

Climate Action Network (CAN), Demand Climate Justice (ENGO-DCJ), Official Youth Constituency of the UNFCCC (YOUNGO), and Women and Gender Constituency in partnership with the Loss and Damage Collaborationⁱ

Call for Action on the operationalisation of an effective Santiago Network on Loss and Damage

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The
Loss &
Damage
Collaboration

Climate Action Network (CAN) is the world's largest network of civil society organizations working together to promote government action to address the climate crisis, with more than 1300 members in over 120 countries.

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Introduction

Civil society welcomes Parties' decision to establish the Santiago Network for Loss and Damage (SNLD) at COP25 in December 2019 by decision 2/CMA.2 as follows:

43. Establishes, as part of the Warsaw International Mechanism, the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, to catalyse the technical assistance of relevant organizations, bodies, networks and experts, for the implementation of relevant approaches at the local, national and regional level, in developing countries that are particularly vulnerable to the adverse effects of climate change;

Vulnerable developing countries are already suffering the impacts of loss and damage associated with climate change, and the SNLD is critical to providing them with the technical assistance to avert, minimise and address those impacts.

Parties did not set out a process in decision 2/CMA.2 to operationalise the SNLD including modalities for it to carry out its work. Since COP25, the UNFCCC Secretariat has created a website for the SNLD (<https://unfccc.int/santiago-network>), conducted a survey (<https://unfccc.int/documents/267108>) to identify Parties' technical assistance needs, and in December 2020, it conducted an event which was jointly convened by the Chilean COP25 and United Kingdom COP26 Presidencies (the Presidencies) to discuss the function and structure of

the SNLD. The UNFCCC Secretariat appears to be arranging further outreach, as in late March they conducted a regional workshop for African countries where countries presented their most urgent technical assistance needs and possible technical assistance providers joined. However, it is unclear when further workshops will occur, and how these are related to the process of operationalising the SNLD. The Presidencies are organising a technical meeting on 26 April 2021 which will “principally be devoted to allowing Parties to express views,” and they have noted that “the results of this meeting, as well as meetings by technical agencies and inputs from observers, will be developed by the UK and Chile into a paper for discussion at subsequent meetings with a view to advancing the implementation of the network.” There is a placeholder for a further joint Presidency event in May or June but no further information has been provided.

We welcome that work to operationalise the SNLD has started. The Presidencies must now provide leadership to deliver an effective, operational SNLD at COP26. It is the role of the Presidencies to help Parties advance their level of cooperation on climate change and fulfill the objectives and goals of the UNFCCC, and Parties must cooperate with the Presidencies to meet this target.

Civil society will not consider COP26 a success unless the Presidencies lead a Party-driven process that informs the preparation of a COP decision that operationalises an effective SNLD at COP26, one that moves beyond a virtual presence. This will require Parties to resolve prior to COP26 the finance, function, structure and review arrangements for the SNLD. This brief sets out a joint-constituency vision for an effective and operational SNLD, including actions that the Presidencies must undertake to deliver that at COP26, and the role of civil society in this process.

Vision for an effective Santiago Network for Loss and Damage

There is a critical gap in the work of the Warsaw International Mechanism for Loss and Damage (WIM) relating to its third function of enhancing action and support, including finance, technology, and capacity-building, to address loss and damage associated with the adverse effects of climate change. The SNLD is an opportunity to contribute to filling that gap that cannot be missed and in doing so it must be enabled to provide reliable action and support to the countries and communities most vulnerable to loss and damage including local, grassroots, subnational, and national level initiatives.

A. Functions:

Parties must ensure that the SNLD delivers functions that are based on the most prevalent challenges and gaps that developing countries face, including a lack of capacity, and a lack of finance and support. Civil society suggests that Parties discuss the following three functions as a starting point:

Santiago Network for Loss and Damage

Objective: Provide reliable support for the most vulnerable countries and communities (including local, grassroots, subnational, and national level initiatives) to address loss and damage on the ground and give voice and agency to frontline communities, those affected by loss and damage.

Function 1 Technical assistance and capacity building

Potential services could include but are not limited to:

- Facilitating urgent and timely response to severe impacts (e.g., after an extreme weather event or during a slow-onset process). This will require developing a clear set of trigger mechanisms to avoid unnecessary delays in the SNLD provision of technical assistance.
- Technical support for loss and damage needs assessment.
- Technical support including capacity building and guidance on of human-rights based and gender-responsive approaches to reduce, assess and address loss and damage ex-ante and ex-post and on their appropriate mix.
- Technical support and guidance for the development of policy and planning strategies and documents.
- Guidance, approaches and frameworks for implementation of concrete projects to address loss and damage on the ground (guided by types of loss and damage reported by survey participants).
- Assistance in access to finance for loss and damage measures (ex-ante and ex-post), in particular marginalized populations and those who lack the means to make formal loss and damage claims.

Function 2 Developing and creating access to knowledge and information on loss and damage at scale of impact

Potential services could include but are not limited to:

- Developing innovative approaches to effectively address losses and damages at different topographies, geographies, spaces and ecosystems, including in the informal and care economy.
- Development of responses to sudden and slow-onset hazards with relevant line agencies.
- Communicating loss and damage impacts, solutions, innovations and good practices.
- Research on loss and damage (e.g. residual risk and loss and damage assessment, tangible and intangible losses and damages, M&E and quantification, archive with case study evidence and participatory research-based evidence from affected communities) to inform policies, plans, and strategies.
- Prepare and periodically review long-term assessments of risks of loss and damage from extreme weather events and slow onset processes.

Function 3 Fostering coordination and collaboration among key stakeholders

Potential services could include but are not limited to:	<ul style="list-style-type: none">• Providing a coordination mechanism to share knowledge among relevant stakeholders, e.g. Information and experience sharing of countries, communities and other actors that work on addressing loss and damage with national loss and damage approaches.• Facilitating south-south, north-south, south-north, learning and knowledge sharing.• Undertaking an inventory of the technical support that is already available for loss and damage, such as through the CTCN and other groups outside the UNFCCC, so that the SNLD can build on what exists and focus on filling gaps.
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Sources: Survey by the Loss and Damage Collaboration on needs of climate-vulnerable developing countries regarding the SNLD (White et al. 2020), brainstorming by constituency representatives.

B. Structure:

Within the UNFCCC framework, the WIM is guided by the COP. The ExCom guides the implementation of the WIM's functions, including through the implementation of its work plan. The SNLD has been established to focus on catalyzing technical assistance for the implementation of loss and damage approaches. The Parties must resolve how the SNLD will be structured to enable it to effectively and efficiently carry out its work.

To expedite the operationalisation of the SNLD and enable its work to commence as soon as possible, we can build on momentum from the technology negotiations where there is a useful precedent of a technical assistance network, the Climate Technology Centre and Network (CTCN). Guided by the example of the CTCN, the SNLD could be composed of a network, advisory board, coordinating entity and a national loss and damage contact point. **Embedded in the UNFCCC structure**, the SNLD would consist of a network, an advisory board and a coordinating entity. In order to **access the services of the SNLD**, developing countries could submit requests for support. Upon receipt of such requests, the SNLD would act as a broker or matchmaker pairing developing countries with experts, service providers and funding to deliver on the developing country's needs, ensuring that the solutions are tailored to local needs. Response to country requests should be done in a timely way and through channels that best fit the needs of countries. Countries could send requests for technical assistance through their loss and damage contact points (decision 4/CP.22, paragraph 4(d), <https://unfccc.int/topics/adaptation-and-resilience/workstreams/loss-and-damage-ld/collaboration-and-outreach/loss-and-damage-contact-points>).

Network	A core network of national, regional, international, and sectoral organizations including academic, NGO, private sector, public sector and research entities which deliver services (see table above). The Network could mobilize experts to deliver options and solutions, ensuring that the solutions are tailored to local needs.
Advisory Board	The Advisory Board determines operational modalities and rules of procedure, and periodically identifies different issues to explore in more detail. Its representatives could include Parties, members of relevant institutional arrangements under the UNFCCC such as the ExCom, and technology and finance institutions, and civil society representatives.
Coordinating Entity	A Coordinating Entity would steer activities, report on progress to the COP, and coordinate with the ExCom activities. An organisation within the UNFCCC regime must host it including by providing funding and staffing,
Loss and Damage Contact Points	Country requests for services should be submitted by the country's loss and damage contact point. Loss and damage contact points facilitate cooperation and engagement at the national level by engaging with ministries, UNFCCC focal points, the private sector, civil society and academia. They ensure that national circumstances and priorities are reflected in these processes.

C. Finance:

Parties must urgently resolve the financial arrangements for the SNLD, including its establishment beyond a virtual presence, maintenance of a permanent host or secretariat, and for its activities. In resolving those financial arrangements, Parties must ensure that the SNLD does not suffer from financial constraints that limit its ability to carry out its activities.

Parties should critically analyse and learn from the financial arrangements of the CTCN, an example of an existing and functioning technical assistance platform under the UNFCCC. The CTCN is hosted by the UN Environment Programme and the UN Industrial Development Organization and its partner institutions provide regular contributions.

During the independent review of the CTCN's implementation, most interviewees stated that its voluntary-based funding model hampered the implementation of its mandate and put its operations at risk. Insufficient financial resources limited its ability to deliver on the targets outlined in the initial program of work, especially in terms of technical assistance projects. The report found that eligible requests were not prioritised owing to the lack of funding, and that the CTCN needed additional sources of funding to continue delivering

its services in the face of developing countries' growing expectations¹.

D. Process for review:

The Parties must resolve a clear and regular process for review of the SNLD to ensure that, as required, adjustments are made to enable it to continue to fulfill its objectives and be responsive to country needs.

The SNLD must be reviewed as part of the 5-yearly review of the WIM. The following should be further elaborated: reporting relationship with the ExCom (2/CMA.2), engagement with the expert group on action and support and other expert action groups of the ExCom, and review through and input into the Global Stocktake.

Required Action from the Presidencies

The Presidencies must lead a Party-driven process that delivers an operationalised and effective SNLD at COP26. This includes action as follows:

1. Ensure that the SNLD is made a formal agenda item at COP26 and its progress and performance is a regular agenda item hosted by the COP or SBs;
2. Undertake and dedicate resources to facilitating political and technical consultations and workshops to discuss operationalisation of an effective SNLD in an inclusive, transparent, and participatory manner that enables all Parties to engage with and drive this process. Key questions that need to be resolved include:
 - a. What technical assistance Parties need currently and in the future;
 - b. What functions the SNLD should deliver based on those needs;
 - c. How the SNLD should be structured to deliver those functions and the organisations and experts who form part of that structure;
 - d. The process for ongoing review and updating of the SNLD beyond COP26;
 - e. How the SNLD could be integrated into and connect with existing networks to ensure it fills gaps where technical support is not currently available; and
 - f. What lessons can be learned from technical assistance network precedents such as the CTCN.
3. Based on the consultations, prepare a document with recommendations for design, functions, services and financing of the SNLD to be reviewed by Parties and constituencies which can support the development of a COP decision text;
4. Ensure that priority is given to resolving the financial modalities for the SNLD to enable its start-up and ongoing operations;
5. Work collaboratively with the UNFCCC Secretariat and the ExCom to build upon any work already being undertaken or planned to ensure coherence;

¹Draft paper on the CTCN that is presently being compiled to inform work on the operationalisation of the SNLD. Expected to be published June 2021. FCCC/CP/2017/3 Report on CTCN Review at 14, 17. Available online: <https://unfccc.int/resource/docs/2017/cop23/>

6. Support the operationalisation of an effective SNLD that provides vulnerable developing countries with adequate technical assistance to avert, minimise and address loss and damage. This is likely to require the Presidencies to support the Parties to agree to a COP decision that establishes the SNLD within the UNFCCC structure, and also establishes adequate financial arrangements.

Role of non-party stakeholders

The Presidencies must ensure that the process to operationalise and ongoing work of an effective SNLD is informed by the technical expertise of non-party stakeholders including academic, private sector, public sector, research institutions, and civil society organisations, including youth organizations, indigenous and traditional communities, and gender constituencies. Care should also be taken to ensure opportunities for input are open to a range of constituencies, particularly vulnerable communities from the Global South. These stakeholders can provide feedback that can positively inform negotiations between Parties. Precedents of non-party stakeholder engagement that exist within the UNFCCC include representation as observers at meetings of the UNFCCC, the Paris Agreement and of constituted bodies where observers often have the opportunity to make interventions; and broadly assisting in the matters of constituted bodies, for example, the Technology Executive Committee, and the CTCN Advisory Board.

To ensure that non-party stakeholders are effectively included, the Presidencies must lead a transparent process with clear opportunities for them to engage prior to COP26. When resolving the structure of the SNLD, Parties must also ensure there are mechanisms for effective and ongoing input including for example a non-party representative on the SNLD Advisory Board, as SNLD members, and as a source of input for review of the SNLD.

ⁱ Loss and Damage Collaboration is an informal network of people from both the global South and North working to ensure that vulnerable developing countries and the vulnerable people and communities within them have the support they need to address loss and damage.