



**Aide memoire by the  
Presidency of COP21/CMP21 and the incoming-Presidency of  
COP22/CMP22**

**Informal consultations conducted on the review of the Warsaw International  
Mechanism for Loss and Damage associated with Climate Change Impacts,  
to be carried out at COP 22**

**Bonn, 23 May 2016**

In response to a request by the Alliance of Small Island States to the President of the twenty-first session of the Conference of the Parties (COP) to conduct informal consultations to inform preparations for the review of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (hereinafter referred to as the Mechanism) to be carried out at COP 22, the Presidency of COP21/CMP21 and the incoming Presidency of COP22/CMP22 jointly convened informal consultations with interested Parties at the forty-fourth sessions of the subsidiary bodies, with a view to facilitating understanding on a range of expectations and concerns that may be associated with the mandated review as contained in decision 2/CP.19, paragraph 15.

Through this note, the Presidency of COP21/CMP21 and the incoming Presidency of COP22/CMP22 would like to share with Parties their summary of the views expressed during the informal consultations, with a view to facilitating preparations for the upcoming review of the Mechanism at COP 22 in November 2016.

**I. Relevant mandates**

1. COP 19 established the Mechanism and decided to review it, including its structure, mandate and effectiveness, at COP 22, with a view to adopting an appropriate decision on the outcome of that review.<sup>1</sup>
2. COP 21, through the adoption of the Paris Agreement and decision 1/CP.21, recognized the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change,<sup>2</sup> and decided on the continuation of the Mechanism, following the review in 2016.<sup>3</sup>
3. COP 21 also agreed that the Mechanism shall be subject to the authority and guidance of the Conference of the Parties serving as the meeting of the

<sup>1</sup> Decision 2/CP.19, paragraphs 1 and 15.

<sup>2</sup> Article 8, paragraph 1, of the Paris Agreement.

<sup>3</sup> Decision 1/CP.21, paragraph 47.

Parties to the Paris Agreement (CMA), and that it may be enhanced and strengthened, as determined by the CMA.<sup>4</sup>

## **II. Scope and objective**

4. At the informal consultations referred to in the introduction above, Parties generally recognized that the objective is to review the Mechanism, and expressed the view that the scope of the review should focus on the structure, mandate and effectiveness of the Mechanism, in accordance with decision 2/CP.19.
5. Several groups identified possible components of the review:
  - (a) Focusing on completed and ongoing work, as well as observed gaps and limitations;
  - (b) Considering recommendations based on the results of the component above.
6. Additional possible elements and aspects for consideration, as detailed by some groups of Parties, included:
  - (a) Fine-tuning the Mechanism, identifying areas to strengthen it and/or its mandate, in the light of the Paris Agreement and decision 1/CP.21;
  - (b) Taking into account the three functions of the Mechanism<sup>5</sup> as well as its practicalities and technicalities;
  - (c) Resources needed to implement activities;
  - (d) Activities of the two-year workplan<sup>6</sup> in relation to the functions of the Mechanism, and effectiveness of the implementation of the two-year workplan; noting that the Executive Committee only recently started its work;
  - (e) Institutional arrangements, including linkages and work with different bodies under the Convention and organizations outside of the Convention.

## **III. Inputs**

7. The following decisions and reports were widely viewed by Parties as serving as inputs for the review of the Mechanism at COP 22:
  - (a) Decision 3/CP.18, “Approaches to address loss and damage associated with climate change impacts in developing countries that are

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<sup>4</sup> Article 8, paragraph 2, of the Paris Agreement.

<sup>5</sup> Decision 2/CP.19, paragraph 5.

<sup>6</sup> FCCC/SB/2014/4, annex II.

particularly vulnerable to the adverse effects of climate change to enhance adaptive capacity”;

(b) Decision 2/CP.19, “Warsaw international mechanism for loss and damage associated with climate change impacts”;

(c) Decision 2/CP.20, “Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts”;

(d) Article 8 of the Paris Agreement, and the relevant parts of decision 1/CP.21, “Adoption of the Paris Agreement”;

(e) Reports of the Executive Committee to the COP.<sup>7</sup>

8. Additional views put forward on possible inputs for conducting the review included:

(f) Analysis of progress of implementation, including ongoing and envisaged work, and the modalities of work of the Executive Committee;

(g) Reports of the Adaptation Committee and of the Standing Committee on Finance;

(h) Related scientific reports of the Intergovernmental Panel on Climate Change;

(i) Reports of other United Nations agencies;

(j) Information submitted by Parties, including on how they are affected by loss and damage associated with slow onset events and extreme weather events;

(k) The present aide memoire by the Presidencies on the informal consultations convened on the margins of the forty-fourth sessions of the subsidiary bodies.

#### **IV. Process**

9. A successful process, as viewed by many Parties, may take into account the following:

(a) To be conducted through an agreed guidance document;

(b) To commence as early as possible at COP 22/the forty-fifth sessions of the subsidiary bodies;

(c) To utilize various inputs, including submissions by Parties.

10. A few Parties also noted that work towards the full implementation of the initial two-year workplan of the Executive Committee might benefit the process.

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<sup>7</sup> Reports of the Executive Committee are available at <<http://unfccc.int/7585>>.

11. During the informal consultations, several Parties and groups of Parties recognized that, under the UNFCCC process, Parties may make submissions on any topic as they see appropriate, including with regard to the review of the Mechanism, and that such submissions could be considered as the COP sees fit in its consideration of the review of the Mechanism at COP 22.
  12. Finally, the Presidencies wish to express their gratitude to all Parties for their valuable and succinct inputs shared at the informal consultations held during the forty-fourth sessions of the subsidiary bodies.
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