Parties and non-Party stakeholders on efforts to avert, minimize and address loss and damage. It includes information on country experiences of climate change impacts and associated loss and damage; efforts under way to avert, minimize and address loss and damage; remaining gaps; and opportunities and lessons learned. More broadly, the work under the Executive Committee,¹⁴ including technical products planned for publication in 2024, may provide additional information relevant to forthcoming work in the realm of human rights, climate change, and loss and damage.¹⁵

¹¹ Available at https://unfccc.int/topics/global-stocktake/information-portal?searchgst=&title_search=&theme_search=Loss%20and%20damage&document_search=&author_search=&page=2

¹² Available at <https://gst1.org/explorer/>

¹³ Available at https://unfccc.int/sites/default/files/resource/ExCom_SR_GST_cleared.pdf.

¹⁴ See <https://unfccc.int/wim-excom>.

¹⁵ See <https://unfccc.int/process-and-meetings/bodies/constituted-bodies/executive-committee-of-the-warsaw-international-mechanism-for-loss-and-damage-wim-excom/upcoming-key-knowledge-products-2024>.