

DRAFT TEXT

on

SBSTA 60 agenda item 6

SBI 60 agenda item 12

Terms of reference for the 2024 review of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts

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Draft conclusions proposed by the Chairs

1. The Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA) finalized the terms of reference for the 2024 review of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM),¹ as contained in the annex.
2. The SBI and the SBSTA agreed to undertake that review at SB 61 (November 2024) on the basis of those terms of reference and to forward the outcomes to the appropriate governing body or bodies for consideration.²
3. The SBI and the SBSTA invited Parties and non-Party stakeholders to submit via the submission portal³ by 30 September 2024 in order to serve as input to the 2024 review of the WIM, inter alia:
 - (a) Views on strengths, weaknesses, gaps, challenges and opportunities related to enhancing the effectiveness and efficiency of the WIM;
 - (b) Views on the use and usefulness of the outputs of the WIM and usefulness of activities;
 - (c) Views on improvements of the WIM and the implementation of its functions;⁴
 - (d) Other input on how the WIM can promote the implementation of approaches to averting, minimizing and addressing loss and damage associated with climate change impacts.
4. The SBI and the SBSTA encouraged Parties to consult their loss and damage contact points in preparing the submissions referred to in paragraph 3 above, as appropriate.
5. The SBI and the SBSTA requested the secretariat to prepare a summary of the views referred to in paragraph 3 above, to serve as input to the 2024 review of the WIM.
6. The SBI and the SBSTA requested the secretariat to prepare a background paper to inform the 2024 review of the WIM, with the paper to include information on the status of work, activities and outputs under the WIM, covering:
 - (a) Relevant decisions and mandates;
 - (b) Institutional arrangements relating to loss and damage established since the 2019 review of the WIM, including those of expert groups, the technical expert group and the task force under the WIM and the engagement of loss and damage contact points;
 - (c) Progress of implementation of the workplan of the WIM Executive Committee and the plans of action of its expert groups, technical expert group and task force;
 - (d) Progress of the operationalization of the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change in all regions, including consideration of the reports on the regional scoping workshops that took place in 2023;

¹ Pursuant to decision 4/CP.22, para. 2(d).

² Nothing in these conclusions or in the terms of reference prejudices Parties' views or prejudices outcomes on matters related to the governance of the Warsaw International Mechanism.

³ <https://www4.unfccc.int/sites/submissionsstaging/Pages/Home.aspx>.

⁴ As set out para. 5 of decision 2/CP.19.

(e) Implementation under the WIM of mandates and recommendations of the 2019 review and [relevant WIM] [WIM relevant] [implementation] outcomes of the 1st GST as contained in decision 1/CMA5 [, including] paragraph 133

7. *Placeholder for inclusion of additional para, if any, pending Parties agreement on Modality section in INF INF)*

8. The SBI and the SBSTA requested the secretariat to take note of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in paragraphs 5–7 above.

9. They requested that the actions of the secretariat called for in these conclusions be undertaken subject to the availability of financial resources.

Annex

Terms of reference for the 2024 review of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts

I. Mandate

1. Decisions 4/CP.22 and 2/CMA.2,⁵ paragraph 46, provide recommendations regarding the 2024 review of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM).⁶

II. Objective

2. During the 2024 review, Parties will consider, inter alia, progress in implementing the functions of the WIM, as set out in decision 2/CP.19, and the performance of and achievements facilitated by those functions; progress in achieving the long-term vision of the WIM; progress in implementing the activities of the WIM Executive Committee and those under the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change; and ways in which the WIM may be enhanced and strengthened, as appropriate, in the light of the current context in which the WIM is implemented, to promote implementation of approaches to averting, minimizing and addressing loss and damage associated with the adverse effects of climate change.

III. Scope

3. Parties will review the WIM since its 2019 review, taking into account the broader context of work on averting, minimizing and addressing loss and damage under and outside the Convention and the Paris Agreement; the segments of the population that are already vulnerable, as set out in paragraph 7(a)(iii) of decision 3/CP.18; and the evolving needs and priorities of developing countries that are particularly vulnerable to the adverse effects of climate change.

4. The review will focus on, inter alia:

(a) The performance of the WIM and its functions as set out in decision 2/CP.19, and how it can continue to be fit-for-purpose to promote the implementation of approaches for averting, minimizing, and addressing loss and damage;

(b) The structure of the WIM, including its Executive Committee⁷ and its Santiago network.⁸

(c) The usefulness, use, development and dissemination of the outputs of the WIM, including in relation to developing countries that are particularly vulnerable to the adverse effects of climate change;

(d) Collaboration, coordination, partnerships and coherence and synergies of work under the WIM in relation to bodies, entities and work programmes, including the funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs

⁵ Noted in decision 2/CP.25.

⁶ Nothing in this document prejudices Parties' views or prejudices outcomes on matters related to the governance of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts.

⁷ Including the three expert groups, a technical expert group and a task force of the Executive Committee.

⁸ As set out in decision 12/CMA. 4, endorsed by decision 11/CP.27.

2 and 3 of decision 2/CP.27 and 2/CMA.4, and with stakeholders under and outside the Convention and the Paris Agreement;

(e) The progress of implementation of the workplan of the WIM Executive Committee, including in relation to outreach and communication, and the work programme of the Santiago network in relation to implementing the functions of the WIM;

(f)

Option 1: The response under the WIM to relevant decisions under the Convention and the Paris Agreement.

add a footnote on WIM governance, and add 2nd footnote adding specificity to what 'relevant' decisions entails – i.e. those contain outcomes of the 2019 WIM review, first GST, and COP/CMA decisions since COP 25/CMA2

Option 2:

The response of the WIM to Article of 8 of the Paris Agreement and relevant decisions under the Convention and the Paris Agreement. and add footnote 5 from G77 submission to specify decisions (2/CMA.2, 2/CP.25, 19/CMA.3, 17/CP25, 12/CMA.4, 11/CP.27, 13/CMA.4, 12/CP.27, 5/CMA.5, 1/CP.28, 6/CMA.5, 2/CP.28, 7/CMA.5, 3/CP.28)

Option 3:

The response of the WIM to relevant decisions under the Convention and the Paris Agreement. and add footnote 5 from G77 submission to specify decisions (2/CMA.2, 2/CP.25, 19/CMA.3, 17/CP25, 12/CMA.4, 11/CP.27, 13/CMA.4, 12/CP.27, 5/CMA.5, 1/CP.28, 6/CMA.5, 2/CP.28, 7/CMA.5, 3/CP.28)

Option 4: The response of the WIM to relevant decisions since the last review of the WIM in 2019

Option 5: The response of the WIM to relevant decisions

5. In their assessment, Parties will consider:

(a) The effectiveness and efficiency of the work of the WIM, including its Executive Committee, expert groups, technical expert group, task force, and its Santiago network, regarding, inter alia, timeliness, relevance, usefulness, visibility, coherence, complementarity, synergies, comprehensiveness, responsiveness and resourcing;

(b) Barriers and gaps, challenges and opportunities, good practices and lessons learned in the context of the implementation of the WIM.

(c)

Option 1:

The composition of the WIM Executive Committee.

Option 2:

Delete

IV. Inputs and sources of information

6. Being guided by the best available science, Indigenous Peoples' knowledge and the knowledge of local communities, the inputs to the review are as follows:

(a) Background paper referred to in para 6

(b) The annual reports of and outputs by the WIM Executive Committee, and the joint reports of the Executive Committee and the Santiago network

(c) Views relevant to the WIM submitted by the Parties and non-Party stakeholders referred to in paragraph 3

- (d) A summary of the submissions referred to in paragraph 5 above
- (e) The workplan of the WIM Executive Committee and the work programme of the Santiago network;

(f)

Option 1:

Relevant decisions and the Paris Agreement

Option 2:

Delete

Option 3:

Add a footnote to specify what ‘relevant decisions’ entails – i.e. 2/CMA.2, 2/CP.25, 19/CMA.3, 17/CP.25, 12/CMA.4, 11/CP.27, 13/CMA.4, 12/CP.27, 5/CMA.5, 1/CP.28, 6/CMA.5, 2/CP.28, 7/CMA.5, 3/CP.28

7. Sources of information for the review may include:

(a) Relevant scientific and technical reports of national, regional and international organizations;

(b) Relevant national and regional strategies, plans and reports;

(c) Relevant outputs of UNFCCC constituted bodies and from events organized under the UNFCCC process, including the Glasgow dialogue⁹ and the summary reports thereon.

V. Modalities

8. The modalities to be used in conducting the review are:¹⁰

(a) The calls for submissions referred to in paragraph 6(b);

(b)

Option 1

An event to be held in conjunction with the sixty-first sessions of the subsidiary bodies (November 2024), organized by the secretariat under the guidance of the Chairs of the subsidiary bodies, at which the information from the inputs mentioned in paragraph xx above will be presented;

Option 2

Delete

VI. Expected output

9. On the basis of the assessment of progress undertaken in accordance with paragraphs 1–8 above, a draft decision will be prepared at SB 61, including a set of recommendations that respond to the objective of the review as referred to in paragraph 2 above.

⁹ 1st Glasgow Dialogue <<https://unfccc.int/event/first-glasgow-dialogue-gd1>>, 2nd Glasgow Dialogue <<https://unfccc.int/event/gd2>>, 3rd Glasgow Dialogue <<https://unfccc.int/event/gd3>>

¹⁰ Will be adjusted pending the outcomes of Parties’ further consultations on the modalities.