Briefing Paper

Loss and Damage: Roadmap to Relevance for the Warsaw International Mechanism

– First Version –

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GERMANWATCH

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Brief Summary

The topic of loss and damage has seen substantial advancements from Bali onwards. With the establishment of the Warsaw International Mechanism for Loss and Damage (WIM) in decision 2/CP. 19, loss and damage finally gets embedded institutionally within the international climate regime – providing a platform to explore and identify effective responses to climate change induced loss and damage, to expand the understanding of climate consequences and to find an appropriate mix of tools to address loss and damage. The Workplan for the WIM, to be elaborated by the ExCom in its initial meeting, has to ensure that the mechanism develops into a meaningful, relevant and utile institution. One way to achieve this is to structure the work into key phases (1. Understanding and needs gathering, 2. Linking up, 3. Leadership and facilitating approaches), building on existing outputs provided by the Work Programme on Loss and Damage in 2011-2013.

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1 Introduction

COP 19 in Warsaw decided to establish the Warsaw International Mechanism for Loss and Damage (WIM) under the Cancun Adaptation Framework to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change. As a "milestone along a road of many years of policy discussions"[1] decision 2/CP. 19 finally provides the legitimization to explore approaches to address climate induced harm conditioned by limitations of mitigation and adaptation strategies.

In 2/CP. 19, paragraph 9 the COP requests the Executive Committee of the WIM to develop its initial two-year Workplan for the implementation of the mechanism's functions. The aim of this document is to outline a possible structure for as well as possible activities within the Workplan – both targeted at providing loss and damage with a meaningful institutional basis within the climate regime.

2 Bali to Warsaw: the debate on loss and damage

The climate is changing and the impacts are already being felt all across the world. However, climate change impacts will not be distributed evenly and there are some people who will suffer disproportionally from impacts of climate change, being more vulnerable to the impacts and living at places that face greater climate change impacts than others. On the one hand, people in poverty are more vulnerable to climate change, having a lower level of physical health, living in worse housing conditions, having less access to insurance and in general less resources to cope with rising costs. Impacts of climate change, on the other hand, will hit some places more severe than others leading to higher exposure of people due to their place of residence. It will be particularly developing countries, having contributed least to climate change, who will be afflicted most by its impacts – making climate change an issue of justice. When homes get destroyed and persons concerned have no resources available for rebuilding and coping with follow-up cost, climate change turns into a cause for displacement and migration. Threatening life, physical security, subsistence and health, climate change consequently leads to a violation of human rights.

2.1 Loss and damage – towards conceptual clarity

With mitigation and adaptation, the 1992 UN Framework Convention on Climate Change enfolded two tiers of negotiations, representing a twofold approach to tackle climate change. However that has not been the case ever since. Until the mid 2000s, UNFCCC decisions focused on reduction of greenhouse gas emissions as well as emissions from land-use change and forestry. Only when the awareness rose that "the level of overall ambition with regard to emissions reduction was too low

[1] Warner (2012).

to prevent climate change"[2] the adaptation to the impacts of climate change was acknowledged as essential complement to mitigation making adaptation an equally important negotiation tier. The UNFCCC and its Kyoto Protocol as main treaties of the international climate regime now contain obligations for all parties to mitigate climate change and adapt to the impact of climate change, moreover for Annex II parties to assist technically and financially with adaptation and mitigation.

Summing it up, the approach so far has been to "prevent if possible and manage impacts through adaptation"[3]. However, existing mitigation commitments and actions will not prevent dangerous climate change related impacts. Historical greenhouse gas emissions and locked in investments into fossil fuel industries have already committed us to a certain level of climate related loss and damage.[4] Moreover, not all climate change impacts can be successfully adapted to, be it due to financial, technical or physical constraints.[5] Hence, climate change will lead to unavoidable losses induced by extreme weather events as well as slow-onset changes. Taking these limitations of preventing and managing climate impacts into account it appears essential to address the residual loss and damage which cannot be avoided through mitigation and adaptation efforts, especially for particularly vulnerable countries to climate change impacts.[6]

With the topic being new and debates still going on, a widely shared definition of loss and damage does not exist yet. "Damage" on the one hand, which can be put on a level with tort, describes harming climate change impacts afflicting a person or entity possible to repair or rebuild. "Loss", on the other hand, can be understood as harming climate change impacts not possible to repair or rebuild. These may be economic losses (loss of geologic fresh water related to glacial melt) but also non-economic losses (loss of heritage when areas become uninhabitable for populations). Regarding the included climate change impacts, loss and damage includes both extreme events (floods) and slow onset processes (melting permafrost) as well as events triggered by a combination of the afore mentioned (glacial melting leading to glacier lake outburst floods). Loss and damage encompasses climate change related loss and damages which have not been avoided through mitigation or adaptation and hence is determined by the level of preventive action both through reducing greenhouse gas emission and also by ramping up adaptation action and support and necessary reducing vulnerabilities. Consequently, one essential element to address loss and damage are effective strategies for mitigation and adaptation to avoid loss and damage. The other essential element includes strategies to address incurred and future loss and damage.

Addressing loss and damage within the international climate regime is essential. On the one hand „the primary obligations in the UNFCCC and Kyoto Protocol are intrinsically linked to any measure of damage inflicted on any system due to climate change"[7]. Enhancing mitigation ambition systematically reduces the extent of climate change induced loss and damage, coevally related costs. On the other hand, with climate impacts becoming more and more severe the challenge for governments to tackle loss and damage turns into a determinant of state stability, primarily for most vulnerable countries.

It is hence important to first and foremost support the most vulnerable countries and communities to find adequate ways to address loss and damage. Moreover it is important to provide a platform within the climate regime for leadership and facilitation of support of loss and damage.

[2] Warner, and Zakieldeen (2012).
[3] Verheyen, R. (2012).
[4] Kreft (2013c).
[5] See e.g. Chapter 17.4.2 „Limits and barriers to Adaptation" in IPCC (2007)
[6] Warner, and van der Geest (2013).
[7] Verheyen (2012).

2.2 Milestones on the way to Warsaw

Already in 2007, the **Bali Action plan** (decision 1/CP. 13) calls for considering strategies and approaches to address loss and damage when calling for *"[r]isk management and risk reduction strategies, including risk sharing and transfer mechanisms such as insurance"*[8] as well as *"[d]isaster reduction strategies and means to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change"*[9]. This call is based on Art. 4.8 of UNFCCC referring to insurance as tool to "*meet the specific needs and concerns of developing country parties arising from the adverse effects of climate change*"[10].

One year later, at **COP 14 in Poznan**, the Alliance of Small Island States presented a proposal for a Multi-Window Mechanism to Address Loss and Damage[11] which was not picked up. At **COP 15 2009** in Copenhagen, references to risk reduction and insurance tools were part of a draft negotiation text however not made it into the final Copenhagen Accord.[12]

COP 16 Cancun: Official introduction to the UNFCCC agenda

Loss and damage was first officially introduced to the UNFCCC agenda during this COP by integrating it into the 2010 Cancun Adaptation Framework. Important steps were moreover the

- **Launch of the Work Programme on Loss and Damage:** Decision 1/CP. 16 launched a Work Programme to "*consider including through workshops and expert meetings, as appropriate, approaches to address loss and damage associated with climate change impacts in developing countries that are particularly vulnerable to the adverse effects of climate change*"[13]. This Work Programme provided an avenue for work on loss and damage especially for increasing the understanding of loss and damage.
- **Recognition of necessity of international cooperation and expertise:** Paragraph 25 of 1/CP. 16 "*[r]ecognizes* the need to strengthen international cooperation and expertise in order to understand and reduce loss and damage associated with the adverse effects of climate change, including impacts related to extreme weather events and slow onset events"[14]. A footnote clarifies what events fall under slow onset events: "sea level rise, increasing temperatures, ocean acidification, glacial retreat and related impacts, salinization, land and forest degradation, loss of biodiversity and desertification"[15].

COP 17 Durban: Into the Work Programme

During the COP in Durban the Work Programme was elaborated in detail.

- **Decision on three thematic areas for the Work Programme:** (1) Assessing the risk of loss and damage associated with the adverse effects of climate change and the current knowledge on the same; (2) A range of approaches to address loss and damage associated with the adverse effects of climate change, including impacts related to extreme weather events and slow onset events, taking into consideration experience at all levels;

[8] 1/CP. 13, para. 1 c).
[9] 1/CP. 13, para. 1 c).
[10] UNFCCC (1992).
[11] AOSIS (2008)
[12] UNFCCC (2010)
[13] 1/CP. 16, para. 26.
[14] 1/CP. 16, para. 25.
[15] 1/CP. 16, foodnote to para. 25.

(3) The role of the Convention in enhancing the implementation of approaches to address loss and damage associated with the adverse effects of climate change.[16]

- **The Work Programme as a platform to assess loss and damage:** Trough 2012 and 2013 the Work Programme provided a platform to assess loss and damage by the parties.[17] The Work Programme has to date produced a significant amount of knowledge and technical products, got involved with a huge variety of stakeholders inside and outside the Convention and provided an evidence base against which UNFCCC delegates took the L&D decision 3/CP 18 that was borne out of the Doha conference. One year later, the Doha decision3/CP 18 appreciates *"the progress made in the implementation, and the importance of the continuation, of the work programme to address the loss and damage associated with the adverse effects of climate change"*[18].

- **A window of opportunity to think about possibilities for institutionalization:** The Doha decision moreover "[a]ppreciates the need to explore a range of possible approaches and potential mechanisms, including an international mechanism, to address loss and damage, with a view to making recommendations on loss and damage to the Conference of the Parties for its consideration at its eighteenth session"[19] hence opened a window of opportunity for thinking about possibilities of institutional establishment of loss and damage within UNFCCC.

COP 18 Doha: Arrival in the global policy arena

With the Doha decision 3/CP 18, loss and damage finally arrived in the global policy arena. [20]

- **Establishment of the UNFCCC as relevant policy forum for loss and damage:** The decision established the UNFCCC as the relevant policy forum for loss and damage and agrees that the Convention shall promote the implementation of approaches to address loss and damage through *(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 climate change*.[21]

- **Advancement of understanding of and expertise on loss and damage:** Basically, it acknowledges the need for further work to advance the understanding of and expertise on loss and damage (paragraph 7) and spells out country actions to enhance action on addressing loss and damage by assessing risk of loss and damage and enhancing access to sharing and use of related data, identifying options, designing and implementing comprehensive country driven risk management strategies and approaches as we systematically observe and collect data on climate change impacts, involvement of vulnerable communities and populations as well as stakeholders (paragraph 6). [22]

[16] 7/CP. 17.
[17] See Kreft (2013a).
[18] 3/CP. 18.
[19] 7/CP. 17, para. 5.
[20] See Kreft (2013b).
[21] 3/CP. 18, para. 5.
[22] 3/CP. 18, para. 6+7.

- **Acknowledgement of necessity to enhance support:** Moreover the Doha decision acknowledges the "*need to enhance support including finance, technology and capacity-building, for relevant actions*"[23].
- **The Decision to establish an institutional arrangement:** Most importantly, the Doha decisions included a decision to establish an institutional arrangement "such as an international mechanism, including functions and modalities"[24] to address loss and damage in countries particularly vulnerable to adverse effects of climate change at COP 19. It hence provided a gateway for anchoring loss and damage within the UNFCCC on an institutional basis.

COP 19 Warsaw: Institutionalization as a mechanism

In 2013, the institutional anchorage of loss and damage within the international climate regime was realized. COP 19 in Warsaw decided to establish the Warsaw International Mechanism for Loss and Damage under the Cancun Adaptation Framework to address loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change. As a "milestone along a road of many years of policy discussions"[25] decision 2/CP. 19 finally provides the legitimization to explore approaches to address climate induced harm conditioned by limitations of mitigation and adaptation strategies.

2.3 A new stage: The Warsaw International Mechanism for Loss and Damage

The WIM was established to promote "*implementation of approaches to address loss and damage associated with the adverse effects of climate change…in a comprehensive, integrated and coherent manner*"[26]. It addresses loss and damage from both extreme weather events and slow onset events. The mechanism shall fulfill its role by undertaking following functions (paragraph 5)[27]:

> (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) Fostering dialogues, coordination, coherence and synergies among relevant stakeholders institutions, bodies, processes and initiatives outside the convention;
>
> (c) Enhancing action and support, including finance, technology and capacity building to address loss and damage.

The decision 2/CP 19 on the one hand recognizes that adaptation and risk management strategies contribute towards addressing loss and damage, on the other hand it acknowledges that loss and damage goes beyond existing adaptation actions and paradigms as it *"in some cases involves more that which can be reduced by adaptation"*[28]. Furthermore, the decision highlights the significance of mitigation for a comprehensive approach to loss and damage when it calls for a "*comprehensive, integrated and coherent manner*"[29] to implement approaches to address loss and damage.

[23] 3/CP. 18, para. 5 c).
[24] 3/CP. 18, para. 9.
[25] Warner (2013).
[26] 2/CP. 19, para. 5.
[27] 2/CP. 19, para. 5 a), b), c).
[28] 2/CP. 19.
[29] 2/CP. 19, para. 5.

To *"guide the implementation of functions referred to under paragraph 5"*[30] the COP also established an Executive Committee (ExCom) of the Warsaw International Mechanism, accountable to the COP, reporting to it annually through the SBSTA and SBI. To implement the mechanism's functions, the ExCom is provided with the mandate to define the initial two year Workplan for the WIM.[31]

3 Setting up the Warsaw Mechanism

In 2/CP. 19, paragraph 9 the COP requests the Executive Committee of the WIM to develop its initial two-year Workplan for the implementation of the mechanism's functions *"including the scheduling of meetings, taking into account the issues outlined in decision 3/CP.18, paragraphs 6 and 7"*[32]. It is important to note that the Workplan is not for the ExCom itself but for the implementation of the mechanism's functions and the realization of the mechanism's main goals.

The main goal of the mechanism will be to identify effective responses to climate change induced loss and damage. Accordingly it must aim at expanding the understanding of climate consequences as well as finding the "appropriate mix of tools to address loss and damage"[33]. Hence, the work of a successfully implemented WIM ranges between two essential modes of action:

First, it should have a *functional* mode of action, a platform to advance approaches to tackle loss and damage in developing countries, and to provide further inputs on future areas of work (paragraph 6 and 7)[34].

- Mobilize resources and capacity to help countries in addressing evident loss and damage;
- Provide solutions where adaptation and mitigation have been insufficient;
- Especially safeguard the rights of vulnerable people who are already feeling the negative consequences of climate change;
- Linking to existing policy and implementation arenas that on managing climate risks, UNISDR system, humanitarian system and the wider development discourse (including limitations and gaps in the climate change contexts);
- Provide signposts where new approaches are needed in new places and new scales to dampen shocks of climate change on society;
- Entangle incentive structure for climate risk reduction.

[30] 2/CP. 19, para. 3.
[31] 2/CP. 19, para. 9.
[32] 2/CP. 19, para. 9.
[33] Warner (2013).
[34] 3/CP. 18, para. 6+7.

Second, it should have a *systemic* mode of action, signaling through its reports to the Conference of the Parties areas of concern on loss and damage and where further action – under and outside of the convention – needs to take place. This important mode of action is guided by the ultimate objective of the UNFCCC to prevent dangerous interference (Art. 2)[35]

- Give status on what irreversible large-scale losses (e.g. through climate tipping elements) and systematic and cascading climate risks are threatening Parties;
- Show what values are at risk (food, livelihood security, culture, habitable territory), what changes could society undergo when those values are threatened;
- Give recommendations to the Conference of the Parties on consequences around mitigation and adaptation, loss and damage trade-offs.

Defining a *functional* and a *systemic mode of action* for the WIM would ensure that there is 1. a reduction of duplication with other institutions in and outside of the convention in providing support to developing countries, 2. an added value for the international response on fighting climate change.

Foundation for further action: Activities in the Work Programme 2011–2013

1. Expert meetings assessed the risks of loss and damage and a technical paper summarized current knowledge on relevant methodologies and data requirements as well as lessons learned and gaps identified at different levels.

2. A range of approaches to address loss and damage as well as lessons learned on existing loss and damage approaches were explored through series of regional expert meetings and a literature review. A technical paper helped understand in particular slow onset events.

3. To enhance the implementation of approaches to address loss and damage associated with the adverse effects of climate change a call for submissions by parties, relevant organizations and civil society on possible elements for COP 18, was issued and informal pre-sessional meetings in November 2012 were conducted for further exchange of views on possible recommendations on loss and damage.

3.1 Initial procedures of the Executive Committee

By decision 2/CP. 19 the COP decided that the ExCom is to function "*under the guidance of, and be accountable to the Conference of Parties*"[36]. Through SBSTA and SBI it reports annually to the COP and additionally makes recommendations as appropriate.

As an interim measure, the ExCom consists of two representatives from each of the following bodies under the Convention, ensuring that there is a balanced representation between developed and developing country Parties: the Adaptation Committee, the Least Developed Countries Expert Group, the Standing Committee on Finance, the Technology Executive Committee and the Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention. [37]

[35] UNFCCC (1992), Art. 2.
[36] 2/CP. 19, para. 2.
[37] 2/CP. 19, para. 4.

Constituting bodies: What they can bring to the table:

- The Standing Committee on Finance (SCF), which could give insights on the support need side – including through the biannual assessment, for loss and damage.
- The Adaptation Committee (AC), which could contribute to an effective coordination of the overlaps between adaptation and loss and damage strategies.
- The Consultative Group of Experts on National Communications from Parties not included in Annex I to the Convention (CGE) which is the primary body for national assessment of impacts and vulnerabilities.
- The Least Developed Countries Expert Group (LEG), which could provide knowledge on how approaches to address loss and damage may be integrated into climate-resilient development processes. The LEG is spearheading the conceptual development of National Adaptation Plans and Planning, which should reflect for nationally exceeded adaptation capabilities.
- The Technology Executive Committee (TEC), which could contribute on technological aspects for loss and damage (e.g. transfer of data creating technologies, issues around data collection and analysis etc.).

3.2 Defining relevant activities within the Workplan

To identify effective responses to climate change induced loss and damage, activities within the initial two-year Workplan must be based on the three main functions the WIM is mandated to implement. Paragraph 5 of 2/CP. 19 lists these functions:

(1) 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;

(2) Strengthening dialogue, coordination, coherence and synergies among relevant stakeholders;

(3) Enhancing action and support, including finance, technology and capacity-building to enable countries to take action to address loss and damage.

A possible structure of the Workplan evolves by defining the functions outlined above as **areas of action** which can serve as umbrella for respective sets of activities. These “new” areas of action should be based on existing activities, knowledge and technical products as well as experience related to loss and damage within the international climate regime. It should not repeat, but build on existing outputs provided by the Work Programme on Loss and Damage that took place from 2010 after the Cancun COP to 2013.

Appropriate activities must necessarily integrate the two elements to tackle loss and damage decided on in 3/CP. 18: Enhancing country action on addressing loss and damage (paragraph 6) and advancing the understanding of and expertise on loss and damage (paragraph 7).

Elements to tackle loss and damage in 3/CP.18

Enhancing country action on addressing loss and damage (paragraph 6)	Advancing the understanding of and expertise on loss and damage (paragraph 7)
a) Assessing the risk of loss and damage b) Identifying options and designing and implementing country-driven risk management strategies and approaches, (risk reduction, and risk transfer and risk-sharing mechanisms) c) Systematic observation of, and data collection on, the impacts of climate change d) Implementing comprehensive climate risk management approaches (scaling up and replicating good practices and pilot initiatives) e) Promoting an enabling environment that would encourage investment and the involvement of relevant stakeholders in climate risk management f) Involving vulnerable communities and populations, and civil society, the private sector and other relevant stakeholders, in the assessment of and response to loss and damage g) Enhancing access to, sharing and the use of data, at the regional, national and sub national levels	a) Risk of slow onset events, and approaches to address them b) Non-economic losses and damages c) Effects of climate change on vulnerable population ad how to benefit those by loss and damage approaches d) Identify and develop appropriate approaches to address loss and damage (risk reduction, risk sharing and risk transfer tools, and approaches to rehabilitate from L&D) e) Impacts of climate change affecting patterns of migration, displacement and human mobility

3.3 The 2014 gap

Being subject of consideration at the 41st session of the SBSTA and SBI in December 2014[38] and hence to COP approval, the initial Workplan will be effective after the consideration until the review, so to say from 2015-2016. Covering an action gap in 2014, possible light activities conducted for instance by the UNFCCC secretariat within this period should hence be subject to discussion at the first meeting of the ExCom and mandated through the June SBI discussions.

3.4 Roadmap for Relevance

Principles that can guide how the Workplan is assembled:

1. Ensuring that the chronological order of the Workplan builds a narrative!

[38] 2/CP. 19, para. 9.

2. Finding innovative ways to effectively reach out to stakeholders (including those outside the Convention and unfamiliar with the loss and damage terminology)!

3. Finding innovative ways of translating knowledge gathered by the Workplan into implementable elements!

While the challenge of loss and damage is unparalleled, the WIM cannot take all tasks at once. It is important to structure the work, so that the mechanism shows its relevance and utility – in a functional and systemic sense – prior to its review in 2016.

Phase I: Understanding and needs gathering:

a. Gather country and organization's needs in view of 3/CP.18 Para 6 and 7 and expectations vis-à-vis the mechanism

b. Stock-taking

- of existing initiatives under the Work Programme 2011-2013;
- of ongoing work to address gaps in understanding;
- of best practices, challenges, experiences and lessons learned

c. Relevant climate loss and risk data and information

- Find modalities to collect, share, manage and use data
- Explore science input into work of WIM

Phase II: Linking up

a. Stock-taking of relevant institutions and organizations and identification of institutional gaps

b. Facilitation of collaboration and cooperation

- Co-creation of joint vision and areas of cooperation
- Liaising with relevant UN agencies, regional stakeholders and international organizations
- Cross-fertilization with work agenda from AC, SCF, TEC, LEG, CGE

Phase III: Leadership and facilitating approaches

a. Enhance action and support to address loss and damage, ensuring coherence at all levels

- Identification of appropriate approaches to loss and damage
- Facilitation of appropriate approaches to loss and damage
- Establishment of thematic dialogues (disaster recovery and rehabilitation, financial risk retention, sharing and transfer tools, approaches for slow onset processes, migration, most vulnerable population)Facilitation approaches on loss and damage approaches

b. Develop new and strengthen existing institutions

c. Provide guidance relevant to adequately address and reduce risks of loss and damage

- Creation of policy recommendation to the COP

3.5 Modalities: Engagement and conduct

The WIM is provided with the following modalities to exercise these functions[39]:

- The facilitation of support of actions;
- Improvement of coordination of relevant work of existing Convention bodies;
- Convention meetings of relevant experts and stakeholders; generate, analyze, and review new information;
- Provision of technical guidance and support;
- The making of recommendations on enhancing actions and coherence, including on how to mobilize resources and expertise.

The described modalities provide a selection of tools to activate these areas of action and to effectively implement connected activities. While it is necessary to utilize these standard tools, it is also important to be open to innovative tools (e.g. webinar, field visits, twitter debates etc.).

The applied modalities should build on the following principles:

(1) Stakeholder involvement: Besides bodies and groups under the Convention, the WIM should also "*complement, draw upon the work of and involve, as appropriate, (…) relevant organizations and expert bodies* ***outside*** *the Convention, at all levels*"[40].

(2) Action orientation: Be relevant for country implementation.

(3) Policy orientation: Mandate for leadership[41] and promotion for coherence and synergies: Decision 2/CP.19 invites Parties to "*work through the United Nations and other relevant institutions, specialized agencies and processes, to promote coherence at all levels in approaches relevant to addressing loss and damage*"[42].

(4) Enhance the implementation of relevant approaches to addressing loss and damage in a manner that is country-driven: Decision 2/CP.19 invites Parties to "*strengthen and, where appropriate, develop institutions and networks at the regional and national levels, especially in particularly vulnerable developing countries, to enhance the implementation of relevant approaches to addressing loss and damage in a manner that is country-driven, encourages cooperation and coordination between relevant stakeholders and improves the flow of information*"[43].

[39] 2/CP. 19, para. 7.
[40] 2/CP. 19, para. 6.
[41] 3/CP.18, preambular.
[42] 2/CP. 19, para. 12.
[43] 2/CP. 19, para. 13.

Roadmap to relevance[44]		
Exemplary category	**Exemplary modalities**	
Phase I: Understanding and needs gathering		
I.a Gather country and organization's needs in view of 3/CP.18 Para 6 and 7 and expectations vis-à-vis the mechanism	• Submissions • Synthesis • …	Q3 & Q4 2014[45]
I.b Stock-taking a. of existing initiatives under the Work Programme 2011-2013 b. of ongoing work to address gaps in understanding[46] c. of best practices, challenges, experiences and lessons learned	• Briefing paper by secretariat • Inventory of relevant work • Technical papers on (scaling up) best practices etc. • …	Q3 & Q4 2014
I.c Relevant climate loss and risk data and information a. Find modalities to collect, share, manage and use date[47] b. Explore science input into work of WIM	• International data expert consortium of data experts • Call for scoping analysis of data • Series on loss and damage data • Submissions by relevant organizations • Technical paper on regional key climate risks in different scenarios • …	2015
Phase II: Linking up		
II.a Stock-taking of relevant institutions and organizations and **identification** of institutional gaps	• Stakeholder-mapping and presentation of results • …	2015
II.b Facilitate collaboration and cooperation a. Co-creation of joint vision and areas of cooperation[48] b. Liaising with relevant UN agencies, regional stakeholders and international organizations[49] c. Cross-fertilization with work agenda from AC, SCF, TEC, LEG, CGE	• Submissions • Expert panels • Platform for collaboration • Thematic dialogues • Task forces • Interagency groups • …	2015/16

[44] This work plan serves as an example of how to structure the work.
[45] Note that activities in 2014 should qualify as 'light activities' to be conducted by the secretariat.
[46] 3/CP. 18, para. 6 a).
[47] 3/CP. 18, para. 6c), g).
[48] 3/CP. 18, para. 6 e).
[49] 3/CP. 18, para. 6 f).

Phase III: Leadership and facilitating approaches		
III.a Enhance action and support to address loss and damage, ensuring coherence at all levels a. Identification of appropriate approaches to loss and damage[50] b. Facilitation of appropriate approaches to loss and damage[51] c. Establishment of thematic dialogues[52] (disaster recovery and rehabilitation, financial risk retention, sharing and transfer tools, approaches for slow onset processes, migration, most vulnerable population)	• Call for developing guidelines to a. identify appropriate approaches (based on NAPs) and to b. implement appropriate approaches (see Technology needs assessment) • Technical support group to ExCom • Call to relevant organization for potential approaches for pilot initiatives (including through risk retention, risk transfer, risk sharing and other financial tools to address loss and damage and report to SB) • Establishment of dialogue platforms • …	2016..
III.b Develop new and strengthen existing institutions	• Online databases of best practices, challenges, experiences and lessons learned for institutions • …	2016..
III.c Provide guidance relevant to adequately address and reduce risks of loss and damage Creation of policy recommendation to the COP	• Use international database of key institutions and reach out for them for proposals • What can ExCom bodies contribute? • …	2016..

[50] 3/CP. 18, para. 7d).
[51] 3/CP. 18, para. 6 b), d), para. 7 d).
[52] 3/CP. 18, para. 7 a)-e).

4 2014–2016: Important initiatives for loss and damage outside of the UNFCCC

The subsequent section of this paper introduces two initiatives within two key areas of loss and damage: On the one hand risk transfer and sharing as a tool to tackle loss and damage, on the other hand climate induced migration and displacement.

4.1 African Risk Capacity

Droughts are a significant problem for African countries as without timely assistance available they rapidly turn into famine. The international system for responding to natural disasters, based on ex post humanitarian aid and hence ad hoc mobilization of funding after disaster strikes, does to date not provide timely response to disasters due to a time consuming funding process. The pan-African contingency planning and food security insurance pool (African Risk Capacity (ARC)) tries to provide a solution to this problem. As a Specialized Agency of the African Union (AU), established by a conference of 41 African states, it aims to improve the capacities of AU Member States to "better plan, prepare and respond to extreme weather events and natural disasters"[53] and in case of a disaster strike to prevent further loss of life, depletion of assets and hence major development setbacks

The ARC constitutes an ex ante mechanism to manage disaster strikes in form of a regional insurance pool. It represents an effective tool and contingency plan for governments to improve their disaster responses by providing predictable and in time funding. If an extreme drought, flood or cyclone occurs, funding becomes automatically available. The immediate payouts help purchase and stockpile grain in a timely way to prevent famine. Beyond financial implications, ARC leads to a comprehensive management of disaster risk by requiring its member governments to have drought-risk and food security plans in place.

4.2 Nansen Initiative

With the aim to protect persons displaced across borders due to climate change impacts, Norway and Switzerland in 2012 launched the Nansen Initiative on Disaster-Induced Cross-Border Displacement. Within a state-owned consultative process outside the UN they try to find solutions how to best address cross-border displacement in the context of sudden and slow-onset disasters. In a bottom-up way they try to build a consensus on principles and elements for future action at domestic, regional and international level.

The Nansen Initiative therefore "marks a tentative first step towards international policymaking"[54] in the field of climate change induced cross border displacement.

[53] ARC (n.d.).
[54] McAdam (2013).

5 Loss and damage under the ADP

During the latest ADP 2.4 session in Bonn 10th to 14th of March, several countries and country groupings raised their intend to include loss and damage in the 2015 agreement, that is scheduled for decision at COP 21 in Paris. While the exact way forward on how to anchor the loss and damage mechanism into the agreement is unclear at this stage, country made it clear that operationalizing the continuum of mitigation- adaptation and loss and damage, might require a reconsideration of the status of loss and damage in view of the displayed ambition in mitigation, and adaptation. Given the existing difficulties of bridging the mitigation gap of 8–12 gt per year, as well as existing expectations about the level of ambition, that the Paris agreement will herald eventually, it is clear that vulnerable countries will ask for additional support, approaches and paradigms on the issue of loss and damage to be able to accept a 2015 agreement.

6 2016 Review

According the Warsaw Decision, the WIM will be subject to review at the 22nd session of the COP in 2016 *"with a view to adopting an appropriate decision on the outcome of this review"*[55]. The 2016 review will focus on the mechanism's structure, mandate and effectiveness and consequently provides a landmark for the work of the mechanism. Against the background of loss and damage being an evolving concept the review of the mechanism is a necessary feature. The work of the mechanism will produce new knowledge on appropriate approaches to loss and damage and scientific measuring methods will improve making the attribution of climate change to impacts to particular loss and damage increasingly reliable. It is essential that approaches to address loss and damage consistently take these improvements into account.

7 Conclusion

The topic of loss and damage has seen substantial advancements from Bali onwards. With the establishment of the Warsaw International Mechanism for Loss and Damage in decision 2/CP. 19, loss and damage finally gets embedded institutionally within the international climate regime – providing a platform to explore and identify effective responses to climate change induced loss and damage, to expand the understanding of climate consequences and to find an appropriate mix of tools to address loss and damage. The Workplan for the WIM, to be elaborated by the ExCom in its initial meeting, has to safeguard that the mechanism shows to be meaningful, relevant and utile. One way to achieve this is to follow a roadmap to relevance, including three key phases (1. Understanding and needs gathering, 2. Linking up, 3. Leadership and facilitating approaches), building on existing outputs provided by the Work Programme on Loss and Damage in 2011-2013. Assembling the Workplan it should be ensured that the chronological order of the Workplan builds a narrative, that innovative ways are found to effectively reach out to stakeholders and that knowledge gathered by the Workplan can be translated into implementable elements.

[55] 2/CP. 19, para. 15.

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