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A step towards climate justice through global politics:

A case study of the agreement on a ‘Loss and Damage Fund’ at COP27

Bachelor Thesis

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Abstract

This research aimed to analyze the agreement on the loss and damage fund during COP27 and assess the extent to which it represents a win for climate justice, particularly for developing countries. The research addressed the flow of negotiations during the conference in Sharm-el-Sheikh, examined the different positions of the parties involved and explored the relationship between the negotiations and the extent of justice that might be reached with this agreement. By looking at the justice in the process, the historical emissions and the positions of the parties, the extent of climate justice in relation to this all has been analyzed.

The findings highlight the significant difference between the developing and developed countries within international climate politics. On the topic of loss and damage, the developing countries have formed a strong alliance within the G77 & China, with other active party groups like AOSIS and the LDCs that have pushed for the establishment of the new loss and damage fund. The pressure of these groups, together with the momentum that was present after the failure to address the issue during the last COP in Glasgow, played a crucial role in the outcome of COP27. The shifting positions of multiple developed parties, like the European Union, let to the needed support for the developing world in their call for action in terms of loss and damage funding. The result was a win for the developing countries and maybe even a breakthrough for climate justice.

As seen in this research, the agreement on the loss and damage fund is indeed a significant step towards climate justice, although the fight for climate justice for the vulnerable countries is far from over. The fund offers hope for addressing the unequal distribution of climate burden and benefits, but its true impact is yet to be seen. The fund still needs to be operationalized, which means it can not yet be said if this agreement will really mean a breakthrough for climate justice. This research underlines the issues in terms of climate justice on a global scale and shows that with the establishment of a loss and damage fund it doesn't mean that we are there yet. The negotiations that are being held throughout 2023 about the operationalization of the fund will be crucial for the future of climate justice on the topic of loss and damage. The fact that an agreement was reached during COP27 shows that there is progress being made, but this research also emphasizes the need for ongoing efforts to work on climate justice in the international climate negotiations.

1. Introduction

1.1 Problem, objectives and questions

Research problem

Climate change is one of the most pressing global challenges of our time, with developing countries often experiencing the most severe impacts. In recognition of this, the establishment of the Loss and Damage Fund at by the Conference of the Parties (COP) during the 27th edition in Egypt at the end of 2023 represented an important step forward in addressing the financial and social costs of climate change for vulnerable communities. To understand if this fund will indeed fully address the costs and impacts of climate change on vulnerable communities around the world it is important to analyze the process towards the agreement during COP27. How did the negotiations unfold and what parties were arguing with each other during the conference? From there we can see if the outcome of the negotiations was indeed a breakthrough for the developing countries, as many governments and media explain it. Should the new fund indeed address all the impacts in terms of loss and damage, than the fund should be in line with global climate justice, as only then it represents the responsibilities of the burdens of climate change. That is the moment when we could say that this fund would be a breakthrough for climate justice on a global scale, otherwise it would only be a nice media stunt, or maybe still a great step in the right direction. This will be analyzed in this research to figure out to what extent this really is a step towards climate justice and how this would be a win for developing countries based on the negotiations that played out over the two weeks of the conference in Sharm-el-Sheikh.

Objectives

The objectives of this research are:

- To identify the key factors that played a role in the negotiations leading up to the agreement on a loss and damage fund at COP27.
- To explore the role that different parties played in the negotiating process and how the international power balance played a role.
- To understand what the positions of the different parties in play were on the topics of loss and damage and climate justice.
- To see to what extent there is a justice in the process of the international climate negotiations.
- To see to what extent the establishment of a loss and damage fund can work towards justice in terms of distribution of climate benefits and burdens.
- To investigate the link between climate justice, the positions of the parties involved and the deal on the establishment of a loss and damage fund.

Research question

"How was the Loss and Damage Fund agreed upon during COP27 and to what extend was this agreement a win in climate justice for the developing countries?”

Sub questions

1. What is the history of Loss and Damage in the United Nations Framework Convention for Climate Change (UNFCCC)?
2. What did the negotiations on loss and damage during the Conference of the Parties in Egypt look like?
3. What was the role of the different developing and developed countries in the negotiations during COP27?
4. What is the relation between the process, the historical emissions, the positions and the extent of climate justice within the negotiations on the loss and damage fund?

1.2 History of Loss and Damage in the UNFCCC

The start of Loss and Damage discussions

During COP13 in Bali in 2007 the terms 'Loss and Damage' first came up in an official UN document (UNFCCC Conference of the Parties, 2008). In the Bali Action Plan they state that the parties will address "*Disaster reduction strategies and means to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change*". During these negotiations the Alliance of Small Island States (AOSIS) was very active. They were also the ones who proposed an International Climate Fund to counter the negative effects of climate change in 1991, mainly to ensure financial support for the consequences of sea level rise due to climate change (World Wild Fund – United Kingdom [WWF-UK], 2008).

After this action plan it took a while before these terms came back in negotiations during a Conference of the Parties. In the meantime WWF-UK did pick it up and went to work to see what could be done to address this topic. In 2008 they came with a discussion paper about the legal possibilities to address loss and damage (WWF-UK, 2008). In this paper they fully work out the options of a possible loss and damage finance mechanism and argue the different paths that could be taken in creating such a mechanism. Even though over the years, already since 1991, climate finance mechanisms have played a role internationally, they never had a focus on loss and damage (Nakhooda, Watson & Schalatek, 2013). The way the WWF-UK explains how you can set up a climate finance mechanism for loss and damage in their discussion paper seems ahead of time, as it hasn't been used for environmental policy locally or internationally. As this wasn't picked up by the international community, the process towards any funding for loss and damage due to climate change was paused for a couple of years.

From the Warsaw International Mechanism to the Paris Agreement

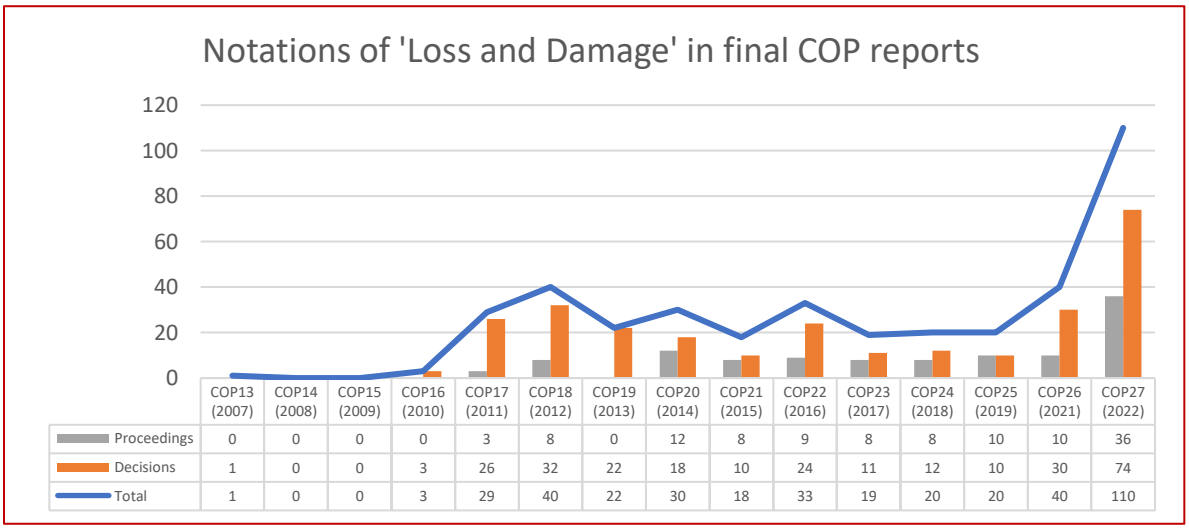
It wasn't until COP19 in Warsaw in 2013 that talks continued about addressing loss and damage in such ways of a financial mechanism. During this COP the parties agreed upon the Warsaw International Mechanism for Loss and Damage (WIM), which should support countries that are effected by loss and damage due to climate change (UNFCCC, n.d.*a*). This was done after the decision during COP18 in Doha, where they agreed on "assessing the risk of loss and damage associated with the adverse effects of climate change" (UNFCCC Secretariat, 2013). This did move the conversation about loss and damage further to the point where they did create a mechanism, but this mechanism was only about giving support by providing knowledge without any financial agreements. This was only focused on support and guidance, while failing to clarify financial support where needed for developing countries (UNFCCC Secretariat, 2014). It only "Requests developed country Parties to provide developing country Parties with finance, technology and capacity building", which doesn't have any consequence whatsoever if this would not be followed up on by the developed countries (UNFCCC Secretariat, 2014). Later, the WIM would be revised and strengthened in coming conferences. Still after implementing the work-plan for the WIM during COP20 it still lacked any possibility to force financial support (Gewirtzman et al., 2018).

In the Paris Agreement the Conference of the Parties created a separate article devoted to Loss and Damage, building on the WIM. In this article they stated that action and support for Loss and Damage though the Warsaw International Mechanism was necessary (United Nations, 2015). While making statements once again, they still held off from any legal obligations or any financial support. Even without these legal obligations, it was a small win for developing countries that there would be a separate article about loss and damage instead of it falling behind in the article about adaptation. This meant a small step in the right direction of acting upon loss and damage due to climate change, even without any financial mechanisms so far (Sharma, 2016).

Working towards a Loss and Damage Fund

During COP25 and COP26 many developing countries have been pushing for a review of the WIM and addressing loss and damage to work towards a financial mechanism for loss and damage due to climate change. In 2019, during the negotiations of COP25, the coordinated G77 together with China pushed for additional finance for loss and damage during the review of the WIM (Pierre-Nathoniel, Siegele, Roper & Menke, 2019). What they got was multiple points including "urges" for scale-up of financial support for developing countries and a further discussion about the finance of loss and damage (UNFCCC Conference of the Parties, 2020). In some way, this was another step in the right direction for the developing countries, as the topic of financial support once again made it into the final report of the Conference of the Parties, but this didn't mean that the developed countries were obligated to anything after these negotiations. With these small steps the process was taking longer, while the vulnerable countries were coping with more extreme weather events and loss and damage due to climate change every year. The new negotiations during COP26 in Glasgow needed to be the place and time for a new step in the loss and damage discussion.

During COP26 the group of 50 most vulnerable countries came together and demanded the implementation of a financial mechanism for loss and damage under the so called "Glasgow Climate Emergency Agreement". After intense negotiations between developing countries and developed countries, the "Emergency" part of the title was taken out and the article about loss and damage was downgraded to a dialogue, with which they forced a delay of the establishment of any sort of financial mechanism addressing loss and damage (Huq, 2022). Some developing countries did make a step to pledge financial support: A combined total of 960 million USD to help vulnerable nations to adapt to climate change (Rowling, 2021). The dialogue and momentum of the loss and damage topic would continue on to the next COP in Egypt. At COP27 in Sharm-el-Sheikh the negotiations would continue and finally a financial mechanism for loss and damage would be established. In later chapters we will further analyse the steps towards this establishment and the key factors of the agreement made during the Conference of the Parties in November 2022.



	COP13 (2007)	COP14 (2008)	COP15 (2009)	COP16 (2010)	COP17 (2011)	COP18 (2012)	COP19 (2013)	COP20 (2014)	COP21 (2015)	COP22 (2016)	COP23 (2017)	COP24 (2018)	COP25 (2019)	COP26 (2021)	COP27 (2022)
Proceedings	0	0	0	0	3	8	0	12	8	9	8	8	10	10	36
Decisions	1	0	0	3	26	32	22	18	10	24	11	12	10	30	74
Total	1	0	0	3	29	40	22	30	18	33	19	20	20	40	110

Graph 1; Notations of 'Loss and Damage' in final COP reports (created by author based on reports of UNFCCC from 2007 until 2022)

2. Theoretical Framework

In this chapter the relevant theories for this research will be discussed. Starting at the grassroots of the environmental justice movement and linking this to the development of the dimensions of environmental justice, while broadening it to a more global scope. This will lead to the development of the principles of climate justice presented on a global scale that can be used further on in the analysis of this research. At the same time the global power dynamics will be discussed to make sure an analysis of the power

balance in the international climate negotiations will be possible. The most important terms and concepts presented, will be further operationalised at the end of this chapter and put into the conceptual model for this research.

2.1 Environmental Justice

From grassroots to global politics

To understand how the environmental justice theory developed and a global climate justice debate started, a view of the grassroots of the environmental justice movement is necessary. This movement started in the 1980's in the United States, mainly about toxic pollution from waste sites and the lack of strong response from mainstream environmentalism (Schlosberg, 2007). The movement began to take shape when vulnerable communities started to create a link between the environmental racism and justice, because minorities like the black and Latino communities were the ones who felt the burden the most. The movement had its core in grassroots activism and community based organizations focused on change on a local level (Mohai, Pellow & Roberts, 2009). A big moment for the movement was the hurricane Katrina in 2005, where a lot of African-American communities were devastated after the hurricane ruined large parts of New Orleans. This disaster highlighted the vulnerability of the marginalized communities and started a debate about the unjust division of the impacts of climate change (Morse, 2005). This moment was not only a big happening in the movement of environmental justice, but also made the link to climate change, presenting the start of climate justice as a part of the environmental justice movement. The link between climate change and social inequalities was highlighted due to hurricane Katrina, resulting in more attention for the communities that were addressing both environmental as well as climate justice.

In the meantime, the environmental justice movement spread globally, leading to more local movements in countries like South Africa and the UK. An example is the environmental justice campaign in Scotland, started by Friend of the Earth Scotland, which was focusing on a linkage between the local harm and global issues of environmentalism. Also here it has its origin in community based organizing and mainly focused on air pollution or toxic waste dumps in the beginning, while later also having a great influence on the politics, due to more participation of the effected communities and their influence on the decision-making processes (Scandrett, 2007). It pushed the policies in such a way that the prime minister at the time, McConnell, named environment and social justice as the prime themes to focus on, which gave a boost to the use of environmental justice as policy objective (Walker, 2012). Therefore the Scottish example gives a good view on how the grassroot movements of environmental justice started to have influence on the politics around the globe.

From there on the environmental justice movement entered the global game, leading to debates about environmental justice in global environmental regimes like the UNFCCC. This gave room for using the terms in global debates and therefore made sure the movement spread further into the international politics. Since the emergence of environmental justice in global governance, the question started to arise about the inclusivity of the environmental decision making. Mohai, Pellow and Roberts (2009) note that these international debates have often been criticised for its lack of inclusivity of marginalized communities and indigenous people. The debates about participation of vulnerable communities in these international regimes have got more attention over the years and not without reason. As Schlosberg and Collins (2014) put it: "it is exclusion from decision-making that has enabled inequitable distribution and exemplified the broader context of injustice in vulnerable communities." The growing globalisation of the environmental justice debate creates more opportunities for the vulnerable communities to join the negotiations and shape environmental policies. Still it is difficult for those less powerful to have a saying in the international debates, due to the lack of resources or representation (Shrader-Frechette, 2002). The Conferences of the Parties about the international climate policies can bring the opportunity for developing countries to join the negotiations and give them a level playing field in environmental justice.

But before we can analyse if this is really the case, we first need to understand what environmental justice really means.

To do this it is important to know how the academic world followed the environmental justice movement. Like the environmental justice movement, the academic writing about the concept also got a boost due to the hurricane Katrina hitting the southern part of the United States. Bullard was one of the major academics linking the racism in practise during the disaster with the concept of environmental justice (Pastor, et al. 2006). He has been making this bridge between the movements and the different dimensions of environmental justice for years already, starting with the classic waste facility citing as an example and putting the concept of environmental justice out there as follows: "Environmental justice embraces the principle that all people and communities are entitled to equal protection of environmental and public health laws and regulations" (Bullard, 1996). The reason he is creating such a clear definition of the concept is because earlier writings only focused on the practices on the ground without defining what the term environmental justice is about. To better understand what the movement has been asking for and where we are headed in terms of environmental justice, a clear definition and knowledge about the concept is important. Therefore in this research environmental justice as a concept will be further discussed by outlining the different dimensions and principles of environmental justice, after which these can be applied to the climate negotiations on the loss and damage fund.

The dimensions and principles of environmental justice

Environmental justice is a form of social justice based on the notion that everyone should have equal rights to live in a clean and healthy environment. In this theory it is recognized that certain communities are experiencing a disproportionate burden of environmental harms due to their position in the social structure (Schlosberg, 2007). It is the environmental justice movement that seeks to level the playing field and is looking to address the inequities and injustice of environmental policies. Based on the ideas of Schlosberg, Walker (2012) works out three dimensions of environmental justice: Distributive justice, procedural justice and justice as recognition. The latter, about the values and respect in the environmental justice game, will be left aside in this research, to put more focus on the way justice is conceived in terms of distribution of the risks and the decisions that are made in international policies.

For the way justice is distributed, there has to be a focus on who the recipients are, what is to be distributed and what the principle of the distribution is (Walker, 2012). In earlier environmental justice movements, as we have talked about before in the United States, the recipients often were a specific community somewhere in the outskirts of a city. In the broader international context, in which climate change plays its role, the focus would be more on communities across borders or even future generations. Due to the globalising movement of environmental justice, this international component is a big part of the current debates, especially due to more international organizations and indigenous groups that get a seat at the table (Vermeylen & Walker, 2011). These new players put more focus on the border crossing consequences of climate change, bringing to the attention the fact that climate policies in certain regions can have negative influence on communities in other regions in the world. After figuring out who is the recipient, it is also important to know what needs to be distributed. To make this next step, we have to look at the burdens and benefits which can be distributed. Often the burdens are more used in environmental debates, as this is what effects people and thus what needs to be solved, even though these burdens can go hand in hand with benefits from the same resources for other groups. All burdens and benefits in environmental justice are relative, as argued by Schroeder, Martin, Wilson and Sen (2008), and "the geography of burdens/benefits can often be quite complex". This makes it difficult to take everything into account, but when analysing the environmental justice politics it is needed to understand what the other side of the coin looks like for every situation. Lastly the principle of distribution is an important feature. Starting with the principle of equality, which aims on the equal distribution of the burdens and benefits over the different players (Bell, 2004). Adding a guaranteed standard, argues Bell (2004), also takes into account the 'environmental rights' of people, which means people for example need to be able to have access to a clean environment. The third principle argues

that besides this equal right and guaranteed standard there is a minimum of environmental resources that everybody should have within reach, like the option to have a clean environment. This option for a clean environment forms a basis, as this is the starting point to build further towards more sustainable and environmental just regions. It is often this minimum where the issue of environmental justice already arises, as globally not everyone has the choice to have clean air or healthy food, which should be part of this minimum standard. Due to the unequal distribution of burdens and benefits at the moment, certain compensation is being asked for, as we will see further on in the analysis. Such compensation could get the form of the well known polluter pays principle, which means that the one who causes damage to the environment would also have to be the one bearing the cost of it (Luppi, Parisi & Rajagopalan, 2012). By following this principle on an international scale, governments would have to compensate for the climate burdens that they are responsible for, thus leading to more climate justice.

These principles need to be kept in mind while looking at environmental justice and the international debates about the distribution, but this often isn't enough to justify a certain environmental distribution. Walker (2012) argues that even if these principles are taken into account one cannot say that it is just, if one doesn't also take the following three dimensions into account: Vulnerability, need and responsibility. An equal distribution doesn't necessarily mean equal environmental effects, due to the vulnerability of certain communities or countries. As stated before, the geographical distribution makes it difficult, as certain areas can be more vulnerable than others, which is not taken into account if one would only look at the principles (Schroeder et al. 2008). The same goes for certain needs, as some island countries might need more protection against sea level rising compared to landlocked countries. One might also argue that responsibility of creating the environmental burdens needs to be taken by the polluters. Such 'causal responsibility' is also a basis on which to build the argument that the polluters should pay to create global environmental justice (Hillman, 2004).

The step from principles to dimension touches upon the step from equality to equity. While equality looks only to equal distribution, equity looks further to what is needed to make sure this equal distribution is possible. This is the same within climate negotiations, as not all negotiating parties have the same resources, which means for some it is more difficult to get to the same results compared to others. To get this straight, one should aim for equity instead of only equality. Cook and Hegtvedt (1983) therefore argued that within distributive justice one should make a difference between equality of distribution and distribution based on needs; equity. Moving to distributive justice based on equity, the before mentioned dimensions need to be taken into account. The needs and vulnerability of certain parties result in more difficulties adapting to climate change for example. Action is needed to set this right to the same level as others, working towards equity in the distribution of climate burdens and benefits. To make sure this is possible, Ikeme (2003) argues that more understanding is necessary in the international debate about environmental justice, before making a consensus based on global equity would be possible. As for now, not enough is known about the specific differences in needs or vulnerabilities of different parties to be able to work towards full equity. This means most of the time that equality is what is being pursued in international climate negotiations, while trying to take into account certain principles of climate justice to work towards more equitable outcomes where possible.

The second dimension of environmental justice shifts the focus from the results to the process. It is not only about the outcomes and consequences, but also about the procedure (Low & Gleeson, 1998). This is also where Schlosberg and Collins (2014) touch upon when arguing that it is during the decision making that the vulnerable communities are left out of the process and therefore lose their possibility to work towards a more equal distribution. In the order as they put it, the procedural justice is the starting point for a broader environmental justice, both in local and global situations. Schlosberg (2007) also argues in his book *Defining Environmental Justice: Theories, Movements, and Nature* that procedural justice through democratic decision making is the basis for distributional justice. This dimension also works towards the equitable institutional processes of decision making rather than equality or fairness. Therefore the difference between equity and equality is also important to keep in mind when looking at

the procedures of environmental justice. This equity should not only be in the means and resources, but also in the knowledge about climate mitigation or adaptation. This knowledge is a necessity for equal participation in the international environmental debates (Schlosberg, 2007). Procedural justice is therefore also very important within international climate negotiations, thus also taken into account while analysing the process towards a deal on the loss and damage fund.

These two dimensions of environmental justice give a good starting point to analyse the international playing field and negotiations. With these dimensions in mind it is important to ask a few questions about the negotiations and outcomes for the sake of global justice: Who is represented in the climate negotiations? Who is/are the recipients of the environmental distribution? What are the burdens and benefits that are discussed? And is their equity in the process and decision making? All these questions need to be asked before it is possible to understand the process, negotiations and outcomes. After these questions are answered the step can be made towards assessing the extent of climate justice in the case of loss and damage due to climate change.

2.2 Global Justice

Global justice as a concept

Justice is a concept that is hard to put in an objective framework. For years philosophers and researchers have been working on the concept, the meanings and ways to achieve justice. One of the earlier writings including a theory of justice is the book *Leviathan* by Hobbes (1651), which discusses the role of the state in the security of the commonwealth or the society. He explains that a strong sovereign state is necessary to make sure the state can protect the security of the people. With this vision on justice it is difficult to understand the position of global justice, as there is no one sovereign state or institutional body that can oversee the security of the global population. Nagels (2005) agrees with this argument, stating that "if Hobbes is right, the idea of global justice without a world government is a chimera." Building on the ideas of Hobbes, Nagels (2005) argues that the idea of global justice might not be that relevant, as you would need "the ideal world of internally just states" to be able to work on a just world between states in the global affair. Therefore a global just world might be a utopian view, but at the same time one could argue that it is an ideal towards which you could build up and create a world that touches upon the utopian.

Rawls (1991) also works with the social contract that Hobbes (1651) explains. Although they agree with each other on the idea of a social contract, they differ in the way this social contact should be used for the sake of social justice. Rawls (1991) steps away from the utilitarian views from Hobbes and moves to an equal distribution of resources instead of a distribution that seeks the most overall happiness. He works out the difference principle in which there should be no gain of one individual without there being a gain for the other as well, which builds towards a society that is arranged to benefit the least advantaged members. He also continues with his argument towards global justice. He talks about a global just world, where the justice principles not only apply domestically, but also between states and to the global community (Rawls, 1991). Risse (2012) goes a step further by arguing that global justice and domestic justice can't be separated. He works on expanding the Rawlsian theory to apply it globally by focusing more on the common humanity and the right for a decent human life for all. He argues that a global basic structure is needed.

A global basic structure would be needed to make sure global justice is possible (Risse, 2012). This global basic structure would organize the global economy, politics and social institutions to create a fair distribution of resources. This can also be implemented on the topic of climate negotiations. With this global basic structure Risse (2012) builds upon the principles of justice set by Rawls (1993). A fair distribution of the benefits and burdens is necessary and can be managed by such a basic structure, which touches upon the principle of distributive justice, which we already discussed earlier in this chapter. The argument that such a global basic structure is needed, is seen as an important step in the discussions

about global justice in the international relations field (Baylis, Smith & Owens, 2007). From there this fair distribution of goods and the need for international institutions to govern these distributions has also played a big role in the discussions of global justice in the environmental field. As discussed earlier, climate change is a big topic within environmental justice, which should be addressed on a global scale. Therefore such a structure would also be necessary for this topic. This structure on the topic of climate change and the international negotiations can be seen in the combination of the UNFCCC as an institution, the COP as its governing body and the treaties as the rules within this global basic structure. In this way there is a structure formed where global cooperation is possible and collective issues, like climate change, can be addressed. In this way the issues addressed by the environmental movements on climate justice can be taken to an international level and discussed as a global topic. Before moving towards discussing climate justice as a global issue in the international negotiations, the power balance between the parties involved is important to address. This balance can have huge influence on the flow of negotiations and the outcomes, thus worthy to further discuss in this chapter.

The global power balance

While the international climate negotiations take place over the years, the power balance between countries keep shifting and changing. Often the developed and wealthier countries seem to have a more stable negotiating group, like the block of the European Union, also linked to the political stability in those countries (Dalgaard & Olsson, 2013). This also gives them a stronger common position during international negotiations, because they are already aligned with each other for years. At the same time there are many developing countries on the rise, both economically as well as politically, like Brazil, South Africa, India and China. They form together the BASIC block, established just before COP15 in Copenhagen in 2009. As developing countries on the rise, they still maintain to stay away from the responsibilities that certain developed countries have to carry, while keeping a stronger negotiating stance compared to many of the developing countries due to their bigger economies and strong political position in the international game (Hochstetler & Milkoreit, 2014). The smaller states are also able to insert their influence due to the creation of coalitions like the G77 or AOSIS. Due to the creation of new coalitions and the shifting positions of the parties of which they consist, the power balance in international climate negotiations continues to change from time to time, or even during the negotiations at international conferences. This can have influence on the discussions, the process and the outcomes of a COP.

Taking the G77 & China as a party group in the international climate negotiations, one could be surprised by the cohesiveness of the group despite the continuing internal discussions between the parties. Kasa, Gullberg and Heggelund (2008) argue that the shared vulnerability of most of those countries and the reliance of some of the lesser developed countries on the more industrialised countries, like China, are the main reasons for the strong coalition. This might be unfortunate for the Least Developed Countries (LDCs) and AOSIS, who are part of the G77 & China party group, in terms of their position within the group. As China is building on its soft power in the global south, it is becoming a stronger player in the climate negotiations and is positioning itself as the leader of the G77 & China party group (Hurri, 2020). With its leverage and growing influence in climate governance in the global south, China creates a position for itself where it can benefit from the alliance of the G77, while being held away from the responsibilities that a major emitter might have to carry (Qi & Dauvergne, 2022). This also means that the developing countries in the G77, including the LDCs and AOSIS, have to deal with a negotiating position that often favours China as a major emitter, while the LDCs and AOSIS are the most vulnerable countries when it comes to the effects of climate change. On the topic of loss and damage, this creates a power balance within one party group that raises a lot of questions on what would be the most favourable outcome of the negotiations for the group as a whole and the individual parties it exists of. At the same time it can also be a benefit for the smaller states to have some big players on their side, as it might give them more power and leverage over others in the negotiations. As of China, it is also said that smaller states are happy with them as an ally within the climate negotiations, as they do support

south-south cooperation and are a strong partner in keeping the G77 & China together as negotiating block. Many smaller states are therefore happy with the support from China and do not recognise the positioning from China as the leader of the G77, as also within this negotiating group all parties will be heard (M. Robertson, personal communication, May 4, 2023).

The European Union positions itself as a green leader in the international climate negotiations, while they are also still one of the party groups with the highest historical emissions. This double role on the one hand gives them a strong position, as they work closely with a lot of developing countries to help them with adaptation or in some cases loss and damage (Oberthür & Dupont, 2021). On the other hand it is sometimes hard to build trust, as they are not always as progressive as they might say they are in terms of becoming more sustainable themselves. With the European Green Deal the EU also has something new to show the international field on how they are working on climate change within the EU. In general they are one of the developed party groups that can expect the highest amount of trust from a lot of smaller developing states, due to progressive internal policies and consequent cooperation over the years. While the United Kingdom was for a long time part of this progressive European Union, they have changed their own positioning on climate change policies since the Brexit. It was already expected that this would have a strong influence both on the policies of the EU as well as on the UK itself (Hepburn & Teytelboym, 2017). For the UK it means that they are on their own during international negotiations and with the recently shifted head of government to Rishi Sunak, the UK does not seem to have its priorities on progressive climate change policies, as we will see later on in the analysis. For the current power balance, the fact that the UK lost the EU as a negotiating party makes them loose strength in the negotiations. Same goes for the EU as it lost the UK, but they still maintain to be one of the leading powers on international climate policy.

The United States have a different position in this, as a lot of countries lost trust in them in terms of climate change negotiations due to their shifting positions over the years (Beer & Mwenda, 2022). Back in 1997 the USA decided not to join the Kyoto protocol, resisting pressure from the rest of the world. This lack of leadership from the United States, while being the number one emitter and number one economy, was one of the reasons that the Kyoto protocol failed to deliver (Hovi, Skodvin & Andresen, 2003). Later the US tried to turn this around and take back international leadership on the topic of climate change. During the Obama administration the Climate Action Plan was set in motion, including "leadership at the international level" as one of its goals (Workman, 2020). This also resulted in leadership during UNFCCC conferences and the Paris Agreement signed by all parties including the USA in 2015. This changed again when Trump became president and decided to step out of the Paris agreement. In combination with a lack of climate financing for developing countries created a profound distrust from the developing world in the work of the USA on climate change (Urpelainen & Van der Graaf, 2017). As mutual consensus is needed to get to an agreement within the UNFCCC, it is never a good thing when trust is lacking between parties involved. Therefore the two weeks in Sharm-el-Sheikh and already the months before were also needed to build up the trust that was lost before between the United States and many of the developing countries that felt left behind.

These positionings of some of the bigger parties that are active in the climate negotiations can be of importance during negotiations about the loss and damage fund. Therefore it is good to keep in mind the positioning of parties within the history of climate change negotiations, to understand their movements within the discussions or the reaction of other parties to their positions. When talking about climate justice, this mutual trust based on historical negotiations is needed to move forward. As will be seen when looking at the flow of negotiations and the reactions of some party groups on the outcomes, this also has played a role during the negotiations about the loss and damage fund. The outcome, as a possible step towards climate justice, builds more trust between the parties and therefore also has its influence on the power balance in terms of international climate negotiations.

2.3 Global Change and Justice

Planetary justice

To be able to create a strong framework to analyse justice in the global game of climate negotiations, it is useful to understand the principles of a planetary justice framework. Biermann and Kalfagianni (2020) created such a framework, working on the conceptualisation of justice in global environmental politics, and argued that for a framework to be relevant in the academic world it is necessary to focus on the conceptualisation of justice for that specific research. Partly this has been done above, by examining the concept and dimensions that can be used and focus on distribution and process of justice. Furthermore the next chapter will focus on a full conceptualisation to get a strong understanding of the terms and concepts used later on in the analyses. Where Biermann and Kalfagianni (2020) move from environmental and global justice to the concept of planetary justice, this research will use their concept to make the step towards global climate justice. They argue that global justice is too much focused on the relations of society and people on a global scale, while environmental justice is too much focused on the relationship of nature and people without taking the broader global social aspects into account. In this research a combination of both will be made to work with climate justice as a global concept in which the international relationship of communities and society will be examined on the topic of loss and damage.

Global climate justice

Combining the concepts of global justice and environmental justice, the shift to global climate justice is easily made. Looking at the environmental issues on a global scale, climate change is the number one topic within this field. Climate change also asks for a globalisation of both environmental justice as well as the theory of justice in itself. Arnold (2011) also argues that a shift of the justice perspective from domestic to global is needed to address climate change in a just manner. From the theory of justice one could argue that a fair distribution of benefits and burdens over the world is the key to achieving global climate justice. From there the question remains how to do so. The environmental justice theory focusses also on this distribution and the needs and perspectives of different communities around the world, while keeping an eye on the process. It is evidently so that the current distribution of climate change impacts is not even over different nations or communities and neither are the possibilities to act upon these changes. Traditional environmental justice approaches often reject the possibility of distributional justice in the international negotiations, due to the approach of parties in play (Okereke, 2010). In recent years these theories have found their contesters in the globalist movement, arguing that it is not always out of self-interest, but rather more influenced by other players like civil society. In line with these arguments it becomes clear that a good understanding of the negotiations is necessary to analyse the extent of climate justice. The positioning of the different parties in play and their arguments in line with climate justice on the topic of loss and damage have to be taken into account. While analysing this, the dimensions of environmental justice, discussed earlier, will be put into practice on a global scale.

A globalisation of environmental justice, due to the consequences of climate change, would have to guide the world towards fair and just decisions on the distribution of those benefits and burdens. At the same time one has to take equity and inclusivity into account to prioritize the needs of those who are most affected by the consequences of climate change. This can only be done with a just process in the international negotiations taking place, aiming at a fair playing field and equity among the parties. To analyse the extent of climate justice within the international climate negotiations, a clear view of the different positions of the actors is important. Based on these positions one can start to understand and examine the playing field and whether or not we can speak of a fair and just playing field. Thus the positioning, negotiations and balance between stakeholders is important for the extent of procedural justice in global climate negotiations. The same goes for the distributional justice, where an understanding of the distribution of benefits and burdens is needed to be able to examine the amount of justice a fund can bring. Should a loss and damage fund try to work towards climate justice, then the

distribution of the finances should be in line with the distribution of the burdens and benefits of climate change. In case of a climate finance mechanism, this can be done by the earlier discussed polluter pays principle, as this would in some way compensate the burdens created by the polluter. If this is the path to take and if this leads to climate justice still needs to be seen. At least we know that the theory of climate justice on a global scale will lead us to a clear analysis of climate negotiations in the international field.

2.4 Operationalisation

Climate justice

Based on the flow of arguments and theories outlined in the theoretical framework, climate justice is a globalised form of environmental justice focused on climate change. For this research this means that it takes into account the combination of distributive and procedural justice in terms of climate change. This is analysed on a global scale based on the burdens, benefits and process. To achieve climate justice in terms of loss and damage, the benefits and burdens should be evened out and the process should proceed in a fair and just manner. Further explanation on the two dimensions of climate justice used in this research are followed below.

Distributive justice

Distributive justice is about the equal and fair distribution of the burdens and benefits of the effects of climate change. Therefore it is important to understand what is to be distributed, thus what are the burdens and benefits that will be taken into account? In this research about the loss and damage fund, the burdens that will be taken into account are the losses and damages felt due to climate change. The exact definition of what the impacts are and what can be seen as loss and damage due to climate change, is something that hasn't been answered yet. This is something that is difficult to define within policy or academia, as it is hard to research if something really happened due to climate change (James et al., 2014). For the loss and damage fund, this is a task for the Transitional Committee to define.

The benefits of climate change can be seen in different ways. For example the benefits due to climate change, like rising temperatures, which might be beneficial for some agricultural regions (Hertel & Rosch, 2010). An other way to look at the benefits of climate change, is by looking at the benefits in terms of profits. This means a focus on the emissions that cause climate change, as this is something that drives the development of economies due to industrialisation. That is a clear way to analyse to what extend certain parties are keeping up with their responsibilities in terms of climate justice, based on their historical emissions (Meyer & Roser, 2010). Walker, professor environmental justice at the Lancaster University, also argues that "if you see the benefits more on the emission side and the burdens more on the harm side, than you got that way of talking about climate change", which is needed when looking at climate justice in terms of loss and damage (G. Walker, personal communication, April 24, 2023). Therefore in this analysis the historical emissions of the different party groups that have been active in the negotiations will be taken under the loop.

Procedural justice

Procedural justice is about the equal and fair process and playing field in the international climate negotiations. This goes beyond equality in the process, but focusses more on equity before the negotiations begin. This is important to make sure that the most vulnerable countries also have the opportunity to raise their voice and put pressure on the table (Morgan & Sawyer, 1979). In terms of climate negotiations, this also means an equitable distribution of knowledge preceding the negotiations. Schlosberg (2007) explains that this knowledge is key for equal participation in the international climate debates, thus a necessity to reach procedural justice in the UNFCCC process. For the UNFCCC it is very important to reach this procedural equity to provide justice for climate vulnerable groups, especially in negotiations around topics like loss and damage (Venn, 2019). In this research procedural justice will

be analysed based on multiple perspectives, reaching from interviews with members of several delegations at COP27 to academic research on the processes of the UNFCCC, to put this in the light of the recent negotiations concerning loss and damage.

Global basic structure

As discussed in the theoretical framework, a global basic structure would be needed to be able to move towards global justice. As Risse (2012) sees it, for global issues like climate change it is needed to create international rules, institutions, treaties and governance to be able to address these issues effectively. In terms of climate change the UNFCCC as an institution and the Conference of the Parties as a governing body are part of this global basic structure (Follesdal, 2011). As seen with the Paris agreement before, treaties from the UNFCCC can create such international rules that forms the basis to address the collective issues like climate change. Together this forms the institutional framework referred to as a global basic structure. This global basic structure can work towards climate justice, on the one hand by implementing rules in the process to create procedural justice, on the other hand by agreeing on treaties and governing international policies to work towards distributive justice. At the same time these forms of climate justice have influence on the negotiations between the stakeholders and the outcomes of treaties and agreements within the global basic structure. This means that there is an interplay between the global basic structure and the extent of climate justice that exists. This interplay is analysed in this research on the topic of loss and damage.

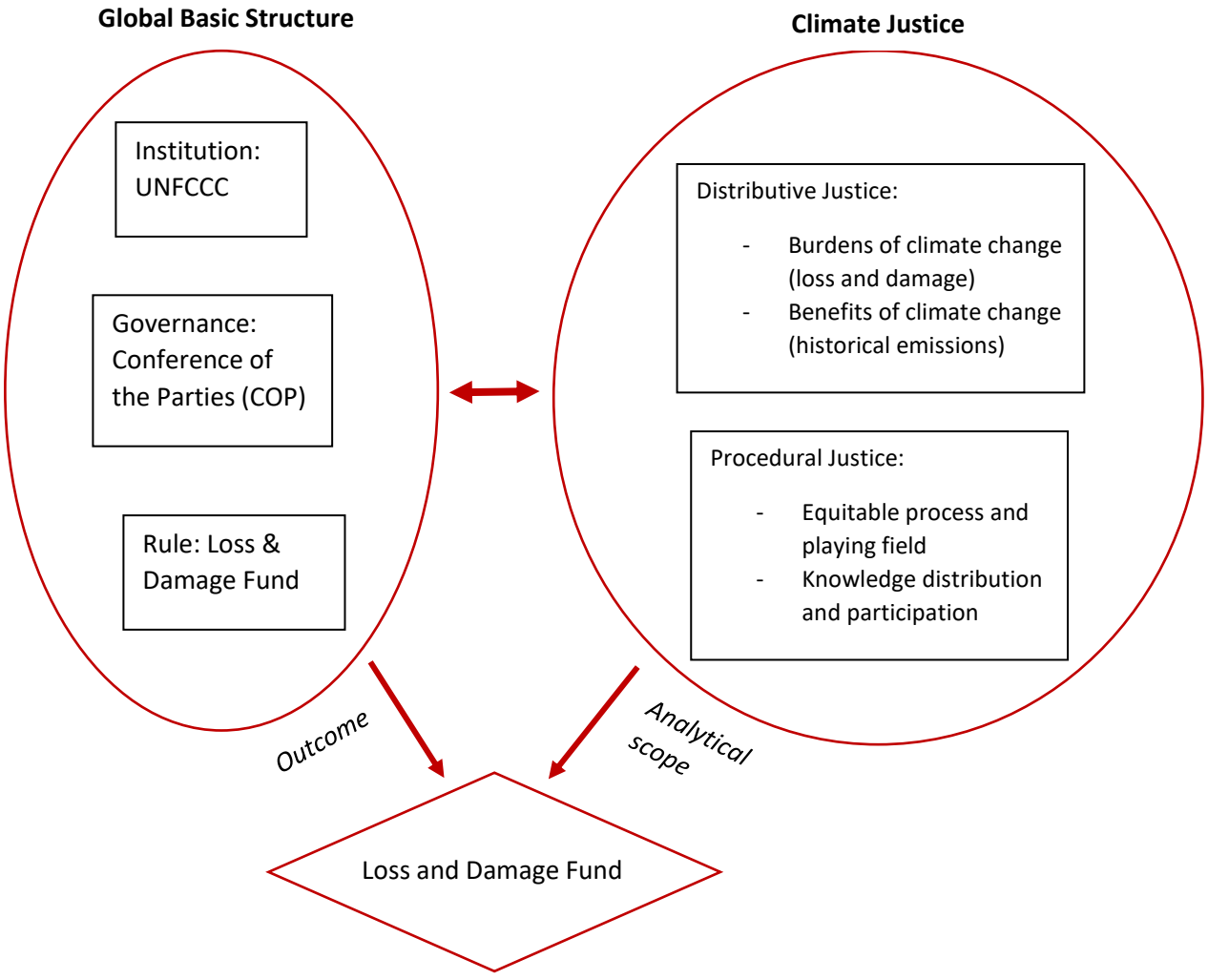


Image 1; Conceptual model (created by author)

3. Methodology

This research is a case study of the negotiations about a loss and damage fund during COP27 in Egypt in November 2022. An analysis of the process will determine the extent of climate justice being reached with the establishment of the fund. This will be done with multiple forms of sources and through several steps to approach the analysis from different perspectives. But before any conclusion on the matter is possible, a strong understanding of the process, the positions and the flow of negotiations is necessary. In this chapter, it will become clear how the analysis of the research is done and how this leads to a conclusion on the extent of climate justice within the UNFCCC on the topic of a loss and damage fund.

3.1 Interviews

To ensure comprehensive understanding of the topic from multiple perspectives and get first-hand insights in the negotiations during COP27, several interviews were conducted as part of this research. The primary aim of these interviews was to provide in-dept understanding of both the theories on climate justice as well as the practical aspects of the negotiations about the loss and damage fund. Besides that the interviews would also have to help in capturing a broader range of perspectives on the extent of climate justice within the negotiations, from both developing as developed countries. A semi-structured interview approach was adopted, as this would give the most flexibility in exploring specific topics while also enabling the opportunity to dive deeper into areas of interest that emerged during the interviews. By not only holding on to the before outlined interview script, the flow of the interview would become more natural, which would lead to a better conversation with more useful information. Through follow-up questions, valuable information was obtained from the interviewees that are a definite enrichment to the document analysis. All the interviewees gave their consent to record the interviews and use the content of the interviews and their names for this research.

To make sure that there would be enough time to spent on the literature review and document analysis, only a limited amount of time would be allocated to the interviews. Therefore a limited number of four interviews were conducted. For these interviews a combination of purposive sampling and snowball sampling was undertaken. At first the choice was made to conduct one interview with Professor Gordon Walker from Lancaster University, as he could provide valuable information on the theories of environmental and climate justice. With this interview the bridge between the theoretical framework, where a lot Walker's work has been used, and the theories in practice on the topic of the loss and damage fund could be made. Secondly, some interviews were necessary on the practical side to provide first-hand insights in the negotiations process. Therefore Bastiaan Hassing, head of the Dutch delegation, was contacted to get more information on the positioning of the EU and the flow of negotiations in general. From there, through the snowballing effect, Bastiaan Hassing could provide contact with his colleagues Michai Robertson and Manjeet Dhakal, both from developing countries. Michai Robertson, as advisor for AOSIS and delegate of the Antigua and Barbuda negotiating team, was able to give us the perspectives of the SIDS in their long going fight for climate justice in terms of a loss and damage fund. Manjeet Dhakal, analyst of Climate Analytics and advisor for the LDCs from Nepal, could provide more information on the important role of the Least Developed Countries during the negotiations in Sharm-el-Sheikh. In this way, by purposively choosing the perspectives needed and getting their through the snowball sampling method, a broad range of perspectives were possible to obtain within a small amount of time.

By incorporating these interviews with experts and participants of the negotiations, this research obtained first-hand knowledge to help interpret the results found in the literature and documents. In this way the information gaps could be filled and a stronger analysis of the negotiations and positions of the parties was possible. The diverse perspectives provided by the interviews enriched the analysis and strengthened the arguments put forth in this research.

3.2 Analysis of positions

Before it is possible to work towards any conclusion on the extent to which climate justice is being achieved with the agreement on a loss and damage fund, a clear overview of the negotiations and the positions of the parties is needed. This part of the analysis is to answer the first part of the research question; "How was the loss and damage fund agreed upon during COP27?". This part is also necessary to be able to understand if it was a win for developing countries in terms of climate justice, as the positions of the parties together with the outcomes of the negotiations determine who is on the 'winning' side. In this sub-chapter you will see how this analysis of the negotiations has been done in three steps; Short overview of the flow of negotiations, an analysis of the position of the developed countries and an analysis of the positions of the developing countries.

First of all, the flow of negotiations, in regards with the loss and damage fund, is laid out. This part is kept short and focused only on the negotiations about the loss and damage fund to make it feasible and relevant for this research. This part is based on the reports from IISD Earth Negotiations Bulletin (2022*a*,*b*,*c*,*d*,*e*). They have created both daily reports as well as a summary report on COP27, in which the flow of negotiations are outlined. In combination with media coverage, official documents from the UNFCCC and press releases from several parties and party groups, the flow negotiations was possible to cover. As this part is meant to create an understanding of the negotiations, it is tried to write as comprehensive as possible, by presenting it in a chronological order.

The positions of the parties are outlined based on the party groupings. The definition of party groupings and the division of the parties over the party groupings is already explained in the operationalisation chapter. The choice for this division of the parties is to make sure that the analysis is feasible, as this would not be the case when every single party within the UNFCCC would be analysed separately. At the same time these party groupings are also the negotiation groups during a COP, which mean they have they often have the same positions and common arguments on several topics, including the loss and damage fund. They also often have shared submissions, statements or press releases, which means a separate analysis for every party would create double and unnecessary work. The analysis based on the party groups gives a clear overview of the several active players within the negotiation process. This is separated in the developed parties and developing parties, as these two sides also have separated positions on the matter and are the two main groups in this research. Therefore there are two subchapters created for the analysis of firstly the developed countries and secondly the developing countries. For every party group the analysis is done in a chronological order throughout the conference, to be able to see the potential shifting of the position during the negotiations. This analysis is based on official documents of both the UNFCCC and the parties itself, media coverage, press releases of the parties or party groups and the interviews taken for this research. In this way multiple perspectives on the positions and arguments of the party groups have been implemented in the analysis. These documents have been analysed both on the flow of negotiations and arguments as well as on certain specific topics. Within the documents, press releases and media coverage, the term 'loss and damage' linked to terms related to climate justice have been highlighted and reviewed. In the text the subjective perspectives from within the party groups and the (semi-)objective perspectives from media or independent organisations are intertwined to immediately give a good feeling of what is happening in the negotiations. At the end of the chapter an overview of the positions of the developed and developing world is presented to summarize the analysis given and link it to climate justice.

Throughout the chapter of the analysis of the parties, the link to climate justice is immediately made. Based on the positioning of the parties, both on the loss and damage fund as well as on climate justice in general, the extend to which they pursue climate justice in terms of loss and damage financing is examined. It is analysed how often certain parties or party groups openly call for climate justice, but also the calls for climate justice in between the lines is looked for. With the combination of documents, media coverage and interviews the interpretation of the pursued to climate justice of each party or party

group is made and implemented in the overview at the end of the chapter. Their the link is also made to the historical emissions and their participation, to include both procedural justice and distributive justice in the analysis. The overview provides in a glance the positioning on the loss and damage fund as well as the extent of climate justice, including a short summary of the explanation for each party.

3.3 Procedural justice

As discussed in the theoretical framework, climate justice will be analysed in two different perspectives. First of all, procedural justice is analysed based on a literature review and insights from different perspectives active in the COP. First of all the literature about procedural justice within international organizations, in particular the UNFCCC, is reviewed. Together with the earlier literature review on the general concept of procedural justice, this gives a strong basis for the analysis of the specific negotiations of the loss and damage fund. These two aspects are put in light of the negotiations of the loss and damage fund, to understand if this has been a just process. To interpret the literature that is studied, the first-hand insights from the interviews are used, combined with the acquired knowledge about the flow of the negotiations. This helps in interpreting the information and concluding to what extent procedural justice is achieved within the process towards the agreement on the loss and damage fund. This analysis will already work towards a conclusion on this part of climate justice, based on the knowledge from the theoretical framework and the analysis of the negotiations.

3.4 Distributive justice

Distributive justice needs to be based on the distribution of benefits and burdens, as we have concluded from the literature review in the theoretical framework. These benefits and burdens are first defined as benefits in terms of emissions and burdens in terms of loss and damage. In this way an analysis of the historical emissions compared to the positions on the establishment of a loss and damage fund and the willingness to participate in the fund, can lead to a conclusion to what extent there is distributive justice achieved by the agreement of a loss and damage fund.

In this analysis the historical emissions are used instead of the current yearly emissions, to make sure that the full responsibility of climate change due to the emissions is taken into account. As climate change that causes loss and damage, is caused by emissions over the years, it is important to not neglect the historical responsibility of long time major emitters. The full data of historical emissions, provided by Our World In Data (2023), has been used to analyse this responsibility. As this raw data was only the historical emissions of separate countries, this first had to be grouped into the party groups. Based on the members of the party groups analysed in this research, the new data has been put into excel to analyse the historical emissions of every party group. This then has also been converted into percentages of global historical emissions, to make the responsibility per party group easier to understand. In excel this data has been processed to create graphs and figures that made it possible to understand the responsibility of party groups, which also are used in the subchapter of the analysis of distributive justice.

Based on this data and these graphs it is possible to explain the distribution of climate benefits in terms of emissions. This also results in a division of responsibility for climate change, thus responsibility for the climate burdens in terms of loss and damage. This responsibility has been put next to the earlier discussed positions of parties on the agreement of the loss and damage fund and their focus on climate justice to see to what extent this is in line with responsibility they should carry out. To interpret this, the knowledge from the theoretical framework on distributive justice is used together with the interviews, resulting in the conclusions on the extent of climate justice presented in the overview in chapter 5.6. Together with the results from procedural justice, the knowledge of climate justice from the theoretical framework and the analysis of the negotiations, this will lead to the conclusion on the extent of climate justice within the negotiations and agreement of the loss and damage fund.

4. Analysis

4.1 Introduction

Before the analysis of the positions will start, the definitions used by the United Nations within the convention are necessary to fully understand. As explained earlier, for this research it is chosen to analyse a select group of negotiating party groups. These groups are discussed in the following subchapters, but for this it is important to know what a party group is and which ones have played a significant role in the negotiations about the loss and damage fund. After these terms are discussed the analysis of the positions of the parties will start, focussing on the developed world at first, after which moving to the groups of developing countries. After this full analysis the bridge will be created between the theories discussed in previous chapters and the analysis done in this research, to see what the link is between distributive and procedural justice and the negotiations during COP27. At the end of this chapter an overview will be given of the positions of the parties and their link to climate justice. That will show the dynamics between the negotiating groups and the extent to which climate justice is taken into account during the process and positioning.

Conference of the Parties

The Conference of the Parties (COP), is the supreme decision making body of the United Nations Framework Convention on Climate Change (UNFCCC), in which all parties that are part of the convention are represented (UNFCCC, n.d.*b*). The climate change conference, held yearly by the UNFCCC, is the official meeting of the COP to discuss topics related to climate change. Therefore the climate change conference is also referred to as the COP. The Conference of the Parties thus serves as governing body of the UNFCCC that can establish treaties and accept agreements for the international community.

Party groupings

During the negotiations of the Conference of the Parties not all parties take the floor or only speak for themselves. In negotiations it often can be useful to group together with different participants to build a stronger argument. These groups are based on shared interests during climate negotiations, like the European Union that negotiates as one block. The reason for these coalitions can range from economic similarities to a common climate change threat, like rising sea levels, or groups with regional focus. These coalitions are called negotiating groups or party groups and help them combine their powers in order to strengthen their common positions (UNFCCC, n.d.*c*). These groupings have already played a role for multiple decades in the international negotiations. In the past couple of years, since the move towards the Paris Climate Agreement, there have been more and more groupings that use common arguments during the negotiations (Genovese, McAlexander & Urpelainen, 2022). At first, from 1992 onwards, there was only a division based on developed or developing countries. The industrialised countries were put in Annex I, of which a smaller group, called the Annex II parties, were the ones who would be responsible for the (financial) support of developing countries in the transition to an environmental friendly world (UNFCCC, n.d.*d*). Lastly there was the Non-Annex I group, consisting of all the other countries, who were mostly seen as developing countries. Within the Non-Annex I group, there was a special classification for the least developed countries, consisting of 49 countries who were highly vulnerable for the results of climate change.

Later on, countries started to form their own groups to negotiate together, resulting in the multiple groups we see today during a COP. In image 1 below you can see the web of party groups now present during the climate negotiations of the UNFCCC (Balkan Hotspot, n.d.). In this overview the groups with regional focus are separated from the global groups that are formed due to other similarities. The Least Developed Countries (LDCs), originally from the start of the UNFCCC as part of the non-annex I group, is missing in this overview, but will be taken into account during the analysis. Furthermore the focus of

this research will be on the interplay between developing country groups and developed country groups that have played a significant role in the climate negotiations on the topic of loss and damage during COP27. The developed countries have been separated into the European Union, the Umbrella Group and the Environmental Integrity Group (EIG). Within these groups some countries have taken on different positions compared to others on the topic of loss and damage, which is why these will be highlighted within the analysis to give a clear overview of the overall position of developed countries. As there are also some nation states that are not part of any group, but are still relevant in the international climate negotiations, like the United Kingdom and the Russian Federation, these will also be discussed in the analysis of the positions of developed countries. On the topic of loss and damage, the developing countries have created a mutual front within the G77 & China, to make a stronger argument during the conference. Therefore this analysis will take the G77 & China as the group of developing countries, of which we will highlight the positions of AOSIS (representing the SIDS), the LDCs, the African Group, the LMDCs and China on its own. Together these party groups have been the most active in the negotiations during COP27 and have formed a common positioning under the umbrella of the G77 & China.

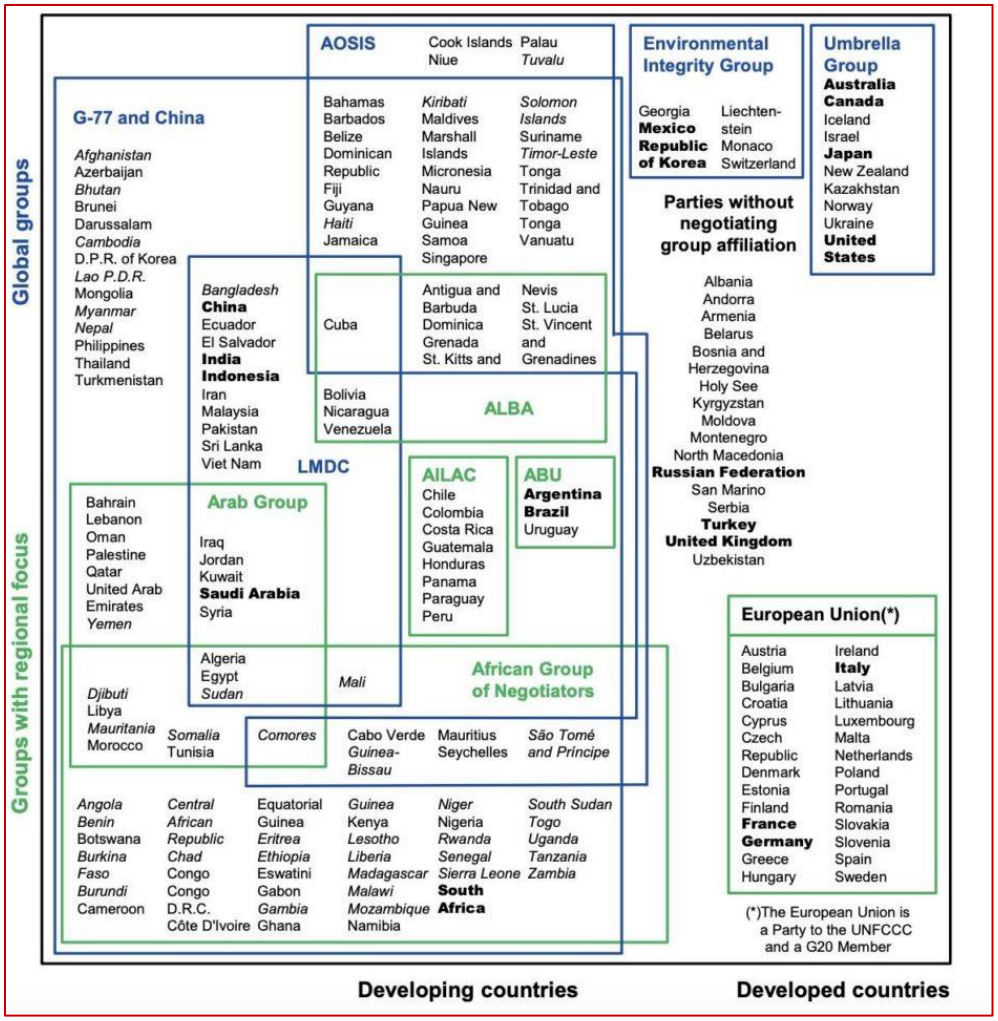


Image 2; Party Groups (Balkan Hotspot, n.d.)

Loss and Damage

Loss and Damage does not have an internationally recognised definition yet, which makes it more difficult to build policies around it. In general it has been categorised as the negative impact due to climate change, both social, naturally and economically (Huq, Roberts & Fenton, 2013). The UNFCCC includes both slow onset events, which develop gradually over time, as well as extreme weather events

as impacts of climate change that can result in loss and damage (UNFCCC, 2018). These losses and damages can either be economic losses, like resources and goods, or non-economic losses, in the broadest sense. The idea is that it is only noted as loss and damage due to climate change, if it is due to "anthropogenic interference with the climate system", meaning human-induced climate change (James et al., 2014). This is difficult to prove without good resources, thus difficult to define what can be seen as loss and damage and should be fixed with financing from a potential loss and damage fund (Martyr-Koller, Thomas, Schleussner, Nauels & Lissner, 2021). This is something that the transitional committee is working on throughout 2023, to determine what can be seen as loss and damage due to human-induced climate change and thus where the loss and damage funding should go to.

4.2 The flow of negotiations

The climate change conference started on the 6th of November 2022 in Sharm-el-Sheikh with an opening ceremony and opening statements by parties and observing organisations. Parties were represented by the speakers of the party groupings in place. Many of them already mentioned loss and damage in their opening statement and so opened the debate about a loss and damage fund. Pakistan started the opening plenary by speaking on behalf of the G-77 and China, addressing the urgency of loss and damage and stressing that "it is not charity, it is climate justice" (IISD Earth Negotiations Bulletin, 2022*b*). Many others, including the EU and AOSIS, followed by stating loss and damage as a crucial agenda item in their opening speeches. There were only a hand full, of which Switzerland for the EIG and Saudi Arabia for the Arab Group, that did not mention loss and damage in their opening statement, but rather focused on different topics like the 1,5 degrees target or articles from the Paris agreement.

COP27 started with a slight delay, due to long discussions about the agenda item on loss and damage. After the proposal by Pakistan for the G-77 and China to include loss and damage on the agenda for COP27, the COP president came with a proposal for the agenda on the 4th of November which included agenda item 8f; "Matters relating to funding arrangements for addressing loss and damage" (UNFCCC Executive Secretary, 2022). After the debates the agenda was adopted on the 6th of November with the agenda item 8f slightly adjusted to "Matters relating to funding arrangements responding to loss and damage associated with the adverse effects of climate change, including a focus on addressing loss and damage.", with the notation that "This sub-item and the outcomes thereof are without prejudice to the consideration of similar issues in the future" (UNFCCC Conference of the Parties, 2022a). Although this meant some changes in the words and therefore a bit weaker agenda item, the developing countries could still be happy with the victory of a premier; an agenda item on loss and damage during a Climate Change Conference (Limb, 2022). Like Pakistan already mentioned in their opening statement, this also meant a win for climate justice, as now it was possible to open the debate on loss and damage on in the international climate negotiations.

Throughout the conference, informal consultations were held in subsidiary bodies to discuss the matters that are on the agenda for the governing bodies (like the COP). The same goes for the topic of loss and damage, which started early in the process with these discussions, pushed by developing countries who wanted to make sure there was a quick focus on textual work to avoid last-minute compromises (IISD Earth Negotiations Bulletin, 2022*c*). The first week was mainly used to get a feeling of the different positions and the possibilities within the negotiations. No parties would move from their positions in that first week, but there were already some developed countries that promised funding for loss and damage, independent of any agreement on the matter (Abnett, 2022). From there more discussions started, putting pressure on the other developed countries, also from protesters outside. Towards the second half of the conference, more ministers joined the delegations, making room for political talks within the discussions. This often is the start of the real negotiations towards a final outcome, explains Bastiaan Hassing, head of the Dutch delegation (personal communication, May 1, 2023). Normally the conference negotiations would be lifted from the informal consultations to political discussions somewhere around this point, but the Egyptian host didn't believe this was already possible at that

moment. Due to this rather chaotic first half of the conference and a late move to the political level of negotiations, it wasn't as clear as other years what the positions of parties were and where there was room for movement (B. Hassing, personal communication, May 1, 2023). This might have been a strategical move from the Egyptian host to give more momentum and strength to the developing countries block to push for a deal on loss and damage funding.

On the topic of loss and damage, the Monday of the second week was an important one, as there was a dinner with a lot ministers and delegation members in which a lot was discussed (B. Hassing, personal communication, May 1, 2023). This was a tipping point for some to agree to set up a fund or at least promise some funding on loss and damage. This also helped for the momentum in the negotiations to work towards an agreement on the topic. In the days after the weekend it still stayed within informal consultations hosted by María Heloísa Rojas Corradi from Chile and Jennifer Morgan from Germany (IISD Earth Negotiations Bulletin, 2022*d*). On the 17th they made a draft version of the text for the agreement based on these consultations, which would be discussed in the evening (IISD Earth Negotiations Bulletin, 2022*e*). On that same day the developing countries gave a press conference together, explaining their frustration and urging the establishment of a fund during this conference. In the night from Thursday to Friday, the EU came with their proposal to establish a fund for the most vulnerable countries with a broad donor base, which would be set up over the course of 2023. Supported by many this was the basis for the final agreement on a loss and damage fund (IISD Earth Negotiations Bulletin, 2022*e*). During these negotiations other topics were also related to outcomes on loss and damage. Many developing countries, including the EU who came with its own proposal in the final days, demanded a focus on "keeping the 1.5ºC alive" within the package deal together with the agreement on a loss and damage fund (IISD Earth Negotiations Bulletin, 2022*a*). Finally in the morning of November 20th, two days after the planned end of the conference, the agreement on a loss and damage fund was a fact.

4.3 Positions of the developed countries

On the side of the developed countries, there are three major party groups that have played a significant role during the climate negotiations in Sharm-el-Sheikh. The European Union, both a party group as well as a party of the UNFCCC, has presented itself as a strong block of European countries that negotiates as one. This was less so the case for the Environmental Integrity Group or the Umbrella Group, which both are global party groups, based on common positions in certain topics like economic views or mitigation goals. These common positions were less strong on the topic of loss and damage, which we will notice in their arguments and positioning throughout the analysis of the negotiations. Besides these three groups, the United Kingdom and the Russian Federation will be presented in this part, as major economies, major emitters and therefore major players in the international climate negotiations.

Positioning of the European Union

Preceding the COP, the parties of the European Union came with a mutual position on the topics that will be discussed during the conference. On the 4th of October 2022 the European council adopted the conclusions ahead of COP27, creating a base for negotiations from the EU during the COP. In these conclusions the EU mainly focuses on the continuation of the Glasgow dialogue for the topic of loss and damage (Council of the European Union, 2022*a*). At a pre-COP meeting in Kinshasa Timmermans seemed positive about the option to talk about loss and damage during COP27 (Farand, 2022*a*). The positioning of the EU preceding the negotiations about the agenda showed the opposing side of their positioning, as the EU was hoping that "a new agenda item would make full use of the Glasgow Dialogue to promptly strengthen the existing institutions" (Council of the European Union, 2022*b*). With this statement they try to undermine the option of creating a new fund during this item and want to keep hold of the existing arrangements and the longer process as discussed in Glasgow the year before. Further

positioning on the topic of loss and damage at the start of the COP stayed vague for the general public (Euronews, 2022).

Euractive saw the statements of Jacob Werksman, the European Commission's chief advisor for international climate relations, during the first days of the conference, as pushing back on a climate loss and damage fund (Simon, 2022). A different voice came from both Frans Timmermans and Ursula von der Leyden, who were positive about the new agenda item on loss and damage. In her statement in the first half of the conference, President Von der Leyden was pushing her partners of the north to join the ambitions of climate finance and urged for progress in addressing loss and damage during the COP (Von der Leyden, 2022). During the high-level segment, Vice-President of the European Commission Timmermans also stated that the EU is ready to address loss and damage and wants to fill the gap where necessary from other climate finance arrangements (Timmermans, 2022). At the same time he makes clear that he is not hoping to create a fund in that same week, rather setting up a process to assess the current climate finance mechanisms and making sure the construction of the new Loss and Damage Fund will be "with the highest benefits and most value for those that need it the most" (Timmermans, 2022). This combination of positive statements in terms of climate justice for the vulnerable and passive positioning on establishing a new loss and damage fund, made the argument of the EU unclear for many outsiders, including Greenpeace International (2022*a*), who analysed the positions of the parties on the matter of loss and damage in the first part of the conference.

In the second part of the conference it became clear that the EU was willing to change position, under certain circumstances. They were "starting to listen to some of the demands from developing countries", says Greenpeace International based on their analysis (Greenpeace International, 2022*a*). The one thing that Timmermans has been pushing for during the COP is making sure that the construction of the fund won't be focused on the developed versus the developing world as it was in 1992, like the G77 & China were focussing on in their first proposal of a loss and damage fund. Bas Eickhout, member of the European Parliament and part of the Committee on the Environment, Public Health and Food Safety (ENVI), backs up Timmermans on this during the press conference close to the end of the negotiations. He argues that we should not look at the world as it was in 1992, but rather focus on the way it is now and make sure that this new world will be reflected in the loss and damage fund (European Parliament, 2022). The reason they were pushing for a focus on the current world, was the fact that China was presented as one of the developing countries, while being one of the biggest emitters of the world at this moment. Euractive stated that there seemed to be room for compromise for the EU on the issue of loss and damage, "as long as China contributes" (Farand, 2022*b*). Timmermans explained his position on the funding facility as being open for it "but under certain conditions", referring to the classification of China in the matter (Farand, 2022*b*). The EU came with a proposal that would bridge the gap in the negotiations, tying compensation for loss and damage together with cuts of fossil fuels, but this did not come back in the draft proposals from the COP president (Al Jazeera, 2022). This proposal from the EU included the paying of bigger emitters, of which China would be one, and with that shook up the negotiations, leading to further discussions throughout the night that would follow. The Guardian states that the tables were turned after this proposal, due to the polluter pays principle the EU was holding on to (Harvey, 2022).

The German team, part of the EU party group, follows with a press release stating that they managed to build bridges between industrialised and developing countries on the issue of loss and damage for the benefit of climate justice (Federal Foreign Office Germany, 2022). In the press release of the EU succeeding the COP, they also put themselves on a pedestal for bridging the gap in the negotiations about the loss and damage fund. They state that their proposal about the loss and damage fund has been the main contribution towards well balanced climate finance arrangements (European Commission, 2022).

In the scope of climate justice, this position of the European Union has a big focus on creating a just climate fund for loss and damage. While being one of the bigger players in the developed world, they

are still pushing for a finance mechanism that will help the ones in need, like the vulnerable countries and small island states. Looking at the statements discussed above one could argue that climate justice is the main concern of the EU during the negotiations for a loss and damage fund. This did only come in the second half of the conference, but nonetheless was seen as a sign to the developing world that they were willing to move towards climate justice. Shirley Matheson from the WWF European Policy Office (WWF-EU) argued that "The European Union showed flexibility in some key areas, especially its shifting stance towards supporting loss and damage finance." (WWF-EU, 2022). With the polluter pays argument, distributive justice is being pursued, as emitters have to compensate, which can be used for the duped ones to fight the climate damage. Bas Eickhout also adds a portion of procedural justice by suggesting more space for civil society, including indigenous people and other non-governmental organisations, to join in negotiations and talks during the next COP (European Parliament, 2022). The final positioning of the EU showed willingness to take a next step on addressing loss and damage and with that a next step towards climate justice. But so far, it has only been a next step in the right direction, as it is also the EU that has been pushing for a longer process throughout the next year to operationalise the fund during COP28 the earliest. A shifting position of the EU shows flexibility and willingness, but historic positions and lack of action will not be forgotten in climate justice talks.

In the table beneath the shifting position of the EU becomes clear. Starting with the positioning of the EU preceding COP27 with a focus on the Glasgow Dialogue and only wanting to discuss it without any further action. During the COP it becomes clear that Von der Leyden and Timmermans are willing to take more action, although not yet ready to give full support for the ideas of the developing countries. In the press release after the COP, the EU does pride itself on bridge-building and building trust in the discussions about the loss and damage fund. They are also positive about the outcomes of an agreement on a new loss and damage finance mechanism.

Preceding COP27 (Council of the European Union, 2022*a*)	**During COP27**	**After COP27** (European Commission, 2022).
UNDERLINES the need to strengthen the action, support and global coordination for averting, minimising and addressing *loss and damage* associated with negative impacts of climate change.	This is also why this COP must make progress on averting, minimising and addressing *loss and damage* from climate change (Von der Leyden, 2022).	The EU's bridge-building also helped to put in place balanced new funding arrangements, with an expanded donor base, to help vulnerable communities to face *loss and damage* caused by climate change.
WELCOMES, in this context, the launch of the Glasgow Dialogue, where the arrangements for the funding of activities to avert, minimise and address *loss and damage* are discussed.	The EU is committed to taking concrete measures to address the gap in *Loss and Damage*, including new funding arrangements (Timmermans, 2022)	Our negotiating team was able to build trust with our partners around the world, by staying strong on mitigation and showing flexibility on funding for the *loss and damage* caused by climate change

Environmental Integrity Group (EIG)

The EIG, existing of Switzerland, Liechtenstein, South-Korea, Mexico, Monaco and Georgia, started with a position that was to be expected for a group of developed countries. With Switzerland as the lead of the EIG during COP27, they tried to put the focus for loss and damage on existing institutions and mechanisms instead of talking about setting up a new loss and damage fund (Dupraz-Dobias, 2022*a*). The tactics of the EIG seemed to try to push the establishment of a new fund into the future, by focussing on the issues and problems of such a fund instead of the possible benefits for climate justice. In their submission during the negotiations of agenda item 8 of COP27 it is also clear that they want to steer to a fund that is established in 2024 and first want to examine where the gaps are in climate financing (UNFCCC Conference of the Parties, 2022b). Furthermore they ask for a funding mechanism that

focusses on the vulnerable countries, like the LDCs and SIDS, to make sure that the loss and damage in those regions can be tackled. They also ask for funding from "a variety of sources and instruments" and to "include contributions from all Parties based on their capacity to pay" (UNFCCC Conference of the Parties, 2022*b*). In this submission there is a mix of claims of climate justice and tricks to get out of the establishment of a fund. On the one hand they do want to support the more vulnerable countries and want to make sure that the funding is based on the capacity to pay, which therefore makes the suggestion that they are looking for a fair funding arrangement both in distributive and procedural terms. On the other hand they are pushing it into the future and are asking everyone to pay instead of asking for the responsibility of the big emitters and mayor economies like themselves. As will be further discussed later in this chapter, they are a group of only 6 parties, but at the same time have bigger historic emissions compared to the least developed countries as well as the small island developing states (Our World In Data, n.d.). From that perspective one could say that their positioning is not in favour of establishing a fair and just loss and damage fund, and thus not in favour of climate justice. This positioning was also seen during the negotiations, as it was Switzerland, as the lead of the EIG, that was still discussing with their UK partner what to do with the final text on loss and damage at the end of the conference (Dupraz-Dobias, 2022*b*). After the conference the Swiss Environment Ministery even stated that they were not yet sure if Switzerland would contribute to the fund that will be established. Therefore also after the talks the position of Switzerland, still seems not to be on the same line of many other parties of the UNFCCC. With this position and these statements Switzerland also doesn't make a good appearance in terms of climate justice on the global scale.

At the same time Mexico, as a member of the EIG, has been setting itself up to different positioning during the COP. As a more vulnerable country for climate change impacts, it has chosen loss and damage as one of their main objectives to promote during COP27 (Quiroz, 2022). With a surprisingly young team, also including indigenous people and two women, they went into the negotiations hoping to put a foot forward in favour of the climate (Cobierno de México, 2022). Their position as an individual party seems to be more positive on the subject of loss and damage compared to that of Switzerland, but at the same time they are also part of the EIG and therefore one of the parties that signed off on the submission talked about above. In that perspective you could say that Mexico does want a loss and damage fund to be established, as they are vulnerable for losses due to climate change, but because of their own high emissions and thus their own responsibilities in the matter, they do not want to be held responsible for it themselves. In the overview beneath the differences between the EIG as a group, Switzerland and Mexico in their positions on the topic of loss and damage are presented. The EIG itself focusses on the Glasgow Dialogue, Switzerland takes it further by stating that they might not participate in a new funding arrangement, while Mexico wants to promote the issue, but lack further action.

Environmental Integrity Group (UNFCCC Conference of the Parties, 2022*b*)	**Switzerland** (Dupraz-Dobias, 2022*b*).	**Mexico** (Quiroz, 2022)
With this we would like to engage and provide further clarity on our understanding of the further process to arrive at a decision on funding arrangements responding to loss and damage in 2024.	Perrez [Switzerland's negotiator] said that at this point, it was "too early to say" whether Switzerland would contribute to the fund.	One of the objectives for the Mexican delegation at COP27 will be to promote the issue of loss and damage.
DECIDES embed the *Glasgow Dialogue* into the work programme on funding arrangements responding to *loss and damage* and build on its open and inclusive format with two additional inter-sessional focused expert dialogues in 2023 and 2024	It's not only the European countries that should move on [their] positions. Everyone needs to move. We know that well in Switzerland	Two young people will focus on adaptation and loss and damage

Umbrella Group

This group of non-EU developed countries showed itself as a very mixed group in terms of climate finance negotiations during the COP in Sharm-el-Sheikh. As a negotiating group, the Umbrella Group often appears to be a conservative party group when it comes to climate finance or other new steps towards action on climate change. The group is also the party group with the biggest emissions, mainly, but not only, due to the United States of America. The focus of the umbrella group is mainly on mitigation, instead of adaptation or climate financing (Dooley, 2023). On mitigation and economic stances the group often has a common argument and strong position, due to their big international economies. On the topic of loss and damage, it seems that they have taken on more diverse positions, varying from parties that were willing to pledge financial support to developing countries to parties that were trying to hold of any new funding arrangements over the last decades.

With Joe Biden in office, the United States became more ambitious when it comes to climate change negotiations. These ambitions were mainly focused on mitigation and staying under the 1.5 degrees limit, while the US has neglected mentioning real ambitions on the topic of loss and damage preceding COP27 (U.S. Department of State, n.d.). Both President Biden as well as other delegates of the US, like the National Climate Adviser Ali Zaidi, were avoiding the topic of loss and damage during the first week of the conference or in any official statement (Cogan, 2023). Biden did note the work on environmental justice back in the States and their aim to protect vulnerable countries for losses and climate-related damages, but this seemed to be more words than actions (Biden, 2022). This avoiding of the topic led to an isolation of the US on the topic of loss and damage after the EU turned the tables by stating their position in favour of establishing a financial fund during the COP. At that point, the US delegation still preferred a multiple years process, as agreed upon in Glasgow the year before, over the propositions of the G77 & China or the EU (Chemnik, 2022). The position of the US on loss and damage was not something they could hold on to, as all developing countries were demanding a move from the US and most of the developed countries were also leaving the US on its own.

Even from their coalition partners within the Umbrella Group the US could not expect any support anymore, as multiple parties from the group already pledged support for loss and damage financing in the days leading up to the final negotiations of the COP. Both New Zealand and Canada already pledged financial support for developing countries in the first week of the conference (Keck, 2022). New Zealand took a quick lead of the developing countries on the topic of loss and damage (Craymer, 2022). Further on in the conference they called upon all parties to make collective progress on loss and damage funding during this COP, working towards a safer and fairer world (Shaw, 2022). Canada followed suit, with the environmental minister saying that he wants to see a loss and damage agreement at the end of the COP. He acknowledged the lack of action from developed countries, including Canada itself, but noted that "that has changed this year" (Singh, 2022). Japan also joined the movement from developed countries during the COP towards support of a loss and damage arrangement. Minister Nishimura explained that due to their own experiences with extreme weather events, they decided more support for developing countries would be needed, therefore leading to supporting the agreement on a loss and damage fund (The Japan Times, 2022). Compared to this part of the Umbrella Group, Australia was lacking in their support for loss and damage. In the last years they have only given one tenth of their fair share in climate finance and during the COP they also have neglected pledging any support in addressing loss and damage (Actionaid, 2022).

Overall the Umbrella Group has been a mix of different positions on loss and damage or climate financing. Most countries went into the negotiations hoping to get results on the mitigation topics, while ignoring financing for loss and damage. During the conference most countries turned in these positions and felt the need to show their support for the developing countries, some due to their sincere concerns about the most vulnerable countries, others due to the international pressure both from other party groups as from other organisations and civil society. At the end even the US had to agree with the arrangements made, due to the international pressure.

Umbrella Group countries that pledged financial support (Keck, 2022)	**Umbrella Group countries that opposed to the L&D fund proposal of the G77 (**Greenpeace International, 2022)	**Overall positioning of the Umbrella Group**
- New Zealand - Canada	- United States - Australia - Norway - Canada* - New Zealand*	A mix of positions, shifting during the conference, but mainly developed countries that tried to block the loss and damage fund.

** Shifted position later during the conference*

United Kingdom

After being the host of COP26 in Glasgow the year before, the United Kingdom came to Sharm-el-Sheikh hoping to maintain their Glasgow dialogue on the topic of loss and damage. As host in 2021 they were in the position to lead the conversation in such a way that a favourable outcome for western countries was possible, meaning that the talks about loss and damage would be delayed a couple of years (World Resources Institute, 17 November 2021). The step from a 'Western COP' towards an 'African COP', also made it possible for vulnerable countries to once again push for something to happen on loss and damage (Huq, 2021). The United Kingdom might have been successful in blocking the establishment the year before, but during COP27 this would prove a more difficult goal to reach. In Egypt, the British negotiators had to agree with the loss and damage topic on the agenda, thus already saw a shift happening in the support for the demands of developing countries in the beginning of the conference. The British did pledge donations for green initiatives in developing countries, but hold off any pledges to loss and damage funding throughout the conference (Sputnik News, 2022). In their submission during the loss and damage agenda item they expressed their support to "build on existing finance" and were "keen to continue discussions" (United Kingdom, 2022). These words were met with little action in the negotiations itself. Greenpeace International (2022*b*) also shows the UK as one of the main blockers in the loss and damage negotiations during the second week of the conference. A passive position of the UK shows their goal to delay any decision making on the topic, thus delaying any breakthrough in terms of climate justice. Gordon Walker, professor environmental justice in the United Kingdom, in an interview for this research, shows no surprise at all, stating that "we [*The United Kingdom*] are part of a bad block, there is no doubt about that" (interview Gordon Walker). Within the group of developed countries, the United Kingdom has shown itself as one of the passive countries on action in the climate negotiations, leading to a blocking position in the discussions on loss and damage funding, thus a negative position on climate justice.

Russian Federation

Due to the war that is going on in Ukraine, Russia had a different position within the UNFCCC climate negotiations. Within the middle of this crisis they still came with a delegation to Sharm-el-Sheikh to work on the climate crisis together (Feist & Geden, 2023). Although they might have had big plans to cooperate in the negotiations, they were already side-lined from the start of the conference, as many decided not to talk to their Russian colleagues during the two weeks (O'Grady & Tan, 2022). As one of the major emitters, Russia does have a big role to play in fighting climate change. "Without Russia, you cannot solve these problems", Viacheslav Fetisov, chairman of the All-Russian Society for Nature Conservation, explained to The Washington Post (O'Grady & Tan, 2022). That meant that they were still active in the negotiations, trying to cooperate with others and putting a focus on the topics of low-carbon development and clean or nuclear energy. On the topic of loss and damage, they have not been as active. During the two weeks they did show their support for the global south, by putting the focus on historic emissions and the responsibility of the western nations (Davydova, 2022). In this way they are looking for global cooperation and asking for developed countries to take their responsibilities in climate financing. In the High-Level Segment, Russia stated the following: "We need a unified vision

for the future of climate finance and a solution to the loss and damage that is fair and acceptable to all" (Russian Federation, 2022). This in combination with their general support for developing countries in the climate negotiations, shows some kind of aim for climate justice in their positioning. Although the position of Russia was a special one, due to the lack of justice in the geopolitical practices in Ukraine, they are positioning themselves in favour of justice in terms of loss and damage in the international climate negotiations, with the side-note that no pledges of financial support have been made and Russia doesn't seem so keen to start paying for loss and damage in the middle of their own crisis.

4.4 Positions of the developing countries

Alliance of Small Islands States (AOSIS)

The Alliance of Small Islands States (AOSIS) is the representative of the group of Small Island Developing States (SIDS). During the COP the alliance makes sure it represents the interest of the 39 small island and low-lying coastal developing states (AOSIS, n.d.). They do this as the alliance to makes sure that they can build a strong argument together, even though some of the SIDS are not in the position to always be present or fight against the bigger players like the EU or USA. Therefore AOSIS makes sure that procedural justice is possible within the international climate negotiations, as it gives a voice to the smaller states that otherwise wouldn't be able to join on the same level. They are also the group that are some of the most vulnerable countries for climate change, due to rising sea levels, which makes their countries disappear. At the same time these countries on average have the smallest percentage of global emissions each, making it a very uneven divide between burdens and benefits in terms of climate change (Adelman, 2016).

The countries within AOSIS have been the ones that have seen most loss and damage due to climate change, which is also the reason they have been the ones that have asked for a loss and damage fund already for decades. They went into COP27 again with the goal of setting up a climate finance mechanism for loss and damage, after being disappointed with the results of COP26. Their focus was mainly on the gaps that existed in climate financing and funding arrangements, as this was only focused on the anticipation instead of the response after extreme weather events (AOSIS, 2022*a*). In their media briefing ahead of the COP, there was not a lot of focus on the concept of climate justice, as it seemed that the focus was more on terms like vulnerability and action. They did state that the UNFCCC would be the perfect entity to set up and operate such a loss and damage fund, due to the protection of the vulnerable and the equity in the process (AOSIS, 2022*a*). This shows their faith in a just procedure within the UNFCCC, thus the possibility to set up a fund that works in the benefit of climate justice. They also call for the implementation of the concept 'climate justice' within the design of the fund and aiming for an inclusive strategy in responding to loss and damage. This is backed up by the opening statement of Gaston Brown, Prime Minister of Antigua and Barbuda and Chair of AOSIS during COP27, where he talks about the establishment of a loss and damage fund "as a form of climate justice for climate change's hapless victims" (Antigua and Barbuda, 2022). In this statement he calls for a pathway to climate justice where the polluter pays, without pointing the finger to specific bigger emitters. Michai Robertson, advisor for AOSIS during the COP, explains why this way of speaking was used, as "instead of pointing fingers at each other, you try to engage with the other part of the equation" (M. Robertson, personal communication, May 4, 2023). In this way AOSIS is trying to work towards the first steps towards justice, instead of stepping on the toes of the bigger emitters by calling their historic responsibility. Without putting the term justice in their mouth, further on during the COP they do ask for climate justice, by declaring the unjust division of burdens and benefits at the moment. Molwyn Joseph, minister of Antigua and Barbuda, says "we [*AOSIS*] are bearing the brunt of the suffering, yet we [*AOSIS*] are the ones constantly asked to make concessions" (AOSIS, 2022*b*). Finally after the arrangement was made, the alliance was excited about the fund that they have been fighting for over the last 30 years, but they also see that this is just the first step in the right direction. Minister Joseph states that they have to fight even harder the coming years to make sure that the operation of the fund will be

"safe, fair, and equitable for all" (AOSIS, 2022*c*). Robertson also believes that "it's a massive step towards climate justice from a symbolic level", explaining that it is only symbolic, because the real operationalisation still has to be decided upon and we still don't know in what way the funding will really help to respond to loss and damage and thus help in terms of climate justice (M. Robertson, personal communication, May 4, 2023).

In terms of climate justice it has been clear that AOSIS has been fighting for this during the COPs over the past decades in favour of the SIDS. In these terms they have been fighting for compensatory justice, which the new loss and damage fund has to bring by compensating the effects of climate change (Khan, Robinson, Weikmans, Ciplet & Roberts, 2020). This compensatory justice can be seen as a part of distributive justice, as the emitters should compensate for the historic damages caused by their emissions. In this way the fight of SIDS over the last three decades have led to a step towards climate justice in terms of compensating the unequal division of burdens and benefits. According to Suresh Rao (2023) the loss and damage fund might be "the least controversial solution to climate justice". The fact that the compensation will not be in line with liability, might have been a concession done by developing states like AOSIS, but as discussed earlier, for them it has been more about action for the most vulnerable instead of compensation for the injustice. So a fight for climate justice has been won, but not necessarily in terms of justice as one might expect. The focus seems to be more on the needed money instead of the compensation for injustice.

Date	**Statements by Chair of AOSIS during COP27**
8 November (Antigua and Barbuda, 2022)	Loss and damage should not be seen through divisive and controversial lens, but as a form of climate justice for climate change's hapless victims and a decarbonisation accelerator.
8 November (Antigua and Barbuda, 2022)	As small countries, this is the new dynamic pathway of justice, where the polluter pays.
16 November (AOSIS, 2022*b*)	It is time to implement loss and damage finance. I am being very clear – small island developing States will no longer stand for delay on loss and damage finance.
20 November (AOSIS, 2022*c*)	We must work even harder to hold firm to the 1.5C warming limit, to operationalize the loss and damage fund, and continue to create a world that is safe, fair, and equitable for all.

Least Developed Countries (LDCs)

The LDCs are the party group consisting of the least developed countries, and with that the group with the countries that are most vulnerable to the effects of climate change (UNFCCC, n.d.*c*). Therefore they have been lobbying for financial mechanisms that can help them in times of crisis for a long time. In a reaction to the COP in Glasgow, they stated that they were very disappointed and worried about the injustice due to the lack of action taken in Glasgow (LDC Climate Change, 2021). Trying to tackle this injustice they have been calling for more than a dialogue throughout 2022, leading up to the conference in Sharm-el-Sheikh (LDC Climate Change, 2022*a*). In September of 2022 the LDCs group came together in Senegal to strengthen their common position and create a shared argument to take into the negotiations of COP27. This year Madeleine Diouf Sarr, part of the Ministry of Environment and Sustainable Development in Senegal, was the chair of the LDCs during the conference. At the meeting in Senegal, she stated that "COP27 will be a critical moment for our nations as we continue our fight towards climate justice" (LDC Climate Change, 2022*b*). With this she was referring to the climate finance that would be needed for these vulnerable countries, while they have been responsible for only a small part of the historic emissions and therefore only a small part of the effects of climate change. These unfair burdens have been terrorising the LDCs for the last decades, and in her words have "led to

unrecoverable loss and damage" in their nations (LDC Climate Change, 2022*b*). This is why they concluded that the LDCs have to fight for addressing loss and damage in a financial facility during the COP (LDC Climate Change, 2022*c*). In the second column of table 1 below you can see the positions related to loss and damage, climate justice and climate finance the LDCs concluded on during the meeting ahead of COP27. This position is also reflected in the opening statement of Senegal on behalf of the LDCs, in which there is a clear call for climate finance addressing loss and damage, due to the already felt losses in the developing countries (LDC Climate Change, 2022*d*). With this statement they also align their position with that of the G77 & China, the African Group and AOSIS, to strengthen the common position during the climate negotiations, which is mainly focused on addressing loss and damage. With this positioning, they are asking other parties to switch the focus from mitigation to adaptation, due to the fact that climate change is now inevitable (iied, 2022). This is a clear call for climate justice from the international governance, as they want everybody to chip in for the losses and damage due to the emissions of the industrialised countries. For the LDCs, a fair and just construction of a loss and damage finance mechanism is needed to move towards the climate justice they have been demanding for many years.

Topic	**Position Statement** (LDC Climate Change, 2022*c*)
Climate justice	2. Affirm that the global response to climate change must be ambitious, *fair and equitable*, to advance the interests and aspirations of poor and vulnerable countries and peoples;
	10. Call upon developed countries to urgently scale up *climate finance* to make up for the shortfall caused by failure to deliver US $100 billion a year by 2020 and through 2025;
Loss and Damage	3. Note, with serious concern, the findings of the IPCC Sixth Assessment Report (AR6) of Working Group II that human-induced climate change has caused *loss and damage* to nature and people, including some *losses* that are irreversible; that some limits to adaptation have already been reached; and that near-term actions that limit global warming to 1.5°C would substantially reduce projected *losses and damages*, but cannot eliminate them all;
	13. Stress the importance of the Global Stocktake to assess the collective progress under the Paris Agreement, including on mitigation, adaptation, *loss and damage* and means of implementation and support, and to send a strong signal to Parties to ratchet up ambition and support;
Finance mechanism	8. Emphasize the critical importance of establishing a *finance facility* for addressing *loss and damage*, and stress that the Warsaw International Mechanism (WIM) must remain under dual governance of the UNFCCC and the Paris Agreement;
	9. Stress that the New Collective Quantified Goal on *Climate Finance* should be based on science and address the needs of developing countries to implement their adaptation and mitigation actions, and address *loss and damage*, including on technology transfer and capacity building;

From the interview held with Manjeet Dhakal, advisor from Climate Analytics for the LDCs on multiple topics including loss and damage, it has become clear that the call from the developing nations for a loss and damage fund is indeed a fight for climate justice (interview Manjeet). "It is a good start", he says, although reminding that the fund still needs to be operationalised and the real outcome in terms of climate justice is yet to be seen. Dhakal explains that the current call for such a fund, from the united front of developing countries, comes from the uneven divide of historic emissions and the lack of action on this over the last couple of decades. Due to the lack of action it is now needed to take such actions as the loss and damage fund, to make sure that correct and quick response to effects of climate change is possible for the ones that do not have the resources and capacity to provide this on their own. This lack

of action on mitigation and adaptation over the years has resulted in the broader support from developing countries for the claim from AOSIS for a loss and damage fund, he explains further. “In the case of loss and damage, the developing countries, that includes the LDCs, SIDS, African Group, they all have common positions”, Dhakal refers to the positioning of the developing countries within the G77, with the side note that the different parties may have different approaches and uses different languages to make steps in the negotiations. (interview Manjeet).

African Group

The African Group was besides the LDCs and AOSIS the party group that had the most to lose during the climate negotiations in Sharm-el-Sheikh. With Egypt as host of the conference and part of the African Group, the African countries hoped to be able to achieve more during this COP compared to previous ones, where they did not have the upper hand. With wildfires in Northern African countries, extreme drought in East Africa and cyclones and floods in southern African countries, the African continent has been experiencing extreme loss and damage due to climate change in the last couple of years (Gbadamosi, 2022). Due to these events, the chair of the African Union Commission, Moussa Faki Mahamat, stated that “This is where one of the most shocking injustices toward our continent resides”, talking about the lack of action from the bigger emitters in terms of financial compensation (Gbadamosi, 2022). With COP27 seen as an ‘African COP’, this would be the optimal moment for the African Group to put their stamp on the international climate negotiations.

In the high-level segment statement by Kenya, on behalf of the African Group, they also referred to the huge impact of climate change to the African continent. From there, the President of Kenya, William Samoei Ruto, continued by calling the lack of action and stalling tactics during the previous conferences “simply cruel and unjust” (Republic of Kenya, 2022). With this statement he calls for a serious approach to loss and damage with fairness and urgency. By explaining that Africa is responsible for only 3% of the global pollution, while still suffering from most of the impacts of climate change, he asks for a fair and proper approach to tackle the topic of loss and damage. The upscaling of these financial mechanisms is needed for African countries, as before there was only 15% of the Green Climate Fund going into African countries, while also not being focused on the losses of the local communities most effected (Malesi, 2022). The slow progress during the COP was therefore also a disappointment for many of the African Group members, especially because the so called ‘African COP’ should be in favour of the most vulnerable on the African continent. In the second week of the conference the African countries asked the international community to step up their game and move towards outcomes that reflect “Africa’s special needs and special circumstances”, referring to the loss and damage caused by climate change in African countries (Akintunde, 2022). The African Group joined other developing countries groups in the call for climate justice, by demanding developed countries to react to the needs of the most vulnerable in terms of climate financing. Already from before the COP they have formed a bigger coalition with the LDCs and AOSIS in their fight for a loss and damage fund, in favour of climate justice, as they are asking for some form of compensation for the climate change effects that they have not been responsible for (Wainaina, 2022). This positioning of the African Group demonstrates a clear demand for climate justice in terms of loss and damage. From multiple perspectives statements on climate justice for the African continent in terms of loss and damage have made, as seen in the table below.

Person - Organisation	**Statement on climate justice in terms of the L&D Fund**
Moussa Faki Mahamat – Chair of the African Union Commission (Gbadamosi, 2022)	This is where one of the most shocking *injustices* toward our continent resides

William Samoei Ruto – President of the Republic of Kenya, on behalf of the African Group (Republic of Kenya, 2022)	the lengthy discussions at COPs, with its stalling, delaying tactics and procrastination that have hampered implementation and delivery, is simply *cruel and unjust*.
Antonio Guterres – United Nations Secretary-General (Malesi, 2022)	The continent [*Africa*] barely contributes to global greenhouse gas emissions, yet it is paying an outsized price. This is a textbook case of moral and economic *injustice*.
Betty N. Wainaina - Associate Director, UN/IFI Cooperation at NYU/CIC (Wainaina, 2022)	This goes beyond just funding for adaptation and enters into the realms of *climate justice*.

LMDCs

The Like-Minded Developing Countries (LDMCs) are, like the name says, a group of developing countries that are like-minded on topics within climate negotiations. Together they form more than 50% of the world population, mainly because India and China, as the countries with the highest number of inhabitants, are members of this group, but also due to a broad range of other developing countries form around the world (Dhyeya IAS, n.d.). As a group, they try to represented the developing world, taking in position to support the broader global south in a north-south divide. In this positioning they often fight for equity and want to hold the developed world responsible for the historical emissions (Blaxekjær, Lahn, Nielsen, Green-Weiskel & Fang, 2020). They also often show that they are vulnerable victims of the impacts of climate change, together with other party groups like AOSIS and the LDCs. This group of developing countries are working on their own reduction of emissions and at the same time try to get an equal response from developing countries in the climate negotiations. COP27 was the perfect moment for the LMDCs to put their argument forward, as they were fighting for the common position of developing countries and Egypt, as one of the members of the LMDCs, was chair of the negotiations, thus able to push forward the arguments of the LMDCs and the developing countries in general (Verma, 2022).

Preceding the COP, the LMDCs state their concerns about the effects of climate change, due to the floods in both Pakistan and Venezuela and hurricane Ian in Cuba earlier that year. From there they argue the injustice set up by developed countries, due to the shifting of the burdens to the developing world (Third World Network, 2022). To work towards climate justice they ask the developed countries to finally come to a much-needed climate finance mechanism during the COP in Egypt. Finally they also call for unity among the LMDCs and broader among the global south in the climate negotiations to fight for climate justice. As part of the LMDCs, Pakistan has taken a leading position in the arguments for a loss and damage fund during COP27. Due to the heavy floods in Pakistan just before the COP, they came to the conference with the clear goal of telling the global north about what is happening at the moment and wanted to make sure that they will act upon this in terms as soon as possible (Ebrahim, 2022). Nabil Munir, chief negotiator of Pakistan during the conference, repeated the same message everyday: “Loss and damage is not charity, it’s about climate justice.” (Lakhani, 2022). Harjeet Singh, the global political director at Climate Action Network, backed this up by noting that the UNFCCC conference should be the perfect place for this fight for global climate justice. Together these statements make clear that COP27 is the place for procedural justice, where the most vulnerable are able to ask for what is needed, and the establishment of the loss and damage fund is seen as distributive justice, as that will be the way to make sure the developed countries will take responsibility for the climate change impacts.

These claims for justice were already expected before the COP, due to the clear sights of loss and damage happening around the world. With less than 1% of historical emissions, Pakistan feels an unequal amount of impacts from climate change, according to Nevitt (2022). He explains the possible impacts of the floods in Pakistan on the process of the COP in Egypt, stating that it will spur up the conference towards a process where the global north will have to take responsibility for the climate change effects due to the high emissions. With this broader feeling for climate justice, carried by the voice of Pakistan, the LMDCs felt the momentum to call for climate justice on a global scale. During the loss and damage agenda item, India submitted their ideas about the establishment of the fund. They too called for climate justice, asking for a polluter pays principle as an "established global norm within climate justice" (UNFCCC Conference of the Parties, 2022c). From multiple perspectives there has been a clear call for climate justice in terms of a loss and damage fund from the Like-Minded Developing Countries, supporting the broader coalition of the developing world.

China

As a major emitter, China's position within the group of developing countries in the UNFCCC is a special one. While it is still officially seen as a developing country, it already has a strong international economy and with that can take care of itself without any problems. This special position is further underlined by the positioning that China takes within international climate negotiations. They often call for the responsibilities of the major emitters and argue the need to support developing countries (Dong, 2017). In these terms, China uses the international climate negotiations to build relations with the global south, by supporting them in the task of reducing emissions and adapting to climate change. Recently this positive position for China seemed to change, as other developing countries ask for more action from the major polluter and the fast economic and industrial development makes it harder for China to comply with the climate agreements made internationally (Attinà, 2023). At COP27 this was also a difficult position for China, but on the topic of loss and damage they could still join the block of developing countries and push for a new climate finance mechanism.

At the COP China chose position to back off from funding the new climate finance mechanism, which annoyed the other major emitters, but China did say they were willing to support low-income countries on loss and damage caused by climate change (Bartlett, 2022). This gave them a favourable position towards the developing world and within the G77. With their open support for south-south collaboration in terms of addressing loss and damage, they were clearly no blockers of the negotiation process towards a new loss and damage fund. Michai Robertson, policy advisor for AOSIS, also explained that the pro-active supporting positioning of China on loss and damage was a welcomed gesture, as China is already giving funding for loss and damage to vulnerable countries (M. Robertson, personal communication, May 4, 2023). Therefore he also questions the need for any discussion on China's position as developing or developed country within the UNFCCC, as that would only make the process more difficult towards any decisions made during the conference. Robertson argues that the UNFCCC would not be the place to settle this and a focus should be on the relevant topics of loss and damage.

After the new proposal from the EU, China was backed into a corner, as one of the main changes was that China would not be benefiting, but paying for the new fund (Harvey, 2022). The Guardian also claims that some developing countries were happy with this move from the EU to make China pay as well, but would be afraid to say this. The final agreement didn't decide on who should pay, which means China's position as possible contributor to the fund still needs to be decided during the work of the transitional committee throughout 2023 (Theseira, 2022). With less historical responsibility for emissions compared to some other major economies, China will try to keep their position of not paying for the fund. At the same time they try to still help out developing countries, like they did for Pakistan after their major floods in 2022, by funding some repair. This sounds like they are in favour of climate justice, but this funding is nowhere near what is needed or what China would have to pay based on their emissions (Xiaoying, 2022).

G77 & China

As we have seen from the different party groups above, together as the G77 & China they have played a major role in the path towards the agreement on Loss and Damage. The G77 & China were the ones to come with the proposal for an agenda item on Loss and Damage, already back in June 2022 during the inter-sessional work in Bonn, backed by the separate party groupings (UNFCCC Secretariat, 2022). After "negotiations spread over several months" and "hectic negotiations at COP27" the agreement was reached to add the item to the official agenda, to relieve of the government of Pakistan, who was the chair of the G77 at the time (Pakistan Mission to United Nations, 2022). Already a win for the block of developing countries. As seen from the separate party groups, over the course of the two weeks conference, they have held a strong argument together, which finally let to the agreement made on the 20th of November 2022. Together, the party groups analysed in this research have fought for climate justice during the conference and have made good progress. With less responsibility for climate change, but still feeling most of the climate burdens, this group of developing countries are in need for more progress in terms of climate justice related to addressing loss and damage in the upcoming years. The overview of the positions of the party groups compared to the claims of climate justice are followed in the last part of this chapter.

4.5 Justice in the process

The process of the UNFCCC should be a fair and equal one that gives every party a voice in the international climate negotiations. Michai Robertson, policy advisor for AOSIS, even argues that a process like a climate conference within the UNFCCC might be one of the most legitimate processes to set up a such a climate finance mechanism, as all states are linked and invested in this process (Abnett & James, 2022). Based on the fact that indeed all states have signed up and that all parties get the opportunity to talk and let themselves be heard, the first step towards procedural justice is met. The question remains on how this further entails in terms of equity within the process.

As the UNFCCC is a broad convention with a lot of parties, it is therefore also a very bureaucratic organisation, which leads to longer processes to get to agreements and more difficulties in negotiations. This might be annoying and in terms of climate change also worrying, as there is quite some urgency in the matter. At the same time the UNFCCC needs to remain fair and equal for everyone, as otherwise it would lose its legitimacy (Tomlinson, 2015). The fact that a common agreement with consensus is necessary within a COP to decide on anything, gives the UNFCCC a strong basis of legitimacy in the decision making. Tørstad and Sælen (2017) argue that the UNFCCC has developed itself throughout the years, from COP to COP, in the fairness of the climate negotiations. From Paris onwards the fairness of the processes of a COP has grown both in inclusiveness and representativeness. The UNFCCC has with that reformed itself over the years towards a procedural just system based on the broader participation (Tørstad, 2021). Especially when focussing on the nation-states, the UNFCCC is the perfect place to join in the negotiations and get a fair playing field on climate change topics. The same goes in the case of the loss and damage fund, where all parties were able to join and let themselves be heard. Although the sidenote needs to be placed concerning the capacities of the different parties to fully join the conference and make sure their voice is heard. This is also a reason that party groupings, like AOSIS try to make sure that the common voice of these parties still is well represented. Still within these party groupings differences are present in the representation and therefore the stronger or weaker positions. Bastiaan Hassing, head of the Dutch delegation for COP27, explains that not every party had the ability to let their minister join the negotiations on loss and damage within the EU party group. For some smaller states, the minister was only able to join for one or two days, which can make a difference. Hassing explains that in the case of the EU you need to have a strong negotiator at the table to go up against the ideas of larger parties or vice-president Timmermans. In that case, he further explains, "it does certainly matter if a minister takes the floor or someone else" (B. Hassing, personal communication, May 1, 2023). With that knowledge one could argue that not every aspect of the negotiations leading to

the loss and damage fund was procedural just on terms of participation, as the resources and capabilities are unequally divided. Although most parties were well represented, also due to extra efforts from negotiation groups to collect a common ground between member states.

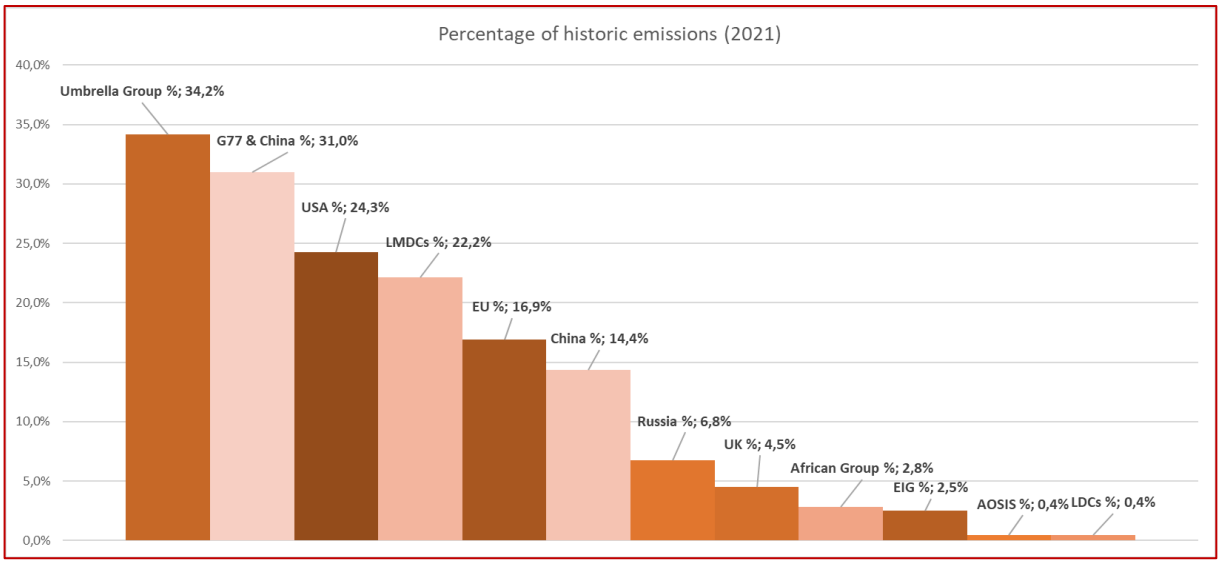
"Procedural justice is about more than providing the right to participate in a decision making process", argues Tomlinson (2015). It is also about equal opportunities and fair terms within the decision making process. That is also what we have seen earlier in the arguments of Schroeder (2008), who explains that the knowledge of parties about certain topics also plays a role in the extent to which a decision making process, like a COP, is procedurally just. These equal opportunities also touch upon the arguments given by Hassing about the capacity to send your minister or not, but go further than that if you take the knowledge into account. In the case of loss and damage, this also means that parties with more understanding on the topic can have more influence within the negotiations. For some part this is part of negotiations, to make sure you have the knowledge, but in terms of climate justice it is about the possibility to get that knowledge that is necessary, which is not equal over the party members of the UNFCCC. The lack of information has the highest impact on an unjust procedure within the convention (Grasso & Sacchi, 2013). This lack of information often is on the side of the developing countries, who do not have the resources to get the relevant information on the loss and damage caused by climate change. Therefore it would be harder for these parties to conduct evidence on the impacts of climate change and the size of the losses and damages caused by it. A strong argument is difficult to build, when not based on evidence and reliable resources, thus leaving the developing countries with a weaker position compared to the ones that do have these capacities, which are the developed countries. This lack of reliable resources also makes it harder for policymakers from developing countries to make the right decision, thus setting them back compared to the developed world (Tomlinson, 2015). A lack of sufficient resources for all participants leads to a lack of procedural justice in the decision-making process leading up to the agreement on the loss and damage fund.

This all explains the lack of any agreement on the topic in the past thirty years and makes it even more a well-deserved win for the developing world to get the loss and damage fund operating in the coming years. At the same time it creates concerns about the procedural justice within the future process, including the work of the transitional committee that will decide on the operationalisation of the fund throughout 2023.

4.6 Distribution of climate benefits and burdens

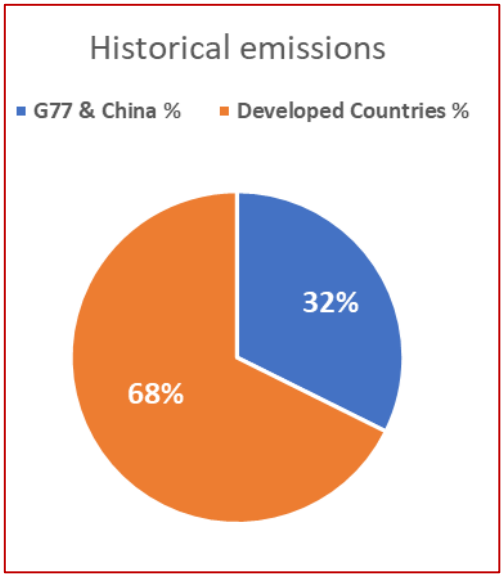
As Walker (personal communication, April 24, 2023) explains, "with climate justice the classic thing to do is to look at emissions of either countries or blocks of countries", which is exactly what will be done in this chapter. In this case the blocks of countries are the negotiation groups discussed earlier. The emissions that will be taken into account are the historic emissions, starting during the industrial revolution back in 1750, provided by Our World In Data (n.d.). This distribution of the historical emissions are presented in the graph below, in percentage of global historical emissions. The sum of these percentages are not 100%, as some parties are part of multiple party groups, like the China being presented as single party as well as part of the G77 & China and as part of the LMDCs.

From graph 2 it becomes clear how the historical emissions are distributed over the parties that were active in the negotiations of the loss and damage fund. The USA, as the biggest emitter of the world, almost has the same historical emissions as all of the developing countries together. The G77 & China do have higher historical emissions than the USA, but this is mainly due to the membership of China, who is nowadays also a major emitter. Without China, the historical emissions of the G77 are reduced by 46%, putting them down to 16,6% percent of global historical emissions, divided over the 133 members of the G77, excluding China. This would be less than the Umbrella group, the USA itself and the EU. That shows the crooked division of historical emissions.



Graph 2; Percentage of historical emissions (Our World In Data, n.d.)

This division between the developing world and developed world in terms of historical emissions becomes even more clear when presented next to each other in graph 3 on the right. There the G77 & China are taken as the block of developing countries, just like in the analysis of the positions earlier in this chapter. The developed countries block, consisting of the Umbrella Group, the EU, the EIG, Russia and the UK, represents 45 parties and are responsible for 68% of historical emissions. The G77 & China, consisting of 134 members, including China, are responsible of only 32% of historical emissions. Again this shows the unfair division of historical emissions between the developed world and the developing world. Therefore one could argue that the developed world should be investing more in the loss and damage fund to compensate for the emissions and take up their responsibility of paying for the burdens of climate change in terms of loss and damage.



Graph 3; Historical emissions of developed & developing countries (Our World In Data, n.d.)

When looking at the positions that are discussed earlier in this chapter, it becomes clear that the extra investment in loss and damage funding from the countries that emit the most is not happening. The positioning of developed countries shows that they are not eager to take up their responsibility of the historical emissions and with that the impact on climate change around the globe. The ones that are most vulnerable are also the ones with the lowest historical emissions and the ones that are paying the most for the loss and damage at the moment. This can change due to the establishment of a loss and damage fund, where the bigger emitters might be able to compromise for the historical emissions, but that would mean that a major emitter like the USA would have to pay for 24,3% of the loss and damage due to climate change all over the globe to compensate for that. As it looks now, this will not be the case. Many developed countries are not willing to pay the same percentage of the loss and damage finance to the fund as they are have been emitting, as this would also not be feasible for many of them at the moment. Instead they are looking for a broader donor base, where the private sector chips in and the money wouldn't only come from governments. Of course this would be a good development, where the sector that emits would also be held responsible for these emissions. At the same time it is important to set up this donor base in such a way that at the end the money flowing into the fund would be somewhat similar

to the emissions flowing into the atmosphere from that certain area, whether that is from government funding, through taxes or from the private sector (Rocha et al., 2015). To create any sort of distributive justice, the percentage of emissions should be the same as the percentage of finance invested in the loss and damage fund (Pill, 2022).

4.7 An overview

In the overview beneath you can see all the party groups and some of the single parties that are discussed in the analysis. In the second column you find the percentage of historical emissions that that certain party or party group is responsible for. Based on the arguments use before in the analysis, the position of the parties and party groups on the loss and damage fund are outlined in the third column. In this way you can quickly see the division between the parties within the negotiations during COP27. A clear division can be seen between the developing and developed countries, with the EU and Russia as only parties that have a more neutral position on the establishment of a new loss and damage finance mechanism. The EU more because of their progressive attitude and eager to be a green leader, while Russia seems to be more interested to join as they want to make better friends with the big group of developing countries in these times of crises. Lastly this positioning has been compared to the historical emissions and the positions on climate justice of the parties, to come to a conclusion on the extent of climate justice that the parties or party groups pursue. Here there is a bit more diversity, although still most of the developed countries get a negative stamp, while the developing countries all call for action on loss and damage to work towards climate justice. Based on the full analysis above, it can be said that there is a big difference between the developing world and developed world. The establishment of a loss and damage fund can therefore be a great benefit for the developing countries in their fight for climate justice, depending on the specific operationalisation of the fund. As seen in the overview beneath, the agreement is definitely a win for developing countries and with that a win for climate justice, although the magnitude of the win for climate justice still needs to be seen.

Party / Party Group	**Percentage of historical emissions**	**Position on Loss and Damage Fund**	**Extent of climate justice**
Umbrella Group (*developed*)	34,2%	Negative: Have been the group of blockers of a loss and damage fund over the years and have been the last parties to agree to the establishment during COP27	Negative: With the highest percentage of historical emissions, the group of most developed countries and with that the strongest capacities to fight loss and damage due to climate change and the strongest position in international negotiations, and still not willing to support funding for developing countries in terms of a loss and damage finance mechanism
G77 & China (*developing*)	31,0%	Positive: Has delivered the agenda proposal and has been the common block of developing countries on the topic of loss and damage	Positive: Has been fighting for climate justice in terms of loss and damage funding throughout the last years and COP27 in particular
United States of America (*developed*)	24,3%	Negative: Have been the last single party to agree to the establishment and have been presented as the number one blocker in the media around the globe.	Negative: Have been the biggest blocker of any compensation in terms of loss and damage funding, while being the biggest emitter and one of the countries with the strongest capabilities in international negotiations.

Like-Minded Developing Countries (*developing*)	22,2%	Positive: Has been a very active party group during COP27 in promoting a loss and damage funding arrangement for developing countries.	Semi-positive: They have been an active negotiator during the COP for climate justice and to make sure that party group members that are vulnerable (like Pakistan) will get the help they need. But other party group members (like China) that wouldn't need it also were not willing to join in paying for the fund.
European Union (*developed*)	16,9%	Neutral: At the start of the COP they were one of the blocking groups, but shifted positions to supporting an establishment of the fund, although different from what was asked for by the developing countries block.	Semi-positive: While not helping in a smooth and fast process for the establishment of a funding arrangement, they have been fighting for a just operationalisation of fund is possible and the finances of a loss and damage fund would go to the countries that are most vulnerable and thus need it the most.
China (*developing*)	14,4%	Positive: Have been part of the group that were calling for a loss and damage fund and have been promoting it as a strong international negotiator.	Neutral: As a bigger emitter and a major economy they have the responsibility and capabilities to support vulnerable countries through loss and damage funding. While positive on south-south cooperation, they are reluctant on joining in on financing the loss and damage fund and seem to be eager to benefit from it instead.
Russia (*developed*)	6,8%	Neutral: Have not been very active during the COP on the topic of loss and damage, but did show their support for the global south.	Neutral: Although they seem to be trying to avoid any responsibility or financing themselves, they do show support for the developing countries and try to put a focus on historical emissions in establishing a loss and damage fund.
United Kingdom (*developed*)	4,5%	Negative: As a reluctant and passive developed country they have tried to hold of any establishment of a loss and damage fund and were putting the focus on the Glasgow Dialogue.	Negative: While being a big emitter historically and a country with great resources and capabilities, they have not seem to be eager to help out vulnerable countries in their fight against loss and damage due to climate change.
African Group (*developing*)	2,8%	Positive: As part of the G77 & China, they have positioned itself in favour of a loss and damage fund during COP27.	Positive: With low responsibility and relatively high vulnerability they are calling for help and justice in terms of climate financing.
Environmental Integrity Group (*developed*)	2,5%	Negative: As group they have not been eager to establish a loss and damage fund, with some parties more passive (Mexico) and others	Semi-Negative: While being reluctant to pay anything, even after the agreement on the funding arrangement, they also have been calling for major emitters to pay their share, which is in line with calls for climate justice. Still

		more openly opposing (Switzerland).	as group they do not seem to have a positive position in terms of climate justice.
Alliance of Small Island States (*developing*)	0,4%	Positive: They have been the group that started the calls for a loss and damage fund decades ago and still are on the frontlines of the negotiations on the topic.	Positive: As some of the most vulnerable countries, while only responsible for less than 1% of historical emissions, they have been openly calling for climate justice during and outside of the Conference of the Parties.
Least Developed Countries (*developing*)	0,4%	Positive: As a group of most vulnerable countries they are the ones that need the establishment of a loss and damage fund, thus have been fighting for it throughout the conference.	Positive: They have been asking for help in terms of loss and damage funding, as at the moment they have to pay for it themselves. They are the group where the injustice around climate change and loss and damage has been the clearest and are therefore in desperate need of a step towards more climate justice.

5. Conclusion

The agreement on a loss and damage fund during COP27 can be seen as a significant step towards climate justice, particularly for developing countries. This group of developing countries have asked for such a fund for already thirty years. Due to the increasingly heavy impact of climate change seen around the world, like the floods in Pakistan from June to October 2022, and the pressure after the failure of COP27 to address the issue, the momentum for a deal on loss and damage was present. The formation of the developing countries within the G77 & China brought a strong coalition to the table. They came with the proposal to put the topic of loss and damage funding on the agenda and with that scored an early win in the climate negotiations in Egypt. The pressure after the three decades of calling for action in terms of climate justice through a loss and damage fund would finally get the opportunity to deliver.

Throughout the conference the negotiations were difficult and developed countries were mainly blocking any move forward. The developing countries were pushing for flexibility of developed countries and were openly calling for climate justice for the vulnerable regions. The shift of the European Union finally made it possible to move towards an agreement in the final stages of the COP. Although the EU was first mainly focussing on the Glasgow Dialogue and talking about a mosaic construction of climate financing, they turned the tables in the second week by proposing their own version of a loss and damage fund. With a broader donor base, including financing from industrialised developing countries like China and the private sector, this proposal was in line with a move towards climate justice. The fact that EU shifted positions also change the power balance during the negotiations. As a green leader and major economy, the EU has great influence on international policy, which made it crucial for the developing countries to get them on their side. Although the proposal of the EU was still focused on the long-term, with operationalisation of the fund happening throughout 2023, it was a great change in the negotiations. Due to the build up pressure over the years, a strong coalition of developing countries and influence from civil society the global power balance was no longer in favour of the developed countries or major economies. This was the momentum that the developing world has been waiting for. In this way it was possible that the global basic structure of climate politics, consisting of the UNFCCC, the COP and all its rules and treaties, was able to produce an agreement on loss and damage that would be able to move the world towards more climate justice.

The party groups of developing countries, mainly AOSIS and the LDCs, have openly called for climate justice. These two groups consist of the parties that are most vulnerable for the impacts of climate change, while also the two party groups with the least amount of historical emissions. Together they are responsible for less than one percent of historical emissions, meaning that they have not benefited from the cause of climate change in terms of industrial development of their economies. Putting this next to the burdens of climate change that they see within their borders, this is an unjust distribution. This is why they have been active on the topic of loss and damage during the negotiations, as a move towards climate justice is of crucial importance for the future of their countries. Together with other party groups, they have formed the coalition of G77 & China to form a mutual strong argument on the topic of loss and damage. At the same time the developed countries that were still opposing any fast movement on the topic lost support for their positioning by the minute. During the conference many developed countries pledged support for the developing world and this left just a handful of countries opposing the proposal at the end of the conference. Due to the huge international pressure, even for these parties, like the United States and the United Kingdom, it was not an option to hold on to their positions, thus agreeing to the final text proposed by the COP president. An agreement that was a definite win for developing countries and in some way could mean a win for climate justice. While the media was praising the outcome and the breakthrough deal or climate justice, the real steps towards climate justice still needed to be made.

Although this agreement does indeed open the door to move towards a more climate just world, nothing yet has been decided on how to implement and operationalise the fund. Therefore the full extent of climate justice accomplished with this deal cannot yet be seen. Justice in the climate negotiations process is also not yet in its full potential, although the UNFCCC is working hard to improve this and has done a lot in the last couple of years in regard of procedural justice. This does make the UNFCCC the most legitimate institutions possible at the moment to set up a climate finance mechanism like the loss and damage fund. Due to the difference in resources and therefore unequal distribution of knowledge over the participants, the developed countries still have a privileged position in the negotiations. Therefore this is also something to still keep an eye on during the ongoing negotiations about the operationalisation of the fund. In terms of distributive justice, there is a current injustice in distribution of climate burdens and benefits, as explained earlier. The loss and damage fund has the opportunity to compensate some of this inequality due to financial support, but will not be the tool that can provide full distributive justice for all. To get as close as possible to climate justice with the implementation of the loss and damage fund, a proportion of climate finance should be provided to the fund that is comparable to the historical emissions of those parties. As we have seen in the analysis, it is already difficult to get some parties paying anything, let alone paying the full proportion of their responsibilities. Therefore the operationalisation towards COP28 is important for the future steps towards climate justice. If operationalised in a fair way, with responsibilities taken by major polluters, comparable to their historical emissions, thus in line with the polluter pays principle, only then it is possible that the loss and damage fund is indeed a great breakthrough in terms of climate justice. Otherwise it might just be a symbolic step in the right direction.

In summary, the agreement on the loss and damage fund represents progress towards climate justice in the international negotiations, particularly for the vulnerable countries in the developing world. The building pressure over the years have made developed countries shift in positions and finally taking some responsibility for the impacts of their historical emissions. However, it is essential to address the broader issues of distributive and procedural justice in climate financing. The agreement on the fund offers hope for the future, but its true impact and ability to address the current unjust distribution of climate burdens and benefits will only be seen after the operationalisation. It is worth noting that although the deal has been presented in the media as a breakthrough in climate justice, it is important to maintain a critical perspective. The agreement might be a step in the right direction, but the fight for climate justice for the vulnerable countries is far from over.

6. Discussion

This research sought to offer an answer to the question "How was the Loss and Damage Fund agreed upon during COP27, and to what extent was this agreement a win in climate justice for the developing countries?". To do this a variety of sources have been used, ranging from UNFCCC official documents, media coverage, academic writing and first-hand interviews. In this way multiple perspectives were able to be addressed and the validity and reliability of the findings could be enhanced. Especially the interviews gave good insights into the flow of negotiations and helped with interpretation of the other sources that have been used. By using these multiple sources from multiple perspectives, this analysis was able to provide a clear overview of the negotiations and positions and link this to the extent of climate justice on the topic of the loss and damage fund.

As seen in the sub-questions, the main focus was on climate justice, with specific attention to procedural and distributive justice. This basis has created a clear framework for the analysis of the positions in line with the extent to which parties were working in favour of climate justice in terms of loss and damage. While interpretations of climate justice can be subjective, efforts were made to minimize bias by building upon established theories from multiple academics, including the interview with professor Walker. By linking the negotiation positions to claims of justice or injustice, based on the acquired knowledge from various sources, the research aims to provide an objective overview of the negotiations during COP27. Of course many of the first-hand sources, like the press releases or the interviews, are biased in favour of certain parties or party groups. Therefore the broader media coverage on this has helped to provide more perspectives and work towards an objective analysis of the positions. However, it is important to acknowledge that a fully objective analysis of justice, specifically climate justice for this research, is unattainable due to inherent subjectivity of the topic. Therefore a sidenote of subjectivity needs to be placed by the claims of justice linked to the positions of the party groups in this research.

There are several limitations to consider within this research. Firstly the scope of the research is limited to procedural and distributive justice, leaving other dimensions, like justice as recognition, to the side for this analysis. Incorporating other dimensions of justice in this analysis on loss and damage would be beneficial for extra insights on the extent to which the new fund can be helpful in the path towards global climate justice. Secondly, the topic of loss and damage has been only highlighted within COP27 for this research. Further historical analysis has been limited to the introduction, to put the focus on the negotiations during the conference in Egypt. Further historical analysis on the topic would mean a better understanding of the process throughout the years and the relation to climate justice during the historical discussions on the matter. Lastly, within the analysis it is chosen to select only a part of the parties and party groups participating in the international climate negotiations. A focus has been put on the active participants on the topic of loss and damage, both on the developed countries side as well as on that of the developing countries side. Broadening the research to all participants, also including NGO's or representatives of civil society, would create a better understanding of the several perspectives that are relevant for climate justice. In this research this was not possible, as a focus was needed on the in-dept analysis of the parties included, but future research on the participation of other groups would be beneficial for the knowledge on the link between the loss and damage negotiations and climate justice.

The urgency of climate justice in terms of loss and damage funding has been highlighted in this research. The findings of the analysis show the stark division between the developed and developing countries on the topic, in terms of the distribution of climate benefits and burdens as well as in the resources and knowledge for the negotiations. By providing insights in the negotiations and the dynamics between party groups on the topic of climate justice, this research moves the discussions on justice within the processes of the UNFCCC forward. Inclusion of multiple stakeholders have shown to be important to work towards outcomes that can be called just for all. The multiple perspectives used in this research provides a clear view on the notion of a breakthrough on climate justice and explains that much more needs to be done. Furthermore, this resource emphasizes the need for developed countries to support the

developing countries in terms of financing, but also in terms of capacities both in addressing loss and damage as well as in preparing for the discussions on such topics. Overall, this research contributes to the ongoing dialogue on climate justice and provides valuable insights for policymakers and other stakeholders moving forward in the negotiations on loss and damage, including the important of justice within international climate negotiations.

7. Recommendations

Based on this research, some recommendations are possible to make. Firstly, there is need to keep working on better procedural justice within the processes of the UNFCCC. Further research can help in this constant move forward and giving more space for different stakeholders during the process will enhance the justice in the process. This is also needed in terms of the ongoing negotiations on the operationalisation of the loss and damage fund, especially when looking forward to the next COP in Dubai at the end of 2023. Bridging the knowledge gap between developing and developed countries is necessary to ensure a more equitable and fair decision-making process in the future.

This research also highlights the importance to keep moving forward in addressing loss and damage due to climate change. Establishing a fair climate finance mechanism on the topic of loss and damage is essential for the vulnerable countries. Policy makers should see this research as a call to action when looking forward to the negotiations of COP28 and urging the transitional committee to ensure an operationalisation of the fund that represents the needs of the vulnerable communities around the globe to contribute to climate justice. Making sure that the fund will implement a policy that creates responsibility for the historical emissions in line with the financial support that the vulnerable countries need is the number one task for the upcoming climate conference. Developed countries governments should not lack action in the operationalisation of the fund and the developing countries should be critical to what kind of outcome they accept, as it is needed to get a strong finance mechanism that works towards climate justice. As concluded in this research, there is still a lot to be done to move forward in terms of climate justice and the steps that can be taken in terms of loss and damage funding should be made in such a way that they are beneficial for global justice.

Lastly, further research on loss and damage is needed to make sure that the knowledge about the impacts of climate change is expanded and an idea is created on how to tackle this. Defining loss and damage due to climate change is crucial to move the international discussions on the topic forward. As vulnerable countries often lack the resources and knowledge, the academic world should fill this gap with research on the impacts of loss and damage in these vulnerable regions. Also the link between loss and damage and climate justice deservers more attention in the academic community, especially in relation to climate financing. Future research focused on the just distribution of climate burdens and benefits should help in determining what the next steps towards climate justice should be.

In conclusion, policymakers and researchers should consider the recommendations outlined above to advance the pursuit of climate justice and address the challenges posed by loss and damage. By addressing procedural justice, taking decisive action on climate finance, conducting further research on loss and damage, and leveraging academic expertise, we can work towards a more just and sustainable future for all.

8. Bibliography

Abnett, K. (2022, November 8). Factbox: COP27: Which countries have offered 'loss and damage' funds?. *Reuters.* Retrieved from https://www.reuters.com/business/cop/cop27-which-countries-have-offered-loss-damage-funds-2022-11-08/

Abnett, K., & James, W. (2022, November 11). U.N. talks not ready to agree climate compensation fund, EU says. *Reuters*. Retrieved from https://www.reuters.com/business/environment/cop27-talks-climate-compensation-not-yet-ready-agree-new-fund-2022-11-11/

Actionaid. (2022, November 14). What you need to know about the COP27 negotiations on loss and damage?. *Actionaid.* Retrieved from https://actionaid.org.au/loss-and-damage-at-cop27/

Adelman, S. (2016). Climate justice, loss and damage and compensation for small island developing states. *Journal of Human Rights and the Environment, 7*(1), 32-53. https://heinonline.org/HOL/P?h=hein.journals/jhre7&i=32

Akintunde, B. (2022, November 17). COP27: African negotiators worried over lack of progress on loss, damages negotiations. *Premium Times.* Retrieved from https://www.premiumtimesng.com/news/headlines/566031-cop27-african-negotiators-worried-over-lack-of-progress-on-loss-damages-negotiations.html?tztc=1

Al Jazeera (2022, November 18). 'Loss and damage' negotiations dominate COP27's final day. *Al Jazeera*. Retrieved from https://www.aljazeera.com/news/2022/11/18/cop27-enters-final-day-amid-ongoing-loss-and-damage-negotiations

Antigua and Barbuda. (2022, November 8). *Antigua and Barbuda - High-level Segment Statement COP 27.* Retrieved from https://unfccc.int/sites/default/files/resource/ANTIGUA_AND_BARBUDA_cop27cmp17cma4_HLS_ENG.pdf

AOSIS. (2022*a*, October 19). *Media briefing note on the Loss and Damage Response Fund*. Retrieved from https://www.aosis.org/media-briefing-note-on-the-loss-and-damage-response-fund/

AOSIS. (2022*b*). *AOSIS Chair COP27 Statement: "Failure On Loss And Damage Fund Is A Failure For The World"* [Press Release]. Retrieved from https://www.aosis.org/aosis-chair-cop27-statement-failure-on-loss-and-damage-fund-is-a-failure-for-the-world/

AOSIS. (2022*c*). *Historic Loss and Damage Fund established at COP27 in Sharm El-Sheikh* [Press Release]. Retrieved from https://www.aosis.org/historic-loss-and-damage-fund-established-at-cop27-in-sharm-el-sheikh/

AOSIS. (n.d.). *ABOUT US*. Retrieved from https://www.aosis.org/about/

Arnold, D. G. (2011). *The Ethics of Global Climate Justice*. Cambridge University Press.

Attinà, F. (2023). *China's and the Great GHG Emitters' Response to the World Climate Policy*. In Attinà, F., Feng, Y. (Ed.) *China and World Politics in Transition*. Springer. https://doi.org/10.1007/978-3-031-27358-2_4

Balkan Hotspot (n.d.). *Climate Change: issues at stake and stakeholders in the negotiations at COP27*. BalkanHotspot. Retrieved from https://www.balkanhotspot.org/climate-change-negotiations-cop27/

Bartlett, K. (2022, November 18). COP27: *How China and Africa Fit in Debate Over 'Loss and Damage' Fund*. Retrieved from https://www.voanews.com/a/cop27-how-china-and-africa-fit-in-debate-over-loss-and-damage-fund-/6840339.html

Baylis, J., Smith, S., & Owens, P. (2007). *The globalization of world politics : an introduction to international relations*. Oxford University Press.

Beer, C. T., & Mwenda, M. J. M. (2022). *Advancing Climate Justice in Africa: A Survey of Civil Society Capacities, Geopolitical Trust, and Policy Advocacy*. In Madhanagopal, D., Beer, C. T., Nikku, B. R., & Pelser, A. J. (Ed.) *Environment, Climate, and Social Justice.* Springer. https://doi.org/10.1007/978-981-19-1987-9_5

Bell, D. (2004). Environmental Justice and Rawls' Difference Principles. *Environmental Ethics, 26*(3), 287-306. https://doi.org/10.5840/enviroethics200426317

Biden, J. (2022, November 11). *Remarks by President Biden at the 27th Conference of the Parties to the Framework Convention on Climate Change (COP27) | Sharm el-Sheikh, Egypt.* The White House. https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/11/11/remarks-by-president-biden-at-the-27th-conference-of-the-parties-to-the-framework-convention-on-climate-change-cop27-sharm-el-sheikh-egypt/

Biermann, F., & Kalfagianni, A. (2020). Planetary justice: A research framework. *Earth System Governance, 6*, 100049. https://doi.org/10.1016/j.esg.2020.100049

Blaxekjær, L. Ø., Bård Lahn, B., Nielsen, T. D., Green-Weiskel, L., & and Fang, F. (2020). *The narrative position of the Like-Minded Developing Countries in global climate negotiations*. In Klöck, C., Castro, P., Weiler, F., & Blaxekjær L. Ø. (Ed.). *Coalitions in the Climate Change Negotiations.* Routledge. https://doi.org/10.4324/9780429316258

Bullard, R. D. (1996). Environmental Justice: It's More Than Waste Facility Siting. *Social Science Quarterly*, *77*(3), 493–499. http://www.jstor.org/stable/42863495

Chemnik, J. 92022, November 17). U.S. isolated on loss and damage. *E&E News.* Retrieved from https://www.eenews.net/articles/u-s-isolated-on-loss-and-damage/

Cogan, J. K. (2023). The United States Agrees to Loss and Damage Fund at COP27. *American Journal of International Law, 117(*2), 330-335. https://doi.org/10.1017/ajil.2023.13

Cook, K. S., & Hegtvedt, K. A. (1983). Distributive Justice, Equity, and Equality. *Annual Review of Sociology*, *9*, 217-241. https://doi.org/10.1146/annurev.so.09.080183.001245

Council of the European Union. (2022*a*, October 4). *Climate finance: Council adopted conclusions ahead of COP27* [Press release]. https://www.consilium.europa.eu/en/press/press-releases/2022/10/04/climate-finance-council-adopted-conclusions-ahead-of-cop27/

Council of the European Union. (2022*b*, October 24). *Council sets out EU position for UN climate summit in Sharm El-Sheikh (COP27)* [Press Release]. https://www.consilium.europa.eu/en/press/press-releases/2022/10/24/council-sets-out-eu-position-for-un-climate-summit-in-sharm-el-sheikh-cop27/

Craymer, L. (2022, November 8). New Zealand allocates $12 mln to fund climate damage in developing nations. *Reuters.* Retrieved from https://www.reuters.com/business/cop/new-zealand-allocates-12-mln-fund-climate-damage-developing-nations-2022-11-08/

Dalgaard, C.-J., & Olsson, O. (2013). Why Are Rich Countries More Politically Cohesive?. *The Scandinavian Journal of Economics*, *115*(2), 423–448. http://www.jstor.org/stable/43673633

Davydova, A. (2022, November 22). At COP27, Russia acted as though it had not invaded Ukraine. *Open Democracy.* Retrieved from https://www.opendemocracy.net/en/odr/cop27-russia-war-ukraine-climate-crisis/

Dhakal, M. (2023, May 26). Personal Communication [Personal Interview]. (Full interview transcripts in Appendix A).

Dhyeya IAS. (n.d.). Like-Minded Developing Countries (LMDC): Challenge and Solution : Daily Current Affairs. *Dhyeya IAS*. Retrieved from https://www.dhyeyaias.com/current-affairs/daily-current-affairs/like-minded-developing-countries-lmdc-challenge-and-solution#:~:text=The%20member%20countries%20of%20the,Syria%2C%20Vietnam%2C%20and%20Zimbabwe

Dong, L. (2017). Bound to lead? Rethinking China's role after Paris in UNFCCC negotiations. *Chinese Journal of Population Resources and Environment, 15*(1), 32-38. http://dx.doi.org/10.1080/10042857.2017.1286144

Dooley, K. (2023). A Fair COP. *Australian Quarterly*, *94*(2), 28-35. https://www.jstor.org/stable/10.2307/27203537

Dupraz-Dobias, P. (2022*a*, November 18). Switzerland's measured support for new 'loss and damage' fund at COP27. *Swissinfo*. Retrieved from https://www.swissinfo.ch/eng/business/switzerland-s-measured-support-for-new-loss-and-damage-fund-at-cop27/48065466

Dupraz-Dobias, P. (2022*b*, November 20). Switzerland denounces COP27 outcome. *Swissinfo*. Retrieved from https://www.swissinfo.ch/eng/society/switzerland-denounces-cop-outcome--hesitates-to-contribute-to-new-fund/48072252

Ebrahim, Z. T. (2022, November 4). Flood-hit Pakistan seeks loss and damage 'compensation' at COP27. *Reuters*. Retrieved from https://www.reuters.com/business/cop/flood-hit-pakistan-seeks-loss-damage-compensation-cop27-2022-11-04/

Euronews. (2022, October 24). Loss and damage: EU faces pressure to agree on climate compensation at COP27. *Euronews* with *Reuters*. Retrieved from https://www.euronews.com/green/2022/10/24/loss-and-damage-eu-faces-pressure-to-agree-on-climate-compensation-at-cop27

European Commission. (2022, November 21). *EU agrees to COP27 compromise to keep Paris Agreement alive and protect those most vulnerable to climate change** [Press Release]. https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7064

European Parliament. (2022, November 11). *Joint Press conference by Frans TIMMERMANS, Executive Vice-President of the European Commission and by Bas EICKHOUT, Vice-Chair of the ENVI Committee - EP delegation to COP27 in in Sharm El-Sheikh, Egypt* [Press Conference]. https://multimedia.europarl.europa.eu/nl/video/joint-press-conference-by-frans-timmermans-executive-vice-president-of-the-european-commission-and-by-bas-eickhout-vice-chair-of-the-envi-committee-ep-delegation-to-cop27-in-in-sharm-el-sheikh-egypt_I233108

Farand, C. (2022*a*, October 6). EU outlines funding options to help climate victims recover. *Climate Home News.* Retrieved from https://www.climatechangenews.com/2022/10/06/eu-funding-support-climate-victims-recover-loss-damage-pre-cop/

Farand, C. (2022*b*, November 17). EU opens the door to a loss and damage facility – if China contributes. *Euractiv.* Retrieved from https://www.euractiv.com/section/climate-environment/news/eu-opens-the-door-to-a-loss-and-damage-facility-if-china-contributes/

Federal Foreign Office Germany. (2022, November 20). *Team Germany on the conclusion of COP27* [Press Release]. https://www.auswaertiges-amt.de/en/newsroom/news/team-germany-cop27/2564468

Feist, M., & Geden, O. (2023). Climate negotiations in times of multiple crises: Credibility and trust in international climate politics after COP 27. *SWP Comment*, *10*, 1-6. https://doi.org/10.18449/2023C10

Follesdal, A. (2011). The distributive justice of a global basic structure: A category mistake?. *Politics, Philosophy & Economics*, *10*(1), 46-65. https://doi.org/10.1177/1470594X10396302

Gbadamosi, N. (2022, November 9). If COP27 Fails, Africans Stand to Lose the Most. *Foreign Policy.* Retrieved from https://foreignpolicy.com/2022/11/09/africa-cop27-un-climate-change-loss-damage/

Genovese, F., McAlexander, R. J., & Urpelainen, J. (2022). Institutional roots of international alliances: Party groupings and position similarity at global climate negotiations. *The Review of International Organizations*, *18*, 329-359. https://doi.org/10.1007/s11558-022-09470-4

Gewirtzman, J., Natson, S., Richards, J-A., Hoffmeister, V., Durand, A., Weikmans, R., Huq, S., & J. Roberts, J. T. (2018). Financing loss and damage: reviewing options under the Warsaw International Mechanism. *Climate Policy*, *18*(8), 1076-1086. https://doi.org/10.1080/14693062.2018.1450724

Gobierno de México. (2022, November 21). *Conclusion of Mexico's participation at the 27th Conference of the Parties on Climate Change* [Press Release]. https://www.gob.mx/sre/prensa/conclusion-of-mexico-s-participation-at-the-27th-conference-of-the-parties-on-climate-change?idiom=en

Grasso, M., & Sacchi, S. (2013). Procedural Justice in International Negotiations on Climate Change. *CISEPS Research Paper, 6*. https://dx.doi.org/10.2139/ssrn.1863855

Greenpeace International. (2022*a*). *COP27 Loss and Damage finance Negotiations – Greenpeace Analysis*. Retrieved from https://docs.google.com/document/d/1usdEoIEIjckC5_by74hL3jVSit4-BPXkAv4FnBdZI9c/edit

Greenpeace International. (2022*b*, November 12). *Group of Blockers: Developed countries choking urgent Loss and Damage demands* [Press Release]. https://www.greenpeace.org/international/press-release/56627/group-blockers-developed-countries-choking-urgent-loss-damage-demands/

Harvey, F. (2022, November 18). EU reversal of stance on loss and damage turns tables on China at COP27. *The Guardian.* Retrieved from https://www.theguardian.com/environment/2022/nov/18/eu-reversal-stance-loss-damage-china-cop27

Harvey, F., & Carrington, D. (2022, November 6). Cop27 gets off to delayed start after tussle over agenda for talks. *The Guardian.* Retrieved from https://www.theguardian.com/environment/2022/nov/06/cop27-delayed-start-tussle-over-agenda-for-talks

Hassing, B. (2023, May 1). Personal Communication [Personal Interview]. (Full interview transcripts in Appendix A).

Hertel, T. W., & Rosch, D. S. (2010). Climate Change, Agriculture, and Poverty. *Applied Economic Perspectives and Policy*, *32*(3), 355-385. https://doi.org/10.1093/aepp/ppq016

Hillman, M. (2010). The importance of environmental justice in stream rehabilitation. *Ethics, Place & Environment, 7*(1-2), 19-43. https://doi.org/10.1080/1366879042000264750

Hobbes, T. (1968). *Leviathan.* Penguin Books.

Hochstetler, K., & Milkoreit, M. (2014). Emerging Powers in the Climate Negotiations: Shifting Identity Conceptions. *Political Research Quarterly*, *67*(1), 224-235. https://doi.org/10.1177/1065912913510609

Hovi, J., Skodvin, T., Andresen, S. (2003). The Persistence of the Kyoto Protocol: Why Other Annex I Countries Move on Without the United States. *Global Environmental Politics*, *3*(4), 1-23. https://muse.jhu.edu/article/52094

Hug, S., Roberts, E., & Fenton, A. (2013). Loss and damage. *Nature Climate Change, 3*, 947-949. https://doi.org/10.1038/nclimate2026

Huq, S. (2022, January 25). Why COP26 failed to address loss and damage from climate change. *OECD Development Matters*. https://oecd-development-matters.org/2022/01/25/why-cop26-failed-to-address-loss-and-damage-from-climate-change/

Hurri, K. (2020). Rethinking climate leadership: Annex I countries' expectations for China's leadership role in the post-Paris UN climate negotiations. *Environmental Development, 35*, 100544. https://doi.org/10.1016/j.envdev.2020.100544

iied. (2022, October 24). *Loss and damage the priority for least developed countries at upcoming climate negotiations* [Press Release]. Retrieved from https://www.iied.org/loss-damage-priority-for-least-developed-countries-upcoming-climate-negotiations

IISD Earth Negotiations Bulletin. (2022*a*). *Summary of the Sharm El-Sheikh Climate Change Conference: 6-20 November 2022*. Retrieved from https://enb.iisd.org/sites/default/files/2022-12/enb12818e_0.pdf

IISD Earth Negotiations Bulletin. (2022*b*). *COP 27 Highlights: Sunday, 6 November 2022*. Retrieved from https://enb.iisd.org/sites/default/files/2022-11/enb12807e.pdf

IISD Earth Negotiations Bulletin. (2022*c*). *COP 27 Highlights: Monday, 7 November 2022*. Retrieved from https://enb.iisd.org/sites/default/files/2022-11/enb12808e.pdf

IISD Earth Negotiations Bulletin. (2022*d*). *COP 27 Highlights: Tuesday, 15 November 2022*. Retrieved from https://enb.iisd.org/sites/default/files/2022-11/enb12815e.pdf

IISD Earth Negotiations Bulletin. (2022*e*). *COP 27 Highlights: Thursday, 17 November 2022*. Retrieved from https://enb.iisd.org/sites/default/files/2022-11/enb12817e.pdf

Ikeme, J. (2003). Equity, environmental justice and sustainability: incomplete approaches in climate change politics. *Global Environmental Change, 13*(3), 195-206. https://doi.org/10.1016/S0959-3780(03)00047-5

James, R., Otto F., Parker, H., Boyd, E., Cornforth, R., Mitchell, D., & Allen, M. (2014). Characterizing loss and damage from climate change. *Nature Climate Change, 4*, 938-939. https://doi.org/10.1038/nclimate2411

Kasa, S., Gullberg, A. T., & Heggelund, G. (2008). The Group of 77 in the international climate negotiations: recent developments and future directions. *International Environmental Agreements: Politics, Law and Economics, 8*, 113-117. https://doi.org/10.1007/s10784-007-9060-4

Keck, M. (2022, November 11). These Countries Have Pledged Loss & Damage Finance at UN Climate Change Conference COP27. *Global Citizen*. Retrieved from https://www.globalcitizen.org/en/content/loss-and-damage-announcements-cop27/

Khan, M., Robinson, S., Weikmans, R., Ciplet, D., & Roberts, J. T. (2020). Twenty-five years of adaptation finance through a climate justice lens. *Climatic Change, 161*, 251-269. https://doi.org/10.1007/s10584-019-02563-x

Lakhani, N. (2022, November 22). 'We couldn't fail them': how Pakistan's floods spurred fight at Cop for loss and damage fund. *The Guardian.* Retrieved from https://www.theguardian.com/environment/2022/nov/20/loss-and-damage-pakistan-flooding-climate-justice-cop27

LDC Climate Change. (2021, November 14). *Least developed countries Group react to COP26* [Press Release]. Retrieved from https://www.ldc-climate.org/press_release/least-developed-countries-group-react-to-cop26/

LDC Climate Change. (2022*a*, June 6). *Least developed countries demand emissions cuts and funds to address climate change impacts* [Press Release]. Retrieved from https://www.ldc-climate.org/press_release/least-developed-countries-demand-emissions-cuts-and-funds-address-climate-change-impacts/

LDC Climate Change. (2022*b*, September 20). *Ministers from the Least Developed Countries meet in Dakar to discuss the group's climate change priorities ahead of COP27* [Press Release]. Retrieved from https://www.ldc-climate.org/press_release/ministers-from-the-least-developed-countries-meet-in-dakar-to-discuss-the-groups-climate-change-priorities-ahead-of-cop27/

LDC Climate Change. (2022*c*, September 14). *Dakar Least Developed Countries Group Ministerial Declaration on Climate Change 2022* [Press Release]. Retrieved from https://www.ldc-climate.org/press_release/dakar-least-developed-countries-group-ministerial-declaration-on-climate-change-2022/#.YyR3fF65W2A.twitter

LDC Climate Change. (2022*d*, November 6). *LDC Group statement at COP27 Opening Plenary* [Press Release]. Retrieved from https://www.ldc-climate.org/ldc_chair_statement/cop27-opening-statement/

Limb, L. (2022, November 7). 'We are at our limit': Developing countries score early win at COP27, with loss and damage on agenda. *Euronews.* Retrieved from https://www.euronews.com/green/2022/11/07/we-are-at-our-limit-developing-countries-score-early-win-at-cop27-with-loss-and-damage-on-

Low, N., & Gleeson, B. (1998). *Justice, Society and Nature: An exploration of political ecology*. Routledge.

Luppi, B., Parisi, F., & Rajagopalan, S. (2012). The rise and fall of the polluter-pays principle in developing countries. *International Review of Law and Economics*, *32*(1), 135-144. https://doi.org/10.1016/j.irle.2011.10.002

Malesi, T. (2022, November 14). COP27: Africa desperately needs a 'loss and damage' finance facility; here is why. *Down To Earth.* Retrieved from https://www.downtoearth.org.in/news/climate-change/cop27-africa-desperately-needs-a-loss-and-damage-finance-facility-here-is-why-85959

Martyr-Koller, R., Thomas, A., Schleussner, C-F., Nauels, A., & Lissner, T. (2021). Loss and damage implications of sea-level rise on Small Island Developing States. *Current Opinion in Environmental Sustainability*, *50*, 245-259. https://doi.org/10.1016/j.cosust.2021.05.001

Meyer, L. H., & Roser, D. (2010). Climate justice and historical emissions. *Critical Review of International Social and Political Philosophy*, *13*(1), 229-253. https://doi.org/10.1080/13698230903326349

Mohai, P., Pellow, D., & Roberts, J. T. (2009). Environmental Justice. *Annual Review of Environment and Resources*, *34*(1), 405–430. https://doi.org/10.1146/annurev-environ-082508-094348

Morgan, W. R., & Sawyer, J. (1979). Equality, Equity, and Procedural Justice in Social Exchange. *Social Psychology Quarterly*, *42*(1), 71-75. https://www.jstor.org/stable/3033878

Morse, R. (2005). *ENVIRONMENTAL JUSTICE THROUGH THE EYE OF HURRICANE KATRINA*. Joint Center for Political and Economic Studies.

https://inequality.stanford.edu/sites/default/files/media/_media/pdf/key_issues/Environment_policy.pdf

Mountford, H., Waskow, D., Gonzalez, L., Gajjar, C., Cogswell, N., Holt, M., Fransen, T., Bergen, M., & Gerholdt, R. (2021, November 21). COP26: Key Outcomes From the UN Climate Talks in Glasgow. *World Resources Institute.* Retrieved from https://www.wri.org/insights/cop26-key-outcomes-un-climate-talks-glasgow?utm_medium=social&utm_source=twitter&utm_campaign=socialmedia

Nagel, T. (2005). The Problem of Global Justice. *Philosophy & Public Affairs*, *33*(2), 113–147. http://www.jstor.org/stable/3558011

Nakhooda, S., Watson, C., & Schalatek, L. (2013). *The Global Climate Finance Architecture*. Overseas Development Institute; Heinrich Böll Stiftung North America. https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=058c8187ad2096aeea35da47d97c716bcb1f2459

Nevitt, M. (2022). *Climate Justice and Loss and Damage in the Pakistan Flood Crisis*. Lawfare (Brookings Institute). https://dx.doi.org/10.2139/ssrn.4210750

O'Grady, S., & Tan, R. (2022, November 15). Russia sees its role on the global stage diminished by Ukraine war. *The Washington Post.* Retrieved from https://www.washingtonpost.com/world/2022/11/15/russia-ukraine-g20-cop27-lavrov/

Oberthür, S., & Dupont, C. (2021). The European Union's international climate leadership: towards a grand climate strategy?. *Journal of European Public Policy, 28*(7), 1095-1114. https://doi.org/10.1080/13501763.2021.1918218

Okereke, C. (2010). Climate justice and the international regime. *WIREs Climate Change, 1*(3), 462-474. https://doi.org/10.1002/wcc.52

Our World In Data. (n.d.). *Who has contributed most to global CO2 emissions?*. Retrieved at 23-05-2023 from https://ourworldindata.org/contributed-most-global-co2

Pakistan Mission to United Nations. (2022, November 6). *G77 proposed agenda item on "Matters relating to funding arrangements for loss and damage". Adopted in the opening plenary of CoP-27 Sharm El-Sheikh, Egypt* [Press Release]. Retrieved from https://pakun.org/press-releases/2022/11062022-01.pdf

Pastor, M., Bullard, R., Boyce, J. K., Fothergill, A., Morello-Frosch, R., & Wright, B. (2006). Environment, Disaster, and Race After Katrina. *Race, Poverty & the Environment, 13*(1), 21–26. http://www.jstor.org/stable/41495680

Pierre-Nathoniel, D., Siegele, L., Roper, L., & Menke, I. (2019, December 20). Loss and Damage at COP25 – a hard fought step in the right direction. *The Climate Analytics Blog.* https://climateanalytics.org/blog/2019/loss-and-damage-at-cop25-a-hard-fought-step-in-the-right-direction/

Pill, M. (2022). Towards a funding mechanism for loss and damage from climate change impacts. *Climate Risk Management, 35*,100391. https://doi.org/10.1016/j.crm.2021.100391

Qi, J. J., & Dauvergne, P. (2022). China's rising influence on climate governance: Forging a path for the global South. *Global Environmental Change, 73*, 102484. https://doi.org/10.1016/j.gloenvcha.2022.102484

Quiroz, Y. (2022, October 25). COP27: Mexico's 'unambitious' commitments kept on hold by court. *Diálogo Chino.* Retrieved from https://dialogochino.net/en/climate-energy/59848-mexico-cop27-unambitious-commitments-court/

Rao, A. S. (2022). THE OVERDUE CLIMATE JUSTICE OF LOSS AND DAMAGE. *Journal of International Affairs Editorial Board, 75*(1), 389-402. https://www.jstor.org/stable/10.2307/27203142

Rawls, J. (1971). *A Theory of Justice*. Harvard University Press.

Rawls, J. (1993). The Law of Peoples. *Critical Inquiry, 20*(1), 36-68. https://www.jstor.org/stable/1343947

Republic of Kenya. (2022). *REMARKS BY HIS EXCELLENCY HON. WILLIAM SAMOEI RUTO, PHD., C.G.H., PRESIDENT OF THE REPUBLIC OF KENYA AND COMMANDER-IN-CHIEF OF THE DEFENCE FORCES, ON BEHALF OF THE AFRICAN GROUP AND KENYA AT THE 27th CONFERENCE OF PARTIES (COP 27) TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC).* Retrieved from https://unfccc.int/sites/default/files/resource/KENYA_cop27cmp17cma4_HLS_ENG.pdf

Risse, M. (2012). *On Global Justice*. Princeton University Press.

Robertson, M. (2023, May 4). Personal Communication [Personal Interview]. (Full interview transcripts in Appendix A).

Rocha, M., Krapp, M., Guetschow, J., Jeffery, L., Hare, B., & Schaeffer, M. (2015). *Historical Responsibility for Climate Change – from countries emissions to contribution to temperature increase*. Climate Analytics. Retrieved from https://www.climateanalytics.org/media/historical_responsibility_report_nov_2015.pdf

Rowling, M. (2021, November 13). Climate 'loss and damage' earns recognition but little action in COP26 deal. *Reuters.* Retrieved from https://www.reuters.com/business/cop/climate-loss-damage-earns-recognition-little-action-cop26-deal-2021-11-13/

Russian Federation. (2022). *Russian Federation - High-level Segment Statement COP 27*. Retrieved from https://unfccc.int/sites/default/files/resource/RUSSIAN_FEDERATION_cop27cmp17cma4_HLS_ENG.pdf

Scandrett, E. (2007). Environmental justice in Scotland: policy, pedagogy and praxis. *Environmental Research Letters, 2*(4), 1-7. http://dx.doi.org/10.1088/1748-9326/2/4/045002

Schlosberg, D. (2007). *Defining Environmental Justice: Theories, Movements, and Nature*. Oxford university press.

Schlosberg, D., & Collins, L. B. (2014). From environmental to climate justice: climate change and the discourse of environmental justice. *WIREs Climate Change, 5*(3), 359-374. https://doi.org/10.1002/wcc.275

Schroeder, R., St. Martin, K., Wilson, B., & Sen, D. (2008). Third World Environmental Justice. *Society and Natural Resources, 21*(7), 547-555. https://doi.org/10.1080/08941920802100721

Sharma, A. (2016). Precaution and post-caution in the Paris Agreement: adaptation, loss and damage and finance. *Climate Policy, 17*(1), 1-15. http://dx.doi.org/10.1080/14693062.2016.1213697

Shaw, H. J. (2022, November 16). *New Zealand National Statement – COP27*. Beehive. https://www.beehive.govt.nz/speech/new-zealand-national-statement-%E2%80%93-cop27

Shrader-Frechette, K. (2002). *Environmental Justice: Creating Equality, Reclaiming Democracy*. Oxford University Press.

Simon, F. (2022, November 10). COP27: EU, US push back on climate 'loss and damage' reparation fund. *Euractiv.* Retrieved from https://www.euractiv.com/section/energy-environment/news/cop27-eu-us-push-back-on-climate-loss-and-damage-reparation-fund/

Singh, I. (2022, November 18). 2 weeks into COP27, Canada part of progress on loss and damage funding. *CBC News.* Retrieved from https://www.cbc.ca/news/science/cop27-canada-loss-and-damage-1.6655871

Sputnik News. (2022, November 8). COP27: Will rich nations walk their 'loss and damage' talk or sweep it under rug again?. *Global Times.* Retrieved from https://www.globaltimes.cn/page/202211/1278999.shtml

The Japan Times. (2022, November 16). Japan to consider providing aid to developing nations for damage from climate change. *The Japan Times.* Retrieved from https://www.japantimes.co.jp/news/2022/11/16/national/japan-climate-change-losses-aid/

Theseira, J. (2022, November 24). China at COP27: "Loss and Damage" and Fossil Fuels Take Center Stage. *China Observers*. Retrieved from https://chinaobservers.eu/china-at-cop27-loss-and-damage-and-fossil-fuels-take-center-stage/

Third World Network. (2022, October 22). Ministers from the LMDC outline their expectations for COP 27. *TNW Info Service on Climate Change.* Retrieved from https://www.twn.my/title2/climate/info.service/2022/cc221001.htm

Timmermans, F. (2022, November 15). *High level opening statement EVP Timmermans at COP27*. European Commission. https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_22_6927

Tomlinson, L. (2015). *Procedural Justice in the United Nations Framework Convention on Climate Change*. Springer. https://doi.org/10.1007/978-3-319-17184-5

Tørstad, V. (2021). *After reform : procedural justice and the legitimacy of international institutions* [Doctoral Thesis, European University Institute]. https://hdl.handle.net/1814/69682

Tørstad, V., & Sælen, H. (2017). Fairness in the climate negotiations: what explains variation in parties' expressed conceptions?. *Climate Policy*, *18*(5), 642-654. https://doi.org/10.1080/14693062.2017.1341372

U.S. Department of State. (n.d.). The Climate Crisis: Working Together for Future Generations. Retrieved from https://www.state.gov/policy-issues/climate-crisis/

UNFCCC Conference of the Parties. (2008). *Bali Action Plan* (Decision -/CP.13). United Nations Framework Convention on Climate Change, Conference of the Parties. https://unfccc.int/files/meetings/cop_13/application/pdf/cp_bali_action.pdf

UNFCCC Conference of the Parties. (2020). *Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its second session, held in Madrid from 2 to 15 December 2019 Addendum Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its second session*. (FCCC/PA/CMA/2019/6/Add.1). United Nations Framework Convention on Climate Change. https://unfccc.int/sites/default/files/resource/cma2019_06a01E.pdf

UNFCCC Conference of the Parties. (2022a). *COP27 Adopted agenda*. Retrieved from https://unfccc.int/sites/default/files/resource/C0P_27_adopted_agenda_06112022.pdf

UNFCCC Conference of the Parties. (2022b). *EIG submission item 8(f)* (CRP.COP27.i8f_CMA4.i8f.7). Retrieved from https://unfccc.int/sites/default/files/resource/EIG_input_on_funding_arrangements_to_respond_to_LnD_rev1.pdf

UNFCCC Conference of the Parties. (2022c). *India submission item 8(f).* Retrieved from https://unfccc.int/sites/default/files/resource/LDFF_statement_11th_Nov_India.pdf

UNFCCC Executive Secretary. (2022). *Provisional agenda and annotations. Note by the Executive Secretary. Addendum. Supplementary provisional agenda* (FCCC/CP/2022/1/Add.2). Retrieved from https://unfccc.int/sites/default/files/resource/cp2022_01a02E.pdf

UNFCCC Secretariat. (2013). *Report of the Conference of the Parties on its eighteenth session, held in Doha from 26 November to 8 December 2012 Addendum Part Two: Action taken by the Conference of the Parties at its eighteenth session.* (FCCC/CP/2012/8/Add.1). United Nations Framework Convention on Climate Change. https://unfccc.int/sites/default/files/resource/docs/2012/cop18/eng/08a01.pdf

UNFCCC Secretariat. (2014). *Report of the Conference of the Parties on its nineteenth session, held in Warsaw from 11 to 23 November 2013 Addendum Part two: Action taken by the Conference of the Parties at its nineteenth session.* (FCCC/CP/2013/10/Add.1). United Nations Framework Convention on Climate Change. https://unfccc.int/sites/default/files/resource/docs/2013/cop19/eng/10a01.pdf

UNFCCC Secretariat. (2022). *RE: DRAFT PROVISIONAL AGENDA ITEM OF COP 27 & CMA 4*. Retrieved from https://unfccc.int/sites/default/files/resource/G77_%20COP27%20and%20CMA4.pdf

UNFCCC. (2018). *Loss and Damage Online Guideline*. Retrieved from https://unfccc.int/sites/default/files/resource/loss_and_damage_online_guide.pdf

UNFCCC. (n.d.*a*). *Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM)*. UNFCCC. Retrieved from https://unfccc.int/topics/adaptation-and-resilience/workstreams/loss-and-damage/warsaw-international-mechanism

UNFCCC. (n.d.*b*). *Conference of the Parties (COP)*. United Nations Framework Convention on Climate Change. Retrieved from https://unfccc.int/process/bodies/supreme-bodies/conference-of-the-parties-cop

UNFCCC. (n.d.*c*). *Party Groupings*. United Nations Framework Convention on Climate Change. Retrieved from https://unfccc.int/process-and-meetings/parties-non-party-stakeholders/parties/party-groupings

UNFCCC. (n.d.*d*). *Parties & Observers*. United Nations Framework Convention on Climate Change. Retrieved from https://unfccc.int/parties-observers

United Kingdom. (2022, November 14). *Thurs 8th - UK opening intervention* [Press Release]. Retrieved from https://unfccc.int/sites/default/files/resource/UK_interventions_fund_arr_for_LD.pdf

United Nations. (2015). *Paris Agreement*. United Nations Framework Convention on Climate Change. https://unfccc.int/sites/default/files/english_paris_agreement.pdf

Urpelainen, J., & Van de Graaf, T. (2017). United States non-cooperation and the Paris agreement. *Climate Policy, 18*(7), 839-851. https://doi.org/10.1080/14693062.2017.1406843

Venn, A. (2019). *Social justice and climate change*. In Letcher, T. M. (Ed.) *Managing Global Warming: An Interface of Technology and Human Issues.* Academic Press.

Verma, S. (2022). Reflections on COP27: How Egypt and India Can Work Together. *The Cairo Review of Global Affairs, 47,* 88-93. https://www.thecairoreview.com/essays/reflections-on-cop27-how-egypt-and-india-can-work-together/

Vermeylen, S., & Walker, G. (2011). *Environmental Justice, Values, and Biological Diversity: The San and the Hoodia Benefit-Sharing Agreement*. In Carmin, J., & Agyeman, J. (Ed.), *Environmental Inequalities Beyond Borders: Local Perspectives on Global Injustices* (pp. 105-128). MIT Press.

Von der Leyen. (2022, November 8). *Statement by President von der Leyen at the COP27 plenary meeting* [Speech]. Retrieved from https://ec.europa.eu/commission/presscorner/detail/en/statement_22_6663

Wainaina, B. N. (2022, December 21). Did COP27 provide viable climate financing solutions for African countries?. *NYU Center on International Cooperation.* Retrieved from https://cic.nyu.edu/resources/cop-27-climate-financing-solutions-africa/

Walker, G. (2012). *Environmental Justice: Concepts, Evidence and Politics*. Routledge.

Walker, G. (2023, April 24). Personal Communication [Personal Interview]. (Full interview transcripts in Appendix A).

Workman, A., Blashki, G., Bowen, K. J., Karoly, D. J., Wiseman, J. (2020). Political leadership on climate change: the role of health in Obama-era U.S. climate policies. *Environmental Research Letters, 15,* 105003. https://doi.org/10.1088/1748-9326/aba8c3

WWF-EU. (2022, November 19). COP27 fails to turn promises into action despite EU U-turn on loss & damage. *WWF-EU.* Retrieved from https://www.wwf.eu/?8170466/COP27finalpressstatement

WWF-UK. (2008). *BEYOND ADAPTATION: The legal duty to pay compensation for climate change damage*. https://www.wwf.org.uk/sites/default/files/2009-13/beyond_adaptation_lowres.pdf

Xiaoying, Y. (2022, December 20). How can China contribute to climate 'loss and damage'?. *China Dialogue.* Retrieved from https://chinadialogue.net/en/climate/how-can-china-contribute-to-climate-loss-and-damage/