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Loss and damage in COP24

The 24th Conference of the Parties (COP24) to the United Nations Framework Convention on Climate Change (UNFCCC) was held in the Polish city of Katowice, from 2 to 15 December 2018. Determining implementation modalities for the Paris Agreement – the so-called rulebook for the Paris Agreement – was one of COP24's main goals. While several decisions were adopted, around which a rulebook can be structured, these decisions are unlikely to drive the much-needed increase in ambition of national commitments.

This note outlines the nature of the engagements made during COP24 with regard to loss and damage. The description is based on the text of the various decision drafts, accessed from the UNFCCC website in the week of 17 December 2018. It also draws on daily reports, as provided in the Earth Negotiations Bulletin by the International Institute for Sustainable Development.

With regard to loss and damage, COP24 resulted in a consensus about workable options for implementing the 'transparency framework' and the 'global stocktake', two key elements of the Paris Agreement (respectively, articles 13 and 14 in the Paris Agreement). Additional relevant outcomes of COP24 concern the "Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts" (WIM).

Transparency framework

With regard to the 'transparency framework', developing countries such as Ethiopia (on behalf of the "least-developed countries" group) and the Seychelles indicated that they would like references to loss and damage in the final decision text, an option with which many developed countries disagreed. The Annex to the draft text of the decision on transparency, which lays out the 'modalities, procedures and guidelines' (MPGs) for reporting under the transparency framework, does touch upon loss and damage. The reference to it is included under the provisions related to Article 7 in the Paris Agreement, which focuses on impacts and adaptation. Yet, in the Paris Agreement, loss and damage is considered in a separate article (Article 8). A reference to Article 8 in the draft decision text would have given more prominence to loss and damage. However, doing so was procedurally difficult, because Article 8 is not referred to in Article 13, the article that sets up the 'transparency framework'. While merging loss-and-damage provisions with those concerning impacts and adaptation might detract prominence to loss-and-damage, the fact that the latter has its own heading reduces somewhat the blurring effect.

The draft text of the decision states that «each interested Party may provide as appropriate, information related to enhancing understanding, action and support, on a cooperative and facilitative basis, to avert, minimize and address loss and damage associated with climate change impacts». While this creates the space for countries to report how they have been affected by, and have coped with, loss and damage, developed countries did not agree to including loss and damage under the sections of the transparency framework that concern support needed and provided. References to loss and damage were included in brackets in earlier versions of the draft decision, but are not contained in the text that eventually was adopted. Notwithstanding this somewhat incomplete reflection of loss and damage in the transparency framework's MPGs, detailed guidelines on how to account for, and report on, observed and expected loss and damage will be needed in the future.

Global stocktake

As with the 'transparency framework', developing countries called for inclusion of references to loss and damage in the 'global stocktake'. For example, Ethiopia (on behalf of the "least-developed countries" group) advocated for including loss and damage in the scope of the 'global stocktake', and called for using information about losses and damages as a source of input to it.

With regard to "modalities", the draft text of the decision states that «the global stocktake may take into account, as appropriate, efforts related to its work that [...] avert, minimize and address loss and damage associated with the adverse effects of climate change». With regard to "sources of input", COP24 concluded that «the global stocktake will consider information at a collective level on [...] efforts to enhance understanding, action and support, on a cooperative and facilitative basis, related to averting, minimizing and addressing loss and damage associated with the adverse effects of climate change».

This is in line with practices by some parties to the UNFCCC, which are increasingly including reporting on loss and damage in their National Adaptation Plans. Significantly, the Intergovernmental Panel on Climate Change's 'special report on global warming of 1.5 °C' also included information on loss and damage. Notwithstanding, and as referred to above, guidance will be needed as to how to produce the relevant information.

Warsaw International Mechanism

In response to the report of the WIM, the draft text of the decision «invites» Parties to the UNFCCC to integrate loss and damage in policies, plans and strategies. The decision related to the WIM also invites Parties to take into consideration recommendations (made by the WIM's Executive Committee, on the basis of the work of the Task Force on Displacement) concerning the incorporation into policy of options to protect displaced persons. The decision further invites UNFCCC Parties to facilitate the efforts of developing countries to implement such policies.

In parallel, the draft text of the decision «encourages the Standing Committee on Finance to provide input to the technical paper of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts on the sources of financial support». This technical paper, which is due to be published in May 2019, will serve as an input to the review of the WIM, scheduled for 2019.

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