



ALLIANCE OF SMALL ISLAND STATES

23 APRIL 2025

CONFERENCE ROOM 3

INTERVENTION IN RESPONSE TO QUESTIONS ON IMPLEMENTATION AND COMPLIANCE COMMITTEE

I am speaking on behalf of AOSIS.

Building upon our previous interventions, we approach the establishment of subsidiary bodies with a commitment to ensuring an effective and responsive Agreement. When designing these bodies, we must explicitly consider how each helps operationalise the special circumstances of Small Island Developing States (SIDS), for reasons articulated in our earlier statements.

As discussed earlier, we could consider consolidating the Rules of Procedure and modalities into a single document

Article 53(1) mandates the Implementation and Compliance Committee (ICC) to "facilitate and consider the implementation of and promote compliance with the provisions of this Agreement." We strongly emphasise that the Committee must fully consider SIDS' special circumstances when fulfilling this mandate.

Article 55 establishes that the ICC is facilitative in nature and shall function transparently, non-adversarially, and non-punitively. Key functions include considering implementation and compliance issues at both individual and systemic levels, reporting periodically to the Conference of the Parties (COP), and making appropriate recommendations to the COP. In implementing its functions, the ICC must be guided by Article 7(m) of the Agreement in all its work. To effectively integrate SIDS considerations, we propose several approaches, such as focused consideration on SIDS issues and the ability to draw upon outside expertise when addressing SIDS-specific challenges. Furthermore, when considering implementation and compliance matters related to SIDS Parties, the Committee shall explicitly account for our specific circumstances and capacity constraints. Active engagement with other subsidiary bodies to identify supportive measures and ensure appropriate

capacity-building, technology transfer, and financial support should also be further considered, and appropriate mechanisms could be elaborated.

When taking decisions or recommendations that could significantly impact SIDS implementation capacity or require SIDS-specific responses, the Committee shall ensure SIDS representatives have an adequate opportunity to present concerns and alternatives before finalising recommendations to the COP. And in case the Committee members cannot agree on a recommendation, all views expressed should be captured and forwarded to the COP.

We also envision the ICC providing systemic implementation support through a **joint Programme of Work on SIDS**. Such Programme of Work would coordinate with other subsidiary bodies to establish a comprehensive program addressing SIDS-specific implementation challenges and opportunities. There could also be consideration for enabling participation of representatives from other bodies as ex officio members, following established precedents in other processes.

Article 55(2) stipulates that members shall be nominated by Parties, elected by the COP, and possess appropriate qualifications and experience, with due consideration given to gender balance and equitable geographical representation.

Given our overarching approach, it is imperative that the Committee include a robust understanding of the SIDS context. While we continue to consider optimal membership numbers and formulas for this limited membership body, we firmly believe experts from SIDS must have guaranteed representation. This model ensures SIDS' specificities inform the Committee's agenda-setting and work.

Member criteria should include legal, policy, scientific, and/or technical expertise in areas covered by the Agreement, including Marine Genetic Resources and fair benefit-sharing, Area-Based Management Tools, including marine protected areas, Environmental Impact Assessments, Capacity-building and marine technology transfer, Implementation and compliance considerations at individual and systemic levels

We recommend that the COP establish specific provisions regarding conflicts of interest and require declarations of interest from nominees. In alignment with other bodies, we support members serving in their individual expert capacity with staggered terms to ensure continuity.

Lastly and to ensure effective participation of SIDS representatives in relevant bodies, adequate and dedicated funding to support participation from members is needed.