

**New text to include in Loss and Damage Section – as a new paragraph
Feb 9 2015**

Rationale for new text:

1. To anchor the international mechanism on loss and damage by including it in the treaty text. Previous experiences have indicated that institutions based on COP decisions often experience of uncertainty – for example the CGE experienced gaps in functioning and insecurity in funding.
2. To ensure continuity with the work done under the COP in the loss and damage work programme and the development of the Warsaw international mechanism.
3. To provide a basis for learning from the treatment of loss and damage in other contexts.
4. To provide for the long-term evolution of the international mechanism under the guidance of the COP to the 2015 Protocol

Text to be inserted as new paragraph:

ARTICLE X. LOSS AND DAMAGE

1. An international mechanism to address loss and damage is hereby defined under this Protocol.
2. The purpose of the mechanism shall be to promote and support the development and implementation of approaches to address loss and damage associated with the adverse effects of climate change,
3. The international mechanism on loss and damage shall draw upon and further develop the work undertaken pursuant to decisions 3/CP.18, 2/CP.19 and 2/CP.20, including the development of modalities and procedures for the mechanism's operation and support. It will involve, as appropriate, existing bodies and expert groups under the Convention, as well as relevant organisations and expert bodies outside the Convention, and be informed by relevant precedents in international law.
4. The international mechanism on loss and damage shall be subject to the authority and guidance of the [Governing Body][Conference of the Parties serving as the meeting of the Parties] to this Protocol.
5. The [Governing Body] [Conference of the Parties serving as the meeting of the Parties to this Protocol] shall, at its first session, initiate a process to develop approaches to address irreversible and permanent damage resulting from human-induced climate change, and shall endeavour to complete this process within four years.