



SUBMISSION BY THE GOVERNMENT OF INDONESIA

Pursuant to the Recommendation of 49th SBSTA/49th SBI on the Report of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts to the COP24 in Katowice, Poland (FCCC/SB/2018/1), the Government of Indonesia would like to submit **views and inputs on possible elements to be included in the term of reference for the review of the Warsaw International Mechanism (WIM) for Loss and Damage associated with Climate Change Impacts** as follows:

The scope of review should include backward looking on the achievement of the WIM, and forward looking for improvement of the WIM.

1. On the backward looking component, the review need to identify progress and gaps of the implementation of the work plan in achieving WIM mandate under decision 2/CP 19, by highlighting several things for instances the progress of development of comprehensive risk management to determine criteria and indicators for adaptation, the methodologies for assessment of non-economic loses as guidance for parties.
2. On the forward looking component, the review should explore both technical and political gaps. Internal (domestic) displacement could be explored in enriching the issue of displacement. The role of parties' contact point for WIM need to be explored, as well as to improve the engagement of the parties in the process of WIM and its ExCom.

On the forward looking component of the review, it has also need to be conducted in the context to 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) and its Excom was established by COP through Decision 2/CP.19 para 1 and para 2; and para 3 request its Excom to report annually to the COP through SBI and SBSTA. 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 at COP 20, 22, 22, 23 and 24.

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.

There has been no change in the reporting relationship since COP 24 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, considering also the fact that some Parties of the Convention has still not yet ratified the Agreement.

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 non-technical issues under the CMA.

As mandated under the Dec 4/CP 22, the review need to decide the periodicity of the upcoming review process. As the COP 24 decided that the loss and damage issue is also already be part of the transparency framework and the global stock take, thus the alignment of upcoming WIM review with those two process should also be considered.

These two things should be discussed in the context of the purpose enhance it function in delivering its mandate and facilitating the WIM to serve the Paris Agreement.
