

COP agenda item 7 /CMA agenda item 10

Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts and joint annual report of its Executive Committee and the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change

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1. *Welcomes* the progress of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts in implementing its rolling workplan for 2023–2027¹ and the progress of the Advisory Board and the interim secretariat of the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change in operationalizing the Santiago network;
2. *Adopts* the rules of procedure of the Advisory Board of the Santiago network, as contained in the annex;
3. *Expresses appreciation* to the organizations, constituted bodies under the Convention and the Paris Agreement and other stakeholders that have contributed to the implementation of the rolling workplan of the Executive Committee for 2023–2027, including through its thematic expert groups, and to the organizations, bodies, networks and experts that have become or expressed an interest in becoming members of the Santiago network;
4. *Requests* the subsidiary bodies to continue consideration of the 2024 joint annual report of the Executive Committee and the Santiago network² and the 2024 review of the Warsaw International Mechanism at their sixty-second sessions (June 2025) with a view to recommending a draft decision or decisions thereon for consideration and adoption by the governing body or bodies at the session(s) to be held in November 2025;
5. *Placeholder to insert the outcomes of the consultation on the WIM governance*

¹ FCCC/SB/2022/2/Add.2, annex I.

² FCCC/SB/2024/2 and Add.1–2 and Add.2/Rev.1.

Rules of procedure of the Advisory Board of the Santiago network for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change*

I. Scope

1. These rules and procedures shall apply to the Advisory Board of the Santiago network (the “Advisory Board”) in accordance with decision 12/CMA.4, endorsed by decision 11/CP.27, and decision 6/CMA.5, endorsed by decision 2/CP.28, as well as any other relevant decisions of the governing body or bodies.

II. Definitions

1. For the purpose of these rules:

(a) “Co-chairs” means the members of the Santiago network elected as co-chairs of the Advisory Board of the Santiago network;

(b) “Secretariat” means the secretariat referred to in paragraph 3(a) of decision 12/CMA.4, endorsed by decision 11/CP.27, as a hosted secretariat, and also in the Terms of Reference of the Santiago network, in Annex I of the same decisions.

III. Membership

2. The Advisory Board, with the aim of achieving fair and balanced representation, shall be composed of the following, taking into account the need for gender balance:

(a) Two members from each of the five recognized United Nations regional groups;

(b) One member each from the least developed countries and small island developing States;

(c) Two members of the Executive Committee of the Warsaw International Mechanism (ExCom), nominated by the ExCom from among its members.

3. The Advisory Board will also have three other representatives, one from the Women and Gender constituency, one from Indigenous Peoples organizations, and one from the children and youth non-governmental organizations, who may actively participate in the deliberations of the Advisory Board.

4. Members and representatives elected to the Advisory Board shall serve a term of two years and shall be eligible to serve a maximum of two consecutive terms of office.

5. Half of the members elected in 2023 shall serve a term of three years and half of the members shall serve a term of two years, after which time the governing body or bodies shall elect half of the members every year for a term of two years.

6. The members of the Advisory Board shall remain in office until their successors are elected.

7. The term of office of a member shall start at the first meeting of the Advisory Board in the calendar year following their election and shall end immediately before the first meeting of the Advisory Board in the calendar year in which their term ends.

* Reproduced as adopted by the Advisory Board of the Santiago network at its 3rd meeting, on 6 September 2024, without formal editing.

8. If a member or representative of the Advisory Board resigns or is otherwise unable to complete their term, the regional group or constituency from which the member comes - or the ExCom, for members nominated by it - may decide, bearing in mind the proximity of the next session of the governing body or bodies, to appoint another member from the same group or constituency to replace said member for the remainder of that member's term, in which case the appointment shall count as one term.

9. If a member is temporarily unable to serve in the Advisory Board, the Advisory Board shall, at the request of that member, invite the group, constituency, or the ExCom, to replace said member in an ad interim capacity for a period of up to one year from the date of that request.

IV. Conflicts of interest and confidentiality

10. Advisory Board members must promptly disclose and recuse themselves from any deliberations or decision-making where their personal or financial interests may be affected, in order to avoid a conflict of interest or the appearance of one.

11. Advisory Board members should not disclose any confidential information they receive in the course of their duties, even after leaving the Advisory Board, except as required by national law.

V. Chairing arrangements

12. The Advisory Board shall elect annually two co-chairs from among its members to serve for a term of one year.

13. If one or both co-chairs are absent from a particular meeting, any other member or members designated by the Advisory Board shall serve as co-chair or co-chairs.

14. If a co-chair is unable to complete the term of office, the Advisory Board shall elect a replacement to complete that term of office.

15. The co-chairs shall collaborate in chairing meetings of the Advisory Board and related intersessional work. The co-chairs shall, inter alia, declare the opening and closing of meetings, ensure the observance of these rules of procedure, accord the right to speak and announce decisions. The co-chairs shall rule on points of order and, subject to these rules of procedure, shall have complete control over the proceedings of meetings and the maintenance of order at meetings.

16. The co-chairs shall share and allocate between themselves responsibility for chairing Advisory Board meetings.

17. The co-chairs or any member designated by the Advisory Board shall report to the governing body or bodies on behalf of the Advisory Board.

18. The co-chairs or any member designated by the Advisory Board shall represent the Advisory Board in external meetings and shall report back to the Advisory Board on those meetings.

19. The co-chairs may also jointly delegate tasks to members of the Advisory Board in the interest of expediting and advancing the work of the Advisory Board.

20. The Advisory Board may further define additional roles and responsibilities for the co-chairs.

21. The co-chairs, in the exercise of their functions, remain under the authority of the Advisory Board.

VI. Subcommittees and panels

22. The Advisory Board may establish subcommittees, panels, working groups or task forces, if required, to undertake specific tasks assigned by the Advisory Board or to provide expert advice in order to assist the Advisory Board in executing its work.

23. In establishing subcommittees, panels, working groups or task forces, the Advisory Board will determine an appropriate number of participants and ensure that participants have appropriate expertise in the relevant field of work.

VII. Secretariat

24. The director of the Santiago network secretariat shall serve as secretary to the Advisory Board.

25. The secretary shall be responsible for facilitating and providing support to the:

(a) Making of the necessary arrangements for the meetings of the Advisory Board, including announcing meetings, issuing invitations and making available the documents for meetings;

(b) Maintaining of meeting records and arranging for the storage and preservation of documents of meetings;

(c) Making of documents of the meetings of the Advisory Board available to the public, unless otherwise determined by the Advisory Board.

(d) Tracking of the implementation of decisions and actions taken by the Advisory Board and report on the progress of these actions.

26. In addition, the secretary shall facilitate support that the Advisory Board may require or that the governing body or bodies may direct with respect to the Advisory Board

VIII. Meetings

27. The Advisory Board shall meet at least twice a year, where possible in connection with meetings of the ExCom, while retaining its flexibility to adjust the number of meetings to suit its needs.

28. The Advisory Board shall hold its meetings at the location of the Santiago network secretariat head office, unless otherwise decided by the Advisory Board and subject to the necessary arrangements being made, and may hold meetings in hybrid (in person and virtual) format. Decisions on the location of meetings other than the location of the Santiago network secretariat shall take into account the costs and benefits of venue rotation, particularly in developing countries and with respect to facilitating the participation of key stakeholders, as well as the location of the ExCom meetings.

29. The Advisory Board may decide to hold meetings virtually on an exceptional basis and when required to advance its work, as proposed by the co-chairs after consultation with the Advisory Board.

30. In arranging virtual meetings, the Advisory Board shall consider the working modalities of such meetings, including the fair and balanced choice of timing in light of the time zones of members, with the aim of ensuring inclusive and effective participation of all members.

31. At the first Advisory Board meeting of each calendar year, the co-chairs shall propose a schedule of meetings for that calendar year.

32. At each meeting, the Advisory Board will confirm the dates, duration and venue of the following meeting.

33. If changes to the scheduled or additional meetings are required, the co-chairs shall, after consultation with the Advisory Board, request the secretariat to give notice of any

changes in the dates of scheduled meetings and/or of the dates of additional meetings to members and representatives, and observers. To the extent possible, notice of a meeting shall be given at least four weeks before the opening of that meeting.

IX. Quorum

34. At least 10 of the Advisory Board members, as laid out in paragraph 3, must be present at a meeting to constitute a quorum. Members participating in meetings virtually will count towards quorum. A quorum shall be established prior to the commencement of each meeting.

35. A quorum shall be confirmed by the co-chairs immediately prior to the adoption of any decision by the Advisory Board.

36. A member may ask for a confirmation of quorum prior to the commencement of a meeting or prior to the adoption of any decision by the Advisory Board.

X. Agenda and documentation for meetings

37. The co-chairs, assisted by the secretariat, shall prepare the provisional agenda for each meeting as well as a draft report on the meeting.

38. Members and representatives may propose additions or changes to the provisional agenda, in writing, to the secretariat within one week of receiving the provisional agenda, and these additions or changes shall be included in a revised provisional agenda prepared by the secretariat with the approval of the co-chairs.

39. The secretariat shall transmit the revised provisional agenda for a meeting to the members and representatives of the Advisory Board at least four weeks prior to that meeting. The revised provisional agenda may be transmitted after that date with the approval of the co-chairs.

40. Unless otherwise decided by the co-chairs, documents for a meeting of the Advisory Board should be published on the Santiago network website at least two weeks prior to that meeting, to the extent possible.

41. The Advisory Board shall, at the beginning of each meeting, adopt the meeting agenda.

42. Before the end of each meeting, the co-chairs shall present draft decisions for consideration and approval by the Advisory Board.

XI. Decision-making

43. Decisions of the Advisory Board will be taken by consensus by its members as laid out in paragraph 3.

44. Efforts by the co-chairs to facilitate the reaching of consensus may include:

(a) Consulting with members on draft documents, including draft decisions, prior to the meeting;

(b) Consulting with members on the relevant matter during the meeting;

(c) Providing the opportunity for members to state and/or formally record in the report on the relevant meeting their reservations regarding a particular decision without preventing consensus from being reached.

(d) Postponing the decision on the matter to a later meeting in order to allow for further exchange on the matter;

45. If all efforts at reaching consensus have been exhausted, and no consensus is reached, decisions will be taken by a four-fifths majority of the members present and voting.

46. The co-chairs, acting together and in good faith, and following consultations with all members, shall determine whether all efforts at reaching consensus in respect of a particular draft decision have been exhausted.

47. In making such a determination the co-chairs shall take into consideration:

(a) Whether consultations on the relevant matter have occurred during and/or between meetings, including between the co-chairs, without consensus being reached;

(b) Whether the subject matter of the draft decision has been considered at prior meetings without consensus being reached;

(c) Whether and how many members have indicated that they cannot join consensus on a decision.

48. Each member shall have one vote. For the purpose of this rule, “members present and voting” means members participating in the meeting (both in person and virtually) at which voting takes place and casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting for the purpose of determining the four-fifths majority.

XII. Process for intersessional decision making:

49. The Advisory Board may take a decision without meeting on an extraordinary basis when, in the judgment of both co-chairs, such a decision should not be postponed to the next Advisory Board meeting. In such a case, the secretariat, with the approval of the co-chairs, shall transmit to Board members a proposed decision with the invitation to approve the decision on a non-objection basis for a prescribed period (generally 21 days but in urgent cases no less than one week). Copies of such a proposal shall be provided to the representatives for their information.

50. The provisions on quorum and other rules set forth in these rules of procedure shall apply *mutatis mutandis* to the aforementioned procedure.

51. In the absence of an objection by an Advisory Board member within the prescribed period, the decision will be deemed taken upon the expiration of the prescribed period. If an objection is received within the prescribed period, the co-chairs will work to resolve the concerns of the objecting Board member(s) directly. If the objecting Board member(s) uphold their objection following discussion with the co-chairs, the proposed decision will be considered by the Board at the following Advisory Board meeting. The secretariat shall circulate all written comments and objections to Advisory Board members and representatives and notify all members and representatives of the action taken pursuant to this paragraph.

52. Decisions approved between meetings shall be recorded in the report of the following Board meeting.

XIII. Use of electronic means of communication

53. The Advisory Board may use electronic means of communication to facilitate work and to take decisions in accordance with guidelines to be agreed by the Advisory Board. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the Board.

XIV. Participation of observers in meetings

54. Advisory Board meetings will be open to observers, unless otherwise decided by the Advisory Board, and the Advisory Board will invite observers from relevant constituted bodies, civil society organizations and other organizations, bodies, networks and experts to attend its meetings in order to provide technical expertise and inputs, as appropriate, to the Advisory Board for its deliberations.

55. The Advisory Board may decide on additional procedures for the participation of observers.

XV. Transparency

56. The decisions and products of the Advisory Board shall be made publicly available on the Santiago network website unless decided otherwise by the Advisory Board.

XVI. Working language

57. English shall be the working language of the Advisory Board.

XVII. Modifications to the rules of procedure

58. Decisions to propose modifications to these rules of procedure, except with respect to matters decided in decision 12/CMA.4, may be taken by the Advisory Board by consensus with a view to recommending them to the governing body or bodies through the subsidiary bodies for consideration and adoption.
