**Submission of proposals related to the Further revised draft text of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction**

**Template**

*Please fill out one form for each article which your delegation(s) or group(s) wish(es) to propose, amend or delete.*

1. **Name(s) of Delegation(s) and/or Group(s) making the proposal in the order that they should be listed in any conference room papers or other documents:**

CARICOM

1. **Please indicate the relevant part of the Further revised draft text (as reflected in A/CONF.232/2022/5) that this proposal relates to, using the drop-down menu below.**

PART VIII IMPLEMENTATION AND COMPLIANCE

1. **Please indicate the relevant article of the Further revised draft text (as reflected in A/CONF.232/2022/5) that this proposal relates to (if applicable) or indicate if this is a proposal for an additional article**

Article 53 quat

1. **Kindly provide the amendments to the article that are being proposed in the text box below, using the “track changes” function in Microsoft Word. Please only reproduce the parts of the article that are being amended or deleted - examples are attached for reference.**

PART VIII (bis) – LIABILITY AND RESPONSIBILITY

Article 53 quat

Liability for Damage and Loss

"Consistent with the objectives of this Agreement and Article 235 of the Convention, the Parties shall elaborate rules and procedures relating to liability and compensation for damage or loss arising from activities taking place in areas beyond national jurisdiction”

1. **Rationale for the proposal, if any.**

The obligations to protect and preserve the marine environment are crucial to achieve the aims and objectives of the Agreement. In view of this, it is important that the Agreement include specific references to liability, which is a matter already established under international law. A clear reference to liability bolsters the protections and mechanisms being established in the Agreement. The related accountability that flows from breaches or damages can also present a source of funding for the BBNJ, including for restoration and restitution. The specific regime would be determined by the COP and this article is meant to enable such.