

Dissemination Output

The role of the Alliance of Small Island States (AOSIS) in the establishment of the Loss and Damage Fund.

Explanation of Dissemination output:

The selected output relates to the essay as on AOSIS's website they have a document library, including press releases. Press releases have been a common method to communicate to the public, whilst placing pressure on governments. The format has been commonly used since the establishment of AOSIS to highlight important news, and to share information on the progress and challenges in the development of establishing a loss and damage fund. This format was selected as it is a concise and a fast method for the public to gain insight into the key arguments of the essay. The aim of the dissemination output is to both identify AOSIS's significant role in advocating for the establishment of the loss and damage fund whilst also highlighting how marginalized and developing nations with less geopolitical power may work together to create change. There is no primary audience in mind for the dissemination output, as the topic is of global significance. However, it aims to inspire developing and marginalized countries in their fight for climate justice.



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PRESS RELEASE

AOSIS role in the establishment of the historic Loss and Damage Fund

2023-15-04

TOPIC: Loss and Damage



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The Association of Small Island States (AOSIS) advocacy role has been vital in the establishment of the loss and damage fund at the 27th Conference of the Parties (COP). After 30 years of extensive advocacy of the establishment of a compensatory fund, our long-fought mission has finally reached a breakthrough with the agreement of the establishment of a fund for loss and damage at COP27. We would like to take this moment to reflect some of our key achievements from our formation in 1990 to 2022, in leading to its establishment.

¹ “Historic Loss and Damage Fund Established at COP27 in Sharm El-Sheikh” (*Press Release*2022) <<https://www.aosis.org/historic-loss-and-damage-fund-established-at-cop27-in-sharm-el-sheikh/>> accessed April 20, 2023.

² “COP27 Ends with Announcement of Historic Loss and Damage Fund” <<https://www.unep.org/news-and-stories/story/cop27-ends-announcement-historic-loss-and-damage-fund>> accessed April 21, 2023.

The loss and damage fund refers to a compensatory fund which addresses the adverse impacts of climate change on developing states, who have historically contributed the least to the problem, accounting for less than 1% of GHG emissions globally.³ We have played an essential role in advocating for the inclusion of loss and damage in climate negotiation, placing pressure on States to address the adverse negative effects of climate change which Small Island Developing States(SIDS) are exposed to.

Taking a look at four ways our role as advocates of the fund's establishment led to the breakthrough at COP27.

- 1) **Link loss and damage explicitly to compensation;** We were the first to initiate the debate regarding loss and damage, as well as explicitly link loss and damage to financial compensation.⁴ Prior to the United Framework Convention on Climate Change (UNFCCC) in 1992, Vanuatu submitted an international insurance pool proposal on behalf of our coalition, highlighting that developing small islands and low-lying countries should be compensated for the loss and damage which they are experiencing due to climate change, specifically sea level rise.⁵ This in turn played a vital role in bringing the topic to light, the idea taking root that when addressing the negative impacts arising from climate change there needs to be a consideration of insurance and compensation.⁶ Since our initial submission, we have continued to submit proposals for compensation and actively participate in negotiations, placing pressure on developed states to address the topic. The agreed upon loss and damage fund at COP27 is built upon the concept of compensating those vulnerable nations who have contributed the least to climate change against the adverse effects they are experiencing, highlighting AOSIS successful advocacy.

- 2) **Establishment of loss and damage as a third pillar, separate from mitigation and adaptation:** There have historically been two pillars in climate governance, mitigation and adaptation.⁷ The separation of loss and damage as its own pillar has been essential in the establishment of the loss and damage fund, as Parties acknowledged that there are instances where mitigation and adaptation will no longer be sufficient, certain damages being inevitable.⁸ One of the previous hinders in the fund's establishment is developed nations not viewing loss and damage as distinct from adaptation due to fears of liability issues being raised as a result of the historical emissions of developed nations.⁹ Through our progressive and ambitious work, relying on moral imperatives supported by scientific data, we played a significant role in advocating for the

³ Floriánová D, "Against All Odds: Power of Small Island States in the Climate Change Negotiations" [2019] Case study of AOSIS in UNFCCC negotiations 5.

⁴ Ibid.

⁵ Vanhala L and Hestbaek C, "Framing Climate Change Loss and Damage in UNFCCC Negotiations" (2016) 16 Global Environmental Politics 111.

⁶ Broberg M, "State of Climate Law::the Third Pillar of International Climate Change Law: Explaining 'Loss and Damage' after the Paris Agreement" (2020) 10 Climate Law 211.

⁷ Mace MJ and Verheyen R, "Loss, Damage and Responsibility after COP21: All Options Open for the Paris Agreement" (2016) 25 Review of European, Comparative & International Environmental Law 197.

⁸ Calliari E, "Loss and Damage: A Critical Discourse Analysis of Parties' Positions in Climate Change Negotiations" (2016) 21 Journal of Risk Research 725.

⁹ European Parliament, "Understanding Loss and Damage; Addressing the Unavoidable Impacts of Climate Change (2022)

<[https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733598/EPRS_BRI\(2022\)733598_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733598/EPRS_BRI(2022)733598_EN.pdf)> accessed April 15, 2023.

establishment of Article 8 in the Paris Agreement. In Article 8 loss and damage was institutionally separated from adaptation, the distinction becoming key in leading to further international dialogue specifically regarding loss and damage, including appropriate measures and responsible Parties to address loss and damage.¹⁰

- 3) **Working together with NGOs and third parties:** We have been grateful to receive extensive support by NGOs and third parties in building momentum for loss and damage, as well as shaping public perceptions. Their provision of both legal support and scientific information has supported our advocacy capacity by strengthening our argumentation and negotiation capacity.¹¹ Considering the marginalized geopolitical power of SIDS, by working with NGOs, we could amend these uneven power distributions, thereby allowing us to effectively operate in negotiations and to a greater extent prevent being overshadowed by parties with more geopolitical power.
- 4) **Forming coalitions with G77 and China, the African Group and Least Developed Countries (LDC) group:** Lastly through forming coalitions (often alliances which are temporary, with shared interests) we have strengthened our advocacy role. These coalitions have been key in amplifying the concerns of SIDS and publicly supporting our proposals for a compensatory fund. For instance, during COP19 when we defined loss and damage as being a separate pillar from adaptation, this was then echoed by these coalitions, in turn placing more pressures on states to address loss and damage.¹² By pooling together our resources and skills, we have been able to partake in negotiations more actively and raise our legitimacy, in turn supporting our advocacy role.¹³

We are very proud of what we have been able to achieve over these past decades, it being the first time within the United Nations that a group of marginalized and developing nations have been able to develop a negotiation agenda for concerns regarding primarily themselves¹⁴. We are looking forward to seeing the progress made on the establishment of the fund at the upcoming COP28 in 2023.

¹⁰ Mogelgaard K and McGray H, “When Adaptation Is Not Enough: Paris Agreement Recognizes ‘Loss and Damage’” *World Resources Institute* (December 24, 2015) <<https://www.wri.org/insights/when-adaptation-not-enough-paris-agreement-recognizes-loss-and-damage>> accessed April 21, 2023.

¹¹ Betzold C, “‘Borrowing’ Power to Influence International Negotiations: Aosis in the Climate Change Regime, 1990–1997” (2010) 30 *Politics* 131.

¹² Calliari E, “Loss and Damage: A Critical Discourse Analysis of Parties’ Positions in Climate Change Negotiations” (2016) 21 *Journal of Risk Research* 725.

¹³ Klöck C, “Multiple Coalition Memberships: Helping or Hindering Small States in Multilateral (Climate) Negotiations?” (2020) 25 *International Negotiation* 279.

¹⁴ Ashe JW, Lierop R and Cherian A, “The Role of the Alliance of Small Island States (AOSIS) in the Negotiation of the United Nations Framework Convention on Climate Change (UNFCCC)” (1999) 23 *Natural Resources Forum* 209.

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