



STATEMENT ON BEHALF OF THE CARIBBEAN COMMUNITY

(CARICOM)

DELIVERED BY THE DELEGATION OF ANTIGUA AND BARBUDA

AT THE FIRST MEETING OF THE PREPARATORY COMMISSION

FOR THE ENTRY INTO FORCE OF THE BBNJ AGREEMENT

ON ITEM 5 (CLUSTER III: ISSUE 9) – ARRANGEMENTS WITH THE

GEF TO GIVE EFFECT TO THE RELEVANT PROVISIONS ON

FUNDING

17 April 2025

Arrangements with the GEF

17 April 2025

CARICOM associates with the statement delivered by the Group of 77 and China and the Maldives on behalf of AOSIS.

1. Is the structure of the document fit for purpose?

CARICOM expresses its gratitude to the Co-Chairs for the draft Memorandum of Understanding (MOU) between the Conference of the Parties (COP) and the Global Environment Facility (GEF). We appreciate that the elements included are derived from current agreements with existing Multilateral Environmental Agreements (MEAs), reflecting language that many of the parties have already accepted. Overall, we believe that this structure is adequate and fulfills the objectives of the agreement, however we would suggest slight amendments to accurately reflect the intention of the Parties.

2. What missing elements, if any, might usefully be included in the document?

CARICOM suggests that references should be made to Article 52(7) (Complementarity & Coherence) and Article 52(16) (periodic Review) in the preambular paragraphs and in paragraph 2 of the MoU. CARICOM views this insertion as necessary as the GEF is a part of the financial mechanism and thus these provisions would also apply. These principles must be reflected in the work of the GEF as it exercises its crucial function.

CARICOM also suggests that a paragraph be inserted that confirms that the finance committee on financial resources shall periodically report and make recommendations on the identification and mobilization of funds under the mechanism, and assess of the needs of the Parties, especially developing countries in particular SIDS and LDCs Parties in accordance with Article 52(14).

3. What elements, if any, could be left out of the document? n/a

4. What substantive elements of the document do delegations agree or disagree with?

While the Co-Chairs have done an excellent job of reflecting the intention of the Parties in this draft Memorandum of Understanding, CARICOM wishes to address two points under this heading, namely, (1) reporting by the GEF and (2) Monitoring and Evaluation

Regarding GEF Reporting, CARICOM prefers option II with more extensive reporting obligation on the GEF Council and its other subsidiary bodies and executing agencies implementing GEF-financed projects as it would allow for greater transparency, M&E opportunities, and general information on how the money is being used and implemented. However, Option I contains an explicit timeline of reports to be considered at each ordinary meeting of the COP and this could be beneficial and CARICOM wishes to see this element incorporated into option II.

However, CARICOM believes that, as drafted, there is a very large scope referenced in the GEF reporting. CARICOM wishes to see the retention of language that confirms that GEF shall only report on activities that it has funded. If there is inclusion of any other funded activities beyond what the GEF has financed, it can be seen as an inaccurate reflection of figures. CARICOM believes that it is important to have clear parameters on reporting so as to avoid any possibilities of double-counting or similar inaccuracies. Since this Agreement is intended to have such a wide scope, it is important to have clear and specific understanding of the finance flows in any given reporting period. In line with this reasoning CARICOM suggests the deletion of paragraph 10(f) and the bracketed phrase in paragraph 10(c) “[including such projects funded by the GEF outside the framework of the financial mechanism of the Agreement but contributing directly or indirectly to the achievement of the objectives of the Agreement,]”

As it relates to the section entitled Monitoring and Evaluation, CARICOM requests that paragraph 15 be renamed to “Periodic Review” in line with the Agreement. CARICOM contends that the activity that is intended to be carried out is a periodic review and thus,

we would not want there to be a misunderstanding of the responsibility or intention captured by this specific paragraph.

In furtherance of this CARICOM also believes it important to have specific paragraphs that (i) address the details of the periodic review process, (ii) to allow for the COP to feed into the GEF's periodic review process and (iii) to allow for the COP to initiate a separate review specific to GEF's role under the BBNJ Agreement, such as those suggested by AOSIS.

5. What substantive elements of the document are the most important and why?

While we agree with AOSIS, that all the elements are very important. CARICOM wishes to specifically address redress procedures.

In the context of the Convention on Biological Diversity (CBD) and the United Nations Framework Convention on Climate Change (UNFCCC) Memorandums of Understanding (MOUs), if a party has concerns regarding a decision made by the Global Environment Facility (GEF) that may not align with the guidance established by the Conference of the Parties (COP), the COP may respectfully request clarification from the GEF. Should the COP, after considering the additional information, determine that the decision is still inconsistent with its guidance, it may encourage the GEF to propose and implement a course of action to address the specific concerns related to the project in question. Additionally, the GEF is invited to seek clarifications regarding any existing guidance as necessary. The draft MOU suggests that the COP may request the GEF to reconsider its decisions; however, it lacks clarity regarding the process for this reevaluation. CARICOM underscores the importance of having clear and effective redress procedures in the event of disagreements between the COP and the GEF, and a more detailed procedure for providing feedback is strongly preferred.