

Stakeholder Consultation Workshop

Loss and Damage Work Programme for Bangladesh: Issues and Context

Date: 30 June 2012

Venue: BRAC Center Inn, 75, Mohakhali, Dhaka

Organized By

GERMANWATCH

UNITED NATIONS UNIVERSITY (UNU)
MUNICH CLIMATE INSURANCE INITIATIVE (MCII)

INTERNATIONAL CENTER FOR CLIMATE CHANGE AND DEVELOPMENT (ICCCAD) and

CENTER FOR PARTICIPATORY RESEARCH AND DEVELOPMENT (CPRD)







1. INTRODUCTION TO LOSS AND DAMAGE

The Second Stakeholder Consultation Workshop on the theme of a 'Work Programme for Bangladesh on Loss and Damage: Issues and Context' was held on 30 June 2012 at BRAC Inn, Dhaka. Mr. Monowar Islam, Additional Secretary and Director General from the Department of Environment (DoE) presided over the workshop as Chief Guest, while Professor Ainun Nishat, Vice Chancellor, BRAC University, presided over the inaugural session of the workshop and also moderated the technical session.

The workshop covered 5 presentations on key themes of loss and damage in the context of climate change. All presentations were followed by detailed follow-up discussions in the next sections. There was a fair representation of participants from government, NGOs, researchers, academics and climate change specialists at the workshop and a diverse range of issues related to loss and damage in the context of climate change was discussed. The ultimate aim of the workshop was to obtain feedback and comments for developing a 'Work Programme on Loss and Damage for Bangladesh and other least developed countries (LDCs)'.

Decision 1/CP.16 of the Cancun Agreement of the UNFCCC decided to establish a Work Programme on loss and damage, which will be finalized at the UNFCCC COP 18 to be held in Doha, Qatar at the end of 2012. To better understand what loss and damage means and entails, especially in the context of LDCs, the government of Bangladesh, with the support from CDKN, initiated a project called the Loss and Damage in Vulnerable Countries Initiative. The project is being implemented by a consortium consisting of Germanwatch, United Nations University-EHS, Munich Climate Insurance Initiative and the International Centre for Environment and Development (ICCCAD).

2. INAUGURAL SESSION

Dr. S. M. Munjurul Hannan Khan, Deputy Secretary, Ministry of Environment and Forests (MoEF) inaugurated the workshop on loss and damage and welcomed everyone on behalf of the MoEF.



Dr. Saleemul Huq, Executive Director, ICCCAD delivered the welcome address, in which he clarified two major questions on loss



and damage issues, namely why loss and damage is an important area in the international climate change regime and specifying that while the term loss and damage is being used, what we are really talking about is liability and compensation.

He said that initially climate change was understood as a mitigation issue, but when it was realized and acknowledged that despite undertaking mitigation measures a certain amount of climate change was inevitable; adaptation became increasingly a priority in the global climate change negotiations. However, it is now widely acknowledged that despite mitigation and adaptation efforts, a certain degree of climate change is inevitable. Resulting from this realization is the current debate on loss and damage, which includes contentious issues such as the question of liability and compensation.

Dr. Huq said that liability and compensation are the accurate terms, but to be politically correct, we use the terms loss and damage. Therefore, even though loss and damage is being discussed at the climate change negotiation, we need to think very carefully about how to take the issue forward in the negotiations as well as about developing a national mechanism to address loss and damage in Bangladesh. Some work is already being undertaken in Bangladesh, such as the before-mentioned CDKN-funded Loss and Damage in Vulnerable Countries Initiative.

Before COP 18 to be held in Doha, Qatar, there will be another workshop and Dr. Huq concluded that he would like to set an example by being pioneers in drafting a report to synthesis findings on how to better assess and address loss and damage in Bangladesh 'by harnessing all the intellectual capacity, so that other countries in the world can follow our example'.

Mr. Monowar Islam, Director General, Department of Environment said that the extent of loss and damage is increasing due to climate change and also other associated anthropogenic factors. He said that the death tolls in Chittagong had reached over 100 and recent floods there had jeopardized many lives and livelihoods.

He called Bangladesh 'the landing ground of disasters' and said that during the onset of each disaster and in their aftermath, almost all sectors, not just human lives become vulnerable. In coastal areas, people lose everything during disasters, including their land and often have to migrate to other areas.



Mr. Islam mentioned that the World Bank has assessed loss and damage in a few sectors and at least about 10 billion USD are needed for adaptation in Bangladesh. However, if all sectors are addressed over 100 billion USD are needed. He said that developed countries spend a large amount of their budgets on arms and ammunition and we need to raise these issues and bring them to international attention.

3. TECHNICAL SESSION

The technical session covered presentations from five researchers and climate change experts. A summary of the presentations is provided in this section of the report. The technical session was presided over by Dr. Saleemul Huq and Dr. Ainun Nishat and Dr. Nishat also moderated the ensuing lively discussion.

3.1 Presentation by Dr. M. Asaduzzaman, Research Director, Bangladesh Institute for Development Studies (BIDS):

Dr. M. Asaduzzaman, former research director of BIDS, talked about the changes that need to be made, from perception to action. There are several things that need to be considered if one is to conceptualize and define key terms of loss and damage. There

are the physical impacts, human dimensions, impacts on humans and the natural environment, etc.

Dr. Asaduzzaman talked about the methods and the tools that will be used, a literature review on the current methodology for risk and vulnerability mapping. In addition, stakeholder consultations with experts in the fields of food security, disasters, agriculture, among others, will also be carried out for this study.

There exists a serious information gap, only limited research is available and it is not always accessible for the public. Dr. Asaduzzaman talked about the needs for 'institutional memory and capacity', so that projects are

managed sustainably, which is necessary for adaptation,

He mentioned that there is no set definition of the terms loss, hazard, damage, etc. and people's understanding of them differs. How risks and vulnerability are understood or contextualized also varies greatly throughout the country. For some, he mentioned that 'it is taken now that 20% inundation and floods will happen anyway every year – so what is the disaster?' Moreover, possible future disaster events do not worry many people.

He said that there is a Standing Order on Disasters, but that it does not address so-called 'slow onset events' (SOEs). SOEs such as salinization are not yet included in the policy framework. He said that stakeholder consultations are important for validating the research process and to find out about work on slow onset events. He also stated that inter-generational loss and damage is not mentioned in any policy documents and said that we need to find a way to integrated it.

He mentioned that the way forward was to build up on the existing institutions and information, even if they may not be in the public space and also to identify and support those with capacity building needs/skills.

3.2 Presentation by Mr. Nandan Mukherjee, Program Manager, C3ER, BRAC University:

Mr. Nandan Mukherjee gave a presentation on approaches to assessing the risks of loss and damage. He said that in Bangladesh over the last years, 2.1 percent of GDP estimated was lost due to loss and damage. He said that there were two related



objectives for loss and damage: reducing vulnerability and building resilience. The two major schools of thought that his paper focuses on are disaster risk reduction (DRR) and climate change adaptation (CCA). He also discussed approaches to address risk and vulnerability and gave an overview of several key definitions illustrated by examples.

Mr. Mukherjee said that there are several dimensions to vulnerability such as spatial, geographical, and physical dimensions. He also mentioned the idea of thresholds beyond which ecosystems change forever.

He argued that there needs to be convergence between DRR and CCA because they share similar aims. In addition, he mentioned that so far there is no consensus about the terms 'loss and damage', even within the UNFCCC.

He further shared diagrams and interesting illustrations and spoke about reducing exposure through like building dykes; building resilience through social safety nets, and flood tolerant varieties of rice; reducing vulnerability through building disaster resilient homes, improving early warning systems, and increasing insurance coverage. He added that although some risks can be addressed, there are others that can only be reduced i.e. we can only reduce people's exposure to them and improve adaptation capacity. He talked about structural and non-structural adaptation options and mentioned that compensation and insurance are some of the ways to build an emergency fund. He also said that 'we need to calculate and accept the fact that some disasters will not be manageable'.

Mr. Mukherjee talked about a no regrets and low regrets business as usual scenario) for the water sector and said the key was to reduce the scale of the uncertainty in planning. He said that the key sectors to be affected by climate change impacts will be the coastal zone and its resources, forestry, ecosystems, water, human health, infrastructure, energy and livelihoods. He maintained that these would need to be critically assessed to estimate damage and loss.

Finally, Mr. Mukherjee said that flood early warning systems were executed with little or no time to respond for local level people along the coast. Despite a lead-time of three days information is often not effectively disseminated to the local level. An effective 'people-centred' early warning system needs to be in place for reducing disaster risks.

3.3 Presentation by Dr. Abdullah Al Faruque, Professor, Department of Law, University of Chittagong:

Dr. Abdullah Al Faruque gave a presentation on the legal aspects of loss and damage. In his presentation he said that 'adaptation is not enough and so a separate framework is needed to address loss and damage (through a legal avenue)'. He mentioned that both

proactive and reactive policy approaches will need to be adopted to estimate loss and damage and the costs of adaptation.

He also brought up the issue of human rights since due to climate change induced loss and damage people will be deprived of basic human rights (liberty, movement, livelihood, property etc.). He added that a good governance regime and an environment of transparency and accountability are prerequisites that need to be coexistent with the policy regime.

There are complex issues to be addressed such as the question of who will pay for the compensation. There needs to be potential for litigation at the international level. He talked about integrating loss and damage with international human rights law as well as the Bangladeshi constitution.

In terms of litigation against developed countries at the international courts and tribunal it is a big issue that individual victims cannot themselves approach international courts and that the processes are also extremely complex, cumbersome and costly.

He said that the existing documents such as the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) and the National Adaptation Programme of Action (NAPA) do not really address the issues of loss and damage. According to Dr. Faruque, a rights-based approach will be difficult to instil in Bangladesh, as even ensuring safe drinking water is difficult here.

3.4 Presentation by Mr. Hafijul Islam Khan, Policy Officer, Germanwatch:

At the recent COP 16 held in Cancun in June 2010, a Work Programme on Loss and Damage was established. This is a two-year programme and has to present its findings at COP 18 in 2012. Mr. Hafijul Islam said that it is difficult to assess non-economic losses such as loss of livelihoods, loss of local and indigenous knowledge, and so on and



therefore these were not taken into account in his study. He said that numerical data often falls short as they only include quantifiable variables and not data for non-economic losses such as impact on livelihoods, displacement, etc.

Mr. Islam said that a combination of economic data, other assessments and methods such as expert meetings will be used to draft his paper. Risk reduction, risk retention and risk transfer approaches will be considered in his research. He ended with commenting on the critical fact that on September 17th 2012, all signatory parties will have to submit their comments and views on loss and damage and that this is

a landmark event for Bangladesh.

3.5 Presentation by Mr. Tanjir Hossain, Deputy Manager, ActionAid Bangladesh:

Mr. Tanjir Hossain said that the origin and concepts of loss and damage date back to the 1992 Rio Earth Summit, where the summit proceedings referred to the 'adverse effects of environmental damages'. However, the topic has only started to gain actual momentum at COP 13 in Bali in 2007.



he yound their jurise. He said that policies and programmes outlined in Bangladesh's NAPA and other climate change related documents need to be implemented. There needs to be more translation of policy into reality. Even modest estimates by the World Bank suggest that with a 2° C temperature increase, costs of adaptation could be as high as USD 70 billion. Loss and damage could surmount to millions of dollars, as well as irreparable loss to ecosystems, human lives and livelihoods. Mr. Hossain recommended scaling up adaptation activities with the available funds and to address the issues of loss and damage within the purview

of other binding instruments, beyond the UNFCCC.

4. **OPEN DISCUSSION**

Following the presentations, an interactive open discussion took place- Dr. Ainun Nishat, VC of BRAC University moderated the discussion. A summary of the discussions, suggestions and recommendations are listed below.

Ms. Remeen Firoz, Consultant, Climate Change Education, PRA and Training said that the Bangladesh Red Crescent Society (BDRCS) has national to local outreach, they have school level drills and these should be included as preparedness measures and eventually integrated into the national curriculum/school systems. BDRCS has loss and damage data and they should be a part of future consultation sessions. There is a stakeholder report that Asia Foundation did last year. Also, the National Capacity Self Assessment (NCSA) has conducted an assessment of capacity needs. IUCN has a copy. Regarding the legal implications, she would like to hear more about trans-boundary issues.



In response to her queries, **Dr Ainun Nishat** said that trans-boundary issues are important, especially in case of water sharing between Bangladesh and India. He recommended the 'basin or watershed management' approach and stated that sustainably managing trans-boundary water issues is difficult. At Rio+20 this was reiterated. There are a few countries that are not interested in discussing the issue (China, India, Turkey and Egypt).

Mr. Mokhlesur Rahman, Executive Director, Centre for Natural Resource Studies (CNRS) asked how far we can go in terms of assessing the risk of loss and damage. He

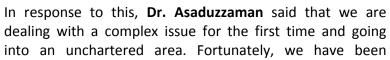


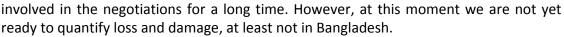
raised a range of issues. Fishing grounds have shifted further south, which makes it difficult to reach fishing communities. They are moving because cyclones have changed the land's morphology and because of prolonged drought there are fewer fish. These findings are based on conversations with people from fishing communities. Another community talked about having lost 12 out of the 15 types of vegetables that they have traditionally grown. Fishing grounds have shifted and due to sedimentation from the 2007 cyclone Sidr changed the fish habitat people lost their fish resources. If we do a biodiversity assessment we will find a change in the biodiversity structure. Another climate change impact is

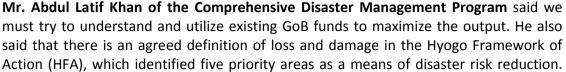
drought. Where the water is shallower, there is a greater impact. Droughts generally have a high impact, but the amount of loss incurred varies between farmers and is dependent on a variety of factors. In addition, intense rainfall resulted in 100 percent loss of crops and over 80 percent loss of fish. Another aspect is rough seas, which make fishers more reluctant to fish. Rough sea conditions have become more frequent. This means that fishers often cannot fish and lose out on their earnings.

Mr. Quamrul Islam Chowdhury, President of Forum of Environmental Journalists Bangladesh (FEJB) said that if we have more in-depth knowledge it will help the

discussions, especially during the negotiations. We have lost some of our coordinators from the G-77 and China for the loss and damage sessions. There are a number of issues, which need to be addressed during loss and damage negotiations. Because of methodological questions we have not been effective in the negotiations. That is why the expert meetings have been organized. If we want to make substantive suggestions in the submission for September 17th then we need to be organized here in Dhaka.









He suggested considering this definition at the loss and damage negotiations during the UNFCCC process. He also suggested making available all presentations for further comment and feedback.

In relation to the definition of loss and damage, **Dr. Munjurul Hannan Khan** said that this project is not about providing a quantification of loss and damage, but about providing elements of the work programme to the UNFCCC. Also, he does not believe that there is a universal definition of loss and damage and the HFA definition is not entirely accepted by the UNFCCC. He also said that that it is not easy to define the

means of addressing loss and damage in a holistic manner. Our development efforts are taking place under severe climate constraints. He thinks we should think about how to consider the lost development opportunities. He would like this to be included in the research. Dr. Khan would also like to emphasize the need to make international support available to compensate climate victims in a short period of time. Legal and institutional frameworks at both the national and international level already exist. He also said that we can use the Bangladesh Climate Change Resilience Fund (BCCRF) to address loss and damage. It is a grants fund and he sees tremendous scope for the government of Bangladesh to use this fund to address the issue.

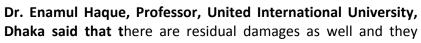
In this context, **Dr. Asaduzzaman** said that we have already considered the issue of opportunity costs but that there might be a problem of double counting.

Mr. Adrian Fenton, PhD Candidate, University of Leeds, UK said that existing work on loss and damage is mostly post-disaster. We need to attribute man-made aspects and address political issues. He also sees Article 1.2 of the Convention on additionality and attribution complicating the loss and damage issue.



Mr. Hasan Khaled, Deputy General Manager, Palli Karma Sayahan Foundation (PKSF), said that claims

settlement is the main challenge for insurance. He suggests that social safety nets be a part of an insurance process and that having a claims fund would be one way of approaching this.



should be considered in the studies. There are no insurance mechanisms and claim settlement is a major issue

that will make things trickier. Insurance could be facilitated through creating additional reserve funds for claim settlements, such as in the Caribbean Islands, where national governments and the international community have created a pool of funds to compensate people from as per need.



Mr. Md Atikul Haque, Research Associate at CPRD asked whether there is any scope and methodology to consider psychological loss (shocks and trauma) in the loss and damage assessment.

5. SUMMING-UP

In his concluding remarks, **Dr. Saleemul Huq** said that we are at the beginning of exploring loss and damage and remaining questions will not be answered immediately. We have already heard about the importance of a 2015 post-Kyoto treaty (in whatever form it takes). There is an immediate goal between now and September when we have to make a submission and between that and December when we have to make a decision at COP 18. He further identified four areas for action:

- 1. Science: Need to understand complexity
- 2. Communication: Explain complexity at a simpler level
- 3. Advocacy: Pushing for action
- 4. Negotiations: Help LDCs be more effective, empower negotiators with knowledge and information

Finally, he maintained that our next steps are to work towards Doha and subsequently to reflect on the outcome. This is a long-term programme that we are at the early stages of. This discussion is way ahead of other discussions so we have an opportunity to think about it and work out what makes sense at a national level. We also need to think about how we can engage others in the issue. Ultimately, we need to remember that the attribution of human-induced climate change will occur over time and that the scientific community is already collecting evidence on this.

WORKSHOP SNAPSHOTS











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