

27 October 2021

H.E Alok Sharma,
The President-Designate of the UN Climate Change Conference COP 26
Glasgow, UK

Subject: Request to reflect the WIM agenda items under both the COP and CMA agendas in an identical and balanced manner and to carry out the work jointly

Your Excellency,

I am writing to express the concern of the Least Developed Countries (LDC) Group in relation to the provisional agendas released on 3 September for COP26 and CMA3.

As you are aware, the question as to whether the COP, CMA, or both bodies should govern the Warsaw International Mechanism for Loss and Damage (WIM) remains unresolved among Parties. It is the position of the LDC Group, on the basis of legal interpretation of relevant COP decisions and the Paris Agreement, that the WIM should be governed by both the COP and the CMA. However, the agendas released on 3 September provide that the report of the WIM Executive Committee (ExCom) and the selection of its new members are both to occur under the CMA, with only the issue of governance to be dealt with under the COP agenda item. In our view, this prejudices the outcome of the question of governance by effectively removing responsibility for the COP over all of the substantive work taking place under the WIM, before the role of the COP and CMA has been agreed by Parties.

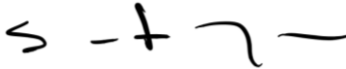
We therefore request that the agenda be revised to address the imbalance in the annotated agendas with respect to how Loss and Damage is treated. It is our view that the agenda annotations included in both the COP and CMA agendas should be identical until the governance issue has been resolved.

Further, we believe that to ensure the balance of mandates between the COP and the CMA it would be wise to convene a joint contact group on Agenda Items 7 of the respective CMA and COP agendas to carry out the work.

I wish to thank you for your extensive efforts in organizing COP26 under the significant constraints of the ongoing pandemic. We thank you for hearing our concerns and look forward to your response.

Please accept, Excellency, the assurance of my highest consideration.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line, a vertical line, a curved line, and another horizontal line.

Sonam P. Wangdi
Chair of the LDC Group at UNFCCC