

Submission of the Zurich Flood Resilience Alliance on the possible elements to be included in the terms of reference for the review of the Warsaw International Mechanism for Loss and Damage

Prepared by Mercy Corps and Practical Action on behalf of ZFRA

Introduction

In response to an invitation for submissions to Parties, relevant organizations and other stakeholders in relation to a mandate stemming from decision 5/CP.23 para 12, the Zurich Flood Resilience Alliance (ZFRA) appreciates the opportunity to submit its inputs on possible elements to be included in the Terms of Reference (TOR) for the review of the Warsaw International Mechanism (WIM) referred to in decision 4/CP.22, paragraph 2(d), for consideration by the subsidiary bodies at their sessions to be held in June 2019.

ZFRA is an alliance of humanitarian organizations, research institutions and a private sector company - Concern Worldwide, IFRC, IIASA, ISET, LSE, Mercy Corps, Plan International, Practical Action and Zurich Insurance. Together we will work to increase communities' resilience to floods over the next five years.

Objective of the Review

The objective of the review is to take stock and assess progress of the work of the WIM and its Executive Committee (ExCom).

According to decision 2/CP.19, para 5, the WIM shall promote the implementation of approaches to address loss and damage by undertaking, *inter alia*, the following functions:

- a) Enhancing knowledge and understanding of comprehensive risk management approaches to address loss and damage associated with the adverse effects of climate change, including slow onset impacts,
- b) Strengthening dialogue, coordination, coherence and synergies among relevant stakeholders
- c) Enhancing action and support, including finance, technology and capacity-building, to address loss and damage associated with the adverse effects of

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climate change, so as to enable countries to undertake actions pursuant to decision 3/CP.18, para 6.

According to decision 2/CP.19, para 2, The ExCom shall function under the guidance of, and be accountable to, the COP, to guide the implementation of the functions referred to under para 5.

Scope to the Review

The Review should assess the extent to which the WIM has met each of the above listed functions, and the degree to which it is capable of meeting these functions in the future, including to serve the Paris Agreement and the global stocktake, taking into account the findings of the IPCC Special Report on Global Warming of 1.5 °C and recommendations for averting, minimizing and addressing loss and damage developed by the Taskforce on Displacement (TFD). As part of this, the review should examine progress on the five year rolling Workplan.

Particular attention should be paid to areas in which progress has not been made, specifically with regard to the third function of the WIM, “enhancing action and support, including finance, technology and capacity-building” and work stream E) of the Workplan.

The review should also reflect on ways in which WIM has engaged with other relevant bodies, for example the Standing Committee on Finance (SCF). The SCF was established to help the COP undertake its work with respect to finance, including to improve coherence and coordination in delivering climate finance, mobilizing and measuring financial resources, reporting and verifying support provided to developing countries. The review can identify mechanisms to better ensure effective support by the SCF, especially under its current mandate on assessing the needs of financial support.

More broadly, the review should explore the ability, performance and effectiveness of the WIM in the facilitation of implementation of Article 8 of the Paris Agreement.

The review should also include consideration of the governance options for the WIM and the representation of the WIM. The Warsaw International Mechanism (WIM) was established under the COP in para 1 of decision 2/CP.19. Article 8.2 of the Paris Agreement determined that the WIM, “shall be subject to the authority and guidance” of the CMA and “may be enhance and strengthened” as determined by the CMA. However, this does not preclude the WIM from continuing to be subject to the authority of the COP. Therefore, in legal terms the ExCom operates under the guidance and authority of both the COP and the CMA. The report of the ExCom (and its predecessor the interim ExCom) has been included as an agenda item on both the SBI and SBSTA agendas, reporting through the SBs to the COP at COP 20, 22, 22 and 23. There has been no change in the reporting relationship since COP 23 and therefore the ExCom is required to continue to report to the COP. If the ExCom is to report to both the CMA and the COP further discussions are needed on the modalities. Allowing the WIM to report both to the COP and CMA will provide an opportunity for Parties to resolve the remaining technical issues under the SBSTA/SBI as well as the current and potential emerging political issues under the CMA, facilitating the WIM to serve the Agreement.

Finally, the review may also explore whether or not the constituency of the WIM is fit for purpose. Dec 2./CP19/ para 4 outlined balanced representation between developed and developing country Parties. The review should assess the appropriateness of the composition of the WIM, given inability to make progress on the agreed mandate and the fact that developing countries are most impacted by loss and damage.

Desired Outcome of the Review

The review should result in clear and operational recommendations on how the WIM and its ExCom should be enhanced and strengthened, and how coordination and collaboration with other bodies can be improved, in coherence with its catalytic role of promoting the implementation of approaches to address loss and damage.

If gaps in progress are verified, the review must identify changes in finance or institutional arrangements necessary to deliver on the WIM mandates. The WIM Review should assess the resources required to implement recommendations, including how to significantly scale up the resources available for the WIM to do its work and future support for action on loss and damage.

Finally, it is critical to ensure the review is open, transparent and inclusive. It is important to avoid a limited review restricted to ExCom members and Parties alone, and seek the inputs of all relevant non-state actors (national governments, cities, regions and other sub national entities, international organizations, civil society, indigenous peoples, women, youth, academic institutions, as well as the private sector). The Alliance stands ready to support the review process.