10

Conclusion

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10.1 INTRODUCTION

Over the last decade, much of the political action and attention on loss and damage governance has focused on the international climate change negotiations, but ultimately nation states are "first responders" when it comes to climate impacts. Yet with respect to loss and damage, we have little understanding of how, as an "object of global governance" (Allan 2017), the issue is being understood and shaped at the national level. Our research provides new insights on these dynamics, identifying how processes, norms, formal agreements, and informal dynamics matter differently across countries. As such, this book constitutes an important contribution in leading what we refer to as "the national turn" in research on loss and damage governance: a shift of scholarly focus to better understand the full range of drivers and consequences of loss and damage policy adoption across governance scales. We find that while, in many ways, the very concept of loss and damage is an international construct, its meaning is still being contested and reconstituted within and across governance scales.

At the international level, there are continuing discursive debates about the nature of loss and damage: whether it is a problem of risk and uncertainty on the one hand or harm and injustice on the other (Vanhala & Hestbaek 2016). At the national level, policymakers and practitioners face pressing issues that simply need to be dealt with. National policymakers across sectors deal with the implications of both environmental material realities and international legal outcomes in their respective fields of practice. We reveal some of these "horizontal dynamics" that emerge between differently situated individuals who operate across institutions, many with different paradigms for understanding climate risks and impacts. While we see those involved in climate policy development as critical actors in the governance of loss and damage, our

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findings also point to the importance of a broader range of other stakeholders – whether understood as such or not. With the establishment of the Santiago Network on Loss and Damage (SNLD) at the twenty-fifth Conference of the Parties (COP25) in 2019 and the agreement to establish new funding arrangements, including a fund, at COP27 and their operationalization at COP28, this is an opportune moment to ask what countries are already doing to respond to the loss and damage they are experiencing and facing and what lessons can be learned from their experiences.

The case studies in this volume have revealed a diversity of outcomes. While each case is unique, we can also identify some patterns in how policymakers and other stakeholders are approaching policy adoption and innovation when it comes to climate change loss and damage. In this chapter, we first identify the key cross-cutting findings and outline our descriptive contribution to the study of loss and damage policy and politics. We also return here to the theoretical explanations presented in Chapter 2 that underpinned our iterative approach. We assess the relevance of these theoretical explanations across the individual cases to glean further insights, we show how our findings advance the comparative climate policy and politics literature, and we highlight topics and approaches that merit further exploration.

10.2 COMPARISON OF OUTCOMES: LEADERS AND LAGGARDS

The case studies in this volume have revealed significant variation in the levels of engagement with the concept of loss and damage at the national level. We find that there are several inherent challenges in directly comparing national policy and program measures given the different nature of risks these countries face and enormous variations in regime types, institutional arrangements, and the contingencies of national-level politics.

Table 10.1 summarizes each country's policy engagement with the loss and damage issue, taking into account explicit mentions in three key sources: national-level policies, national communications to the United Nations Framework Convention on Climate Change (UNFCCC), and Nationally Determined Contribution (NDC). We find that, of the countries studied in this volume, Antigua and Barbuda, Tuvalu, and Bangladesh have moved the furthest in terms of incorporating explicit considerations of climate change loss and damage in their national policies and their engagement with the UNFCCC. Antigua and Barbuda treats this most explicitly as an issue "beyond adaptation" whereas in the case of Tuvalu loss and damage measures sit along a spectrum with adaptation actions. In Bangladesh, considerations of loss and damage often overlap with work on disaster risk. All these countries have played a leadership role on the issue within the international negotiations, both with respect to climate finance for loss and damage and the adoption and early years of the Warsaw International Mechanism for Loss and Damage (WIM).

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TABLE 10.1 *Summary of evidence of policy relevance of loss and damage across case studies*

Country	Are there loss and damage-specific policies (or have policy proposals been put forward)?	Is loss and damage mentioned in its national communications to the UNFCCC? If so, how?	Is loss and damage mentioned in its NDCs? If so, how?
Tuvalu	• Te Kaniva (2012), the first climate policy, explicitly mentions loss and damage under Goal 1 on strengthening adaptation actions. • Loss and damage is mentioned in Te Kakeega III (TKIII) 2016–2020, i.e., Tuvalu's eighth National Development Plan. • The 2019 Climate Change Resilience Act gives a legal foundation to loss and damage by including "Addressing loss & damage associated with climate change" as one of its eight policy objectives. • The Tuvalu Infrastructure Strategy and Investment Plan (2016–2025) – falling under TKIII – identifies climate change impacts causing "loss and damage" to assets, and measures to protect them. • The 2021 national climate change policy (Te Vaka Fenua o Tuvalu, 2021–2030) prioritizes the integration of loss and damage in all adaptation projects and programs, and risk management processes of the government.	• The second communication (NC2, 2018) explicitly mentions "significant loss and damage to houses, infrastructure and livelihoods."	No.

(*continued*)

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TABLE 10.1 (*continued*)

Country	Are there loss and damage-specific policies (or have policy proposals been put forward)?	Is loss and damage mentioned in its national communications to the UNFCCC? If so, how?	Is loss and damage mentioned in its NDCs? If so, how?
Antigua and Barbuda	• Loss and damage is explicitly mentioned in the 2019 Environmental Protection and Management Act in the context of setting up the architecture for a potential funding mechanism.	• The second communication (NC2, 2011) mentions loss and damage explicitly once in the context of adaptation strategies. • The third communication (NC3, 2016) mentions loss and damage in the context of a "loss and damage mechanism" to support farmers, fishers, and residential and business owners to cope with loss and damage. There is also a mention of economic losses and damages.	The opening message from the prime minister mentions loss and damage in relation to response programs for disaster recovery. Subchapter (7.4) on "Loss and Damage Response" lists loss and damage-related risks, mentioning both economic and noneconomic loss and damage and highlighting the need for resilience-building. The document also includes "loss and damage tracking and reporting" as part of the country's envisioned climate action and progress reporting system.
The Bahamas	No	No	No
Peru	The Climate Change Framework Law does not include any reference to loss and damage. Yet the issue featured prominently in one of the discussed legislative proposals (N.729), which included several references to loss and damage (e.g., Articles 2 and 9) and a dedicated loss and damage article (Article 16).	The third communication (NC3, 2016) explicitly mentions "*daños y pérdidas*" (losses and damages) in the context of adaptation and vulnerability as well as in the context of economic loss and damage.	"*[P]erdidas y daños*" is mentioned when describing the content of the regulations of the Climate Change Framework Law.

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Chile	Loss and damage is mentioned in the Framework Law on Climate Change. Article 3 defines "*daños y pérdidas*" as the economic, social, and environmental "impacts caused by climate change to which a territory and its population are exposed."	The fourth communication (NC4, 2021) mentions "*daños y pérdidas*" explicitly in the context of vulnerability and indigenous people as well as in the context of needs to better evaluate them.	"*Daños y pérdidas*" is mentioned once in the context of extreme events. The document also mentions the "economic costs for historical losses and damages" (*costos por pérdidas y daños históricos*).
Ethiopia	No	No	No
Bangladesh	Loss and damage is mentioned in the Mujib Climate Prosperity Plan (2021).	The third communication (NC3, 2018) has a section dedicated to "Loss and damage" (pp. 210–211) which mostly focuses on economic loss and damage.	No

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At the other end of the spectrum, two countries we might expect to be leading on policy innovation and adoption given their respective vulnerabilities, The Bahamas and Ethiopia, have been slower to adopt new governance measures to deal with loss and damage. Both countries have focused predominantly on climate change mitigation. Ethiopia's reputation as a green economy leader over the last decade has included considerations of climate change resilience, and there is growing awareness among policymakers and stakeholders of the consequences of climate change for the country. However, loss and damage has to-date not featured prominently or explicitly in national policies or communications to the UNFCCC. In many ways, the case of The Bahamas is perhaps the most surprising outcome: Despite the experience of more intense tropical storms and hurricanes, the country has been slow to adopt explicit mentions of climate change loss and damage, and it has not released a National Adaptation Plan (NAP) since 2005.

The cases of Peru and Chile are interesting in tracking the trajectory of countries that have been less involved in advancing the loss and damage issue at the international level and yet have begun to understand its relevance for national policy. Chile has included explicit mention of "losses and damages" in the new climate change framework law; Peru has not, but the issue did feature prominently in one of the legislative proposals and in the draft versions of the law. The removal of this language, related to ideological positioning and concerns about potential climate change litigation, offers theory-relevant insights into some of the reasons political leaders may be reluctant to be explicit about climate change loss and damage in national-level policy debates.

10.3 CLIMATE CHANGE RISKS AND IMPACTS

In Chapter 2, we noted that vulnerability to climate change risks and impacts could drive states to adopt climate change loss and damage policies. Recent research in both comparative and international politics has increasingly incorporated measures of vulnerability to climate change to explain variation in public opinion (Massey et al. 2014; Soni & Mistur 2022; Zahran et al. 2008), the building of climate coalitions (Gaikwad et al. 2022), and state behavior both within and beyond the international climate change regime (Colgan et al. 2021; Genovese 2020). Yet research on the links between climate change impacts, public opinion, and policy adoption is inconclusive and has largely focused on the Global North (but see, e.g., Gaikwad et al. 2022; Genovese 2020). Our set of cases – Global South countries which all face significant climate change risks – does not allow us to draw any firm conclusions about how climate change risks relate to policy adoption and innovation, but we identify some preliminary insights that future research could build on.

Within both Caribbean countries, Antigua and Barbuda and The Bahamas, research participants pointed to the experience of storms as focusing the minds of political leaders, but we lack any comparative data to suggest how levels

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of public awareness might be shaping this across countries. Future research could conduct this type of data collection to understand whether and how extreme weather events shape both citizens' and political leaders' commitments to developing governance responses at the international and national levels. We suggest that particularly in the early stages of the policy development cycle – that is, in the construction of the object of governance and in the agenda-setting phase – there is merit in exploring the ways in which policymakers conceptualize and operationalize loss and damage policies.

Most of our research participants focused on the extreme weather events their countries were facing. While a minority of interviewees mentioned slow onset events (SOEs), these tended to be secondary to the various forms of rapid onset events each country was facing. Existing research in the social sciences on natural disasters and the impacts of climate change has also focused on extreme events, such as wildfires, floods, and storms (Egan & Mullin 2012; Kim & Wolinsky-Nahmias 2014; but see Lujala & Lein 2020). Thomas and Benjamin (2018a) note that the problems policymakers face in Small Island Developing States (SIDS) – a lack of data, gaps in financial assessments, and a lack of policies or mechanisms targeted at loss and damage – are most acute in relation to SOEs. Our research affirms this. Future research could build on our descriptive findings to begin to identify differences between how extreme weather and SOEs shape political beliefs among both the public and policymakers and how this influences the likelihood of policy adoption and implementation. Further distinguishing between hazard types within these categories – such as floods and wildfires in the former and increasing temperatures and rising sea levels in the latter – would also help in understanding the processes that link specific types of climate vulnerabilities with policy adoption.

While our focus was on trying to understand what drives policy adoption, we did identify another interesting dynamic between climate change risks and impacts on one hand and institutions on the other. A key finding of our research is that climate change risks and impacts are disrupting existing institutional landscapes across a number of different countries and are leading in particular to the establishment of new institutions and processes empowering existing ones. The establishment of the Ministry of Disaster Preparedness, Management and Reconstruction in The Bahamas after Hurricane Dorian in 2019 and the role of Cyclone Pam in 2015 in adjusting the focus and mandate of the Climate Change Department and driving the emergence of new bodies, such as the Climate Change and Disaster Survival Fund in Tuvalu in 2016, are examples of institutional innovation triggered by climate change-related events. We also found examples of innovation in collaborative activity across ministries. For example, in Chile the Gender and Climate Change Inter-institutional Working Group, which was formed in 2019 as part of the COP presidency activities, integrated the Gender Negotiating Cluster of the Ministry of Foreign Affairs, the Climate Change and International Affairs Offices of the Ministry

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of the Environment, and the Ministry of Women and Gender Equality. We see this in other jurisdictions as well, beyond the case studies considered in this book. For example, after much of the infrastructure in Dominica (not one of our case studies) was destroyed during the 2017 hurricane season, the government established the Climate Resilience Executive Agency of Dominica, a statutory government agency, which has since sought to make Dominica the first climate-resilient nation in the world. The government has adopted a strategic plan with twenty key targets to augment the country's climate resilience.

These examples of institutional innovation take the focus off mitigation, and recent innovative studies have provided an alternative perspective on the interrelationship between political institutions and climate change (Dubash 2021; Hochstetler 2021; Mildenberger 2021; Teng & Wang 2021; Valiathan Pillai & Dubash 2021). Whereas most research in this vein has tended to focus on institutions as the explanatory variable in accounting for the adoption of climate policy, scholars are increasingly querying the conditions under which climate institutions emerge. The findings from our study raise new questions about both the climatic and the political conditions that account for the emergence of new institutions or the layering of new forms of power and additional resources onto previously existing organizations (see Mildenberger 2021). Our insights about the disruptive impacts of climate change in the Global South countries we study – SIDS, least developed countries (LDCs), and smaller emerging economies – complement existing explanations about the ways in which climate change impacts shape political behavior and outcomes in the Global North and emerging economies (Gaikwad et al. 2022; Naess et al. 2005).

We also identified several ways in which climate change-related events shifted more diffuse institutions such as property tenure regimes. The shift from commonhold land tenure and land-use practices to a private property model in Barbuda after the 2017 hurricane season is one such example. Examining the case of Antigua and Barbuda, some scholars have argued that path dependencies since colonialism can help to account for the construction of social vulnerability to climate change impacts. We therefore suggest that future research could take a long historical time span to better understand how more diffuse institutional forms and slower moving governance processes are shifting because of the impacts of climate change (Falkner 2024; Park 2022).

10.4 INTERNATIONAL ENGAGEMENT

While the material realities of loss and damage associated with climate change are undeniable and manifest at the local level, when shifting to the international level we can understand "climate change loss and damage" as both a material manifestation and a sociopolitical construct, or what Allan (2017) has referred to as an "object of global governance." Social science research has articulated the wide range of understandings among international actors of what loss and damage encompasses (Boyd et al. 2017; Calliari 2016; Vanhala

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& Hestbaek 2016) and the implications of these different understandings for where responsibility for responding to loss and damage should lie (Vanhala 2023). Rich countries have consistently eschewed claims of responsibility and rejected notions of liability and compensation forcefully within the UNFCCC. They have consistently argued that a country-driven or national approach is best when grappling with loss and damage. Developing countries and their civil society allies, on the other hand, highlight the profound injustice of climate change impacts and have advocated for a robust set of international institutions and sufficient levels of climate finance to support those countries that are particularly vulnerable to loss and damage. The failure to advance global governance at a sufficient pace has meant that there has been a "national-level default" in response to the question of who is going to help to remedy some of the harm caused by climate change impacts. Yet we do find that international engagement broadly conceived can matter in terms of shaping early policy development on loss and damage.

10.4.1 Engagement with International Organizations

Among our case studies, we found that those countries that have tended to be involved in the early stages of international engagement on the loss and damage issue were also leading thinking on the issue of loss and damage "at home" (Calliari & Ryder 2023). For example, over many years, negotiators from Tuvalu – including Ian Fry, who was the Special Rapporteur on Human Rights and Climate Change between May 2022 and December 2023 – have played a key role in advocating on loss and damage within the UNFCCC. Similarly, the role of negotiators from Antigua and Barbuda in discussions about climate finance led to the insertion of explicit language on climate finance to address loss and damage in that country's Environmental Protection and Management Act in 2019. Antigua and Barbuda's negotiators also successfully led the efforts of the G77 plus China to push for the adoption of a new loss and damage fund in 2022.

We therefore posit that SIDS civil servants can play a bridging role in shaping knowledge, norms, and policy at both the international and the national level based on their learning and socialization at the other level. Many negotiators from the Global South also play operational roles at the domestic level. While existing literature has highlighted this as a weakness in the negotiations in terms of delegation capacity (Depledge 2005), our research suggests that under certain circumstances and particularly when individuals are able to create synergies between their domestic and international roles, there are also advantages to having this bridge of knowledge and experience. We suggest that the existence of individuals who are willing and able to play this bridging role can help to account for early policy adoption and innovation at the national level. Future research could explore potential micro-level mechanisms in the early stages of climate policy development to better understand what drives the early adoption of specific kinds of measures.

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Based on the case of Chile, and its evolving relationship with the loss and damage agenda at the international level – from almost no engagement on the issue in the mid 2010s to playing a key role in the establishment and operationalization of the SNLD – we also suggest there could be meso-level mechanisms in operation whereby states take on leadership roles, like that of the COP presidency, and then become upskilled in new issues at a delegation level. This can then similarly trickle into domestic-level policy thinking and practices at home. Holding the COP presidency usually acts as an incentive for upgrading national climate policy frameworks in general. Engagement with specific issues like loss and damage is more dependent on the topics that are on the COP agenda in a country's presidency year and the way negotiations unfold. For example, Chile as the COP president had to engage with loss and damage as it turned out to be one of the critical issues at COP25. This kickstarted the inclusion of loss and damage in the national climate change framework law. However, this was not the case of Peru, which held the COP presidency in 2014, arguably because a significant outcome had been achieved the year before with the establishment of the WIM, and the Peruvian presidency team engaged with the issue of loss and damage in a limited manner.

We also identify a mechanism operating at the negotiations level, whereby the membership in a negotiating coalition within the UNFCCC may shape involvement or nonengagement with the issue domestically. Our case studies of Peru and Chile are illustrative of this. They show how perceptions of national self-identities as middle-income countries in the UNFCCC regime meant that negotiators and other stakeholders tended not to see loss and damage as an issue that was particularly relevant to them. However, we find that the interest of the Independent Association of Latin America and the Caribbean in loss and damage slightly changed since the establishment of the SNLD, as the latter is perceived to move the discussion away from compensation and liability claims and to provide an opportunity for countries to receive technical assistance. Future research could explore how these recent developments in negotiations affect the engagement of nontraditional loss and damage players both internationally and domestically.

An empirical finding that surprised us, given our starting point within the UNFCCC, was the wide range and number of other international organizations and UN regimes that policy stakeholders mentioned in our research interviews. Many of these were referred to by research participants more often or were seen as more relevant than the UNFCCC when discussing the types of issues that have been classified as loss and damage within the UNFCCC. This included organizations like the United Nations Office for Disaster Risk Reduction and the Sendai Framework; the World Bank; the United Nations Convention on the Law of the Sea and the International Tribunal for the Law of the Sea; the United Nations Convention to Combat Desertification and the Convention on Biological Diversity; and regional bodies like the Pacific Community, the Caribbean Disaster Emergency Management Agency, and the

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Caribbean Community. The case studies also track the ways in which new bodies are being established: For example, at COP26 in Glasgow the prime ministers of Antigua and Barbuda and Tuvalu launched a Commission of Small Island Developing States and International Law to explore various ways and forums in which international law could be brought to bear on the problem of loss and damage arising from climate change. Finally, the case of Bangladesh and its involvement in the Climate Vulnerable Forum highlighted the role of less formalized international partnerships in shaping the loss and damage discussions in the climate regime.

We found that those working in disaster risk reduction across countries, in particular, were able to highlight some of the conflicts and ideational tensions between discussions about loss and damage in the UNFCCC and efforts in the disaster risk reduction realm. This point is an important one to consider for those who argue that top-down diffusion mechanisms drive policy change: Our findings suggest that there may be competing conceptualizations of the governance problem to be dealt with as a result of what Keohane and Victor (2011) refer to as the "regime complex." Under some circumstances, international engagement, which is generally understood as a driver of climate action, can also be a barrier to national policy development. This has been shown in the case of mitigation. For example, in Chile one research participant suggested there was the possibility of establishing a decarbonization target of 2040 in Chile's national framework law, but agreement at the international level meant that this ambition was lowered to establish a 2050 target in line with Paris Agreement commitments.

Future research could explore this wider institutional and legal landscape when understanding how international factors shape loss and damage policymaking at the national level. Green (2024) argues that a new stream of research in political science sees climate change not only as a collective action problem or one of domestic distributive politics (see also Aklin & Mildenberger 2020; Bayer & Genovese 2020; Finnegan 2022) but also as one of "existential politics" that threatens the value of assets through changing climatic conditions and a shifting regulatory landscape (Colgan et al. 2021). Green (2024) makes the case that taxation and trade institutions could help to accelerate decarbonization. Our findings on loss and damage politics could be enhanced by further research into the conditions under which a broad range of international organizations are beginning to navigate loss and damage.

10.4.2 Financial Incentives from International Funds

Previous research on the adoption of climate policy has highlighted the ways in which financial incentives can increase the likelihood of domestic political action. At the time this research was undertaken (between 2019 and 2021), there were no explicit funds available for addressing loss and damage within the UNFCCC (although that landscape has changed profoundly

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in recent years). Even so, stakeholders across countries were aware of other sources of international funding, including climate change adaptation funding, post-disaster response, humanitarian sources, insurance schemes, and funding for projects related to climate-resilient sustainable development. To our surprise, the expectation of potential or future finance on loss and damage was mentioned by stakeholders across countries in discussions about action on loss and damage at the national level, including in Ethiopia, Bangladesh, and Antigua and Barbuda. In Bangladesh, research participants noted that the establishment of a dedicated fund for loss and damage under the UNFCCC could act as an incentive for reviving the concept of a national mechanism for loss and damage. Antigua and Barbuda explicitly mentions international finance in its domestic legislation in the context of setting up the institutional architecture for a potential funding mechanism. In Chile and Peru, interviewees shared the perception that any future funding on loss and damage would be mainly for SIDS and LDCs, but the types of technical assistance that might be provided by the SNLD were seen as potentially relevant.

However, it is important again to note the broader funding environment and how different streams of climate finance may potentially undercut each other's objectives. This has long been a debate in discussions about the relationship between mitigation and adaptation, and bringing in considerations of loss and damage only increases the complexity of the issue. Some of our case studies suggest that under circumstances of limited state capacity a disproportionate emphasis on finance for mitigation efforts can undermine effective policy development on loss and damage. When countries receive funding to develop and implement mitigation policies, this could be diverting attention away from important adaptation and loss and damage measures that may fundamentally be more important for the citizens of those countries that are particularly vulnerable. Peru provides a key example in this respect. The country has been placing considerable emphasis on reducing emission from deforestation and forest degradation, not only because this accounts for more than half of its national greenhouse gas emissions but also because – as our interviewees noted – it provides opportunities for international support through "reducing emissions from deforestation and degradation" schemes.

10.4.3 Policy Diffusion

While several mechanisms of policy diffusion have been articulated in existing literature on the spread of environmental policy, we noted in Chapter 2 that studying the early stages of loss and damage policy adoption requires a different approach. We thus join recent scholarship stressing the benefit of focusing on stages prior to policy adoption, and pointing to the centrality of issue definition in the diffusion process and the way diffusion plays a key role in issue definition (Gilardi et al. 2021). This approach recognizes that the policy process is made of different stages, starting with the definition of an issue,

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which only later culminates – but not always – with the adoption of a policy. Consistently, we kept our analysis open to understand how policy frames elaborated in the UNFCCC context might affect the way the issue is understood and discussed at the national level, including which elements of the frame are embraced and which are rejected, and whether this results in policy adoption.

We found that the way loss and damage has been framed internationally affects the extent to which countries will engage with the issue. This was evident in our Peru and Chile case studies, where several research participants explained their country's limited engagement with loss and damage by framing it as "money for the poor," and thus something for SIDS and LDCs rather than middle-income countries. The case of Ethiopia similarly explores this broadened framing by showing how policymakers are beginning to understand the relevance of this issue even in a landlocked country. This deepens our understanding of how issue-framing matters and builds on previous research that traced how and when the LDCs and African countries began to see loss and damage as also relevant for them – expanding it from its original framing as an issue for SIDS (Vanhala & Hestbaek 2016). Our cases also show that issue definition at the national level can partly depart from the international one. In climate negotiations, developing countries argue for an explicit distinction between adaptation and loss and damage. Yet this can be different at the country level. In Tuvalu, we found that public sector stakeholders understand loss and damage along a continuum with adaptation because it is not seen as "practical" to distinguish between the two.

10.5 INSTITUTIONAL CONTEXT

The types of political systems and institutions that have been shown to shape climate change mitigation policies are varied. Chapter 2 traced the emergent literature on the comparative political economy of climate change mitigation. For scholars working in this vein, factors such as the type of political regime (democratic, transitioning countries, and authoritarian regimes), the nature of the electoral system (proportional representation versus first-past-the-post systems), and the party system (multiparty versus two-party systems), the processes for the mediation of political interests, including business, civil society organizations, and social movements (corporatist arrangements versus pluralist processes), and the degree of centralization (federal versus centralized countries) can all shape the effective navigation of the distributional politics of addressing climate change and the energy transition. These variables have been used to account for cross-national differences in the adoption and implementation of effective climate mitigation policies. Our research design and the nascent nature of loss and damage policy development meant that these types of institutional considerations were not yet at the forefront of our research participants' understandings of what matters in loss and damage policymaking. Instead, we identify the other factors that were seen as important in accounting

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for policy adoption and innovation in this realm. Our empirically grounded approach has revealed new insights about institutions in a novel area of climate policy.

10.5.1 Political Leadership

We find some evidence to suggest that individual leadership on the loss and damage issues may matter in explaining the different approaches to loss and damage policy engagement. This is true in the case of Antigua and Barbuda, where members of the Department of the Environment introduced elements of the international discussions on loss and damage into domestic legislation. It has also played a role in Chile, where climate activists were able to seize on the Constitutional Convention process to insert progressive language. However, this case also highlights how the broader political landscape can shape what is possible: The proposed text was ultimately rejected by the electorate in the September 2022 referendum on the draft constitution. Similarly, the Peru case shows how party politics can constrain the uptake of loss and damage language, as the latter was put forward by a left-wing party in a congress dominated by the conservative party. In the case of Antigua and Barbuda, we found that different branches of government have varying incentives for enhancing the understanding of climate change risks and potential future impacts: The Department of Environment sought to deepen understanding and make the evidence transparent, whereas those in the Ministry of Finance were more cautious given the importance of tourism and private sector development to the nation's economy.

10.5.2 Institutional Capacity

With the recent "institutional turn" in the study of comparative climate politics, there has been increased scholarly attention on the role of institutional capacity in the politics of decarbonization (Meckling & Nahm 2018, 2022). In the field of climate change adaptation, institutions have long been acknowledged as crucial determinants of adaptive capacity and can also help to explain where and how insufficient levels of adaptive capacity result in loss and damage (Engle 2011; Smit & Pilifosova 2001). This chapter echoes recent research in noting that institutional capacity facilitates policy and institutional innovation and experimentation. A lack of institutional capacity, including insufficient cooperation and coordination among relevant actors, was highlighted as a barrier to the development of effective governance measures to address losses and damages across all our case studies.

Our empirical research also uncovered several potential mechanisms that can help to account for the policy outcomes that merit further research across cases and over time. First, across several countries, research participants pointed to the relative institutional capacities of various ministries to account

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for whether loss and damage received attention from political elites and policymakers. In Chile and Peru, in particular, research participants suggested that the ministries tasked with climate policy and governance were less well resourced and less powerful than ministries dealing with energy, mining, or finance. This affirms a long-standing finding in the literature on environmental politics that environment ministries tend to be weak relative to other government ministries, particularly those focused on finance, resources, and economic growth (Aamodt 2018; Aklin & Urpelainen 2014). Second, another potential barrier to the development of policy on loss and damage concerns the degree of coherence and coordination required on this multidisciplinary, multifaceted issue. For example, in Chile, one research participant involved with the development of policy on human mobility and climate change noted that there was a preference to focus on the humanitarian side of loss and damage because this was the focus of the organization that is tasked to deal with it. This coheres with previous research on the politics of loss and damage and the institutional implications of different ways of framing the issue as a problem either of risk and uncertainty or of harm and injustice (Vanhala 2023; Vanhala & Hestbaek 2016). Finally, in The Bahamas, one research participant noted that a mechanism of generational change among civil servants could play a role in prompting greater awareness and action on climate change generally and loss and damage more specifically. This micro-level mechanism could be explored in future research using large-n studies to better understand how this may drive institutional change and shape priorities. While existing research has traced this type of generational shift in Global North contexts (e.g., Morag-Levine 2003) we need to gain a better understanding of how the beliefs and values of policymakers shape policymaking processes in the Global South.

10.5.3 Pressure from Civil Society and Business Actors

Previous research has noted that non-governmental organizations (NGOs) have shown themselves to be influential when pushing for policy change. Our evidence on the role of civil society and business actors is fairly thin: Few research participants invoked either category of stakeholders in our discussions. An exception is the case of Bangladesh, where research participants mentioned the important role played by NGOs in advocating for a greater integration of the concept of loss and damage in national policymaking and resulting in its inclusion in the Mujib Climate Prosperity Plan. In the case of Peru, several research participants described the lack of civil society support for the inclusion of loss and damage in the climate change law as a key factor in explaining why it did not make it into the final text. We were surprised by the lack of mention of these types of actors in our policy stakeholder interviews given the extensive focus in contemporary political science literature on the role of business, labor, and civil society organizations (Falzon et al. 2023; Finnegan 2022; Mildenberger 2020). Further research is needed to understand the political

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interests and policy engagement of insurance companies that face a growing wave of climate risks around the world. Future research could also begin to explore how a variety of non-state actors, from sectors including NGOs, labor unions, and business interests (including and beyond the insurance sector), engage with the politics of loss and damage at the domestic level.

10.6 IDEATIONAL CONTEXT

A final set of factors we have sought to better understand concerns the ideational context within which policymakers are situated. We are interested in how knowledge, values, and norms affect the actions of policy stakeholders and how they act as drivers of – or barriers to – policy innovation or adoption. While it is difficult to draw any clear-cut patterns across our case studies, we offer some empirical insights and draw out some theoretical implications which can be explored in future research.

10.6.1 Development Paradigms

Levels of development, as expressed by indicators like gross domestic product, have been put forth as a key factor to account for the adoption of climate change policy (Held et al. 2013). Our case studies find that the economic paradigms that countries pursue help us to better understand how they engage with the concept of loss and damage. For instance, in both Peru and Chile, stakeholders referred to their countries' extractivist economic models and neoliberal ideologies as key constraints for the uptake of bold climate-related policies, including those dealing with loss and damage. These views also align with the idea that loss and damage is not relevant for middle-income countries like Peru and Chile but rather a concern for poorer countries like SIDS and LDCs. Another example is Antigua and Barbuda as a "tourism economy," where efforts to strengthen scientific information about climate change-related hotspots have been thwarted by the argument that tourism is the largest single economic sector and it would not make economic sense to highlight climate risks to potential investors. These examples show how commitment to existing economic paradigms can be in tension with the effective governance of loss and damage. On a slightly different note, the case of Ethiopia and its ambition to become a "green economy front-runner" can help explain the relative emphasis on mitigation over adaptation within its policies and the limited focus on loss and damage.

10.6.2 Scientific Research and Other Forms of Knowledge

Our research has affirmed existing work that has decried the unfairness globally in terms of the emerging "science of loss": We know far more about loss in the Global North than in the Global South. Policy stakeholders across our case

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studies highlighted the many ways in which gaps in data limited their capacity to manage climate risks effectively. For instance, stakeholders in both Tuvalu and Bangladesh lamented the lack of comprehensive assessment tools as a key factor limiting evidence around loss and damage (in the case of Tuvalu, this was reported as one of the reasons why a discussion of loss and damage was not included in its NAP).

However, we were struck by two findings that were shared across several cases, particularly those in smaller jurisdictions. First, those developing new policies or practices concerning loss and damage often relied on traditional forms of knowledge as well as evidence gathered anecdotally at the community level. For example, civil servants working on fisheries in Antigua and Barbuda and The Bahamas noted that they liaised regularly with fishers to better understand what was happening with fish stocks. Subtle changes detected by those whose livelihoods depend on fish and shellfish populations were then fed into the knowledge base relied on by policymakers. In this way, as much research has attested, it is worth further studying the role of community-generated knowledge in acting as a driver in policy innovation (McNamara & Buggy 2017; Petzold et al. 2020).

Second, the case of Antigua and Barbuda underscores some of the ways in which siloed approaches to policy can act as a barrier to knowledge generation and dissemination, with tussles over how transparent data about future climate risks should be. The case of Antigua and Barbuda exemplifies why some stakeholders may not be keen to share information that could be detrimental to the state's investments or development prospects, whereas others see this information as critical to being proactive about development decisions and potentially useful in eliciting climate finance to build resilience. Our research highlights how developing a science of loss can have psychological, social, and political consequences that researchers will need to navigate.

10.6.3 Normative Landscape

Recent research has highlighted the potential for norms to play a more significant role in the politics of climate change at the global level, yet it has focused almost exclusively on norms in relation to decarbonization, specifically anti-fossil fuel norms (Busby & Urpelainen 2020; Green 2018; Sikkink 2023) and those focused on a "just transition" from polluting sources of energy to renewables. Our research highlights how norms are emerging on the topic of loss and damage in ways that may shape the likelihood of policy engagement. We found that ideas around liability and compensation, which have been cornerstones in developing countries' framing of loss and damage in the UNFCCC, seem to play out very differently at the national level. We found that the process of translating ideas from the international to the national level resulted in a reversal of liability from Global North governments to Global South governments, and a subsequent nervousness about the potentially

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negative consequences of integrating loss and damage into national policy. For instance, in Peru a key reason for scrapping references to loss and damage in the Climate Change Framework Law proposal was that it would have created a dedicated loss and damage fund, thus placing responsibility on the national state with implications for national resources. Similarly, the case of Antigua and Barbuda highlighted a tension between gathering better and more data to assist with loss and damage assessments and with predicting potential future losses and damages on the one hand and the potential liability of national governments that might come with this information particularly when it is associated with investment decisions on the other hand.

On a related note, we expect that the growing phenomenon of climate change litigation may also shape future policy developments. Although the idea of litigation is peripheral to our case studies, we can imagine that it will play a role as a method for both prompting policy development and encouraging effective implementation. Litigation will also matter in clarifying legal meaning and resolving norm conflicts in the face of climate change risks and future loss and damage.

10.7 CONCLUSION

This book highlights the central role that national governments already play in tackling climate change loss and damage, their successes, and the myriad barriers they face. In doing so, it shows the way to more effective governance as nation states continue to bear the brunt of loss and damage policymaking. We have identified policy innovations in sectors from fisheries to finance, shown how new institutional linkages allow countries to better address issues such as climate-related internal displacement, and highlighted how different forms of knowledge – from local and lived experience to historical disaster data – can supplement a lack of systematic information in policymaking processes. We have also drawn attention to the role of ideas in climate policymaking, showing how some states' desires to cultivate a particular national identity (e.g., as an "emerging economy" or as a "green economy leader") in the international sphere or the pursuit of specific development paradigms affect the ways and the extent to which they engage with loss and damage as a policy domain.

Given the increasing intensity and frequency of extreme weather events and the cascading and compounding risks of SOEs, effective policymaking on loss and damage is needed more urgently than ever. The policy framework on loss and damage is now, after many years of slow progress, developing more quickly with the operationalization of a fund for loss and damage, a consideration of other types of funding arrangements, and the enhancement of technical capacity in the form of the SNLD. We see a pressing need for further research both to enhance the "social science of loss" that is emerging as a new area of climate change research and to inform these policy discussions.

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The case studies here show that the affected actors, dynamics, and distributional conflicts of loss and damage will be profoundly different from those in the realm of climate change mitigation. They will be different even across the varied domains of loss and damage policymaking – from coastal erosion prevention to drought recovery, to building back better after extreme weather events, to the mental health impacts of climate disasters, to different forms of climate change migration. The distributive politics of loss and damage will be highly context dependent and culturally defined. In comparison with actors affected by the energy transition, which tend to be comparable in at least some minimal ways from jurisdiction to jurisdiction, it is difficult to generalize at this stage about the winners and losers in loss and damage policymaking. For example, consider the range of actors, processes, and the distributional conflicts associated with the expansion of insurance policies for climate change-driven crop failures, the planned relocation of communities because of rising sea levels and coastal erosion, and policy responses to the mental health impacts of climate change. As an emerging topic of research, our grounded empirical approach offers a way to begin to better understand some of these complex and varied dynamics. At the same time, we acknowledge that of course much remains unexplored in our account. In drawing to a close, we summarize the three main areas we think will be most fruitful for future research.

First, it would be useful to expand the type of analysis we offer in this book to a wider set of cases, including in the Global North. This book delved into seven original empirical case studies – all the countries we chose were from the Global South and represented most-likely cases of engagement with loss and damage, given their role in advancing the loss and damage agenda in climate negotiations (e.g., SIDS or LDCs) or their exposure and vulnerability to climate change impacts. Future research could focus on a wider set of vulnerable countries but also target vulnerable communities facing loss and damage in richer, developed nations. For instance, climate change in the Arctic region is happening about twice as fast as the global average, and Arctic communities, including Indigenous communities, are facing severe environmental and social transformations, comparable to those experienced in the South (e.g., migration). Research could focus on how these communities are dealing with loss and damage and how their home countries are responding to this from a policy perspective. It could also explore the experiences of Indigenous communities whose homelands – like in the case of the Sámi people – transcend nation state boundaries and whose protection from climate change impacts might require forms of transboundary cooperation.

Second, political scientists are particularly well placed to expand the range of factors that can explain variation in loss and damage policy development across countries. While our theoretical framework focused on a defined set of possible explanatory factors, in Chapter 2 we recognized that other factors could play an important role but could not be fully investigated because of

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our research design. For example, across our case studies we have relatively little data on public attitudes toward climate change loss and damage and its related policies (Thomas & Benjamin 2018b). Future research could focus on measuring public attitudes toward a variety of risks and hazards associated with climate change, such as drought, flooding, and wildfires, compared to SOEs such as coastal erosion or desertification to complement the emerging literature within and beyond political science. Some of our case studies also highlighted the potential role of political parties in advancing awareness and policy development on loss and damage, but this was not an issue that we explored systematically. Similarly, our research design did not allow us to disentangle the theoretical importance of certain types of political institutions, such as regime type or the incentives and constraints that lie within different electoral systems, in accounting for climate policy adoption in relation to loss and damage. Future quantitatively oriented work could examine whether regime type matters in the adoption of different types of climate change policies from mitigation to adaptation to loss and damage and geoengineering.

Finally, the relationship between loss and damage and adaptation is an ongoing area of research with particular relevance for policy approaches and with potential financial implications over time. In the discussions to establish the new loss and damage fund that was agreed upon at COP27, there were challenges in trying to distinguish between approaches. Planned relocation and permanent migration have been posited as viable adaptation options or as examples of grievous loss and damage by different research communities (McNamara et al. 2018), exemplifying the challenges of sharply differentiating adaptation from loss and damage. Other conceptually distinct but practically and empirically murky dichotomies include the differentiation between loss on one hand and damage on the other, the distinction between noneconomic and economic losses, and the categories of impacts resulting from extreme weather and SOEs. To better understand how different types of climate vulnerabilities matter for national politics and policy, future research should tease apart the effects and mechanisms linking climate risks, vulnerabilities and political opinion, policy outcomes, and institutional consequences.

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