

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

Version 11/6/2024 23:45

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 the usefulness of activities under the WIM;
 - (c) Views on improvements of the WIM and the implementation of its functions;⁴
 - (d) Other inputs 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 also 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 the 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 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 WIM.

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 arising from the 2019 review of the WIM and relevant outcomes of the first global stocktake, as set out in decision 1/CMA.5.

7. The SBI and the SBSTA further requested the secretariat, under the guidance of the Chairs of the subsidiary bodies, to organize an event, to be held in conjunction with SB 61, to provide inputs to the 2024 review of the WIM through engagement of Parties and non-Party stakeholders in structured discussions taking into account the terms of reference for the review.

8. The SBI and the SBSTA noted the discussions that took place among Parties at these sessions, relating to representation in the WIM Executive Committee.

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

10. 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

11. 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

12. 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

13. 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.⁷

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 to averting, minimizing and addressing loss and damage;

(b) The structure of the WIM, including its Executive Committee⁸ and its Santiago network;⁹

(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 WIM.

⁷ The approach taken for the 2024 review of the WIM does not prejudice the approach to future reviews.

⁸ Including the three expert groups, a technical expert group and a task force.

⁹ As set out in decision 12/CMA.4, endorsed by decision 11/CP.27.

2–3 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) The response under the WIM to relevant decisions and the Paris Agreement.¹⁰

5. In their assessment, Parties will consider:

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

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

IV. Inputs and sources of information

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

(a) The background paper referred to in paragraph 6 of this document;

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

(c) The views relevant to the WIM submitted by Parties and non-Party stakeholders referred to in paragraph 3 of this document;

(d) The summary of the views as referred to in paragraph 5 of this document;

(e) The workplan of the WIM Executive Committee and the work programme of the Santiago network;

(f) Relevant decisions and the Paris Agreement.

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 dialogue¹¹ and the summary reports thereon.

8. An event will be organized by the secretariat, to be held in conjunction with and at the start of SB 61, to provide inputs for the review through engagement of Parties and non-Party stakeholders in structured discussions taking into account these terms of reference.

V. Modalities

9. The modalities to be used in conducting the review are:¹²

(a) The call for the submissions referred to in paragraph 6(c) above;

¹⁰ Inclusion of references to the Paris Agreement in this document does not prejudice the outcome of the consideration on the matters related to the governance of the WIM.

¹¹ See <https://unfccc.int/event/first-glasgow-dialogue-gd1>, <https://unfccc.int/event/gd2> and <https://unfccc.int/event/gd3>.

¹² Will be adjusted pending the outcomes of Parties' further consultations on the modalities.

(b) The consideration by Parties of the above-mentioned inputs and sources of information in the light of the objective and scope of the review.

VI. Expected output

10. On the basis of the assessment of progress undertaken in accordance with paragraphs 1–9 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.