

Item 9: Warsaw International Mechanism for Loss and Damage
associated with Climate Change Impacts
Compilation elements
(11 June 2014)

Explanatory notes

- Groupings 1,2 and 3 are based on the co-chairs' suggestion.
- Text with '√' in front indicates structural suggestions provided by Parties during the second informal consultations.

1. Areas already agreed in Decision 2/CP.19

Relevant provisions contained in Decision 2/CP.19, including paragraphs 1 (mandate), 2 (mandate {to guide} and accountability), 3 (reporting lines), 6, 11 and 12 (link and relationship with other Convention bodies and organisations/bodies outside the Convention), 7 (mode of work), 13 (institutional arrangements), 15 (review)

- ✓ Refer to, recall or quote the areas previously agreed as preamble paragraphs to provide context;
- ✓ Refer to, recall or quote the functions of the Mechanism as agreed in paragraph 5 of Decision 2/CP.19 in the preamble;
- ✓ This preamble text to be reflected in the COP decision and also needs to insert agreed text in the Annex outlining procedural arrangements on the organisation and governance of the Excom.

2. Membership/Composition

- i. Equal representation between developing country Parties and developed country Parties on the Excom reflecting the spirit of partnership.
- ii. Balanced representation from all UN regions on the Excom.
- iii. Developing country Parties have majority representation on the Excom.
- iv. Vulnerable developing countries have major or majority representation on the Excom.
- v. Parties who are already affected by loss and damage have major or majority representation on the Excom.
- vi. 18 Excom members in total with the majority of seats for developing country Parties with balanced representation on sub-committees, panels or expert groups.
- vii. Two special seats for LDCs and two special seats for SIDS on the Excom.
- viii. Gender balance or 50/50 gender balance on the Excom.
- ix. Clear criteria to inform choice of members on the Excom and sub-committees, panels or expert groups, including:
 1. Expertise relevant to addressing the range of loss and damage impacts.
 2. Demonstrated and recognized technical expertise in relevant fields of work.

3. Members who have adequate time for inter-sessional work.

3. Other procedures

Procedures related to organization and governance issues in undertaking the work of the Excom

- i. Technical facility to assist Parties to undertake action referred to in paragraph 6 of Decision 3/CP.18, and guide the work to address loss and damage in the areas mentioned in paragraph 7 of the same decision by addressing the gaps, support in assisting developing products for unavoidable and irrecoverable damage, including through insurance, compensation and rehabilitation.
- ii. Financial facility to assist Parties in accordance with paragraph 14 of Decision 2/CP.19.
- iii. Allow for the participation of observers within the bounds of agreed rules of procedure.
- iv. Capture notion of flexibility and capacity for the Excom to organize their work effectively, including by:
 1. Drawing on expertise from other bodies under the Convention.
 2. Drawing expertise from UN agencies and other organisations and bodies outside of the Convention.
 3. Working with regional entities.
 4. Enabling the participation of stakeholders and the broader public, including through innovative means such as online access and webcasts.
- v. Create subcommittees, panels or working groups to conduct and manage the work as needed (mindful of implications related to resource requirements and efficiency).
- vi. Establish subcommittees, panels or working groups with the aim of undertaking the work related to technical support of the Excom
- vii. Establish long-term work groups on relevant topics.
- viii. Use the CDM model.
- ix. Empower the Excom to establish further rules of procedure for Excom, establish subcommittees, panels or working groups and their ToR including the criteria for members.
- x. Areas for the establishment of sub-committee, panels, advisory or working groups:
 1. Insurance, migration
 2. All issues related to addressing loss and damage
- xi. Views related to the composition of sub committees, panels, advisory or working groups:
 1. Draw on relevant expertise from other Convention bodies, UN agencies, relevant external organisations and the UNFCCC roster of experts
 2. Balanced regional representation
 3. Number of experts within each sub-committee, panel, advisory or working group be decided by the Excom
 4. Each sub-committee, panel, advisory or working group must have two Excom members (one from each developing and developed country Parties) with Excom being empowered to appoint additional members.

5. To have the same chairing arrangement as the Excom
 6. Eminent citizens
- xii. Empower Excom to create subordinate working structures under sub-committees, panels, advisory or working groups.

Chairing arrangements

- xiii. Co-chair arrangement
- xiv. Either Chair/Vice chair or Co-chair whichever the most effective

Decision-making

- xv. By consensus

Meetings

- xvi. At least twice a year, with a flexibility for more meetings as called by the Excom

Possible structural options

- ✓ Group the substantive views under two headings: Composition and Procedures
- ✓ Group the substantive views under four headings: Composition, Procedures, Organizations and Governance
- ✓ Group the substantive views into the draft decision and include provisions on procedures in an annex

Topics for which no specific substantive views were shared

- Participation of observers at meetings
- Agenda and documentation for meetings
- Transparency
 - ✓ Merge three points above in the context of ensuring transparency
- Other institutional/administrative arrangements (secretariat, trustee, other)
- Working language of body
- Amendments to the rules of procedure