Analysis 65

STUDY

Making Paris Work for Vulnerable Populations

Closing the Climate Risk Gap

actalliance

GERMANWATCH

Brot für die Welt

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Preface

We are witnessing the harbinger of a world under severe climate stress. The poorest are on the frontline and are due to experience the monumental effects of global warming; this threatens people's lives and livelihoods.

The year 2015 set milestones in various ways: on the one hand, climate world records seem to be becoming or be the new norm – 2015 smashed the record for the hottest year since reporting began in 1850 with a global average temperature increase of more than one degree Celsius. The atmospheric concentration of CO_2 passed 400 ppm and a strong El Niño had a major impact on food security and ecosystems worldwide.

On the other hand, we have seen signs of hope: the first global, legally-binding climate agreement was reached in December in Paris; it recognises climate change as a global problem that has to be tackled by bold action coordinated on a global scale. For the first time, growth in global emissions has stalled; whether this will become a new trend in the future will depend on the implementation of the Paris Agreement.

The Paris Agreement must be ambitiously implemented if it is to fully take into account the perspectives of the most vulnerable people. A people-centred approach is key to respecting their rights.

Precious time that could have been used to take action has already been lost over the past few decades because of the lack of political will and opposition by major carbon emitters. We no longer have the time to rely on action taken in small steps. Rather, we need long-term policy frameworks, a change of path dependencies, and new business models and livelihoods. We will only be able to contain the biggest risks linked to climate change by transforming the energy, transport and agricultural sectors and finally reaching a carbon-free and resilient stage of development.

The transformation must start by ensuring that the human rights of the people most affected by climate change are secured. Such an approach turns victims of climate change into rights-holders who can participate and are empowered; and it enables them to become agents of transformational change.

Human rights have to be mainstreamed in societal discourse and translated into regulatory political frameworks and binding rules for the business sector. Moreover, we need to make technological choices that minimise the threats posed to human rights.

We are committed to fostering the human rights-based approach in the implementation of the Paris Agreement. Moreover, we intend to work towards including the most vulnerable people and seeking cooperation with civil society and governments, globally, nationally, and locally.

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Executive Summary

After more than twenty years of climate negotiations, the Paris Agreement (PA) rightly marks a historic milestone. It has three overarching objectives: to limit global warming well below two degrees Celsius, or, if possible, to 1.5 degrees Celsius; to achieve climate resilience for all people and ecosystems; and to shift financial flows to zero emission and climate-resilient development pathways. If it is ambitiously implemented, the agreement will frame and facilitate a transformation towards carbon neutrality and climate resilience. Moreover, the agreement will deeply affect the personal, interpersonal, socio-economic and political spheres, driven, as it is, by the aspiration to avoid the disastrous level of climate change that is posing major threats to humankind in this century. Furthermore, the agreement will create synergies in achieving the Sustainable Development Goals (SDGs) and the goals set out in the Sendai Framework for Disaster Risk Reduction.

However, although the Paris Agreement was unanimously agreed by all states, a great deal remains to be done. This study takes stock of the opportunities and challenges that exist in making Paris work for vulnerable populations in order to close the climate risk gap, a risk that prevents so many people from enjoying their human rights and living in dignity. Marginalised and poor people are likely to face the greatest challenges due to climate change. Climate change first has an impact on people who live in areas that are most sensitive to climate risks – and people living in poverty in particular. Depending on where they live and their ability to cope with different climate hazards, the impact of climate change exacerbates existing vulnerabilities.

This study is based on an analysis of human rights elements in the context of climate adaptation and risk management. It not only aims to identify shortcomings, but primarily intends to make political discourse innovative by demonstrating the potential of a human rights-based approach in the broader context of a transformational theory of change. This applies to both international and national policies and actions leading to the climate resilience of people's livelihoods, and economies. This study develops key assessment criteria that are then employed in the subsequent chapters. These are used to identify what needs to be done in order to make the Paris Agreement work for the vulnerable in terms of modalities, procedures and substance.

This assessment of the Paris Agreement and other global flagship initiatives results in an overview of what needs to happen in the years to come – and how we envisage changes taking place, e.g. regarding the future adaptation framework, the Warsaw International Mechanism on loss and damage, climate-induced migration, the Green Climate Fund and InsuResilience.

The study then moves from a global framework to the level of national implementation. Our analysis of developing countries' "Intended Nationally Determined Contributions" (the national climate action plans) and "National Adaptation Plans" is indicative of significant ambitions to make economies climate-resilient. They also include a strong nexus with food security, disaster risk reduction and other issues, which are also of key importance for the Sustainable Development Goals. In addition, they also demonstrate that a top-down approach continues to prevail. This approach is not particularly people-centred, pays little attention to stakeholder participation, and does not always systematically identify the most vulnerable population. These and other shortcomings in the implementation of adaptation policies are illustrated by country cases that also include good practices; this is particularly the case with Nepal.

The study concludes with recommendations on how to address these gaps, again arguing for the inclusion of human rights in international adaptation support and capacity-building programs where these issues still do not play the role they deserve.

Finally, conclusions and recommendations sum up the key findings and our proposals on developing innovative solutions to climate adaptation and risk reduction with the aim of moving these issues forwards towards transformative pathways.

Chapter 1
Introduction

Climate risks endanger sustainable development, threaten the fulfilment of human rights, and push back or lock people into the poverty trap. Climate risks lead to non-economic and economic loss and damage, and this includes fatalities. Poor people are disproportionally affected: according to the insurance company Munich Re, about 850,000 people lost their lives between 1980 and 2014 as a result of weather-related extreme events. Of these, 62 per cent lived on less than USD 3 per day. However, in 2014, this income group represented only around 12 per cent of the world's population (Munich Re 2016, p. 13).

Climate risks occur when natural hazards hit vulnerable people. Hazards can result from slow onset and sudden onset events. The first category is characterised by slowly changing climate variables (e.g. an increase in temperature) that lead to gradual impacts (e.g. crop decline, spread of vector-borne diseases or sea level rise). The second category is characterised by an increase in the intensity or frequency of extreme climate events. The World Bank's Climate Change Knowledge Portal (CCKP) views cyclones, storm surges, landslides, droughts, floods and wild fires as key hazards (http://sdwebx.worldbank.org/climateportal).

While climate hazards can only be reduced by greenhouse gas mitigation, climate disasters can be minimised by fostering resilience such as through proper risk management and adaptation. The main focus of this study is the "climate risk gap" as it constitutes the delta between the level of resilience needed and the given adaptive capacity to withstand climate shocks. Reducing vulnerability by enhancing adaptive capacity is key for success.

How can the climate risk gap be assessed and what is needed to transform development pathways in a way that leads to resilience, as envisioned in the Paris Agreement? In order to answer this question, our study follows a four-step approach to systematically identifying drivers of change, enabling framework conditions and the main areas for intervention.

In a first step we set out different dimensions of vulnerability. We assess them from a human rights perspective, which leads us to a transformative theory of change that is centred on vulnerable people and their capability to become resilient.

In the second step we discuss the transformative potential of the Paris Agreement and its flagship initiatives as the new global framework for resilience. What are their innovative opportunities for closing the risk gap and what are limits to be addressed?

Water scarcity due to climate change is impacting on the Afar region in Ethiopia

In a third step we provide an overview of national frameworks for resilience by taking stock of the transformative potential of the Nationally Determined Contributions (NDCs), National Adaptation Programs of Action (NAPAs) and National Adaptation Plans (NAPs), resulting in general lessons and some illustrative case examples.

In the final step, we make concluding observations and policy recommendations for the main stakeholders, building on the previous steps and our human rights-based and people-centred theory of transformational change.

Chapter 2

A human rights-based theory of transformational change towards climate resilience

2.1 Different dimensions of vulnerability

Vulnerability to climate change is defined by the Intergovernmental Panel on Climate Change (IPCC) as "the degree to which geophysical, biological and socio-economic systems are susceptible to, and unable to cope with, adverse impacts of climate change" (IPCC 2007).

Vulnerability at this general level refers "to the vulnerable system itself, e.g., low-lying islands or coastal cities" (ibid). It builds on three components – exposure, sensitivity, and adaptive capacity – and has three main layers: geography, socio-economics, and groups of populations.

Vulnerability has to be distinguished geographically between the local, regional, and national level. In international climate policy, the most common differentiation is that of groups of countries: while the Paris Agreement mentions Least Developed Countries (LDCs) and Small Island Developing States (SIDS) as particularly vulnerable countries, other definitions include Africa or Sub-Saharan Africa. The Climate Vulnerable Forum (CVF), as an organization of countries that consider themselves to be "climate vulnerable", also includes middle-income countries such as those from Latin America. The IPCC distinguishes between climate zones, which means it considers Central America to be the most climate vulnerable tropical region. The Germanwatch Global Climate Risk Index basically takes into account relative economic and non-economic climate-induced losses and analyses to what extent countries have been affected by the impacts of extreme events. For the period between 1995 and 2014, Honduras, Myanmar and Haiti rank at highest risk (see Germanwatch 2016).

Most climate vulnerability assessments distinguish according to socio-economic sectors, given the fact that a changing climate will have different impacts on different sectors. The Global Framework for Climate Services (GFCS) of the World Meteorological Organization (WMO) has identified five priority sectors in need of observation: agriculture and food security, disaster risk reduction, energy, health and water (see www.wmo.int/gfcs).

The differentiation according to vulnerability with regard to specific populations or groups of people is not very common, except in bottom-up approaches such as community-based adaptation. However, it is essential that top-down approaches also identify the most vulnerable people if they are to comply with human rights obligations.

People in the Muzaffarpur District in India are vulnerable to floods

2.2 Human rights, vulnerability and climate risks

In 2014, the Office of the United Nations High Commissioner for Human Rights (OHCHR) compiled a report on human rights and climate change that demonstrated how climate change is negatively affecting human rights, and the human rights obligations of states that must be met if this is to be prevented from happening in the future (see OHCHR 2014a). This report reaffirmed that climate change threatens the realisation of human rights; this had already been stated before by the UN Human Rights Council (HRC) in numerous resolutions, e.g. in resolution 18/22 (2011): "Climate change is a global problem [...] and that effective international cooperation [...] is important in order to support national efforts for the realization of human rights implicated by climate change-related impacts" (ibid p. 9). The HRC stressed "that human rights obligations, standards and principles have the potential to inform and strengthen international and national policymaking in the area of climate change, promoting policy coherence, legitimacy and sustainable outcomes" (ibid pp. 8-9).

Table 1: Human rights standards for climate risk management & adaptation policies and projects

Areas of climate risks & vulnerabilities *(see IPCC 2014)*	**Human rights threatened by climate change** *(see OHCHR 2014a)*	**States' corresponding human rights obligations** *(see ibid)*
Human security	The human right to life Universal Declaration of Human Rights, Article 3 (see Universal Declaration of Human Rights)	To take appropriate steps to safeguard the lives of people within a state's jurisdiction
Food security	The human right to adequate food Universal Declaration of Human Rights, Article 25 (OHCHR/FAO 2010b)	To respect, protect, and fulfil (facilitate and provide) people's access to adequate food and use of resources and means of ensuring livelihoods, including food security
Freshwater resources	The human right to water Resolution 64/292, UN General Assembly, 2010 (OHCHR/UN Habitat/WHO 2010a)	To ensure everyone has access to a sufficient amount of safe drinking water, personal sanitation, water to wash clothes, prepare food, and for personal and household hygiene
Human health	The human right to health International Covenant on Economic, Social and Cultural Human Rights, Article 12 (OHCHR/WHO 2008)	To ensure access to (i) health facilities, goods and services on a non-discriminatory basis, especially for vulnerable or marginalised groups; (ii) the provision of essential drugs; equitable distribution of all health facilities, goods and services
Low lying & coastal areas	The human right to adequate housing Universal Declaration of Human Rights, Article 25 (1) (OHCHR/UN Habitat 2014)	To take steps, which should be concrete, deliberate and targeted, to fulfil the right to adequate housing. Each state should guarantee at least minimum essential levels of this right. For instance, they should ensure that significant numbers of people are not deprived of basic shelter and housing.
	The human right to self-determination International Covenant on Civil and Political Rights, Article 1 (see Universal Declaration of Human Rights)	To take positive action to facilitate the realisation of and respect for the right of peoples to self-determination within the state's own jurisdiction and beyond
Livelihoods & poverty	Particular protection of vulnerable groups Conventions (i) on the right of the child, (ii) on the elimination of all forms of discrimination against women, (iii)others "While (the human rights) implications affect individuals and communities around the world, the adverse effects of climate change will be felt most acutely by those segments of the population that are already in vulnerable situations, owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability" (Human Rights Council Resolution 26/L.33 (2014).	To pay specific attention to the impact on vulnerable groups

A human rights-based approach to close climate risk gaps is people-centred. In 2009, the OHCHR published its Climate Change Report calling on states to protect individuals against foreseeable climate threats that are associated with human rights violations and to ensure the broadest possible stakeholder participation. This particularly includes considering the people who are most vulnerable to the effects of climate change when addressing the impacts of climate change (OHCHR 2009, p. 18ff).

What is the difference between a human rights-based and people-centred approach and a sectorial or geographical approach to climate risk management and adaptation? According to human rights law, states have the primary obligation to protect and promote human rights: each party to international human rights treaties has to take steps, individually and through international assistance and cooperation, to ensure the maximum level of resources is available in order to progressively achieve the full realization of human rights. Furthermore, states undertake to guarantee that rights can be exercised without discrimination of any kind (OHCHR 2014b, p. 29). In order to do so, particular attention is to be given to the most vulnerable people. As a first step in climate risk or adaptation policy, we must clearly identify people whose rights are threatened by climate change, and defining actions aimed at overcoming these threats to and violations of human rights.

Table 2: Human rights principles for climate risk management & adaptation policies and projects

Key principles *(see also BMZ 2013a)*	**Criteria** *(see also Southern Voices 2015)*	**Possible indicators** *(see ibid & Germanwatch 2015)*
Participation	Active, free, meaningful, effective & informed participation by multiple stakeholders in all phases	Processes, plans & documents that are properly communicated in local languages; multiple stakeholders including representatives of most vulnerable populations consulted during all phases
Empowerment	Adequate resources are made available for raising awareness, developing human capacities, natural capital & infrastructure, and protection of those most at risk	Comprehensive awareness raising program in place; plans specify ratio or percentage of funding for each category of expenditure, community institutions are strengthened
Non-discrimination	No discrimination, e.g. due to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status	Non-discrimination policies in place and applied; grievance mechanisms in place; outcome indicators disaggregated by population groups
Transparency	Plans, policies and budgets, including roles, responsibilities and procedures are communicated adequately	Due diligence & information disclosure applied; full and free access to information ensured
Accountability	All relevant governmental authorities and other actors involved have defined responsibilities; transparent budgets are allocated; policies projects have clearly defined objectives, timelines and outcome indicators, with specific reference to vulnerable groups	Regulatory frameworks and policies in place & rule of law applied; indicator-based periodic review of progress achieved, with particular reference to most vulnerable groups; NGO participation in monitoring process

2.3 The human rights gap in climate risk management and adaptation

So far, neither the National Adaptation Programs of Action (NAPA) nor the National Adaptation Plans (NAP), both established under the UNFCCC, have systematically employed a human rights-based approach – despite respective state obligations, demands by NGOs, and the advantages at hand. The same is true for the Technical Guidelines for the National Adaptation Plan Process published by the LDC Expert Group (UNFCCC 2012).

These shortcomings, also with regard to the preamble of the PA and the SDGs, result in a huge human rights gap in climate risk management and adaptation, in particular at national planning and policy setting levels. To close this gap:

1. NAP-processes should include a discretionary human rights risk and impact assessment with a view to ensuring human rights compliance

2. Climate risk and impact assessments should include the identification of the most climate vulnerable populations and people, and adaptation and risk management actions should take particular steps to foster the resilience of these groups

3. Vulnerable Groups should participate directly or indirectly. Participation must not be restricted to the final phase of adaptation action, but needs to take place during all stages from policy design to implementation and monitoring.

2.4 Operationalizing a human rights-based approach in resilience policies

It is essential that good practice examples for implementing a human rights-based approach in climate risk management and adaptation are collected; these could guide the implementation of such an approach. However, there is little experience from the sector itself. As such, lessons also need to be learned from other areas.

For example, the German Federal Ministry for Economic Cooperation and Development (BMZ) has adopted a human rights-based approach: "Human rights are

Climate change is undermining development work by challenging the access to drinking water in Shyanmagar, Bangladesh

guiding principles of German development policy. They are relevant for the objectives, programs and procedures of German development policy in the cooperation with partner countries and at the international level" (BMZ 2011, p. 3). The application of the BMZ guidelines on human rights (BMZ 2013b) to all BMZ supported measures has become a mandatory requirement for the implementing organizations GIZ and KfW. Furthermore, their application is a discretionary requirement for any GIZ and KfW measures that are not co-funded by the BMZ, as well as for operations of KfW's subsidiary DEG. For development cooperation by German civil society, churches or the private sector, these guidelines are intended to provide best practice (see BMZ 2013b).

These institutions should ensure that a human rights based-approach is used in all development cooperation projects and that actions funded "consistently make reference to civil-political, economic, social and cultural human rights, and human rights standards and principles" (ibid, p. 1). This includes "special protection and the active promotion of the rights of vulnerable or discriminated groups, including especially people living in poverty, women, children and youth, indigenous people, sexual minorities and people with disabilities" (ibid).

Any organisations implementing the guidelines are obliged to assess human rights risks and impacts already in the planning phase and during the implementation of actions. They require implementing organizations to take steps to ensure compliance with human rights standards and principles. This implies that GIZ and KfW employ a human rights-based approach in the NAP process, capacity-building for climate adaptation and climate risk management, and in the climate risk insurance initiative "InsuResilience".

Recent analyses show that these requirements are not yet fully implemented in resilience related actions supported by the BMZ (see Brot für die Welt 2016). The following table shows which instruments could be used to introduce a human rights-based approach to climate risk and adaptation policies:

Table 3: Instruments to operationalise a human rights-based approach in climate adaptation

Phase	Human rights instrument
Initiate risk management/ adaptation process	Human rights due diligence checklist
Climate risk and vulnerability assessment	Human rights risk assessment and identification of most vulnerable groups
Integrate/align risk management/adaptation into/with planning	Mainstreaming human rights into climate risk and adaptation planning
Implementation	Prioritise protection of most vulnerable groups and take concrete steps to fulfil their rights
Reporting/monitoring/ review	Human rights impact assessment and specific reference to prove that particular attention has been paid to vulnerable groups

In order to ensure transparency and accountability, human rights monitoring and information disclosure regarding compliance should become an integral part of climate risk management and adaptation. Explicit reference to human rights standards and principles (see table 1 and 2) would help to assess the steps taken by states in meeting their obligations and the results achieved. Moreover, outcome indicators in risk assessments, where applicable, should be disaggregated by population groups to verify whether specific attention has been paid to fostering the resilience of particularly vulnerable groups (Report on indicators for monitoring compliance with international human rights instruments (HRI/MC/2006/7,

available at www.ohchr.org). Such an approach is neither state of the art, nor is it adequately included in BMZ/GIZ support programs (see GIZ 2015a). A best practice example of human rights monitoring with regard to adaptation has been developed by the NGO network "Southern Voices on Adaptation", and this could provide a good basis for future climate resilience planning, and the evaluation and monitoring of other stakeholders (Southern Voices 2015). A good starting point would be to include human rights assessments as a training objective and module into capacity-building programs on climate risk management and adaptation. The NAP capacity-building programs provide a timely opportunity to do so, but the National Adaptation Plan Global Support Program (NAP-GSP) has yet to include a human rights module in its training program (see GIZ et al. 2015b).

To ensure that a human rights-based approach is included as part of climate risk management and adaptation is a matter of compliance with human rights obligations and added value to effectively reach those people most at risk from changes to the climate. In order to do so, and to close the climate risk gap, states are called to ensure at both ends of the spectrum – national action and international support for climate risk management and adaptation – that the following steps are taken:

- Human rights risk and impact assessment
- Identification of most vulnerable people
- Respect, protection and fulfilment of human rights standards and principles
- Particular protection and support for those most at risk

A human rights-based approach is a means to ensure human dignity and to secure justice. The perception and self-perception of vulnerable people as rights-holders rather than as victims is a prerequisite for self-determination and enabling a person to take their own fate into their own hands. Moreover, it strengthens peoples' ability to become agents of transformational change.

2.5 A theory of transformational change towards climate compatible livelihoods and economies

Given the scale of climatic impacts, and because of the need to address the root causes of vulnerability including poverty, injustice, discrimination and exclusion, nothing less than a socio-ecological transformation is required. This transformation needs to be oriented towards the aim

Measures to adapt to climate-related sea level rise by building artificial sea walls in Tuvalu, South Pacific

Transformational change in the personal and interpersonal sphere

The personal and interpersonal sphere is characterised by individual and collective beliefs, values, cognitive concepts and views that shape the way we deal with challenges and manage change. Institutions that increase the probability that rational choices are being made and that the best argument succeed in public discourse are crucial, both for legitimacy and success. In providing catalysts like leadership, trust, vision and meaning, the interaction of individual actors is of fundamental importance for transformation: changes in this sphere are often the nucleus for innovations in existing intervention logics, creating new paths, and influencing the political, technological, and economic sphere in terms of risk-awareness, priority-setting and framing. It is important to understand the decisive role of communication in changing the intervention logics of these spheres. Transformational change requires messages that are translated into the specific codes or languages of the different spheres and that comply with their basic rules (see O'Brien et al. 2013; Torbert et al. 2004; and Folke 2006).

Transformational change in the technological and economic sphere

The technological and economic sphere is closely interrelated with social and political processes. Technological and economic developments, especially if they create path dependencies for other social systems, can either be key enablers or impediments to transformational change. Scientific progress, technological innovations and their practical application usually need to be turned into business cases in order to become relevant for socio-economic development. The breakthrough of zero emission technologies and business models in the energy and mobility sector is essential if unmanageable risks are to be prevented and so in enabling reliable resilience strategies. Other important technological and socio-economic innovations on a transformational pathway leading to enhanced adaptive, anticipative and absorptive capacity include proper early warning systems, contingency plans, climate risk insurances, diversified sources of income and proper safety nets (see O'Brien et al. 2013 p. 19; Kates et al. 2012).

of staying well below a global average temperature increase of two degrees Celsius or even 1.5 degrees Celsius, establishing climate-resilient livelihoods and societies, and promoting sustainable development. Transformational rather than incremental change needs to encompass societies' value and cognitive systems; framework setting by regulatory, legislative, or bureaucratic regimes; financial institutions; and economic as well as technological societal sub-systems. Crucially, transformation in the context of climate policy is target-driven, namely it needs to focus on achieving "net-zero-emissions" within the next two generations, on a (near) complete decarbonisation of energy production by mid-century, as well as on achieving climate resilience, a shift to sustainable production and consumption patterns and overcoming climate injustice. Transformation as a paradigm shift is becoming a cornerstone in climate policy and climate-related debates (see Green Climate Fund 2011 and "Transforming our world: the 2030 Agenda for Sustainable Development").

Polanyi's "Great Transformation" describes the interrelation of different social spheres: the economy is embedded in the social system, which is embedded in a wider ecological environment. To reach social sustainability the socio-economic system has to comply with human rights standards and principles, whereas ecological sustainability requires staying well within planetary or regional environmental boundaries.

Socio-economic transformational change takes place in three deeply interrelated spheres that are characterised by different logics – the personal and interpersonal, the technological and economic, and the political sphere. Transformational shifts in one of them can influence changes in another.

Catalysts of transformational change

Transformational change is driven by crosscutting catalysts like strategy and policy, leadership, empowerment and innovation (see figure 1; and Bahadur et al. 2015).

Strategy and policy: Convincing narratives, cognitive frameworks that are oriented to change, and an orientation towards strategy and political processes are crucial to re-orientating and changing political and socio-

Transformational change in the political sphere

The political sphere comprises all political and legal systems, structures and institutions and (in democratic countries) the legitimate actors that set the frameworks for all other spheres – including the economic framework and market conditions. Special responsibility lies with the political sphere: it directly shapes the "rules of the game" and these frame the behaviour of collective and individual actors in others spheres. The political sphere strongly influences the conditions that drive and support or impede transformational changes. This sphere also identifies problems like institutional barriers and frameworks that offer possible solutions. Changes that are required for transformation include the development of exit strategies for technologies and business models undermining resilience and decarbonisation, providing incentives for alternative forms of profit-making, the inclusion of external effects (environmental and social) in cost-benefit-calculations, the provision of good governance, the protection of public goods, the establishment of regulations that implement human rights, inclusive decision-making processes, transparent communication channels and others (see Giddens 1976; O'Brien et al. 2013; and Kates et al. 2012).

economic systems. Best practice examples, scientific and economic innovation, as well as campaigning, advocacy and lobbying activities by change agents, including those conducted by civil society, are key triggers in strategy and policy development.

Leadership: Moral, political, social, economic and technological leadership is another key driver behind transformational change. Leadership is needed to question the current state of a society or a system, e.g. an energy system based on fossil fuels. Leadership recognises the need for change, envisions alternatives and pioneers transformational steps, such as how to reduce emissions or increase resilience. Leadership builds on effective strategies and the provision of legitimacy for transformational goals, e.g. 100 per cent renewable energies, enabling political frameworks or alternative lifestyles. True leadership builds trust in transformational pathways and serves as a transparent bridge builder, involving different social groups (such as fostering interaction between climate affected groups and change agents). Lighthouse projects can serve to showcase transformational solutions. Awareness raising, an open public discourse and willingness to learn by doing are important requirements to qualify for leadership in order to build trust in transformational change and to motivate others to follow pioneers (see Folke 2006; Bahadur et al. 2015; WBGU 2011).

Empowerment: Strengthening people's ability to reduce and overcome their vulnerability to climate extremes and disasters, and strengthening their role in the transformation of the energy, mobility, and agricultural system represent further drivers for change. Empowering people to identify risks and opportunities as well as creating transformational strategies are important steps in making them pioneers of change. This includes structural political, economic and social change. Instead of victimizing them, people need to be supported and made fully aware of their rights; this is key to empowerment. At the same time, duty bearers need to be held to account, and transparency and participation needs to be guaranteed. Therefore, awareness, capacity- building, education and information are essential (see Bahadur et al. 2015).

Innovation: The spread of new ideas, institutions, technology and business models in society, what Schumpeter called "creative destruction" can build on social, cultural, behavioural or value changes, as well as scientific, technological and economic innovation and political

The first village had to be relocated in Fiji due to climate change from the coastal area up to higher ground

change. Innovation changes ways of doing things in all spheres; it overcomes path dependencies and leads to the transformation of political institutions and new business models (Bahadur et al. 2015).

Noble Prize Laureate Elinor Ostrom (Ostrom 2012, p. 353ff.) has developed a framework on how to enhance multi-stakeholder cooperation: international, national and subnational policymakers, together with civil society and the private sector, could create a cooperative dynamic, if their activities are complementary and do not seek to replace each other. A clear moral, political and legal compass, as enshrined in the fulfilment of human rights and the recognition of planetary boundaries, could provide guidance in harmonizing the expectations of the various actors in the different spheres and in bringing policy frameworks, new business models, technological change, civil society activities and a more conscious behaviour of consumers in resonance with one another. It could also be instrumental in facilitating the active participation of vulnerable populations and countries in transformational processes in order to ensure that no one is left behind.

Bangladesh: The loss of agricultural char land and the resulting problems after floods

Dr. Md Khalid Hossain

More than 80 per cent of the farmers in char areas of Bangladesh are affected by flooding. Massive floods, which are predicted to increase in the future due to the effects of climate change, have already resulted in tremendous crop losses due to the inundation of around 60 per cent of the agricultural land in char areas. Around 90 per cent of the farmers in these areas have no income during these floods and struggle to meet their basic needs – the char lands are usually flooded for two to three months (Islam et al., 2016). One of the major problems in char areas after the flooding has receded is related to health. As the floods often damage water and sanitation facilities, a significant number of char dwellers suffer from diarrhoea. Damage to property and road and communication infrastructures pose additional post-flood challenges in terms of reconstruction (Islam et al. 2014). Other socio-economic problems increase as many char dwellers are forced to take high-interest loans, migrate to the big cities and leave their families behind.

How a human rights perspective can strengthen processes of transformation

A human rights-based approach should cover not only cover climate adaptation but also mitigation: the energy transition also needs social and environmental safeguards and the empowerment of vulnerable communities. The re-structuring of the energy sector is of essential importance for a transformation towards climate compatible economies. Fighting energy poverty should be an integral part of strategies in the political sphere. International frameworks and conventions include obligations and responsibilities to ensure that vulnerable groups are not overlooked. Apart from the fulfilment of the human rights standards and principles discussed above, the following frameworks are of specific importance:

- The "Aarhus Convention" on citizens' access to environmental information, public participation in environmental decision-making and access to justice in environmental matters protects the development rights of vulnerable people during transformational processes. This convention, in line with our theory of transformational change, and building on respect for human rights and environmental boundaries, shifts the focus to vulnerable groups

- The "UN Guiding Principles on Business and Human Rights" are a voluntary set of standards aimed at ensuring that business activities do not negatively affect human rights. While states have obligations to respect, protect and fulfil human rights obligations, companies have the responsibility to respect, and to provide access to remedy for victims of human rights violations caused by business activities.

To conclude: a human rights-based approach employed within the framework of our theory of change not only serves as a security against the negative impacts of transformational development processes, but should also ensure and facilitate the active participation of vulnerable and poor populations in sustainable development, the energy transition towards renewables, and climate resilience building. This people-centred approach reaches beyond Agenda 2030 and the SDGs.

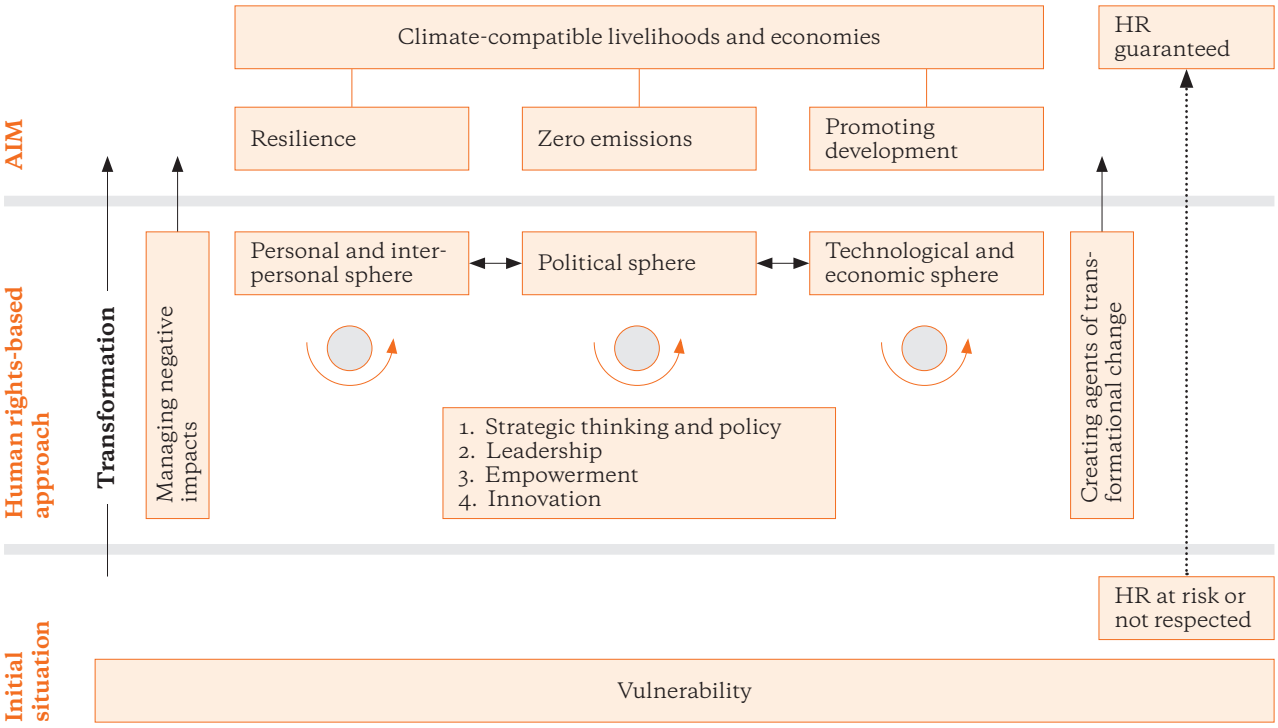

Figure 1: A human rights-based theory of change
Source: Own analysis

Purposefully steering transformation needs should become one of the central elements of change (see figure 1). All catalysts of transformation – strategy and policy, leadership, empowerment and innovation – are directly and indirectly inter-linked with the fulfilment of human rights and should therefore empower vulnerable people to become agents of transformational change. To implement a human rights-based approach in the concrete context of the transformation of the energy, mobility and agricultural system, new strategies need to be designed. In terms of strengthened ability to act, human rights are enablers of empowerment and leadership. To actively restructure processes of strategy and policy, human rights-based approaches put vulnerable populations first to promote and advocate their perspectives. Innovation at some point needs to be inclusive and participatory in order to identify pathways for a just transition. In this regard, empowerment, as both a core human rights principle as well as a catalyst of transformation, is an essential building block. To change values, priorities and views in the personal sphere, the awareness of being a rights-holder rather than a victim, strengthens the self-perception of vulnerable people. This is an essential first step towards becoming an agent of change. In the political sphere, a rights-based approach supports the institutional transformation towards enabling the participation of all social groups, such as through their inclusion in decision-making. In the economic sphere it promotes the development of new business models, even for smallholders. In the technological sphere it enables leapfrogging. If excluded and vulnerable populations are empowered to become integral parts of society, they can shape systems and processes step by step, finally take over leadership and act as "pioneers of change" (WBGU 2011).

Chapter 3
Closing the global climate risk gap

3.1 Climate resilience in the Paris Agreement and in flagship initiatives in context

The Paris Agreement is the first internationally binding climate agreement with substantial commitments for all of its signatories. The Agreement has entered into force on November 4th, 2016. On October 5th, 2016 the necessary threshold of at least 55 per cent of UNFCCC parties, covering at least 55 per cent of global greenhouse gas emissions was passed.

The PA consists of a preamble and 29 articles drawn up on 16 pages, and embedded within a COP Decision amounting to a further 139 paragraphs that set out its details and procedural issues. The agreement enshrines three aspirational long-term goals: to limit global warming well below two degrees Celsius and if possible to 1.5 degrees Celsius; to foster climate resilience and: to make finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development. Thanks to this balanced and holistic approach, the agreement's purpose can be characterised as transformational.

The PA combines mandatory obligations on conduct in relation to national mitigation with a mandatory system of oversight on nationally determined mitigation and adaptation objectives and action. Compared to the UNFCCC itself, the PA has replaced the bifurcated differentiation of states with and without legal obligations to implement emission reductions (annex 1 and non-annex 1 countries) with a more nuanced differentiation. Moreover, it still reflects the principle of common but differentiated responsibilities and respective capabilities, but does so in a more flexible and dynamic way, i.e. in the light of different national circumstances. Along these lines, the PA's supreme decision-making body will provide guidance through both mandatory and discretionary decisions.

While the threefold purpose reflects a balance between emissions reduction and climate resilience, gives due weight to financial and other means of implementation and ultimately following the principle that emission reduction comes before adaptation, the obligations related to emissions reductions and the associated codes of conduct are generally stronger. This means they are more likely to be mandatory in nature compared to the discretionary obligations related to adaptation and loss and damage. The Nationally Determined Contributions must cover emissions reductions, and include progression over time (no backsliding). In contrast, the obligation to cover adaptation as part of the NDCs is of a discretionary nature. At the same time, the development and implementation of the NAPs is also mainly discretionary, with the exception of the provision that each party has to engage in adaptation planning.

Having said this, it is clear that the further fostering of resilience and how seriously it is taken by states and in international cooperation will remain a contentious issue and therefore has to be strengthened over time. The PA, however, will serve as a much stronger international framework than ever before: Article 7 on adaptation, Article 8 on loss and damage, and Articles 9-11 on climate financing, technology transfer and capacity-building are framed with a strong notion of common responsibility, recognition of the solidarity principle, and a spirit of cooperation and support. Article 7 (5) provides a basis for strong attention to the needs of vulnerable groups, participation, gender responsiveness, and traditional forms of knowledge, amongst other key elements of adaptation. Article 9 on finance calls for the same level of financing for climate mitigation and adaptation; and the preamble emphasises solidarity with the most vulnerable countries, the close relationship or relations between climate change and the struggle to overcome poverty, respect for food security, commitments to wide-ranging human rights, to climate, gender, and generational justice, as well as the relevance of sustainable lifestyles. Comparing the PA's preamble with that of the UNFCCC reveals how much has changed since 1992; moreover, the Paris Agreement notably reflects a transformative and human rights-based understanding of development, even if this does not lead to mandatory obligations or sanctions in the case of non-compliance.

To conclude: in order to make the PA work for people who are vulnerable to the effects of climate change it requires ambitious interpretation by the pioneers for change at each end of the spectrum, the international process of implementing the PA roadmap between 2016 and 2020, and the national level of further elaborating NDCs and NAPs, translating plans into laws and actions, and mainstreaming them as part of socio-economic development processes and investments.

While the Paris Agreement provides a favourable framework for mid- to long-term action aimed at closing the climate risk gap, flagship initiatives launched in Paris like the G7's climate risk insurance initiative "InsuResil-

ience" or the "African Renewable Energy Initiative" with their highly valued focus on vulnerability have considerable short-term potential to significantly improve the climate-resilient sustainable development perspectives of vulnerable countries in general and, in particular, the livelihoods of the most vulnerable people; this, of course, depends on whether these initiatives manage to translate the right goals into the right course of action.

Ethiopia – Promoting sustainable, climate-resilient, low-carbon community development

Endeshaw Kassa

Land degradation in the highlands of Ethiopia results from a combination of deforestation, unsustainable land use, traditional farming practices and a lack of access to appropriate technologies. Moreover, the impact of climate change impacts has significantly aggravated the food security of local communities. To enhance adaptive capacity and climate resilience, with support of Bread for the World and Diakonie Katastrophenhilfe, the Ethiopian Evangelical Church Mekane Yesus (EECMY) has developed a climate change lighthouse project to ensure sustainable livelihoods in this hotspot of climate change. Through the promotion of integrated watershed development, agroforestry practices in mountainous landscapes, landrace and early maturing crops, as well as more efficient small-scale irrigation practices, the climate-related risks and vulnerabilities of the communities have significantly decreased, degraded lands are recovering, and greenhouse gas emissions may be reduced.

3.2 The future climate adaptation framework

The PA was a watershed moment for the global adaptation debate. There was heightened anticipation during the run-up to the Paris climate summit that it would address adaptation on par with mitigation. One essential component of the PA, therefore, is the resilience or adaptation goal (alongside that of mitigation). This goal will have to be fleshed out in detail over the coming years. If done correctly, it will help to gauge whether the world is

Climate change-related droughts are endangering food security in Malawi

on track in adapting to climate change, or whether the climate risk gap continues to expand.

Additional components of the article on adaptation (Article 7) have the potential to further the international adaptation debate and to help ensure that a collective understanding on the action that needs to be taken does indeed evolve. For instance, the development of tools to communicate, track and aggregate the action taken by countries with regard to adaptation as well as financing needs would lead to better adaptation practices. In addition, the "adaptation principles" (Article 7.5) define good conduct with regard to measures taken for adaptation and anchor the notion of people centric adaptation.

One key character of the Paris Agreement is that it will strengthen ambition over time. The mechanics behind this are set out in the PA: the decision-making arrangement requires a global stocktake to be conducted that will regularly assess the status of global climate action. Adaptation, in addition to mitigation and climate finance, was fully referenced as part of this process. Its exact inclusion, however, will have to be elaborated in the coming years.

The NDCs are a relevant starting point for the implementation of the PA at the national level. However, some

countries, despite having big climate vulnerabilities, opted for "mitigation only NDCs". Others had to rush their analyses in order to ensure they could provide input prior to the Paris conference. Therefore, many countries will have to conduct further work, for instance, in the form of a NAP, in order to identify their adaptation needs and options. Such work will also help inform the adaptation goal, and the global stocktake.

However, adaptation continues to be under-resourced, with less than one fifth of climate financing mobilised for adaptation purposes. This gap will likely widen, and this will have increasing impacts around the world. Many of the adaptation measures were only been kickstarted in Paris. Further work and follow-up decisions will define their relevance in closing the climate risk gap. The Adaptation Committee – the primary UN body put in place to discuss action on adaptation – will structure many of the discussions and the decisions emanating from the Paris Agreement. This will set the pace behind for expectations that annual climate summits particularly meet the needs of poor and vulnerable countries.

In order to close the climate risk gap in the field of adaptation, we recommend:

- Further operationalizing adaptation in the Paris Agreement with regard to the adaptation goal, adaptation needs assessments, and the treatment of adaptation in the context of the global stocktake
- Using the adaptation principles as a basis to conduct adaptation measures in a transparent and participatory manner to the benefit of vulnerable people and communities
- Thoroughly upgrading and implementing the NDCs and NAPs as the main means of implementation at the national level to achieve the goals set out in the PA
- Rebalancing and massively upscaling climate financing with regard to adaptation, and establishing bottom-up needs assessments in response to increasing support needs.

3.3 The future framework to tackle loss and damage associated with climate impacts

Even if adaptation measures are properly implemented, there is still a risk of residual economic and non-economic loss and damage. Addressing and further reducing this risk, with a particular view to protecting the most vulnerable populations, is another challenge to a transformative, human rights-based approach to climate resilience.

In this regard, a very important political breakthrough took place at COP21 in Paris: the new agreement dedicates a whole chapter – Article 8 – to the issue of loss and damage. This indicates that loss and damage associated with climate change is now considered equally important as climate protection, adaptation and climate finance. Accordingly, Paris marks the beginning of a new phase and puts an end to years of resistance by developed countries that had long feared that the formal recognition of climate-induced loss and damage would lead to compensation claims against them. There are a number of reasons why a solution could be found as part of the Paris Agreement, including:

- Awareness has grown considerably that climate-induced loss and damage is worsening, and that it disproportionately affects the most vulnerable people
- The small island developing states (SIDS) and the least developed countries (LDCs) insisted in Paris that the agreement had to cover loss and damage
- The French COP presidency, and civil society pushed for the inclusion of loss and damage.

SIDS, LDCs and their supporters successfully argued that the particular climate risks faced by the most vulnerable people and countries had to be properly taken into account. This is very much in line with a human rights-based, transformative approach to securing and sustaining people whose lives and livelihoods are at risk. As laid down in Article 8 of the agreement – and thus complementing Article 7 on climate adaptation – loss and damage should be tackled in future as a common responsibility of states, and guided by a strong sense of solidarity, through the following measures:

- Develop a better understanding of climate-related loss and damage; take measures to reduce them and to support the people affected; build on increased cooperation and solidarity
- Identify financial needs, and find ways to mobilise resources
- Strengthen and further develop the Warsaw International Mechanism (WIM) as the UNFCCC body to take the lead on climate-induced loss and damage.

The poorest people are most vulnerable to climate change – flooding in Nepal

The WIM has the mandate to take up work on a number of issues and to propose solutions with a particular view to the specific needs of the countries that are most vulnerable to climate change and to reduce their residual risks. The list of issues includes improved early-warning systems, stronger disaster prevention, emergency preparedness and other elements of risk management, as well as the further development of climate risk insurance; the identification of and support to vulnerable communities; enhancing the understanding of non-economic loss and damage (such as the loss of cultural identity and traditional ways of life) as well as of irreversible loss and damage (such as the loss of territory and homeland) and of displacement and migration.

The COP decisions accompanying the Paris Agreement, which govern its implementation, confirmed that the WIM executive committee's plan is to be continued until the end of 2016. This is to be followed by a review, and the adoption of a new, longer-term plan. In addition, in 2016 the WIM will focus on climate risk transfer and on climate-related displacement:

- A "clearinghouse for risk-transfer" is to be established to act as an information platform for climate risk insurance and other forms of risk transfer (such as social security schemes). In addition, this clearinghouse will contribute towards the development and implementation of comprehensive risk management strategies
- A new "task force on climate-related displacement", formed by experts from specialised institutions and organizations, is to be set up to develop recommendations on how to curb the causes of climate-induced displacement and on bringing its adverse consequences under control.

To conclude, the Paris Agreement provides a new and more suitable framework for addressing and, hopefully, closing the climate risk gap step by step. It has a strong focus on vulnerable countries and people and covers a broad range of relevant issues. However, it does not refer explicitly to human rights obligations and it completely relies on discretionary action. It is institutionally weak and resource-poor. Even more so, the WIM executive committee should strive to properly invest its limited resources in developing innovative solutions with the potential to grow quickly as part of the WIM's niche.

What would happen if the climate risk gap were not to be bridged? What would happen if states failed to limit global warming to below two degrees Celsius or 1.5 degrees Celsius and do not take decisive steps to address the risks

that have arisen from it? First, this would lead to an enormous increase in loss and damage associated with climate change. It is likely that major emitters (ranging from companies to countries) would face a flood of liability and compensation claims before national and international courts. The United States, with the support of industrialised countries, has successfully advocated the establishment of a particular clause in the Paris COP decision (Paragraph 51) which prevents Article 8 on loss and damage from being used as a reference for liability and compensation claims. Be this as it may, Paragraph 51 will not prevent compensation claims from being made, as the clause does not supersede national or international law.

In order to close the climate risk gap in the field of loss and damage, the WIM should:

- Conclude its plan and agree on a new one aimed at effectively addressing climate-related economic and non-economic loss and damage; implement measures to reduce them, and to support the people affected, in particular the most vulnerable; build on increased cooperation and solidarity in line with human rights and envisioned by a transformational paradigm shift
- Strengthen the WIM's modalities and institutional framework
- Identify financial needs and find ways to mobilise resources, including through the GCF, and strive to properly invest resources into the development of innovative solutions.

3.4 Climate-induced migration and the Platform for Disaster Displacement

Migration and displacement are some of the extreme consequences of climate change that occur when its adverse impacts make living environments uninhabitable and force people to leave their homes. Sudden events like storms or floods, as well as slow onset events such as droughts and rising sea levels, can be detrimental to living conditions by threatening food security and reducing the availability of fresh water.

Climate-induced migration can be an adaptation strategy as well as a record for loss and damage. Prevention and preparedness is crucial in this regard, and this includes adaptation measures aimed at counteracting conditions that force people to leave their homes. In addition, voluntary migration, where appropriate, and relocation, need to be facilitated and planned for in advance; however, the people and communities concerned should be heavily involved in the planning processes. Guiding principles and rules can help to ensure human rights are respected and processes are organised in a participatory manner. These could include points like prior informed consent for voluntary relocation, ensuring broad, culturally sensitive, non-discriminatory participation, and community leadership involvement throughout the whole process and others (see Brot für die Welt/ACT Alliance/Germanwatch 2015, p. 26).

People who are displaced by climate-induced environmental changes and are forced to cross an international border to reach secure living environments lack a legal status. As the Geneva Convention's mandate does not include people who have been forced to leave their homes due to changing environmental conditions, these individuals are not officially recognised as refugees. One step towards closing the climate risk gap faced by these people would be tackling this gap in legal protection. Vulnerable groups and their human rights need to be addressed in this process.

The decisions accompanying the PA contain regulations for dealing with climate-induced migration and displacement. The agreement strengthens the WIM's "action area 6", and aims for a better understanding through identifying "lessons learnt" and "best practices", among others, in the field of climate-induced migration and displacement.

The agreement itself does not contain a mechanism governing climate-induced displacement and migration; this was described in terms of a "climate change displacement facility" in the draft text. But in the related decision, the PA calls on the WIM to establish a "task force" on climate-related displacement. The WIM will mainly develop recommendations aimed at averting, minimising and addressing climate-induced displacement. Furthermore, it is also called on to engage in close cooperation with other expert groups inside or outside of the convention. The exact shape of the "task force" is yet to be determined and is to be finalised at COP22 in Marrakesh.

Outside the official UNFCCC context, but closely cooperating with the respective experts and bodies, the Nansen Initiative turned out to be the key process which addressed the challenge of climate and disaster induced cross-border migration and displacement. The Nansen

Initiative officially concluded its work in October 2015 with the development of a "Protection Agenda" that resulted from consultations in different disaster prone regions worldwide. As it is a voluntary process, the exact effect of the initiative is yet to be seen. But even without a top-down approach to producing new legal regulations, it is of a pioneering character as is clear from the fact that it constitutes the first intergovernmental process working to protect people affected by climate disasters. It is most likely that it could stimulate the transfer of good practices and provides the opportunity to enable customary international law to develop from the "bottom up"; therefore, it could help reduce the protection and climate risk gap. The Platform on Disaster Displacement, which was launched at the World Humanitarian Summit in May 2016, took over as its successor with the aim of implementing the recommendations set out in the Protection Agenda. The Platform's work is not intended to be limited to climate-induced disasters but also to work on tools that assess slow-onset displacement, and to include the affected people systematically into its policy-making.

As UNFCCC and the Nansen Initiative have already cooperated closely, the Task Force and the Platform can further strengthen synergies and avoid duplication; both have stated that they stand ready to cooperate on and coordinate working with each other.

Another dimension of the climate risk gap, besides the legal gap discussed above, characterises climate change impacts as a multiplier for existing risks and threats and a possible contribution to conflicts. As a study shows, climate-related disasters can enhance the risk of armed conflict, especially in ethnically divided countries (see Schleussner et al. 2016).

As of the end of 2015, the United Nations High Commissioner for Refugees estimated that more than 65.3 million people have been forced to move due to conflict and violence. In addition, since 2008 an annual average of 26.4 million people have been displaced by the consequences of environmental and climate changes.

It is impossible to ignore the fact that the vulnerability of livelihoods and social systems, the consequences of climate change and violent conflict are all interlinked. Climate change is a threat to human security. Therefore, employing a rights-based approach regarding climate-induced migration and displacement, i.e. respecting, protecting and fulfilling the human rights of people who have been displaced or forced to migrate, needs to be reaffirmed as a priority.

In order to close the climate risk gap in the field of migration, we recommend:

- Developing human rights-based recommendations to mediate immanent migration and relocation processes
- Working constructively to close the legal protection gap of people displaced by the effects of climate change and collecting relevant best practices, e.g. through the Platform on Disaster Displacement and as permanent part of the work of the WIM
- Advancing the understanding of the link between climate and conflict; fully respecting existing legal protection frameworks, and closely watching and sanctioning human rights abuses if they occur
- Making sure that all actors dealing with migration and displacement act in a coordinated manner; avoid duplication in mandates and missions.

3.5 Climate risk insurance – InsuResilience

Insurance tools can play a critical role in reducing the effects of climate hazards and in providing security for investments; these are essential if people are to escape poverty. Insurance, if embedded within a wider risk management approach, can "contribute to improving key capacities that are imperative for making people more resilient, namely anticipatory, absorptive, and adaptive capacities" (Schaefer et al. 2016). However, few poor people in the Global South have adequate access to insurance against climatic risks. According to Munich Re (2016), only two per cent of damages due to natural disasters where insured in developing countries. A rapid expansion of insurance against climate-related losses in developing countries would represent an important response to increasing risks and could contribute significantly to closing the climate risk gap.

Being unique in its scale, the G7 climate risk insurance initiative "InsuResilience" could act as a catalyst for such a rapid expansion. Announced during the G7 Summit in Elmau 2015, InsuResilience is aimed at ensuring that up to 400 million more poor and vulnerable people in developing countries have access to direct or indirect insurance coverage against the negative impacts of hazards related to climate change by 2020. The G7 intends to "intensify [their] support particularly for vulnerable countries' own efforts to manage climate related

Adaptation measure: Restoration of degraded surfaces by local community in Dessie, Ethiopia

disaster risk and to build resilience" (G7 2015). The initiative will expand on existing insurance instruments such as ARC and CCRIF and aims to exploit synergies with the UNFCCC and/or the Sendai Framework. In Paris, G7 Countries have pledged USD 422 million towards the initiative.

InsuResilience is a demonstration by the G7 states of their commitment to sustainable development and to improving the ability of vulnerable countries and people to manage climate risks; the aim is to create a momentum that significantly increases insurance coverage and resilience for poor and vulnerable people. Based on its unique focus on poor and vulnerable people, InsuResilience could translate into an important contribution towards closing the climate risk gap. However, its positive impact will depend on the effective implementation of its pro-poor focus, in other words, its ability to effectively provide poor and vulnerable people with insurance cover – people whose human rights are particularly threatened by climate change – grant them access to climate risk insurance, and understand insurance as a specific step towards fulfilling their rights.

In order to close the climate risk gap, we recommend taking the major factors determining effectiveness and equity in implementing the pro-poor focus into account. This includes:

- Implementing a governance structure that facilitates a focus on the poor and vulnerable
- Providing interventions that support the implementation of reliable and needs-based insurance solutions which are affordable for and accessible to the target group, and embedded in comprehensive resilience-building efforts
- Establish a coherent monitoring and evaluation framework to ensure that interventions actually reach and benefit the target group
- Secure the participation of all relevant actors (such as beneficiaries, governments, the private sector, civil society, development cooperation partners) in shaping and implementing insurance products.

3.6 Financing climate resilience – Green Climate Fund

The Green Climate Fund (GCF) is the major international climate financial institution, and, together with other

institutions, it will have to play a major role in closing the climate risk gap. An explicit goal of the GCF's governing instrument is to bring about a paradigm shift in development pathways; as such, it will be key to implementing the PA in developing countries and bringing about climate-related transformation.

However, the next few years will be crucial and clearly demonstrate whether the GCF will be able to successfully fulfil its role. The GCF will have to demonstrate an ability to properly channel financing into projects and programs that make a real difference. Moreover, it will need to fund projects to the tune of USD 2.5 billion annually in order to initiate its next cycle of resource mobilization in 2018. Currently, the GCF is not on track to deliver this essential target.

Some initial steps have been taken to address bottle-necks in delivering transformational projects by the GCF. This includes the establishment of a Project Preparation Facility, alongside a wider readiness program, which addresses specific gaps in the drawing up of project proposals. The existing readiness program has been supplemented by additional funds to support NAP development. And lastly, there is some prospect that the issue of accreditation – the assessment of capable implementing agencies in developing countries – will be bolstered by a real strategy that changes the current situation in which institutions are simply accepted on a first-come, first-served basis.

However, the GCF is far from being perfect. Although the Fund aims to reach a balance between mitigation and adaptation in its project portfolio, and it ensures that half of adaptation projects are undertaken in vulnerable countries in Africa, Small Island States and the Least Developed Countries, it only includes marginal references to a rights-based approach and its founding documents do not even refer to this approach, or to the needs of vulnerable populations. Entry points exist, however, on the level of funds objectives where adaptation impacts are partly measured in terms of an increased resilience on the part of vulnerable people, communities and regions. More details need to be provided on relevant follow-ups undertaken as part of the initial Monitoring and Accountability Framework and this includes participatory monitoring.

In terms of the inclusion and empowerment of national actors, initial best practices have been collected, however there are no strict guidelines to enforce them. In reality the GCF's current projects have been mostly developed with no meaningful influence on the part of civil society organizations (CSOs). As transformation can only be achieved when all sectors of society participate, the GCF will have to empower national actors to follow all of the steps that constitute the project and programme cycle.

In order to close the climate risk gap in the field of financing, we recommend:

- Strengthening national capacities, especially by empowering civil society; delivering GCF projects and programs based on a vision of transformation
- Starting a strategic program at the GCF that is more responsive to vulnerable people by improving the GCF's monitoring and accounting framework
- Increasing support for national governments and actors to plan and implement their own climate programs in order to enhance country ownership and sustainability.

Chapter 4
Closing the national climate risk gap

4.1 Climate resilience in national climate action plans: NDCs, NAPs and NAPAs

How is climate resilience anchored in the national climate action plans of developing countries? To answer this question, an analysis of the Nationally Determined Contributions[1] was undertaken and findings compared with results from a similar study of the previous National Adaptation Programs of Action and National Adaptation Plans, where they were available.

87 per cent of the 162 Nationally Determined Contributions submitted to the UNFCCC as of June 2016 contain an adaptation component (GIZ 2016). According to our analysis, 127 NDCs submitted by developing countries and countries in transition include an adaptation component: 81 of these dedicate a chapter to adaption and 46 cover it in sub-chapters or through other components. In this regard, it is important to note that some NDCs include adaptation co-benefits in their proposed mitigation action.

In a second step, we analysed which countries prioritise climate resilience within their NDCs. An "adaptation priority" was said to be present if any of the following three criteria were met:

- The NDC only covered adaptation
- The NDC's adaptation component was more detailed than its mitigation component (regarding actions, finance, sectors, stakeholders)
- The NDC's chapter on adaptation appears before the chapters on mitigation.

In accordance with these criteria, 90 developing and transition countries prioritise adaptation in their climate action plans. This was particularly true for the vast majority of LDCs and SIDS, as well as for most African countries, whereas the majority of NDCs from emerging economies focused on climate mitigation.

In a third step, we wanted to know which sectorial adaptation priorities were being identified in these NDCs. Figure 2 shows that food security, ecosystems and access to water are considered the most important areas

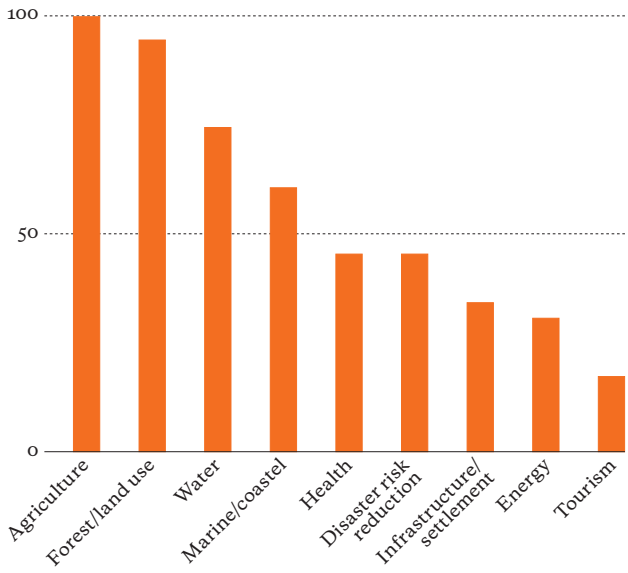

Figure 2: Adaptation priority areas in NDCs (number of mentions)
Source: Own analysis of NDCs, July 2016

(those mentioned most often), followed by coastlines and marine resources, health and disaster risks.

Figure 3 indicates that there is a strong co-relation in NDCs between the most affected areas and the most climate vulnerable populations: according to the NDCs, climate change hits first and foremost rural communities, ethnical minorities and fishing communities. However, whereas almost all NDCs that cover adaptation identify sectorial priorities, only 48 (38 per cent) also take the next step and identify which population groups are considered most vulnerable. This indicates the prevalence of a top-down approach to climate resilience instead of a people-centred approach within the majority of the NDCs.

This notion is also reflected in the perception of civil society as a possible stakeholder to foster climate resilience: again, no more than 38 per cent (48) of the NDCs assessed mentioned civil society as a stakeholder, and a few less explicitly saw a role for civil society in NDC implementation.

The co-relation between the identification of the most vulnerable populations and the disposition on civil society participation in implementing NDCs is even weaker: only 17 NDCs contained both elements: Bolivia,

1 — Countries first set out their INDCs (Intended Nationally Determined Contributions). These INDCs become NDCs – Nationally Determined Contributions – once a country has ratified the PA.

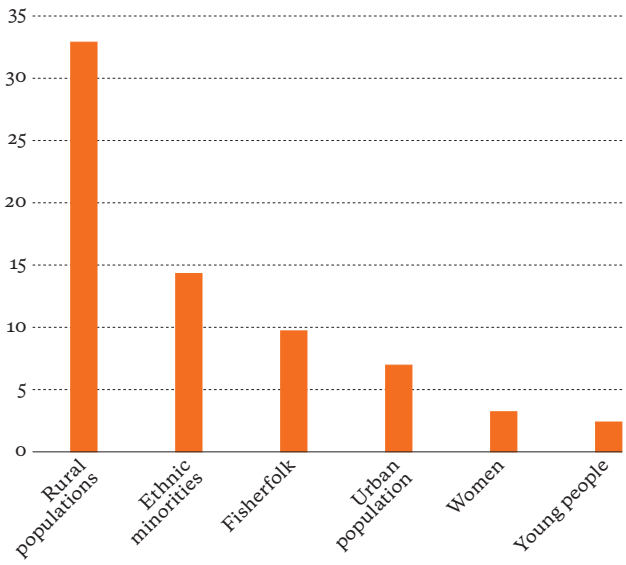

Figure 3: Most climate vulnerable population groups according to NDCs (number of mentions)
Source: Own analysis of NDCs, July 2016

Botswana, Cambodia, El Salvador, Fiji, Gambia, Grenada, Guinea, Indonesia, Kenya, Marshall Islands, Mexico, Seychelles, Sierra Leone, Thailand, Togo, and Vietnam.

If the identification of the most vulnerable populations, the prioritization of adaptation measures addressing these vulnerabilities, and due civil society participation are taken as indicators for a certain disposition towards a rights-based transformational approach in national adaptation planning and action, then there is still a huge gap to be bridged. The list of countries shown above, however, supports the assumption that countries with relatively high levels of civil society engagement and/or intense international cooperation and support in adaptation may tend to be more advanced in closing this gap and opting for more participatory and people-centred adaptation.

What happens when we look at similar criteria regarding NAPAs and NAPs? Our analysis provided the following results:

Since 2005, 50 NAPAs have been submitted by LDCs to the UNFCCC, we analysed 49 of them. All demonstrated adaptation priorities: 63 per cent (31) also identified the most vulnerable populations; 30 per cent (19) considered NGO participation as an important element, and most of the latter (13) – 27 per cent – identified vulnerable populations and included civil society participation. While civil society participation is given even less weight when it comes to the NAPAS compared to NDCs, the identification of vulnerable populations is considerably higher (63 per cent compared to 38 per cent) and the propensity to combine both – 27 per cent (13) – was more than double than was found with the NDCs. Moreover, out of these thirteen countries, four (Cambodia, Gambia, Guinea and Sierra Leone) also employed this same approach as part of their NDC.

Looking at the most vulnerable sectors and populations identified in the NAPAs, the picture was slightly broader than in the NDCs (probably due to the fact that adaptation programming requires more substance than general adaptation planning as is prevalent in the NDCs). At the same time, focal areas were slightly different, with less attention paid to water and disaster risk reduction, but a stronger focus on tourism. In terms of identifying vulnerable groups, ethnic minorities do not receive the same focus as in the NDCs. Altogether, however, the picture is very similar, and once again people with rural livelihoods are considered most affected by climate hazards (see figures 4 and 5).

The NAP analysis, which we carried out on the basis of the information available in June 2016, only provides proof of initial trends: the NAP process is still on-going, and countries are at different stages of implementation; some have not even begun implementation. We analysed three NAPs which had been submitted to the UNFCCC

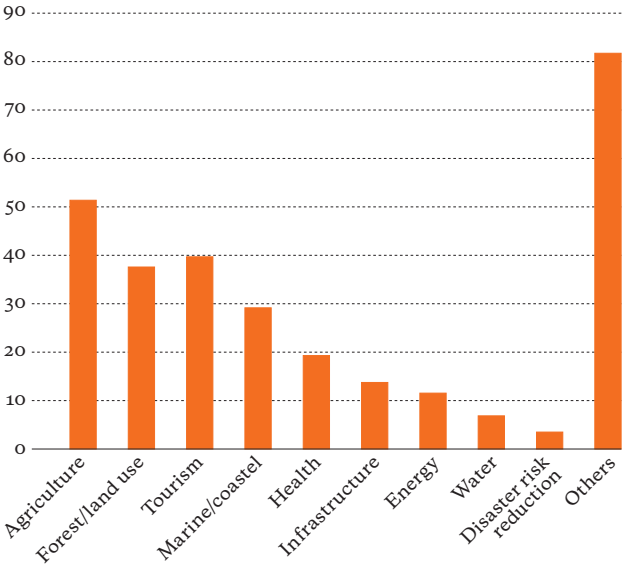

Figure 4: Adaptation priority areas in NAPAs (Number of mentions)
Source: Own analysis of NAPAs, July 2016

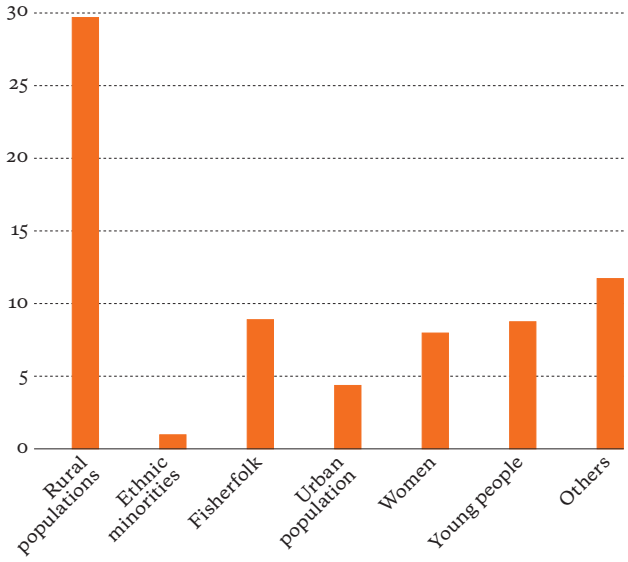

Figure 5: Most climate vulnerable population groups according to NAPAs (Number of mentions)
Source: Own analysis of NAPAs, July 2016

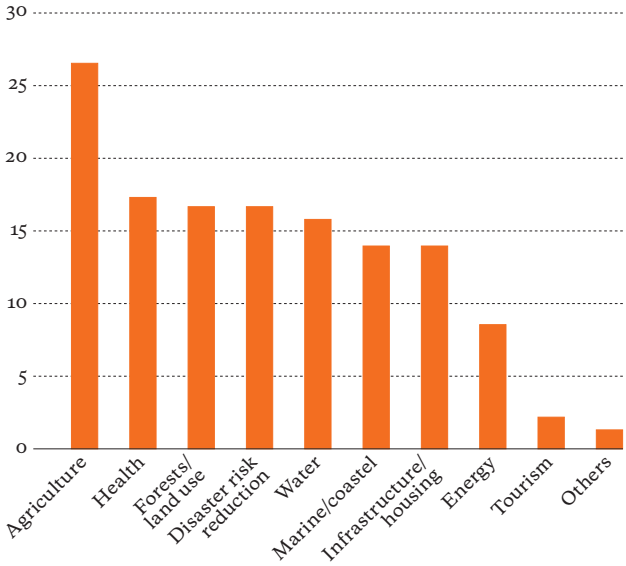

Figure 6: Adaptation priority areas in NAPs (number of mentions)
Source: Own analysis of NAPs, June 2016

(Brazil's, Burkina Faso's, and Cameroon's), and another 56 cases, where the NAP process has at least entered the phase of defining a roadmap. Accordingly, findings are provisional, and the trends described may change significantly in the course of the wider process.

The sectorial adaptation priorities that were identified basically reflect those of the NDCs (see figure 6). However, health and disaster risk reduction play a more significant role; this could indicate an increasing awareness of climate risks to human security. The list of population groups identified as most vulnerable is different from those in the NDCs and NAPAs: young people and women are top of the list, followed by rural populations. This may reflect the fact that the NAP Technical Guidelines (see page 10) particularly emphasise gender sensitivity.

34 per cent (20) of the NAP processes under study predict civil society participation; 32 per cent (19) identified the most vulnerable groups, and 24 per cent (16) combined both.

The first two figures are slightly lower than for NDCs, but the third figure on the combination of civil society participation and the identification of vulnerable groups gives reason for optimism: 24 per cent is double the amount calculated for the NDCs, this applied to the following countries: Benin, Bhutan, Burkina Faso, Cameroon, Djibouti, Ethiopia, Jamaica, Madagascar, Micronesia, Mozambique, Nigeria, Niue, Sri Lanka, Sudan, Togo, and Uganda.

What can be taken from this analysis of NAPs, NAPAs and NDCs? Fostering climate resilience through adaptation and increasingly through climate disaster risk reduction is becoming a more major priority for developing countries in general, and LDCs and SIDS, as well as of African countries, in particular. There is a clear focus

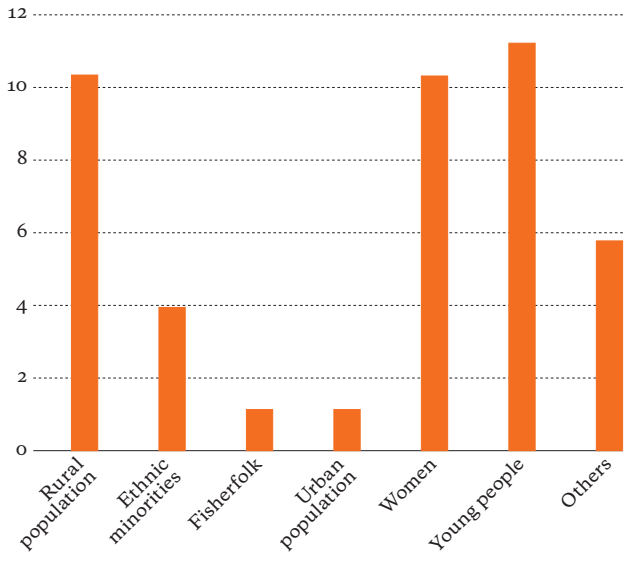

Figure 7: Most climate vulnerable population groups according to NAPs (number of mentions)
Source: Own analysis of NAPs, June 2016

on rural areas, coastlines, and ecosystems as the most vulnerable areas. However, the majority of governments follow a top-down approach to adaptation and show limited appetite for engaging with civil society and identifying the population groups that are suffering the most. Moreover, they show even less willingness to combine these two elements; elements that are at the core of a rights-based transformational approach to fostering resilience.

This trend analysis, however, shows some positive movements and increasing interest; the interest seems to be comparatively higher in countries where international cooperation and support in adaptation planning and programming has already taken place. This lesson should encourage stakeholders to stress and support such attempts in every NAP-based support and capacity-building program (see page 38).

The results of the NAP analysis are of a preliminary nature, mainly due to the relatively early stage of the process, and the fact that no standardised information is currently available. States still have the chance to introduce more transformative and rights-based elements into their NAPs. The same, of course, is true with regard to their NDCs, which can and should be upgraded in view of the Paris Agreement – including on climate resilience.

It is also important to stress that this analysis does not include any study of the quality of assessments, plans and programs, as presented in NAPs, NAPAs and NDCs, nor of the quality of civil society participation. In addition, it does not assess implementation at all. These and other aspects are covered in the following case studies, which should help provide an impression – at least for some countries – of how the intentions set out in climate action plans are actually put into practice.

For a comparative overview on the role of climate resilience in NDCs, NAPs and NAPAs of developing countries see table 4.

Table 4: Comparative overview on climate resilience in NDCs, NAPs and NAPAs in June 2016

	NDC				**NAP**			**NAPA**		
Country	Adaptation as priority	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation
Afghanistan		x	X			x		x	x	
Algeria		x								
Angola		x							x	x
Argentina		x								
Armenia		x								
Bahamas	x	x	X							
Bahrain	x	x								
Bangladesh	x	x		X		x		x	x	
Barbados/Antigua	x	x		X						
Belize		x	X							
Benin	x	x	X		x	x	X	x	x	x
Bhutan	x	x	X		x	x	X	x	x	x
Bolivia		x	X	X						
Botswana	x	x	X	X						
Brazil		x			x					
Brunei		x								
Burkina Faso	x	x		X	x	x		x		x
Burundi	x	x			x		X	x		
Cape Verde	x	x	X				X	x		x
Cambodia	x	x	X	X				x	x	x

	NDC				**NAP**			**NAPA**		
Country	Adaptation as priority	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation
Cameroon		x	X			x	X			
Central Africa	x	x		X				x		x
Chad	x	x	X					x		
Chile	x	x			X					
Colombia	x	x	X							
Comoros	x	x						x	x	x
Congo	x	x		X						
Cook Islands	x									
Côte d'Ivoire	x	x		X						
Cuba		x	X							
Djibouti	x	x	X		x	x	X	x	x	x
Dominican Republic	x	x	X							
Dominica	x	x								
DRC	x	x		X				x		x
Ecuador		x								
Egypt		x	X							
El Salvador	x	x	X	X						
Equatorial Guinea	x	x		X						
Eritrea	x	x		X				x	x	
Ethiopia	x	x		X	x	x	X	x	x	
Fiji	x	x	X	X						
Gabon	x	x		X						
Gambia		x	X	X	x	x		x	x	x
Georgia	x	x								
Ghana	x	x		X						
Grenada	x	x	X	X						
Guatemala	x	x								
Guinea	x	x	X	X				x	x	
Guinea-Bissau	x	x						x		
Guyana	x	x		X						
Haiti	x	x						x	x	x
Honduras	x	x								
India		x	X							
Indonesia		x	X	X						
Iran	x	x								
Jamaica	x	x			X	x	X			
Jordan		x								
Kazakhstan			X							

	NDC				NAP			NAPA		
Country	Adaptation as priority	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation
Kenya	x	x	X	X						
Kiribati		x	X					x		
Korea		x	X							
Kuwait	x	x								
Kyrgyzstan		x								
Laos	x	x						x	x	
Lebanon	x	x								
Lesotho	x	x	X	X				x	x	
Liberia		x	X		x		X	x	x	
Madagascar	x	x	X		x	x	X	x		
Malawi	x	x	X					x	x	
Malaysia	x	x	X							
Maldives	x	x						x		
Mali	x	x		X				x	x	x
Marshall Islands		x	X	X						
Mauretania		x						x		
Mauritius	x	x		X						
Mexico		x	X	X						
Micronesia	X	x			x	x	x			
Moldova	X	x		X						
Mongolia		x								
Morocco		x	X							
Mozambique	X	x		X	x	x	x	x		
Myanmar	X	x		X	x					
Namibia	X	x		X						
Nauru	X	x								
Nepal	X	x		X	x			x	x	
Niger		x		X	x		x	x	x	
Nigeria	X	x	X		x	x	x			
Niue	X	x			x	x	x			
Oman		x	X							
Pakistan										
Palau					x					
Paraguay		x								
Peru		x		X						
Philippines	X	x								
Papua New Guinea		x								
Qatar		x								

	NDC				**NAP**			**NAPA**		
Country	Adaptation as priority	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation	Sectorial priority identified	Vulnerable groups listed	CSO participation
Rwanda	X	x	X					x	x	x
Samoa		x						x		
São Tomé	X	x		X	x			x	x	x
Saudi-Arabia		x								
Senegal	X	x		X				x		
Seychelles	X	x	X	X						
Sierra Leone	X	x	X	X				x		x
Singapore		x								
Solomon Islands	X	x		X				x		x
Somalia	X	x	X	X				x	x	x
South Africa		x	X							
South Sudan	X	x								
Sri Lanka	X	x	X		x	x	x			
St. Kitties	X	x	X							
St. Lucia	X	x								
St. Vincent	X	x								
Sudan	X	x			X	x	x	x	x	x
Suriname	X	x	X							
Swaziland	X	x								
Tajikistan	X	x								
Tanzania	X	x		x				x	x	
Thailand	X	x	X	x						
East Timor					x		x	x	x	
Togo	X	x	X	x		x	x	x	x	
Tonga	X	x								
Trinidad & Tobago		x								
Tunisia		x								
Turkmenistan		x	X							
United Arab Emirates		x								
Tuvalu	X							x	x	
Uganda	X	x			x	x	x	x	x	
Vanuatu	X	x		x				x	x	
Venezuela		x								
Vietnam	X	x	X	x						
Yemen		x						x		
Zambia	X	x		x				x	x	
Zimbabwe		x		x						

Data analysis: Tirthankar Mandal

4.2 The case of Bangladesh

Md Shamsuddoha, Director, Center for Participatory Research and Development, Dhaka

The historical agreement on 2015 Paris Climate Deal sets a universal obligation to close emission as well as climate risk gaps. However, closing the gaps will require substantive policy restructuring. Moreover, it is essential that communities, that are exposed to risk due to the effects of climate change, are involved – not only in order to make the right choices, but also to ensure a transparent and accountable implementation of the plans with adequate resource allocation and that social capital is properly leveraged. In order to do so, a transformational shift in the mind-set of policy stakeholders in planning processes is also required: a shift from an authoritarian planning process "for the people" towards a rights-based and democratic planning process "by the people" (Shamsuddoha/Bijoy 2015).

In the following, climate change planning in Bangladesh is analysed in order to provide an understanding of whether rights-based principles have been considered, and to make recommendations for the future.

Bangladesh has a long tradition of central planning run by its Planning Commission, and preparing five-year plans with a respective resource allocation. The Commission, through multisector input-output models, makes macro-economic projections and sets output targets for the sectors in different timeframes. The seventh five-year plan for the period 2016 to 2020 has just been completed.

Such a centralised planning process symbolises a state monopoly, and to some extent a monopoly by a political party, that implements plans over the views and concerns of diverse actors and interest groups. Sobhan (2007) explains this approach as the result of a polarised political system that prevents the political opposition from contributing to planning.

The development of climate change-specific plans has to be seen in the context of financial support granted either by multilateral or bilateral sources. Accordingly, the very first adaptation planning in Bangladesh, as in other LDCs, took place in the form of a National Adaptation Program of Action (NAPA), closely linked to respective UNFCCC decisions and funded by the Special Climate Change Fund (SCCF). Bangladesh's NAPA, prepared in 2005, proposed 15 adaptation projects, and its upgraded version in 2009 again identified 45 projects; 18 of which are to be implemented immediately (DoE 2005).

Under the impression of NAPA implementation delays and massive devastation caused by Sidr, a category 4 cyclone in 2007, Bangladesh prepared its first Bangladesh Climate Change Strategy and Action Plan (BCCSAP) in 2008. This was revised the following year, and agreed on in its current version. This is referred to as BCCSAP 2009 (Alam et al. 2009).

BCCSAP 2009 identified 44 programs clustered into six themes that were to be implemented over a ten-year period (from 2009 to 2018) in two phases. The first phase (2009 to 2013) prioritised 28 programs; the priorities of the second phase (2014 to 2018) were supposed to be decided upon following a revision of the BCCSAP on the basis of risks and development priorities.

Bangladesh also prepared a National Adaptation Plan roadmap with the aim of gaining access to the Green Climate Fund. The NAP roadmap also entails a centralised planning process, however, it suggested running pilot local adaptation planning in at least two climate hotspots (Bangladesh NAP Road Map, Final Report, January 2015).

There has been widespread criticism by civil society organizations and scientists regarding the process of both NAPA and BCCSAP formulation, as they neither build on vulnerability assessments of the affected areas, nor follow a participatory, transparent and accountable process when it comes to decisions on priorities and actions.

Bangladesh's NAPA was developed in a process commissioned by the government that involved just a few national and international consultants and selected stakeholders and with little evidence of engagement by communities at risk. Local communities, civil society organizations and even local government administrations were mostly unaware of this process.

The formulation of BCCSAP took place as part of a process driven by specialists without adequate involvement of vulnerable communities (Raihan et al. 2010; Hossain 2009). The BCCSAP was finalised during three-day workshops held separately with ministries, civil society members and donors. Human rights activists describe the strategy as merely constituting a list of projects mostly related to infrastructure development, without providing a long-term vision or a strategy to address climate change and climate justice issues. Although the new government re-wrote the strategy one year later, the same concerns remained.

Bangladesh has only implemented one of its NAPA projects: "Community Based Adaptation to Climate Change through Coastal Afforestation". This project was supported by the Least Developed Countries Fund (LDCF). In parallel, the government established two new funds for BCCSAP implementation, namely the "Bangladesh Climate Resilience Fund" (BCCRF) under the interim trusteeship of the World Bank, and the "Bangladesh Climate Change Trust Fund" (BCCTF), managed by the Bangladesh Climate Change Trust and regulated by the Bangladesh Climate Change Trust Act 2010. While the BCCRF is funded by donor countries and institutions, the BCCTF is entirely funded by the Bangladeshi government. So far, USD 188 million has been granted to the BCCRF, and the BCCTF received USD 403 million from 2009 to 2010 and will do so between 2016 and 2017.

However, both funds have been criticised for their top-down strategies with regard to project selection, prioritization and implementation. While the BCCRF suffers from a long and bureaucratic project selection process by the World Bank, the BCCTF often approves questionable projects due to undue political intervention in project prioritization and resource allocation that results in corruption (TIB 2012). An analysis of 281 government BCCTF projects shows huge regional disparities both in terms of the number of projects and fund allocation. Although the Khulna, Rajshahi, Rangpur and Sylhet divisions are very vulnerable in terms of both poverty and the impact of climate change (cyclones, tidal surges, salinity intrusions, sea level rise, drought, flooding and flash flooding), less than twelve per cent of the projects with less than eight per cent of the funds had been provided to these divisions by the end of 2015. Therefore, questions about the politics involved were raised and calls were made for better, more equitable governance (Shamsuddoha/Bijoy 2013). Widespread criticism due to corruption has resulted in a sharp decline of governmental contributions to the Fund; these have decreased from USD 100 million in 2009/2010 to USD 13 million in 2016/2017.

So far, none of the Bangladeshi climate specific plans and policies – NAPA, BCCSAP and INDC – have been developed with a rights-based framework and priorities in funding have not been set according to risks and vulnerabilities. Therefore, the NAP should be developed on the basis of a country-wide vulnerability assessment and those people should benefit first who have been suffering the most from the impact of adverse climate change. Unlike NAPA and the BCCSAP, the NAP should also be developed with direct involvement of the national planning institutions to pursue strategic integration of resilience building in development planning. The "Bangladesh Delta Plan 2100" may be taken as an example of good practice in this regard: it has been developed by the Planning Commission with financial support from the Netherlands, and is considered to be long-term, holistic, integrated, adaptive and flexible.

Although the role of the political opposition has been negligible in the BCCSAP development process, all political stakeholders and parliamentarians should be actively involved in future climate policy debates, since an enhanced discourse may ensure higher accountability and transparency, including with regard to resource allocation and implementation.

4.3 The case of Nepal

Raju Pandit Chhetri, Director, Prakriti Resources Centre, Kathmandu

Nepal, a less developed, mountainous and land-locked country, is one of the countries which contributes least to greenhouse gas emissions (Government of Nepal 2016). However, it is one of the most vulnerable countries to the adverse impacts of climate change. Fostering resilience is vital in order to adapt to those impacts that are already happening, while at the same time preparing for future impacts. Nepal faces hydro-meteorological extreme events such as droughts, floods, landslides, avalanches and risks of glacier lake outbursts, which are likely to increase in future. It is therefore imperative for Nepal to build up its resilience capacity.

In the world's Human Development Index, Nepal ranks 145th indicating the challenges it faces in terms of vulnerable socio-economic conditions. Climate change is adding a further burden to this economically impoverished country. A study conducted in the area of agriculture, hydropower and climate-induced disaster reveals that Nepal is bearing annual losses of 1.5 per cent to two per cent of its GDP due to climate variability and extreme climate events. This will increase to two to three per cent, i.e. about USD 62.4 billion (2013 est.) by 2050. It requires additional USD 2.4 billion of investment in aggregate by 2030 to build Nepal's resilience to climate impacts (Government of Nepal 2014). This pinpoints the degree of impact and the preparation that Nepal needs to make for adaptation actions.

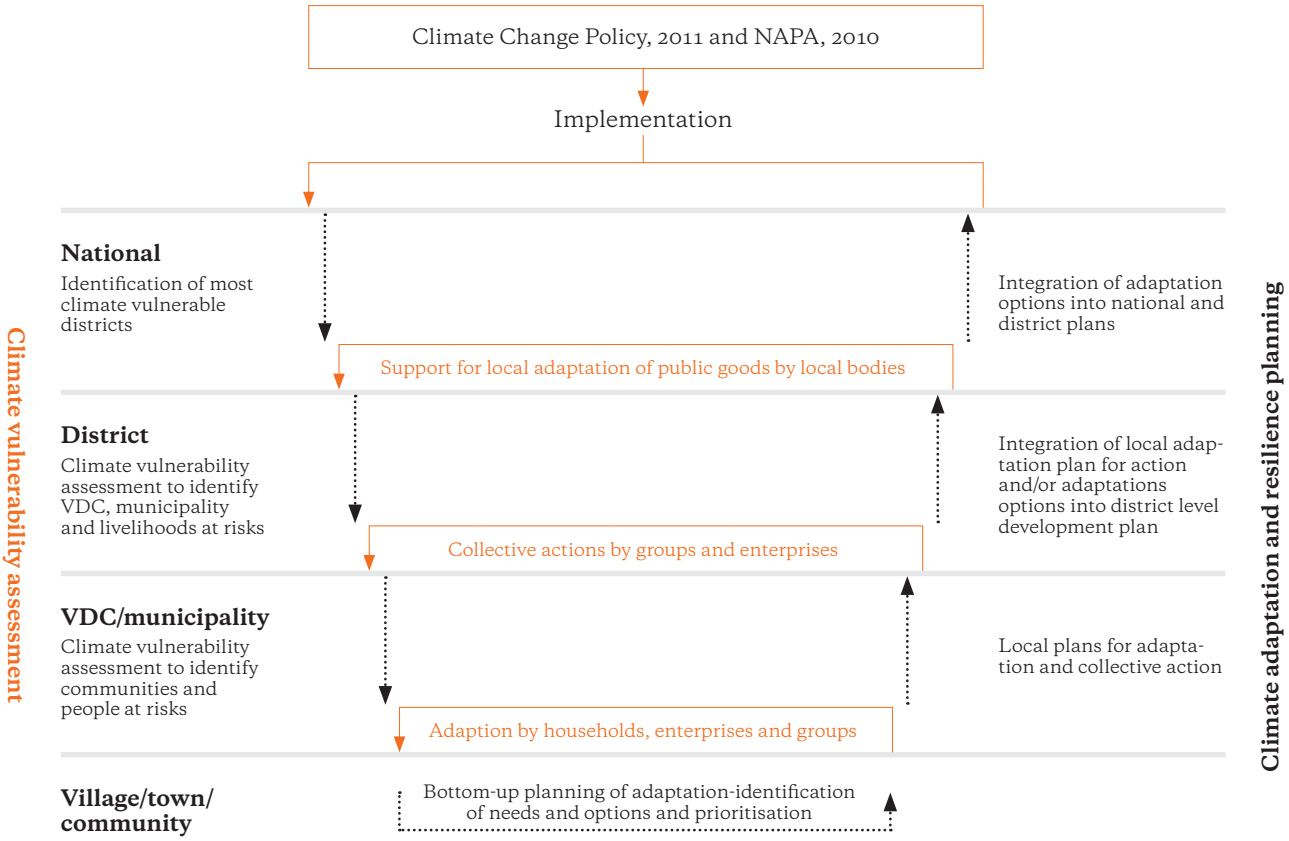

Figure 8: Integrating climate change adaptation and resilience into local and national development planning in Nepal
Source: LAPA Framework 2011

Nepal engaged systematically in addressing climate change by preparing a National Adaptation Program of Action in September 2010. The formulation of its NAPA provided an opportunity to identify the most urgent and immediate adaptation needs of the country. Nepal identified nine profile projects with a total value of USD 350 million (Government of Nepal 2010). Currently, three profile projects are in the implementation phase. Nepal prepared the NAPA through a participatory and inclusive process. Its NAPA preparation also led to the formulation of a national Climate Change Policy in 2011.

When it comes to downscaling climate adaptation work in the country, one of the most innovative approaches resulting from the NAPA process has been the design of Local Adaptation Plans for Action (LAPA): Nepal is considered one of the pioneering countries in decentralizing adaptation work at the local level through the LAPA framework. The country has successfully implemented the first phase of this initiation and is designing the second phase. Similarly, Nepal has also implemented a Pilot Project for Climate Resilience (PPCR), and this is to be aligned with the NAPA document.

Recently, the Government of Nepal initiated the process for formulating a National Adaptation Plan. The Ministry of Population and Environment, the focal ministry for climate change, is leading the NAP formulation process. Building on the participatory NAPA modalities, seven major themes and two crosscutting themes have been identified that are to be coordinated by the concerned line ministries responsible: Agriculture and Food Security; Forest and Biodiversity; Water Resources and Energy; Climate-Induced Disaster; Urban Development and Infrastructure; Tourism, Natural and Cultural Heritage; Public Health; Gender and Social Inclusion; Livelihood and Governance. Thematic working groups have been created to ensure a participatory process with stakeholder engagement and ownership, inclusiveness, gender sensitivity and transparency.

While preparing the NAP, Nepal will adhere to the guidance provided by the NAP Technical Guidelines (see page 10) to reduce climate risks by building adaptive capacity and resilience. Similarly, it also seeks to facilitate the integration of climate change adaptation in a coherent manner into relevant new and existing policies, programs and activities, in particular development planning processes and strategies, within all relevant sectors and at different levels, as appropriate. The NAP is expected to be prepared by early 2018.

Nepal has also significantly highlighted the need for adaptation in its INDC as submitted to the UNFCCC. It also refers to the national process for NAP formulation. Therefore, Nepal's future adaptation plans will be fully reflected in its NAP (Government of Nepal 2016). It also highlights the need for international support for taking national adaptation action.

Protecting the lives and improving the livelihoods of the climate vulnerable communities in Nepal is urgent. A huge paradigm shift is essential if this is to be achieved. According to its Climate Change Policy, the government commits "to implement adaptation programs according to the national development agenda and to ensure at least 80 per cent of the total funds available for climate change activities flow to the grassroots level" (see Government of Nepal 2011a). For an underdeveloped country like Nepal, this is an ambitious step in addressing climate change and a strong signal towards moving away from traditional models of development. The climate policy also envisions climate justice and addresses the adverse impacts of climate change.

Hence, Nepal's recognition of the importance of low carbon and climate-resilient development has increased over the last few years. Nepal has made some significant progress in designing and implementing adaptation plans in a transparent, participatory and vulnerability-focused way. It has also set up a Climate Change Council headed by the Prime Minister to provide political guidance, and a dedicated Climate Management Division as an institutional set-up. As indicated in its INDC, Nepal is also ready to further strengthen its enabling environment for ambitious climate actions at the national level. However, much more needs to be done to respond to the current and future challenges. As a next step, financial, technological and capacity-building support is required to meet the country's aspiration in addressing climate adaptation and resilience.

4.4 The case of Malawi

Vitumbiko Chinoko, Associate Fellow at Climate & Development Center, Lilongwe

Malawi is an LDC and climate change impacts are particularly experienced in agriculture due to the country's high dependency on rain. According to the IPCC's 5th Assessment Report, these impacts will accelerate, with precipitation becoming more volatile. The Malawian government, therefore, has started developing different policy frameworks. While climate change adaptation is the main priority, the draft climate change policy is quite comprehensive and seeks to promote both adaptation and mitigation. This approach is also reflected in Malawi's NDC.

The National Adaptation Program of Action that was developed first built on the recognition that the majority of Malawians were very vulnerable to impacts of climate change (see Government of Malawi 2009). Accordingly, the country's NAPA was developed to increase the adaptive capacity of vulnerable communities (Kamperewera 2007). Nevertheless, this laudable approach has not yet been mainstreamed in Malawi's sectorial policies, also due to a lack of coordination, a fact that marks one of the major challenges.

Malawi's National Environmental Policy (NEP) was adopted in 1996 and reviewed in 2004 to include climate change in section 4.11. This section deals with air quality and climate change. The country's NEP does not address climate change adaptation explicitly but provides guidance in the management of agriculture, fisheries, forestry, energy, industries and water resources in light of climate change. Improving the NEP's efficiency in providing a better framework for adaptation, and better coordination with agricultural policy, especially on land use and natural resource management, would be critical for success.

The Malawi National Strategy for Sustainable Development (2004) intends to provide concrete guidance for operationalizing the Johannesburg Plan of Implementation (JPI), which builds on Agenda 21. Particular attention is to be paid to mitigating the effects of drought and floods through improved use of climate and weather information and forecasts, early warning systems, sustainable land and natural resource management, adaptive agricultural practices and ecosystem conservation.

The National Water Policy is oriented towards sustainable water resource management, and in this respect

calls for the formulation of mitigation measures to reduce the impact of climate change and variability as a means of disaster preparedness and management. Disaster management is specifically addressed and the policy is aimed at establishing preparedness and contingency plans for water-related disasters and emergencies.

Malawi's NAPA was designed to increase the adaptive capacity of vulnerable communities. Through a consultative process, 31 adaptation options were identified to address adaptation needs. Options were further ranked according to urgency, and selected options were combined to clusters in order to shortlist five projects. So far the implementation of the NAPA has failed because of funding problems. However, through the NAPA, the Government of Malawi has committed itself to addressing agriculture and livestock, forestry and fisheries, wildlife, water, infrastructure, energy, health and gender as priority areas for adaptation.

The 2nd Malawian Development and Growth Strategy still serves as a development blueprint for the country. Regarding climate change, the strategy promotes the integration of disaster risk management and sustainable development at all level of development planning. However, experience has shown that climate change has not been adequately mainstreamed and that implementation has yet to meet quality standards.

Climate change has also been addressed through legislation, but again efforts are not well-coordinated and climate change has still not been properly mainstreamed in this area either, e.g. regarding the Disaster Preparedness and Relief Act (DPRA, No. 24 of 1991) or the Environment Management Act (EMA). The National Climate Change Investment Plan (NCCIP), set up to provide guidance, covers adaptation with a particular view to community resilience and agriculture: the plan seeks to ensure that soil fertility and land use management improve in key areas of Malawi. Moreover, it should enhance sustainable irrigation systems in selected districts; promote adaptive agricultural technologies in areas prone to the negative consequences of climate change; and to increase household income through sustainable agricultural diversification in selected districts prone to climate change.

The National Adaptation Plan process was initiated in Malawi in March 2013 with a first NAP stakeholder consultation, which was supported by the Global Water Partnership in association with NAP-GSP. The NAP process started well and a 12-member team was appointed to steer it. The roadmap was developed and stocktaking was finalised. Agriculture, water, health, infrastructure, population, human settlement, disaster risk reduction, forestry and gender have been defined as NAP priority areas. The NAP implementation process has already started: as an example, the Ministry of Agriculture has mainstreamed NAP. However, the major challenge the process has faced so far is a lack of accurate climate predictions. Second, climate risk and vulnerability assessments lack standardization; this makes it very difficult to determine priorities.

To conclude, Malawi has good policies in place, but there are serious shortcomings hindering efficient implementation such as coordination and mainstreaming gaps as well as a lack of capacity and resources. Bridging these gaps, which includes fostering civil society participation, will be crucial for its success.

4.5 The case of India

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Even after more than six decades of independence, India is struggling to ensure its population's basic right to life as espoused in the vision of an Independent India. The challenges to realise everybody's right to food, access to affordable energy, access to safe drinking water and safe sanitation is at the core of policymaking. 195 million Indians go hungry every day (see Mukhopadhyay 2015), only 14 per cent of the rural population have access to sanitation (water.org) and only 18 per cent of them have safe drinking water (Unitus Seed Fund 2014). In addition, almost 80 million people are without electricity as per a World Bank study. The failure to meet the development goals accelerates migration from rural to urban areas, threatens the healthcare system, reduces agricultural productivity, and thereby leads to the loss of livelihoods. The impact of climate change places additional stress on top of all that, as they further hamper the fulfilment of the basic right to life in India. Accordingly, there is high pressure on policymakers to prevent climate-induced risks from further materializing.

Article 51A (g) of the Indian constitution provides the basis and guiding framework for policymaking related to the protection of environment and natural resources. The recent developments in climate policies follow the

constitutional principles. In India, environmental policies have two institutional layers: the national level and federal state level initiatives. In the field of climate policy, the national framework also guides state level initiatives. So far the focus has been on achieving the country's development objectives without harming natural resources too much. Fostering climate resilience is considered to be an additional aspect of this approach to development.

National climate policies started in 2008 with the National Action Plan on Climate Change (NAPCC). Five out of its eight missions have an adaptation focus – agriculture, water, Himalayan ecosystem, Green India (forestry), and sustainable habitats – while three have a strong mitigation component, namely solar energy, strategic knowledge and energy efficiency. Making population of India climate-resilient is a key message of NAPCC. All missions have been coordinated by the Ministry of Environment, Forest and Climate Change (MoEFCC), the line ministries have had to follow the guidance provided by MoEFCC for developing action plans to achieve mission objectives.

While the NAPCC provides the national climate policy framework, there are sectors that are not covered by these missions but are still of high relevance to resilience. Thus, the government introduced additional climate components in missions outside of the NAPCC, such as those at the National Mission on Health.

Indian adaptation policies usually have two components: a policy framework and an implementation plan; these involve different national ministries and state governmental entities. Final decisions, however, are taken by line ministries and not by the coordinating MoEFCC; this weakens the latter substantially.

It is important to note that the priority on adaptation, brought about with the development of the Indian Nationally Determined Contribution (NDC) in 2015, shifted at least at the national level in favour of climate mitigation.

State governments have generally followed the climate policy directives of the central government. This top-down approach to climate policies has even become stronger in recent years: a lack of finance means that states further align their actions with national programs, meaning that it is the central government which defines the course.

The 2015 national policy shift to prioritise climate mitigation over adaptation, however, has not yet trickled down to the state level, where the focus on resilience is still strong. In these policies, climate resilience is mainly understood as achieved through targeted state programs that are designed to either protect climate sensitive livelihoods or to create alternative ones. While programs are developed, implementation remains a challenge, also because of the lack of resources. Moreover, the new national focus on mitigation has increased the scarcity of adaptation funding at state levels.

From a human rights-based perspective on transformational change, the climate policy process should become more inclusive, and not leave any sector of society behind. Indeed, it should build on the subsidiarity principle – instead of the centralistic top-down approach – providing incentives for leadership and ambition at the lowest possible political level, in other words, at the level of the people who suffer most from adverse climate impacts. The current top-down approach delivers services and programs to the people in order to make them resilient. This approach limits the role of communities and people to recipients instead of making them owners and drivers of transformational action. A second weakness of the current approach is its limited focus on building climate change understanding and knowledge. Due to the fact that the promotion of scientific and evidence-based approaches to climate change and its impacts do not play a central role, there is a dangerous tendency to relate all calamities and disasters to climate change. This in turn has two direct implications: first it leads to an inaccurate attribution of impacts, and second, it limits the effectiveness of interventions.

Climate resilience is generally considered to be of benefit in achieving India's development goals. Therefore, adaptation approaches closely intertwined and aligned to development policies are generally preferred. However, due to a general lack of proper climate risk assessments, designing targeted adaptation measures to achieve resilience remains very difficult.

The gaps in policymaking can be bridged if the government incorporates a human rights-based approach and adapts its own theory of change. Enhanced community participation, more evidence-based knowledge-sharing, countrywide climate risk assessments, and a strengthened culture of institutionalised multi-stakeholder engagements at all levels of adaptation policies and programs would help to lift people out of extreme poverty, reduce their vulnerability and would constitute an important step towards a climate-resilient and low-carbon Indian society.

4.6 Human rights, transformational change and international capacity-building support

Over the years, the UNFCCC has started several processes geared towards supporting enhanced adaptation planning and laying the basis for increased adaptation finance. In parallel, international development cooperation has put increasing emphasis on supporting adaptation and the NAP processes in particular with capacity-building measures and policy advice.

An analysis of the information published on the current NAP processes in selected countries and the supporting measures by actors like GIZ, JICA and others shows that they mostly focus on capacity-building and improved cooperation of governmental actors, changing national regulations and planning and implementing pilot projects at a smaller scale and then possibly transfer them to other regions (see Brot für die Welt 2016). On a positive note, these actors have realised the importance of not rushing the NAP processes and are putting a lot of emphasis on capacity-building. On a negative note, the focus on most vulnerable populations as required from a transformative and rights-based perspective is not yet appropriately covered in either capacity-building programs, training materials or national processes. Most approaches are focusing on the vulnerability of sectors or geographical areas. And while pilot projects expose the great opportunity of targeting most vulnerable communities, such pilots are still seldom and not yet systematically explored or even mainstreamed. Therefore, the support that is currently provided to NAP processes by and large does not sufficiently prioritise the needs and rights of the most vulnerable populations.

While stakeholder participation is frequently mentioned as a key success factor for NAPs in capacity-building measures, source books and manuals, the current processes do not however appear to have a common standard regarding its meaning. Civil society participation in the majority of countries is still quite limited in national workshops, which are the starting points for NAP processes (see GIZ et al. 2015c). Furthermore, the form and level of civil society participation, if ensured at all, depends very much on national circumstances. In some countries civil society is limited to the implementation phase once the NAP has already been decided. Other countries include civil society organizations from the very beginning, e.g. by including them in national steering committees, which can ensure much greater participation. However, CSO participation does not per se mean adequate representation of most vulnerable populations in the NAP processes. To directly or indirectly comply with human rights standards, due participation of vulnerable groups, is essential and therefore needs to be promoted in capacity-building and other international support programs.

Transformational change relies on pilot activities, regulatory change, coalition building and the anchoring of social acceptance. While the first two aspects are well reflected in current NAP processes and support provided by donors, the latter two are very much left to national circumstances and consequently remain neglected in many cases. The current trend in NAP capacity-building to start looking beyond sectorial limits and to move from a project approach to a longer perspective deserves recognition. However, the extent to which that goes hand in hand with more ambition, higher flexibility and more openness with regard to new and innovative approaches remains to be seen: the goals and visions continue to be mostly developed by governmental stakeholders, not by representatives of different societal groups – and specifically not under due inclusion of those being most affected by climate change. Last but not least, a long-term perspective on national resilience and adaptation planning is still lacking in most support programs. This shortcoming also needs to be addressed (see Wuppertal Institute 2015).

In conclusion, it may be said that from a transformative and human rights-based perspective, the international capacity-building support to NAP processes still has significant gaps despite the fact it is growing significantly. If NAPs are to benefit the most vulnerable and to enable their due participation, it is high time we overcame these weaknesses.

Chapter 5
Conclusions and policy recommendations

"Leave no one behind in the climate crisis, but take the opportunity to shift humankind towards sustainable development pathways!" With this appeal, and after more than 20 years of difficult negotiations, in the run up to the climate summit in 2015 ACT Alliance, Bread for the World and Germanwatch called on political leaders to make Paris a historic milestone in international climate policy. In the end, Paris delivered a global, durable, legally binding and ambitious agreement with the potential to initiate a transformational shift.

In this study we have assessed the potential of the Paris Agreement (and the challenges that remain) to close the huge climate risk gap at both the international and national levels of climate adaptation and risk management. Our assessment has been anchored through reaffirming human rights as the basis for climate action, while endorsing the view of the UN Human Rights Council that climate change is a global problem that cannot be resolved without effective international cooperation. Moreover, this approach needs to support national efforts for the realization of human rights that are threatened by climate change-related impacts. Finally, we have also argued that human rights obligations, standards and principles have the potential to strengthen international and national policymaking in the area of climate change, and to promote policy coherence, legitimacy and sustainable outcomes.

A human rights-based approach is more appropriate than a purely sectorial approach to climate risk management and adaptation: first, it obliges states to take steps, individually and with international assistance and cooperation with the aim of utilising the maximum available resources, progressively achieving the full realization of rights and ensuring that these rights can be exercised without discrimination of any kind. Second, this implies that particular attention should be given to the most vulnerable. As a first step in climate risk or adaptation policies, this requires clearly identifying people whose rights are threatened by climate change, and defining actions to overcome these human rights threats and violations. Consequently, a human rights-based approach to closing climate risk gaps is people-centred; and it requires the broadest possible level of stakeholder participation with a particular emphasis on the people most vulnerable to climate risks in addressing the impacts of climate change.

A human rights-based approach to fostering climate resilience is a means of securing human dignity. The perception and self-perception of vulnerable people as rights-holders rather than victims is a prerequisite to self-determination and enabling people to take their fate into their own hands. Moreover, it strengthens peoples' ability to become agents of transformational change.

We have set out the way in which we envisage the implementation of a rights-based transformational change with regard to overcoming vulnerabilities. Adaptive capacities need to be built up, risk gaps will have to be closed, and, ultimately, climate compatible livelihoods and economies will need to be established. Strategy, leadership, empowerment and innovation are the drivers behind the personal, economic, and political sphere and any action taken on adaptation will have to withstand the litmus test if it is to contribute towards mobilising these transformational resources.

In order to make the PA work for the climate vulnerable and to bring about transformational change, an ambitious interpretation and further development of the Paris Agreement is needed at both ends of the spectrum: the international process of implementing the PA roadmap between 2016 and 2020, and at the national level by further elaborating NDCs and NAPs, translating plans into laws and actions, and mainstreaming them in socio-economic development processes and investment. Finally, in order to ensure transparency and accountability, human rights monitoring and information disclosure regarding compliance should become an integral part of climate risk management and adaptation.

We conclude this study with policy recommendations on how to close the climate risk gap.

Policy recommendations for 2016 to 2020 to close the global climate risk gap

To strengthen transformative processes at the level of the **future adaptation framework** towards enhanced resilience of economies and livelihoods, we recommend:

- Further operationalizing adaptation in the Paris Agreement, i.e. with regards to the adaptation goal, adaptation needs assessments, and the treatment of adaptation and loss and damage in the context of the global stocktake
- Taking the adaptation principles as a basis with which to conduct adaptation measures in a transparent and participatory manner and in a way that benefits vulnerable people and communities
- Thoroughly upgrading and implementing NDCs and NAPs as the main national means of implementation to achieve the goals of the PA.

To strengthen the transformative potential of the future framework to tackle loss and damage, we recommend that the **Warsaw International Mechanism:**

- Concludes its work plan and agrees on a new one aimed at effectively addressing climate-related economic and non-economic losses and damages; taking measures to reduce them, and supporting the people affected, in particular the most vulnerable; building on increased cooperation and solidarity in line with human rights and as envisioned by a transformational paradigm shift
- Gets strengthened its modalities and institutional set-up
- Identifies financial needs and finds ways of mobilizing resources, including through and in cooperation with the GCF, and contributes to ensure that resources are appropriately invested into the development of innovative solutions.

To strengthen transformative approaches to tackling **climate-induced migration and the Platform for Disaster Displacement,** we recommend:

- Developing human rights guided recommendations to mediate immanent relocation processes
- Working constructively to close the legal protection gap of people displaced by the impact of climate change; and compiling relevant best practices, such as through the Platform on Disaster Displacement and as part of the WIM
- Advancing the understanding of the link between climate and conflict; fully respecting existing legal protection frameworks; and closely watching and sanctioning human right abuses if they occur
- Making sure that all actors dealing with migration and displacement act in a co-ordinated way and avoid duplicating mandates and missions.

In order to close the climate risk gap by using the transformative potential of climate risk insurance, we recommend that **InsuResilience** fully take into account the major factors determining effectiveness and equity in implementing the pro-poor focus. This means:

- Implementing a governance structure that facilitates a focus on the poor and vulnerable
- Interventions that support the implementation of reliable and needs-based insurance solutions which are affordable to and accessible for the target group and which are embedded into comprehensive resilience building efforts
- Establishing a comprehensible monitoring and evaluation framework to make sure that interventions actually reach and benefit the target group
- Securing the participation of all relevant actors (e.g. beneficiaries, governments, private sector, civil society, development cooperation partners) in shaping and implementing insurance products.

Policy recommendations from 2016 to 2020 to close the climate risk gap at national levels

To foster climate resilience through **National Adaptation Planning** and **climate disaster risk reduction** based on human rights obligations, standards and principles, and following a transformative approach, we recommend:

- Including a discretionary human rights risk and impact assessment with a view to ensuring human rights compliance in NAP processes
- Including the identification of the most climate vulnerable populations and people in climate risk assessments and taking particular steps in adaptation and risk management that foster the resilience of these groups
- Ensuring the due direct or indirect participation of vulnerable groups during all stages from policy design to implementation and monitoring
- Working towards a transformational shift in the mind-set of policy stakeholders in planning processes from top-down planning "for the people" towards a rights-based and democratic bottom-up planning process "by the people"
- Actively involving all relevant political and societal stakeholders to ensure more ownership and higher accountability and transparency, including regarding resource allocation and implementation
- Ensuring that the majority of climate resilience funds is invested in measures benefiting the most vulnerable people at the grassroots level, and transforming their vulnerability into resilience, as a clear proof of putting a human rights-based approach into practice and to delivering on climate justice
- Using the lessons learned from inefficient implementation to improve capacities, coordination and adaptation mainstreaming in development planning.

List of Acronyms

ARC	African Risk Capacity
BCCRF	Bangladesh Climate Resilience Fund
BCCSAP	Bangladesh Climate Change Strategy and Action Plan
BCCTF	Bangladesh Climate Change Trust Fund
BMZ	German Federal Ministry for Economic Cooperation and Development
CCKP	Climate Change Knowledge Portal, World Bank
COP	Conference of Parties
CCRIF	Caribbean Catastrophe Risk Insurance Facility
CSO	Civil society organization
CVF	Climate Vulnerable Forum
DPRA	Disaster Preparedness and Relief Act (Malawi)
EMA	Environment Management Act (Malawi)
GCF	Green Climate Fund
GDP	Gross domestic product
GFCS	Global Framework for Climate Services
GIZ	German Federal Enterprise for International Cooperation
HRC	Human Rights Council
IPCC	Intergovernmental Panel on Climate Change
JICA	Japan International Cooperation Agency
JPI	Johannesburg Plan of Implementation
LAPA	Local Adaptation Plans for Action
LDC	Least Developed Country
LDCF	Least Developed Countries Fund
MoEFCC	Ministry of Environment, Forest and Climate Change (India)
NAPs	National Adaptation Plans
NAPAs	National Adaptation Programs of Action
NAPCC	National Action Plan on Climate Change (India)
NAP-GSP	National Adaptation Plan – Global Support Program
NCCIP	National Climate Change Investment Plan (Malawi)
NDCs	Nationally Determined Contributions
NEP	National Environmental Policy (Malawi)
NGO	Non-governmental organization
OHCHR	United Nations High Commissioner for Human Rights
PA	Paris Agreement
PPCR	Pilot Project for Climate Resilience
SCCF	Special Climate Change Fund
SIDS	Small Island Developing Countries
SDGs	Sustainable Development Goals
UNFCCC	United Nations Framework Convention on Climate Change
WIM	Warsaw International Mechanism
WMO	World Meteorological Organization

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