



Loss and damage negotiations advances work on long overdue WIM review

Belem, Nov 13 (Jinghann Hong+) – Loss and damage negotiations over the 3rd review of the ‘Warsaw International Mechanism (WIM) for Loss and Damage (L&D) associated with Climate Change Impacts’, saw advances in the negotiations in Belem, Brazil at the on-going climate talks. The WIM review had been long overdue.

(This was an agenda item under the UNFCCC’s Subsidiary Bodies (SBs) was delayed from Baku, Azerbaijan, during COP29, which resulted in a procedural conclusion (with rule 16 of the UNFCCC draft rules of procedure applied, enabling negotiations to resume at the June session of the SBs. During its continued consideration in Bonn, Parties captured deliberations in an [informal note](#) on the first day of loss and damage negotiations.)

At the informal consultations which began on Nov 11, developing country negotiators were united in their call for the three L&D bodies (WIM Executive Committee [ExCom], the Santiago Network, and the Fund for Responding to Loss and Damage (FRLD)) to be coordinated, coherent and complementary in their activities so as to avoid duplication of work and maximize the use of resources; the need to enhance the use and accessibility of these bodies’ various knowledge products; to enhance the role of national contact points for loss and damage so as to streamline the

process and support their coordinated work with Santiago network and FRLD liaisons; and for a global “State of L&D” report advancing L&D support needs.

The informal consultations were co-facilitated by **Cornelia Jaeger (Austria)** and **Pepetua Latasi (Tuvalu)**. The co-facilitators outlined the work that laid ahead, mainly the need to conclude the 3rd review of the WIM by presenting a draft decision thereon for adoption at the Subsidiary Bodies (SBs) closing plenary on Saturday, Nov. 15, and thereafter to be forwarded to the COP and CMA (Meeting of Parties to the Paris Agreement) for adoption.

Given the limited time provided for this agenda item, the co-facilitators suggested for Parties to use the informal note as a basis for negotiations, and to focus on the text to find solutions that reflected general consensus by all. Parties then began deliberations on the 3rd Review of WIM, first on the mode of work and then broadly highlighting issues important to them.

Taking the floor first, **Philippines** for the **G77 and China** said that to make the efficient use of the time, it proposed using the informal note as the basis of the negotiations, specifically directly working on the text to find convergence and

eventually consensus. However, it also pointed out that the entire informal note itself is not agreed text amongst Parties, and so it would also be useful to do a first sweep of the informal note from top to bottom, to understand which areas might need more detailed work than others, before proceeding with direct textual negotiations.

The **European Union (EU)** agreed that it would be useful to look at the text as Parties did spend quite a lot of time in Bonn discussing the issues where Parties were most far apart from each other because of the need to understand the different positions. The EU said that its focus is on those who are particularly vulnerable and are on the frontlines of climate change, elaborating “The adverse effects of climate change affect people and ecosystems, communities and countries in different ways due to intersecting vulnerabilities and diverse adaptive capacity,” and stated that it would propose a stronger focus on gender and data collection. It also wanted to highlight that reaching the mitigation goal is the most effective way to avert and minimize L&D. It added that the review was an opportunity to focus on the coherence and complementarity of work to avoid duplication and maximize the use of resources. It also said that WIM activities need to be more inclusive and responsive; for instance, the necessity to make knowledge products useful and accessible, and that different WIM processes should be updated to ensure reinforcement of experts' engagement. As for mode of work, the EU supported the approach highlighted by the G77/China.

The **Dominican Republic** for the **Alliance of Small Island States (AOSIS)** called for a strong outcome on the WIM Review, stating that “[It] is a priority, and it is crucial that we start sending a message that multilateralism is committed to having a response on L&D.” It highlighted its priorities in addressing some of the important gaps that remained, including the opportunity to increase the coordination and coherence between the bodies of L&D under the Convention and to simplify access for developing countries which direly need support. It also wanted to give specific guidance to the Santiago network to acknowledge that despite significant progress in existing strategies at the moment, only one technical assistance request has been published and matched, and that a second one published only, stating, “This progress is too slow. We need to make sure that we are giving sufficient guidance to the Santiago network to enhance and really quickly put to place the operationalisation that has been made so that countries can begin accessing the technical assistance that is there for them.” It added that there are important considerations that can be made to increase the state of knowledge under the WIM, and reiterated the proposal of a regular “State of L&D”

report of which it had spoken of in past sessions, and would continue to advocate for it as a key priority for AOSIS.

Bangladesh for the **Least Developed Countries (LDCs)** highlighted that there are many good elements which add to the priorities of the LDC, particularly the knowledge product on non-economic L&D assessment, the knowledge product on quantifying the needs and costs for loss and damage, the L&D landscape report, the voluntary guidelines for including L&D in nationally determined contributions (NDCs), and elements to scale up financing needed at address L&D at a community level. It supported AOSIS on the need for coherence, coordination and complementarity among the different constituted bodies, particularly the Santiago network and the WIM ExCom, calling for easy access modalities. It also wanted a clear financial mechanism, so that the Santiago network and WIM ExCom can deliver on their function effectively and efficiently to protect vulnerable communities.

The **African Group** stated its expectations for the review, noting that it should send a strong signal on enhancing coordination and complementarity among the Santiago network, the WIM ExCom and FRLD. It said that the review should also deliver a strong political message on the means of implementation, particularly to scale up finance for addressing loss and damage for both the FRLD and to increase the resources available for the Santiago network, calling for strong language in the outcome to ensure that resources will be available for technical assistance needed by developing countries. It also wanted to enhance the role of national liaison and contact points, suggesting that Parties agree on a set of streamlined entry points to one entry point for the WIM ExCom, the Santiago network and the FRLD.

It also called for a strong signal and expectation that the WIM ExCom should provide guidance on how L&D can be voluntarily included in NDCs and Biennial Transparency Reports (BTRs), in addition to strong modalities of how the Santiago network can corporate and work with the FRLD to further qualify its technical assistance and provide support to developing countries. It also expected that knowledge products produced to have regional and context specific knowledge; for example, products on slow onset events and thematic information needed for countries to further understand categories of L&D.

Switzerland for the **Environmental Integrity Group (EIG)** desired to reflect the positive progress made by the WIM ExCom and the Santiago network. It wanted to strengthen language on gender responsiveness and recognise language on locally-led approaches to ensure that technical assistance and

support is context-specific, responsive to local needs, and does no harm. It maintained that coherence is important, not only between different entities in the L&D architecture but in a broader sense of the humanitarian landscape and system.

Australia acknowledged the importance of getting an outcome in Belém and said that it was another milestone year for L&D with the Santiago network starting to deliver technical assistance, the FRLD launching its call for funding proposals and this launch of the WIM review. It said that the informal note was a good basis and it would support the G77/China proposal to work on them in an informal-informal consultation setting later (Informal-informals are meetings among Parties only behind closed doors). It also wanted to note that Parties did not have the opportunity to reflect on the full overall text, although not desiring to reopen the text substantially. Australia then highlighted its priorities, namely enhancing gender approaches; engaging meaningfully with communities affected by L&D; and encouraging work by the WIM ExCom to enable and enhance efforts that attract and maintain engagement of the expert group.

New Zealand supported the mode of work on working on the informal note within informal-informal consultation setting, and said that it was keen to capitalise that approach to ensure that Parties get to a strong outcome. It was keen on a text that delivers on enhancing the effectiveness, coherence, and complementarity within the broader L&D architecture to deliver for those on the front lines of climate change, including Small Island Developing States, AOSIS and its region in the Pacific.

Japan stated that many of its priorities had been covered by colleagues and agreed to base the discussion on the informal note as well.

The **Independent Alliance of Latin American and the Caribbean Nations (AILAC)** supported the G77/China on how to proceed with the text and expressed sincere congratulations to Switzerland for its effort to fund the Santiago network (which is based in Geneva). It affirmed that the WIM review was its highest priority; though deeply regretting the progress in Bonn, it recognised the meaningful developments since then, including the adoption of the ‘Barbados Implementation Modalities’ for the FRLD’s call for proposals and the activation of the Santiago network.

AILAC referenced the role of the [ICJ opinion](#) issued on 23 July 2025 on the legal obligations of states regarding climate change, stating that “This evolving landscape is also shaped by the written advisory of ICJ which underscores climate action is not just political

commitment but also a legal obligation, particularly in the topic of L&D. Therefore, we must act with highest ambition and best available science to prevent harm, protect human rights, and ensure intergenerational equities. Inaction or delay may amount to a breach of international law, as we [Parties] assume that climate-related obligations, including entities. The ICJ’s opinions provide an informed legal foundation for advancing L&D work, including the need for comprehensive assessment and health protection from vulnerable groups and integral forms of reparation.”

Stating that developing countries have called for the establishment of a comprehensive state of play on L&D, AILAC considered a global “State of L&D” report to be a vital component of the review which will provide much needed clarity to help identify gaps and guide collective efforts going forward. It highlighted that the Action and Support Expert Group (ASEG) [that supports the WIM Excom], needed to update modalities in light of an evolving L&D agenda, particularly to revise the Terms of Reference to extend membership and update Plans of Action. It called for the Santiago network to advance methodological work on assessment, economic and non-economic losses, and to compile and analyse assistive methodologies for L&D assessment. It also supported the LDC’s call for the development of new guidelines to support the integration of L&D into NDCs to improve the assessment of economic and non-economic losses.

The **Groupo Sur** said its priority was on enhancing coherence and complementarity, strengthening finance, knowledge sharing and capacity building within the WIM.

Gambia stated that Parties must move beyond procedure to progress and deliver real support performance on the front lines. It recognised the delivery of work by the WIM ExCom, the Santiago network and the FRLD, but said that the scale of implementation is not up to the reality faced. As such, this review needs to result in an action-oriented WIM. It highlighted 4 priorities for the review: predictable new and additional funding, with reference to encouraging the WIM outcome to connect with the FRLD; that the 3 bodies must be able to work in a coordinated and complementary manner to avoid duplication of effort; the establishment of a national L&D contact point at a country level, stating that “Cooperation of this will ensure streamlined process to access the FRLD and the Santiago network,”; and a global L&D report and voluntary guidelines to integrate L&D into NDCs.

Saudi Arabia for the **Arab Group** in response to AILAC’s suggestion to include the ICJ advisory opinion, it stated that the Convention and Paris

Agreement are the legal basis of the work in the negotiations and as such, it does not support including the ICJ view. It said that the opinion was developed through a process in which Saudi Arabia also participated, but as this is a non-binding advisory opinion and it does not represent Parties' views. It stated that more than 190 countries agreed to the Convention and the Paris Agreement and so "this is what governs us." It said that negotiations are a Party-driven process based on consensus, and not litigation. It also did not support guidance for the inclusion of L&D into NDCs, stating that it was "not on this agenda".

Vanuatu said that it celebrated the work done so far and supported the AILAC proposal to acknowledge the ICJ advisory opinion, stating that it could see it as welcoming it in the text at the beginning, and that it looked forward to finding the right language.

Rwanda said that the review was going to be an opportunity for guidelines classification of economic and non-economic loss to quantify, qualify, and classify both the economic and non-economic impacts stemming from adverse impacts of climate change; to enable a report on the gap on loss and damage; to ensure that loss and damage funding arrangements are responsive to real needs on the ground; to enhance coherence, complementarity and coordination; for the need of the Santiago network to be country-driven in its provision of technical request and assistance; the aspiration of 3 national contact points working together to show the integration of loss and damage into the national strategy; and boosting the Terms of Reference, Plans of Action and membership for the expert group.

The **United Kingdom** supported the coherence and complementarity of the Santiago network and the FRLD. Speaking as a board member of the FRLD, it welcomed the progress on the FRLD this week. It also noted the appetite for a global L&D report, stating the need to focus on implementation, as seen with Fund and WIM ExCom. It wanted to inject a slight note of caution on reporting L&D in the NDC, as the focus of NDC would be mitigation and that there are other avenues in future discussions, for example the Biennial Transparency Report. While it expressed agreement on the FRLD working together with WIM, it warned against trying to direct funds in this space.

Responding to the various interventions,

Philippines for the **G77 and China** took the floor last and said that there was good convergence across many issues among all the groups. It wanted an outcome that would strengthen the coordination, coherence, and complementarity between the 3 bodies; an outcome to reaffirm WIM key's role under Convention and Paris Agreement with respect to L&D; a call to scale up the provision and mobilization of finance with respect to L&D, particularly for the FRLD, WIM ExCom expert groups and the Santiago network, so that these bodies are able to function as intended and provide services intended to provide; language that would enhance provision of technical assistance in the Santiago network; language that would allow Parties to see improvements in the use and integration of knowledge products of WIM ExCom and Santiago network; language that would strengthen the ability of national L&D focal points relating to the WIM ExCom, the Santiago network and the FRLD so that they can better enable countries to work together with respect to L&D; for Parties to provide a mandate to update the Terms of Reference, Plans of Action and the membership of expert group; and to enhance the WIM's knowledge base through regional case studies, methodologies for assessing needs relating to non-economic losses and slow onset losses, and a regular report for the global landscape relating to L&D, including references to means of implementation provided by developed countries and received by developing countries.

While some progress has been made, negotiations will further continue in the form of informal-informal consultations on 12 and 13 Nov. where Parties will move to propose detailed textual changes.

Meanwhile, on the joint annual report of the WIM ExCom and the Advisory Board of the Santiago network, this was swiftly dealt with by a mandate given to co-facilitators to produce a draft decision text in a way similar to how the draft decision text was produced for the 2024 joint annual review. Upon circulation to Parties at a later date/time during the week, Parties will negotiate outstanding matters in informal-informal consultations before adopting the text on Saturday.

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