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COP29: States must recognise “loss and damage” as the third pillar of climate justice

*Statement by UN Special Rapporteur on the right to development, Surya Deva**

As thousands of people gather in Baku for COP29, I call on States to ensure that climate change-related loss and damage is recognised as a central pillar of climate justice along with mitigation and adaptation.

Climate finance is not charity. Climate justice entails that developed countries and large corporations – especially fossil fuel corporations – as historical polluters remediate climate change-related loss and damage, which is experienced by people and countries differently and disproportionately.

In a recent report presented to the UN General Assembly, I proposed a climate justice framework comprising four pillars (mitigation, adaptation, remediation and transformation) and 12 overarching human rights principles that should inform climate negotiations at COP29.

As climate change-related loss and damage undermines the right to development and other human rights of individuals and communities, loss and damage should be treated as part of the remediation pillar of climate justice.

Remediation in the context of climate change should be interpreted in the sense of full reparation, comprising restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition. In addition to providing financial assistance, developed countries should facilitate the transfer of green technologies, build capacity, provide technical assistance and offer migration pathways to climate-induced migrants.

It is also critical that the New Collective Quantified Goal on Climate Finance at COP29 includes dedicated commitment towards loss and damage by taking into account the needs and priorities of developing countries.

My report outlined several human rights principles that the World Bank, as an interim trustee, and the Board of the Fund for Responding to Loss and Damage should embed in implementing the Fund’s mandate to ensure that it is fit for the purpose.

The Fund must have additional adequate resources to provide support to affected individuals and communities. Innovative sources of funding should be utilised to mobilise adequate resources. A wealth tax on super-rich and a carbon tax on fossil fuel companies should be part of such menu.

The Fund should be directly accessible to affected communities and local civil society organisations. It must also offer grants so as not to exacerbate existing debt burdens of developing countries.

ENDS

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