

Executive Committee of the Warsaw International Mechanism

Rules of procedure of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts

I. Scope

1. These rules of procedure shall apply to the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (Excom) in accordance with decisions 2/CP.19 and 2/CP.20, as well as any other relevant decisions of the Conference of the Parties.

II. Definitions

2. For the purpose of these rules:

(a) The “Convention” means the United Nations Framework Convention on Climate Change (UNFCCC);

(b) The “Conference of the Parties” means the Conference of the Parties to the Convention;

(c) The “Warsaw International Mechanism” means the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts established under decision 2/CP.19;

(d) The “Excom” means the Executive Committee of the Warsaw International Mechanism;

(e) The “Co-Chairs” means the members of the Excom elected as Co-Chairs of the Excom;

(f) “Annex I Party” means a Party included in Annex I to the Convention;

(g) “Non-Annex I Party” means a Party not included in Annex I to the Convention;

(h) The “secretariat” means the secretariat referred to in Article 8 of the Convention.

III. Membership

3. The Excom shall be composed of the following, taking into account the goal of gender balance pursuant to decision 23/CP.18:

(a) Ten members from Annex I Parties;

(b) Ten members from non-Annex I Parties, comprising two members from the African States, two members from the Asia-Pacific States, two members from the Latin American and Caribbean States, one member from the Small Island Developing States, one member from the Least Developed Country Parties, and two additional members from non-Annex I Parties.¹

4. The Excom shall comprise members nominated by Parties in their respective groups or constituencies and elected by the Conference of the Parties. Parties are encouraged to nominate to the Excom experts with the diversity of experience and knowledge relevant to loss and damage associated with climate change impacts.²

5. Members shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office, and the following rules shall apply:

(a) Half of the members shall be elected initially for a term of three years and half of the members shall be elected for a term of two years;

(b) Thereafter, the Conference of the Parties shall elect members for a term of two years;

(c) The members shall remain in office until their successors have been elected.³

6. The term of office of a member shall start at the first meeting of the Excom in the calendar year following his or her election and shall end immediately before the first meeting of the Excom in the calendar year in which his or her term ends.

7. If a member of the Excom resigns or is otherwise unable to complete the assigned term of office, the constituent group from which the member comes may decide, bearing in mind the proximity of the next session of the Conference of the Parties, to appoint another member from the same group or constituency to replace said member for the remainder of that member's mandate, in which case the appointment shall count as one term.

IV. Conflict of interest and confidentiality

8. Excom members must promptly disclose, and recuse themselves from, any deliberations or decision-making where their personal or financial interests may be affected, in order to avoid a conflict of interest or the appearance of one.

9. Further, Excom members should not disclose any confidential information they receive in the course of their duties, even after leaving the Committee.

¹ Decision 2/CP.20, paragraph 5.

² Decision 2/CP.20, paragraph 6.

³ Decision 2/CP.20, paragraph 7.

V. Chairing arrangements

10. The Excom shall elect annually two Co-Chairs from among its members to serve for a term of one year, with one being a member from an Annex I Party and the other being a member from a non-Annex I Party.⁴
11. If one or both Co-Chairs are absent from a particular meeting, any other member designated by the Excom shall temporarily serve as the Co-Chair or Chair of that meeting.⁵
12. If a Co-Chair is unable to complete the term of office, the Excom shall elect a replacement to complete that term of office.⁶
13. The Co-Chairs shall collaborate in chairing meetings of the Excom and related intersessional work. The Co-Chairs shall, inter alia, declare the opening and closing of meetings, ensure the observance of these rules of procedure, accord the right to speak and announce decisions. The Co-Chairs shall rule on points of order and, subject to these rules of procedure, shall have complete control over the proceedings of meetings and the maintenance of order at meetings.
14. The Co-Chairs or any member designated by the Excom shall report to the Conference of the Parties on behalf of the Excom.
15. The Co-Chairs or any member designated by the Excom shall represent the Excom at external meetings and shall report back to the Excom on those meetings.
16. The Co-Chairs may also delegate tasks to members of the Excom in the interest of expediting and advancing the work of the Excom.
17. The Excom may further define additional roles and responsibilities for the Co-Chairs.
18. The Co-Chairs, in the exercise of their functions, remain under the authority of the Excom.

VI. Expert groups, subcommittees, panels and thematic advisory groups or task-focused ad hoc working groups

19. The Excom may establish expert groups, subcommittees, panels, thematic advisory groups or task-focused ad hoc working groups, to help execute the work of the Excom in guiding the implementation of the Warsaw International Mechanism, as appropriate, in an advisory role, and that report to the Excom.⁷

⁴ Decision 2/CP.20, paragraph 10.

⁵ Decision 2/CP.20, paragraph 11(a).

⁶ Decision 2/CP.20, paragraph 11(b).

⁷ Decision 2/CP.20, paragraph 8.

20. In establishing any expert group, subcommittee, panel, thematic advisory group or task-focused ad hoc working group, the Excom will determine an appropriate number of members and ensure that members have appropriate expertise in the relevant field of work.

VII. Secretariat

21. The secretariat shall support and facilitate the work of the Excom, subject to the availability of resources.⁸

22. Subject to paragraph 21 above, the secretariat shall:

(a) Make the necessary arrangements for the meetings of the Excom, including announcing meetings, issuing invitations and making available the documents for the meetings;

(b) Maintain meeting records and arrange for the storage and preservation of documents of the meetings;

(c) Make documents for the meetings of the Excom available to the public, unless otherwise determined by the Excom.

23. In addition, the secretariat shall perform any other functions assigned that the Excom may require or that the Conference of the Parties may direct with respect to the work of the Excom.

VIII. Meetings

24. The Excom shall meet at least twice per year, while retaining its flexibility to adjust the number of meetings, as appropriate.⁹

25. At least a majority of the members of the Excom, representing a majority of the members from Annex I Parties and a majority of the members from non-Annex I Parties, must be present to constitute a quorum.

26. The meetings of the Excom shall take place in the country of the seat of the UNFCCC secretariat, unless otherwise decided by the Excom and subject to the necessary arrangements being made by the secretariat in consultation with the Co-Chairs. Decisions on the location of meetings other than at the seat of the UNFCCC secretariat shall take into account the benefits of venue rotation, particularly venues in developing countries, and those that facilitate the participation of key stakeholders of the Excom.

⁸ Decision 2/CP.20, paragraph 17.

⁹ Decision 2/CP.20, paragraph 12.

27. Before the end of each meeting, the Co-Chairs shall present draft decisions of the meeting for consideration and approval by the Excom.

IX. Agenda and documentation for meetings

28. The Co-Chairs, assisted by the secretariat, shall prepare the provisional agenda for each meeting as well as a draft report on the meeting.

29. Members may propose additions or changes to the provisional agenda, in writing, to the secretariat within one week of receiving the provisional agenda, and these additions or changes shall be included in a revised provisional agenda by the secretariat in agreement with the Co-Chairs.

30. The secretariat shall transmit the provisional annotated agenda for a meeting to the members of the Excom at least four weeks prior to that meeting. The provisional annotated agenda may be transmitted after that date with the approval of the Co-Chairs.

31. Documents for a meeting of the Excom unless otherwise decided by the Co-Chairs, should be published on the UNFCCC website at least two weeks prior to that meeting, to the extent possible.

32. The Excom shall, at the beginning of each meeting, adopt the meeting agenda.

X. Decision-making

33. Decisions of the Excom shall be taken by consensus.¹⁰

XI. Use of electronic means of communication

34. The Excom may use electronic means of communication to facilitate work and to take decisions in accordance with guidelines to be agreed by the Excom. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the Excom.

XII. Participation of observers in meetings

35. The meetings of the Excom shall be open to attendance by admitted observer organizations, except where otherwise decided by the Excom, with a view to encouraging a balanced regional representation of observers.¹¹

¹⁰ Decision 2/CP.20, paragraph 9

¹¹ Decision 2/CP.20, paragraph 14

36. The Excom may decide on additional procedures for the participation of observer organizations other than those admitted to the UNFCCC.

37. The Excom may, in the interests of economy and efficiency, decide to limit the physical attendance of observers at its meetings.

38. The Excom may decide at any time that a meeting or part thereof should be closed to observers.

XIII. Transparency

39. The decisions and outputs of the Excom shall be made publicly available on the UNFCCC website unless decided otherwise by the Excom.¹²

XIV. Working language

40. English shall be the working language of the Excom.¹³

XV. Amendments to the rules of procedure

41. These rules of procedure, except those contained in decision 2/CP.20, may be amended by the Excom.

XVI. Overriding authority of the Convention

42. In the event of any conflict between any provisions of these rules and any provisions of the Convention, the Convention shall take precedence.

Footnotes

¹² Decision 2/CP.20, paragraph 15.

¹³ Decision 2/CP.20, paragraph 16.