LOSS AND DAMAGE AND THE QUEST FOR SUSTAINABLE CLIMATE FINANCE MECHANISM

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I. **Introduction**

1. I consider it a great privilege and honour to have been invited to present the Keynote Address at the 2nd National Conference on Climate Change 2023, organized by Corporate Accountability & Public Participation Africa's (CAPPA). The event which focuses on a critical issue facing nations and humanity as a global community has the theme: *"Creating Agenda for Sustainable Climate Finance for Nigeria"*. For this, I will like to thank the leadership of CAPPA, and also congratulate the organization both for this historic moment and the wonderful work that it has been doing as a Pan-African body to advance human rights, challenge corporate abuse of natural resources, and build our communities for inclusive development and participatory governance. Through a faithful and relentless engagement with the reality of our times, CAPPA has succeeded in entrenching itself as one of the organizations determined to give a fighting chance to our communities.

2. The topic of my Keynote Address is *Loss and Damage and the Quest for Sustainable Climate Finance Mechanism.* The timing of a discussion around Loss and Damage could not have been more appropriate. The topic rests on the overwhelming challenge that climate change continues to pose for humanity. This challenge of climate change has been succinctly captured by renowned environmentalist and businessman, Dr. Newton Jibunoh, popularly known as the dessert warrior, in the following words:

> *The relentless march of climate change continues to grip our world with a firm and unforgiving grasp. The oceans and seas, once our allies have now become tumultuous adversaries, their warning waters spilling over into our lands with a vengeance. As inhabitants of this planet, we find ourselves increasingly drowning in the consequences of our actions.*

3. One of the historic achievements of the United Nations Climate Conference of Parties (COP) which held in November 2022 in Egypt (COP27) was the establishment of a Loss and Damage Fund. Why this is historic will be discussed in a moment. But, more significantly, the timing of this conference affords critical stakeholders the opportunity to contribute to ongoing conversations that will crystalize at COP 28 Conference in December, 2023 in Dubai on the operationalization of the new Fund. For this conference, the track-record of the moderators and speakers who will engage with us in the two sessions under the sub-themes *Politics and Issues in Climate Financing* and *Voices from Climate Frontlines* is indicative of not just the importance of these sessions, but also that they will be thought-provoking sessions.

4. Before I explore the concept of loss and damage within the context of climate change and elucidate the necessity for a sustainable climate finance mechanism, let me first provide the background to the events that gave rise to the notion of loss and damage. We can start with some empirical findings and verified climate facts, the truth of which by overwhelming consensus of scientists, financial analysts, economists, policymakers, leaders in government, governmental and non-governmental organizations, other experts and scholars, are no longer disputable:

   (i) Global warming is real and human-caused, and continues to lead to large-scale climate change;

   (ii) The impact of climate change is becoming more frequent, more intense and resulting in more damage and loss of lives;

   (iii) Among the direct and indirect consequences of climate change which continue to dawn on humanity on a daily basis are destruction of livelihoods, spread of diseases, disruption of ecosystems, deepening conflicts as a result of diminishing resources, destruction of critical infrastructure, loss of cultural heritage and indigenous knowledge, forced displacement of human population and diminution of basic standards of living;

(iv) Climate risks are multi-dimensional and cover a range of geophysical, social, and economic issues. Climate risks are also pervasive and systemic;

(v) The threat of climate change is accelerating, thus, the rising momentum and urgency of commitment to climate transition to a low-carbon, more resource-efficient and sustainable economy;

(vi) Wealthy countries who are responsible for most greenhouse gas emissions suffer the least from climate change, while the poorest countries are the most vulnerable and bear a disproportionate share of the costs arising from climate change events;

(vii) Compared with other regions of the world, the impact of climate change is more severe on Africa for reasons of its low adaptive capacity as a result of limited access to capital and technology, endemic poverty, weak governance and dysfunctional state of institutions;

(viii) At the local level, whole-of-government action is what can foster an effective and efficient just transition; while at the global level collective action is what is required if the target of the Paris Agreement is not to be a mirage;

(ix) The increase in the costs of debt servicing associated with climate vulnerability has become an issue of serious concern. For emerging markets, low and medium-income economies in particular, climate vulnerability and unsustainable debt burdens have diminished the fiscal space for investment in climate resilience. Currently, fifty-two (52) developing countries are suffering severe unsustainable national debt burdens;

(x) There are serious mitigation and adaptation funding gaps. As revealed in a 2022 climate finance funding analysis, public and private sector entities across the globe require about $3.8trillion in climate finance per year through 2025. Only about 16 percent of these needs are currently being met, with the largest unmet needs in developing countries in Africa and the Middle East.

Between 2019-2020, over 60 percent of climate finance (around $384 billion) entails borrowing funds. Out of this amount only $47 billion came with low cost or concessional interest rates. No-cost grant was about $36 billion. The balance came with high financing cost.

5. The world is more than halfway between 2015 when the Paris Agreement was signed and the 2030 deadline to reduce emissions by 45% in order to avoid more severe catastrophic events. Already, the clear indications are that the two broad responses of adaptation and mitigation cannot adequately meet the justice of climate change. Adaptation seeks adjustment and investments that society must make in order to limit the negative impacts of climate change. Mitigation, on the other hand, relates to efforts to reduce or prevent emission of greenhouse gases, such as investments in and the use of new technologies, renewable energy, making older equipment more energy efficient, or changing consumer or business behaviour. In-between what adaptation is not able to adjust to, and mitigation is not able to prevent or reduce is where the concept of loss and damage associated with climate change impact is located.

II. Understanding Loss and Damage

6. Loss and damage refer to impacts of climate change that cannot (or have not) been avoided through mitigation or adaptation. They are the unavoided or unavoidable devastation that is being caused by higher global temperatures that have resulted from human-induced climate change. The aspect of 'loss' refers to things that are lost permanently to the climate crisis, while 'damage' is in relation to things that have been affected by the climate crisis but can be restored. Where there has been failure to mitigate, the resulting impacts of climate crises will qualify as loss and damage. Similarly, when adaptation gets to its limit either because adaptation is not possible (hard limits) or the options to adapt exist but are not available (soft limits), the impact will qualify as loss and damage. Effectively, it can be asserted that while adaptation and mitigation constitute the first two pillars of the strategies for meeting the challenge of climate change, loss and damage constitute the third pillar.

7. Loss and damage can be both economic and non-economic. It is economic when the losses can be quantifiable and measured monetarily. Examples of these are property, infrastructure assets, goods and services. Non-economic losses, on the other hand, are those impacts that cannot be easily quantified in monetary terms. In this category are loss of life, loss of indigenous knowledge and community identity (including cultural and social connections), loss of biodiversity, ecosystem services, and diminution of physical and mental health. Loss and damage are often categorized as 'sudden-onset' or 'slow-onset'. It is the former when the climate related hazards such as floods, cyclones, heatwaves, forest fires or landslides result in instant loss and damages. The latter is when the climate related hazard such as desertification, sea level rise, ocean acidification, increasing temperature, freshwater scarcity, loss of biodiversity or land degradation cause loss and damage over time.

8. A bit of history is necessary at this point to help us understand the level of progress that has been recorded and which has today culminated to the present standing of loss and damage. It is my belief that such an historical excursion would serve as a compass to our future perceptions and actions on climate change. The concept of loss and damage first came to the fore in 1991 when the Alliance of Small Island States (AOSIS) proposed that the financial burden of loss and damage suffered by the most vulnerable small Island and low-lying countries as a result of sea level rise be distributed in an equitable manner amongst the industrialized developed countries. It was at the 13th Conference of Parties in 2007 that the term was first officially included in a COP documentation. In 2013, the 19th Conference of Parties which held at Warsaw, Poland, created the Warsaw International Mechanism (WIM) for Loss and Damage as a mechanism to support vulnerable communities. The initiative was, however, devoid of any financial component. It was in 2015 that the concept, alongside its objectives of knowledge gathering and coordination activities, which were in WIM, was embedded in Article 8 of the Paris Agreement. Again, extreme care was taken to ensure that the provision did not create any legal obligation for countries and did not also include any sort of finance mechanism.

9. Nonetheless, the agitation by developing countries for the creation of a fund that will support the funding of climate related loss and damage did not abate. The reason for the unrelenting push is not far-fetched: the concerns driving the momentum for loss and damage finance is already a reality that is very much here with us. A number of countries, particularly the world's poorest and most vulnerable communities and countries who have contributed the least to global greenhouse gas emissions were already facing devastating impacts. These impacts were not only threatening human rights and resulting in loss of livelihoods, homelands and cultures, they were also curtailing their ability to pursue developmental goals that can end poverty and ensure their citizens enjoy health, food, water, justice, peace and general prosperity.

10. Let me return here to the reason I consider COP 27 as historic to the concept of loss and damage. It is instructive to note that COP 27 acknowledged '*the urgent and immediate need for new, additional, predictable and adequate financial resources to assist developing countries that are particularly vulnerable to the adverse effects of climate change in responding to economic and non-economic loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events especially in the context of ongoing and ex post (including rehabilitation, recovery and reconstruction) action.*

11. It was in furtherance to the acknowledgement that COP27 established '*a new funding arrangement for assisting developing countries that are particularly vulnerable to the adverse effects of climate change, in responding to loss and damage, including with a focus on addressing loss and damage by providing and assisting in mobilizing new and additional resources, and that these new arrangements complement and include sources, funds, processes and initiatives under and outside the Convention and the Paris Agreement'.*

12. COP27 further decided in the context of establishing the new funding arrangements, to also establish a Fund for responding to loss and

damage whose mandate includes a focus on addressing loss and damage.

13. A Transitional Committee on the operationalization of ***the new funding arrangements*** for responding to loss and damage and ***the Fund*** was consequently established. The Transition Committee in carrying out its task is required to consider the following among others:

   (i) Establishing institutional arrangements, modalities, structure, governance and terms of reference for the funds;

   (ii) Defining the elements of the new funding arrangements;

   (iii) Identifying and expanding sources of funding; and

   (iv) Ensuring coordination and complementarity with existing funding arrangements.

14. The Transition Committee is also expected to be guided by a number of parameters among which are:

   (i) The current landscape of institutions, including global, regional and national that are funding activities related to addressing loss and damages, and ways in which coherence, coordination and synergies among them can be enhanced;

   (ii) The gaps within that current landscape, including the types of gaps, such as relating to speed, eligibility, adequacy and access to finance, noting that this may vary depending on the challenge;

   (iii) The priority gaps for which solutions should be explored;

   (iv) The most effective ways to address the gaps especially for the most vulnerable populations and the ecosystems on which they depend; and

(v) Potential sources of fundings, recognizing the need for support from a wide variety of sources, including innovative sources.

III. <u>Where Do We Go From COP27?</u>

15. I believe I will be speaking the minds of many of us here if I say, we are all to some extent inspired by the resolutions taken at COP 27 at Sharm el-Sheikh in relation to loss and damage. Our summary in this respect would be that the world was faced with a challenge that was beyond the mandate of what the existing framework of mitigation and adaptation can cater for, and collectively the international community albeit after intense negotiations that spanned decades came together to proffer a solution. To my mind, this is one of the most laudable achievements of the United Nations Framework Convention on Climate Change (UNFCCC) as it gave a new lease of hope to some of the world's poorest and most vulnerable countries. I suspect however, that this is where the excitement stops. The circumstances of what we have witnessed in times past bring into sharp visibility the inherently difficult situations and complexity that are ahead. On paper, the Conference of Parties has always performed so admirably in delivering comprehensive consensus agreement, some of them at the very last-minute. The challenge is always in the execution and implementation of these agreements.

16. Consider, for example, the challenge of the Kyoto Protocol which was signed in 1997. It was the first legally binding climate treaty and it entered into force in 2005. Developed countries, in line with the Kyoto Protocol, were required to reduce their emissions by an average of 5% below 1990 levels and establish a system to monitor progress being made. In recognition of the unequal contribution of parties which was captured in the phrase '*common but differentiated responsibilities and respective capabilities'* (CBDRRC), developing countries had no obligations to take action. Kyoto appropriately recognized that industrialized nations were largely responsible for the current high levels of greenhouse gas (GHG) emissions in the atmosphere, thus, the need for them to assume a greater responsibility for solving the problem. The exemption of countries like India and China from reducing their emissions on the ground that they are developing

countries despite being significant emitters was one of the reasons why the United States failed to ratify the Kyoto while a number of the Annex 1 countries either withdrew or failed to comply with subsequent commitments. To a large extent, Kyoto's success was very limited.

17. It was a similar scenario in 2009 when the developed countries at COP 15 in Copenhagen committed to jointly mobilize US$100 billion annually in climate finance to support developing countries to assist them to adapt to climate change and mitigate further rises in temperature. This development was formalized at COP 16 in Cancun and further reiterated and extended to 2025 at COP21 in Paris. That promise remains unfulfilled. It is estimated that between 2013 and 2020, the sum of US$381.6 billion (about 48 percent) climate finance expected from developed countries has not been provided. In 2020, based on the Organization for Economic Cooperation and Development (OECD) data, developed countries provided $83.3 billion. Only 8% of this went to low-income countries and about a quarter to Africa. Loans with its attendant burdens made up the largest funding category.

18. Again, one could point to the evident bias for mitigation in private, bilateral, and multilateral funding despite the recognition that what Africa needs most is 'adaptation' and the prescription of the Paris Agreement for equal proportioning of funds for mitigation and adaptation. Agenda-setting discussions on climate are also focused more on mitigation while adaptation continues to be viewed with a narrow territorial framing. In 2019, less than half of the funds that was spent on mitigation projects went to adaptation projects. In 2020, around $29 billion went to adaptation compared to nearly $49 billion that went to mitigating greenhouse gas emissions. More worrisome is that over 60 percent of adaptation finance involves loans. Even at that, not many African countries could benefit from the fund due to the complex technicalities guiding allocation and disbursement. Yet, equity is enshrined as a core principle of UNFCCC.

19. The above are already very important examples and I have not even made reference to how the Paris Agreement itself is fairing. Indications are that getting to net zero requires all governments,

particularly the biggest emitters, to significantly strengthen their Nationally Determined Contributions (NDCs) and take bold immediate steps toward reducing emissions. This was the essence of the Glasgow Climate Pact. But what is the reality confronting global climate change governance regime? None of the world's major carbon emitters, including the United States of America, China, European Union, Indonesia, the Russian Federation and Brazil has made commitments showing unequivocal intention to align with climate warming of 2^0C as the upper limit for global warming. As we all should know, making policies is one thing; matching the policies with action is a whole new ball game. Rather than reduce their emissions, what some of the developed countries are doing as a result of intensifying campaigns against 'dirty industries' is migrate their production to developing countries, thereby relocating their emissions.

20. I have thrown up the above examples which are indicative of the problems of sustainability facing climate solutions, to underscore the point that while we will not underestimate what has so far been achieved in respect of loss and damage, we must remain mindful of the challenges ahead. There still exists a huge gap between where we stand and where we are headed. This is why we all must be interested in the mechanism that will bring about sustainable loss and damage finance. Achieving a sustainable mechanism for climate finance in this regard is what will reinforce an optimistic future for the developing countries that are particularly vulnerable to the adverse effects of climate change, and rejig their growing lack of confidence in the global governance regime. Our differences as nations are benign, but we magnify them so much with meaningless riddle of contradictions, greed, indiscipline, deceptive political barriers, old-style erroneous power equation, and selfish self-interest which result in malignant cancer that invariably destroys the logic of collective action and global cooperation. What are those imperatives of a loss and damage sustainable climate finance mechanism? This brings us to our next topic.

IV. Imperatives of a Loss and Damage Sustainable Climate Finance

21. A starting point is to acknowledge the philosophy behind the concept of loss and damage. If we concur that the cornerstone of climate justice lies in holding individuals and entities accountable for their past and present actions, it becomes apparent that our line of thinking aligns with the concept of historical responsibility. This is attributing individual country burdens in mitigating climate change based on relative levels of past emissions. It is usually defined as the impact of historical GHGs counting since the onset of industrialization, on the current global mean surface temperature. It is what is captured in the CBDRRC principle and the polluter pays principle in their application to mitigation and adaptation finance. It has also been the platform upon which the UNFCCC has been struggling to meet equity concerns and the inclusiveness of the global North and South in the negotiation process.

22. We must, however, not assume that the idea of historical responsibility is utterly obvious and incontrovertible. Indeed, we must admit that unlike empirical and logico-mathematical questions which have definite answers based on observations and calculations, the idea of historical responsibility has its drawback and is open to informed and rational disagreement. The core of its drawback is whether responsibility can be assumed in view of passage of time or substantiated without any attribution of juridical guilt? Stemming from the provocative posture that historical responsibility harbours and which effectively can undermine constructive and rational discourse, some theorists have suggested the concept of 'solidarity' as a more appropriate foundation.

23. The concept of solidarity is rooted in the belief that it is fair that benefits and obligations are justly shared between the members of the human community as a whole. The rationale behind this belief is that the global North has thrived and still thriving on both natural and human resources from the global South since the era of industrialization, and has become today the concentration of the world's global capital. It is only appropriate that the global South which has so-well served the global North must not be neglected to bear the burden and obligations of the very significant impact of climate change alone. This approach underscores the spirit of good

neighbourliness, combined with the recognition that the affluent global North has the capability to pay.

24. I have gone to this length not merely to argue conceptual foundation, but to show that sustainable climate finance in relation to loss and damage is primarily an issue of justice which is the administration of moral rightness with conformity to truth, fact and sound reason. As rightly noted by the UN Secretary General, action on loss and damage is a matter of international solidarity and climate justice.

25. All eyes are focused on the Transitional Committee established to operationalize the new funding arrangements and the Fund. The Committee has been meeting and interacting with critical stakeholders since March, 2023. There are certain fundamental operational principles that are already clear from the mandate of the Transitional Committee. The Committee must therefore remain vigilant and resolute in upholding these principles, ensuring they are not disregarded. Allow me to point out the following:

(i) COP 27 mandates that funding should be new, additional, predictable, and adequate. A key question will be what will qualify as new and additional funds to current climate financing as against existing aids such as official development assistance (ODA) and humanitarian assistance among others? The Committee must guard against the risk of existing funds being diverted from other priorities to fund loss and damage. Some of the options for new funds that have been thrown up for consideration of the Committee includes the use of rich countries Special Drawing Rights (SDRs) and the use of debt forgiveness (Debt-for-climate-swaps). Another option is to generate fund from corporate entities that are significantly contributing to the climate crises through levies and taxes designed in line with national context and circumstances, and applied directly to meet assessed costs or pooled to purchase tailored insurance products for climate-vulnerable nations;

(ii) Funds mobilized, particularly finance flows from the private sector, must not create greater debt burdens for the recipient whether that be country, community or individual. In this respect, while grants, solidarity funds, and community driven development funds will be appropriate, loans and other debt creating financial instruments will be inappropriate. This is the challenge with the current system of lending money to countries for climate and sustainable development by the World Bank, International Monetary Fund (IMF) and other development banks. What is at play here goes beyond Climate Resilient Debt Clauses (CRDCs) pursuant to which the World Bank seeks to pause interest repayments in the event of climate disasters. Similarly, repurposing a portion of a country's debt portfolio for emergency needs (contingency financing) will not solve the problem. The debt burden challenge was the reason why the UN Secretary General called for a reform of the international financial system to make climate and development finance more affordable and adequate.

(iii) Further, and in line with the UNFCCC and Article 9 of the Paris Agreement, Annex I countries must not shy away from providing finance support to implement the Agreements, while also mobilizing support from a variety of other sources;

(iv) Loss and damage fund must be structured to reflect the highest level of transparency and accountability;

(v) Given the current gap in the scale and speed of availability of existing financial resources, the mechanism for disbursement must be simplified such that fund will be easy to access and the process is not unduly cumbersome. On average, it takes 5.5 years for a least developed country that is not accredited to the Green Climate Fund (GCF) to receive finance directly to address loss and damage. This is the challenge of accreditation and project proposal-based approach in use by the GCF to guide its decision. The new mechanism must address shortcomings of existing funding structures and incorporate lessons learnt from such structures;

(vi) In terms of governance of the funds, one option is to put its governance within the framework of WIM. Another option is to seek to strengthen existing mechanisms of the UNFCCC and then have either the Global Environment Facility (GEF) or GCF manage the Fund same way the GEF is managing the Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LDCF). While these two options will allow for alignment of the new Fund with other activities of the UNFCCC, the distrust of the existing mechanism will likely make these options unacceptable to developing countries. The way out may be to evolve a new financing mechanism that is responsive to the need of developing countries that are particularly vulnerable to the adverse effects of climate change. Whichever of the options is adopted must be coupled with clear guidelines on meaningful public participation that is inclusive of all critical stakeholders in decision-making, implementation, monitoring and evaluation. There must also be effective access to information.

(vii) We cannot deny the fact that corruption is enabled with official impunity in many developing countries. Consequently, the Transition Committee must have clear parameters for not only identifying relevant losses, and damages, but also ensuring that loss and damage finance gets to directly affected communities. In this respect, it will not be enough to simply provide budgetary support for governments of countries affected or align disbursements with different national priorities of developing countries. These must be coupled with obligations of full disclosure of how funds have been received and utilized.

(viii) Regardless of how much loss and damage funds are mobilized, financial resources will invariably remain limited in the face of inevitable loss and damage which, as earlier noted, is already happening and will get worse over time. This underscores the need to allocate and utilize funds with a focus on both sudden-onset and slow-onset events, encompassing both economic and non-economic losses and damages. This will require an appropriate needs-based framework structured on vulnerability testing, and able to fairly and consistently achieve equitable distribution of funds.

(ix) One issue that would be of interest to the Transitional Committee is how to give clarity to those who will be eligible to benefit from the Fund. While some have contended that all developing countries should benefit from it, others have argued that only highly vulnerable nations should benefit. Indeed, the resolution refers to '*developing countries that are particularly vulnerable to the adverse effects of climate change'.* The eligibility criteria to my mind is 'vulnerability'. Consequently, all countries with high dependence on natural resources; whose natural built and human systems are at risk of exposure to climate change impacts, and who have limited capacity to cope with climate variability and extremes should be eligible.

(x) Other issues of interest relate to what will constitute 'unavoided or unavoidable risk of climate change'; whether there should be a threshold for loss and damage; what framework should guide valuation of loss and damage; and how the issue of large emitters such as China who technically are treated as developing countries should be dealt with. The Transition Committee should also be interested in knowledge sharing and capacity building in consonance with its own laid down processes and procedures.

V. <u>Mapping of Corporate Sector Finance for Loss and Damage</u>

26. There are various potential sources from which financial resources are anticipated to be directed towards addressing loss and damage. These sources include affluent industrialized nations, Development Financing (Official Development Assistance), Regional Development Banks, Multilateral Development Banks, Bilateral Funds, Public Development Banks, Philanthropy, UN offices, National and Domestic Budgets, and the Private Sector. Corporate entities equally have a pivotal role to play in climate finance expected to come from the private sector. Already, in recognition of net-zero emission target, a growing number of corporates, financial institutions and institutional investors are already making increased efforts to integrate climate transition risks and opportunities into investment decision-making. Climate justice principles underpinning the UNFCCC further require that if disaster recovery funding arrangements is not to be compromised with the result that the funds end-up being diverted from their intended goals, then, new funds from national and domestic budget must of necessity be financed by those whose carbon emissions caused the losses and damages. These specifically are fossil fuels companies and corporate entities in the transport, industry, agriculture, and land use and forestry.

27. Following from the above, it is crucial that when pursuing funds from the private sector, the financing should not be a 'greek-gift' (deceptive gesture) that conceals continued business-as-usual emissions or adds to the societal burden. Classical examples of these are carbon offsetting and nature offsetting. Both of them bring the appeal of

money and are viewed as beautiful brides by financial institutions and investors. Sadly, among the tragedies that carbon offsetting and nature offsetting have foisted on communities are loss of forest access, traditional livelihoods and food security, destruction of coastal environment, harm to ancient forest and other wildlife sites, and human rights and environmental abuses. Some of these issues have been documented by CAPPA in conjunction with their partners, Global Forest Coalition and Friends of the Earth International.

VI. Africa in the Throes of Loss and Damage

28. Numerous African nations, including Nigeria, rank among the world's most susceptible to the impacts of climate change. In 2022, several states in Nigeria were affected by devastating floods which resulted in loss of lives, destruction of farmlands and infrastructure. Extreme heat and wildfire have been their lot in North Africa, while drought has been devastating in Ethiopia, Kenya and Somalia. According to the 2021 Global Climate Risk Index which looks at real-world impacts of climate change over the last year and last 20 years, five of the 10 countries most affected by climate change in 2019 were in Africa. The design and operationalization of the loss and damage fund must therefore be of considerable interest to Africa.

29. The Call to Action of African leaders (Nairobi Declaration) which emanated from the recently concluded inaugural African Climate Summit held in Nairobi, Kenya between 4th and 6th September, 2023 indicates Africa's position. It is commendable that African leaders were able to jointly reach a position on the question of climate change. This historic declaration will henceforth serve as a purposeful collective approach to engaging with the global community. Beyond this, however, can the 66-paragraph document be said to have positioned Africa beyond the regular rhetoric of the Conference of Parties? My response will be NO. The Declaration was not only patterned after the resolutions of these annual Conferences of Parties, it also echoed the sentiments that have now become a pastime of the global North. It is not in doubt that Africa's rich natural resources and its over 1.2 billion persons market is critical to the global North, yet Africa is being neglected. A shorter but potentially more striking

document would have been one with a focus on the following: Africa's neglect and its historical injustices as relevant to climate change; a deep introspection of how African leaders have failed on good governance vis-à-vis the impact on climate change and what they seek to commit to in making a difference; and an unequivocal statement that global climate governance cannot continue to be predominantly used to protect, project and promote the global North (including their multinational businesses).

VII. <u>Conclusion</u>

30. Ladies and Gentlemen, it has been a long and hard-fought win for the world community to get to where we are today on 'loss and damage'. Its sustainability will depend on how well the mechanisms for funding arrangements and the Fund are structured. The global climate change governance regime as it stands today has not been sufficiently effective. It is bedevilled with contradictions and inequitable conditions of the international system. If the resolutions of COP27 regarding loss and damage are to achieve their goals for the UNFCCC and Paris Agreements, African countries, on their part, must be ready to stand as one to assert their joint position. This is the way to revolutionize Africa's traditional approach at global negotiations.

31. As Keynote Speaker, my task is simply to unveil the possibility and nudge toward the preliminary steps. The main course is for us all to collectively tweak out.

32. I thank you all for listening.

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