

Non-economic losses expert groups of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (as at 9 October. **Unedited**)

I. Background

1. Decision 2/CP.19 established: 1) the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts in order to address loss and damage associated with the impacts of climate change, including extreme events and slow onset events (WIM), in developing countries that are particularly vulnerable to the adverse effects of climate change; and 2) its Executive Committee (Excom) to guide the implementation of functions of the WIM.
2. The Conference of the Parties (COP), at its twentieth session, decided that the Excom may establish expert groups, subcommittees, panels, thematic advisory groups or task-focused ad hoc working groups (hereinafter referred to as expert groups) to help execute the work of the Excom in guiding the implementation of the WIM, as appropriate, in an advisory role, and that report to the Excom.
3. The COP, at its twenty-second session, recognized that the Excom may enhance its effectiveness by prioritizing activities in thematic areas for further work.
4. The COP, at its twenty-third session, welcomed the report¹ of the Excom, which contains, inter alia, the five-year rolling workplan of the Excom.
5. The COP serving as Meeting of the Parties to the Paris Agreement (CMA) at its second session noted that the Excom will evaluate progress in implementing its five-year rolling workplan in 2020 and at regular intervals at its subsequent meetings.

II. Mandate

6. Activity 1 of strategic workstream (b) in the Excom's five-year rolling workplan² concerns the establishment of the expert group on non-economic losses (NELs expert group).³
7. The CMA, at its second session (December 2019),⁴ requested the Excom to revise the terms of reference for and launch the expert group on non-economic losses (NELs), taking into account the broad range of issues covered by the relevant strategic workstreams, which may need to be addressed using a sequential approach.
8. As part of the outcomes of the second review of the WIM in 2019, Parties requested the WIM Excom and its thematic expert groups to develop technical guides within their work on their respective thematic areas, avoiding duplication of work across workstreams, which include sections on the following:⁵
 - a) Risk assessments, including long-term risk assessments, of climate change impacts;
 - b) Approaches to averting, minimizing and addressing loss and damage associated with the risk assessments;

¹ FCCC/SB/2017/1/Add.1, annex.

² As contained in the 2018 Excom report, FCCC/CP/2017/1/Add.1, annex 1.

³ Workstream (b): enhanced cooperation and facilitation in relation to non-economic losses. Establish an Activity 1 of Strategic expert group to develop inputs and recommendations to enhance data on and knowledge of reducing the risk of and addressing non-economic losses, including how to factor these into the planning and elaboration of measures to address loss and damage associated with the adverse effects of climate change.

⁴ Decision 2/CMA.2, paragraph 25.

⁵ Decision 2/CMA.2, paragraph 26.

- c) Resources available for supporting such approaches;
- d) Monitoring systems for assessing the effectiveness of these approaches.

III. Scope of work

9. Non-economic losses encompass a broad range of items that are not economic and not commonly traded in markets, impacting individuals (e.g. life, health, human mobility), society (e.g. territory, cultural heritage, indigenous/local knowledge, societal/cultural identity) and environment (e.g. biodiversity, ecosystem services).⁶
10. The scope of work of the expert groups comprises those activities contained in the five-year rolling workplan of the Excom that refer to the respective expert groups, as well as relevant mandates from COP and CMA decisions that may not have been taken into account yet in the five-year rolling workplan.
11. The NELs Expert Group will assist the Excom in activities within the five-year rolling workplan relating to non-economic losses, including but not limited to strategic workstream (b) of the workplan, as well as fulfilling relevant mandates from Parties including those outlined in paragraphs 6 to 8 above.⁷
12. The following activities relate to strategic workstream (b) in the five-year rolling workplan of the Excom referred to in paragraph 11 above:
 - e) Establish an expert group to develop inputs and recommendations to enhance data on and knowledge of reducing the risk of and addressing NELs, including how to factor these into the planning and elaboration of measures to address loss and damage associated with the adverse effects of climate change. The expert group will be established, in the first instance, for a period of two years to execute the activities listed below;
 - f) Develop an awareness-raising strategy and related knowledge products/outreach material/key messages;
 - g) Invite the NELs expert group, in collaboration with the Excom:
 - i. To collect and synthesize information on available tools to assess NELs;
 - ii. To disseminate or otherwise make available that information, including via the UNFCCC website.
 - h) The NELS expert group to work jointly with the TFD, as appropriate, to develop guidelines for averting, minimizing and addressing NELs in the context of human mobility;
 - i) Foster existing and/or build new partnerships and otherwise cooperate with relevant stakeholders engaged in work on NELs;
 - j) Invite partners to coordinate related capacity-building events at the regional and national levels to identify capacity needs and support, with a view to supporting the efforts of developing countries to assess and address NELs.
13. The NELs Expert Group will, to the extent possible, collaborate with expert groups as well as constituted bodies, networks and work programmes under and outside of the Convention and the Paris Agreement in carrying out its work. This includes, but not is limited to, the expert group referenced in paragraph 40 of decision 2/CMA 2, previously established expert groups and the Santiago Network.

⁶ See the main types of non-economic losses identified in paragraph 74 of [document FCCC/TP/2013/2 "Technical Paper on Non-economic losses in the context of the work programme on loss and damage"](#)

⁷ The workplan referred to is contained in the annex of document FCCC/SB/2017/1, Add.1.

14. The Excom will evaluate progress in implementing its five-year rolling workplan in 2020 and at regular intervals at its subsequent meetings.

IV. Membership

15. The NELs Expert Group should consist of:
 - a) Balanced representation of Annex I⁸ and non-Annex I⁹ members of the Excom;
 - b) Technical experts; and,
 - c) Representatives of relevant constituted bodies.
16. The total number of individuals described in paragraph 15(a) above will not exceed four at any time. The total number of individuals described in paragraph 15(b) and (c) above will range from 10 to 18. These numbers may be reviewed and revised by the Excom, as appropriate.
17. The Excom members referred to in paragraph 15(a) above will 1) identify the technical experts referred to in paragraph 15(b) above, drawing *inter alia* on the WIM Roster of Experts, and 2) propose the list of potential members of NELs Expert Group, including from the relevant constituted bodies referred to in paragraph 15(c), as appropriate, for endorsement by the Excom, following which the Excom Co-Chairs will liaise with respective experts and the constituted body(ies).
18. The selection of technical experts referred to in paragraph 15(b) will take into account the need for expertise from multiple regions, regional balance, and be based on the following requirements:
 - a) Demonstrable and internationally or regionally recognized expertise, taking into consideration, as appropriate, the need for transdisciplinary expertise;
 - b) Practical international, regional or national experience in issues related to averting, minimizing and addressing loss and damage to the adverse effects of climate change, corresponding to the group's mandate, including on priority thematic areas of work as determined by Excom.
19. The Excom, on the recommendation of the expert group, can invite additional technical experts, including those listed in the roster of experts, and from relevant organisations, as needed, to contribute to specific activities of the group on an ad hoc basis:
 - a) Ad hoc members with the requisite expertise may be invited to serve specific activities in keeping with the Plans of Action (PoAs) of the expert groups;
 - b) To the extent possible, a regional balance will be pursued.
20. Technical experts of the expert group will serve for two years and can be renewed or replaced as needed, in accordance with the prioritized topics in strategic workstream (b) of the five-year rolling workplan of the Excom. For members serving as representatives of constituted bodies under the Convention and/or the Paris Agreement, their term will not exceed their term on the body they represent.

V. Mode of work and outputs

21. The mode of work of the NELs Expert Group will comprise:
 - a) Electronic means/modalities; for example, email, video conferencing and telephone online platforms;

⁸ 'Annex I' refers to Annex I Parties to the Convention.

⁹ 'Non-Annex I' refers to non-Annex I Parties to the Convention.

- b) In-person meetings, as deemed necessary. Such meetings should be held back-to-back with or in parallel to Excom meetings, sessions of the subsidiary bodies or relevant external events, as far as possible, with a view to maximizing overall efficiency and effectiveness;¹⁰ and,
 - c) Engagement with organizations, bodies, experts and networks including the Santiago network, engaged in providing technical advice, support and assistance to developing countries, through, inter alia, electronic means/modalities; workshops, including at national and regional level; outreach through other organizations as appropriate.¹¹
22. The NELs Expert Group will be co-facilitated by Excom members.
 23. The NELs Expert Group will develop a rolling plan of action at its first meeting,¹² in line with the mandate and scope as defined in the respective sections of the TOR, and taking into account the information contained in the respective strategic workstream of the five-year rolling workplan of the Excom. The plan of action should include specific activities, and associated deliverables, indicative time frames and lead/co-lead, and will be subject to endorsement by the Excom prior to its implementation.
 24. The plan of action may be updated, as appropriate, upon advice by the Excom which will be guided by priorities identified in the five-year rolling workplan and, if applicable by further guidance by the Excom on the thematic areas of work.
 25. In developing or updating its rolling plan of action, the NELs Expert Group will take into account information from the Santiago Network as appropriate, and the plans of action of other expert groups of the Excom, to enhance coherence, collaboration and synergies among the expert groups where relevant.
 26. The outputs of the NELs Expert Group will be presented to the Excom for consideration.
 27. Members of the NELs Expert Group, including ad hoc members, who are not on the Excom may not act as representatives of the Excom.
 28. In keeping with the Mandate and Scope of Work in sections II and III above, expert groups may prepare knowledge products, outputs and other deliverables. The appropriate branding and disclaimers must be applied, as appropriate, based on guidance from the Excom, within the broader guidelines of the UNFCCC.

VI. Reporting

29. The NELs Expert Group will report to the Excom, on a regular basis, at the meetings of the Excom and by written reports, that include, to the extent possible, detailed information on the progress in implementing the plan of action, as appropriate.
30. The Excom will determine the contribution the expert group's reports might make to relevant synthesis reports for the technical assessment component of the global stocktake, in particular as described in decision 19/CMA1 para 36(e).
31. Progress in the work of the NELs Expert Group will be captured in the report of the Excom.

¹⁰ Support for the participation of Excom members eligible for support applies only to in-person meetings that the Excom has approved in advance.

¹¹ The CMA at its second session established, as part of the WIM, the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change (hereinafter referred to as the Santiago network), to catalyse the technical assistance of relevant organizations, bodies, networks and experts, for the implementation of relevant approaches at the local, national and regional level, in developing countries that are particularly vulnerable to the adverse effects of climate change. The Excom has been requested to include relevant information from the organizations, bodies, networks and experts that have reported on their progress under the Santiago network in its annual reports.

¹² Standard time frame used in the plans of action of Excom's expert groups has been two-years (e.g., TFD, TEG-CRM).

VII. Confidentiality and conflicts of interest

32. The conflict of interest and confidentiality guidelines of the Excom will apply mutatis mutandis to all members of this expert group.