

Submission by Ireland and the European Commission on behalf of the European Union and its Member States

Dublin, 13/08/2026

Subject: **Guidance to the Fund for responding to Loss and Damage**

Requests:

- 1) No guidance at COP31.

Explanatory remarks:

The European Union and its Member States welcome the progress made in the operationalisation of the Fund for responding to Loss and Damage (FRLD) and continue to fully support the effective operationalisation of the Fund in accordance with its Governing Instrument. In particular, the EU and its Member States welcome the strong interest demonstrated in the Fund, as reflected by the significant number of funding request proposals received under the call for proposals under the Barbados Implementation Modalities (BIM).

The EU and its Member States consider that the FRLD, despite having made significant strides with the operationalisation of a pilot phase including the first call for funding requests, is currently still in an early phase of its development and operationalisation. At this stage, priority should be given to the Fund Board and Secretariat continuing their work to establish the necessary structures, processes and arrangements required for the effective functioning of the Fund, including the development of its long-term operational model (LTOM).

Against this background, the EU and its Member States submit that guidance from the COP and CMA to the FRLD is not necessary or constructive at this stage. Providing additional guidance at this point could risk duplicating or pre-empting the ongoing work of the Fund Board and Secretariat.

The EU and its Member States therefore consider that the focus should remain on the implementation of the existing mandates under decisions 1/CP.28 and 1/CMA.5 and on ensuring that the Fund develops a robust and sustainable operational model in line with its Governing Instrument.

- 2) Should guidance nevertheless be provided by the COP and CMA, the EU and its Member States would like the following elements to be taken into account:

The COP/CMA:

- *Encourages* the FRLD to accelerate the development of its LTOM, including all elements necessary to ensure the Fund's effective and efficient functioning over the long term.
- *Encourages* the development of the LTOM and the design of the replenishment process to be closely aligned with the existing mandate of the fund under the Governing Instrument of the FRLD and fully consistent with the whole mandate, principles and arrangements established therein.
- Expects the FRLD to reinforce collaboration with existing funding arrangements, including through the annual High-Level Dialogue and beyond.

Any guidance provided by the COP and CMA should support and enable the ongoing operationalisation of the Fund and should avoid prejudging the work and decisions of the Fund Board in fulfilling its mandate.