



**STATEMENT ON BEHALF OF THE CARIBBEAN COMMUNITY
(CARICOM)**

DELIVERED BY THE DELEGATION OF ST. LUCIA

AT THE FIRST MEETING OF THE PREPARATORY COMMISSION

FOR THE ENTRY INTO FORCE OF THE BBNJ AGREEMENT

ITEM 5 (CLUSTER I, ISSUES 2 & 3) – TERMS OF REFERENCE AND

**MODALITIES FOR THE OPERATION OF, AND RULES OF
PROCEDURE FOR, THE CAPACITY BUILDING AND TRANSFER OF
MARINE TECHNOLOGY COMMITTEE AND SELECTION PROCESS**

FOR THE MEMBERS OF THE COMMITTEE

23 April 2025

Subsidiary Bodies: CBTMT Committee

23 April 2025

Co-chairs, Colleagues,

The importance of Part V of the Agreement for developing states parties, and in particular for the Small Island Developing States of the Caribbean Community, cannot be overstated. It is imperative that we get the operationalisation of Part V right, to ensure SIDS and LDCs are able to fully participate in the conservation and sustainable use of marine biodiversity in accordance with the Agreement.

As you may know, CARICOM has a very special relationship to the CBTMT committee, having made the case for a full committee over a working group during the IGC process, to assist in facilitating the implementation of Part V of the Agreement. During IGC5 CARICOM and CLAM submitted a cross-regional proposal on what the CBTMT committee should be - its form and functions.

While the full proposal was not accepted we were pleased that all the current provisions of Art.45 of the Agreement, were lifted from our proposal, and so CARICOM intends to provide the rest of the proposal, with the necessary updates and amendments to align with the final provisions of the Agreement.

Part V establishes an instrument for developing states parties, framed by objectives, cooperation, modalities and types, with the CBTMT committee as its institutional mechanism. This instrument is reinforced by provisions on needs assessment, funding and monitoring and review and dedicated representation for SIDS and LDCs. Our proposals intend to ensure not only the effective operationalisation of Part V, but that developing states parties and in particular SIDS and LDCs can actively participate in and benefit from the implementation of Part V.

What are the most important elements relating to: nature and scope of work; functions; operational modalities; including interaction with other bodies/committees established under or pursuant to the Agreement (including the COP); and cooperation with relevant instruments, frameworks and bodies (IFBs)?

CARICOM is of the view that five of functions of the CBTMT committee will relate to the operationalisation of the provisions of Art 45:-

(a) Assessing and reviewing the needs and priorities of developing States Parties in terms of capacity-building and the transfer of marine technology, paying particular attention to the special requirements of developing States Parties and to the special circumstances of small island developing States and of least developed countries, in accordance with article 42, paragraph 4;

(b) Reviewing the support required, provided and mobilized, as well as gaps in meeting the assessed needs of developing States Parties in relation to this Agreement;

(c) Identifying and mobilizing funds under the financial mechanism established under article 52 to develop and implement capacity-building and the transfer of marine technology, including for the conduct of needs assessments;

(d) Measuring performance on the basis of agreed indicators and reviewing results-based analyses, including on the output, outcomes, progress and effectiveness of capacity-building and transfer of marine technology under this Agreement, as well as successes and challenges;

In this regard, the committee will also have to draft indicators to fulfil this function, for approval by the COP.

(e) Making recommendations for follow-up activities, including on how capacity-building and the transfer of marine technology could be further enhanced to allow developing States Parties, taking into account the special circumstances of small island developing States and of least developed countries, to strengthen their implementation of the Agreement in order to achieve its objectives.

The Committee will also have to:

- Develop draft needs assessment guidelines and procedures to assist states in implementing the provisions of the Agreement for approval by the COP.

Given that the needs assessment is among one of the significant elements to kick start the CBTMT process for states parties, CARICOM believes that it would be necessary for the draft needs assessment guidelines to be prepared in advance, so that they may be considered at the

first meeting of the CBTMT committee - in keeping with the spirit of efficiency, and timing and harmonisation of functions and activities to allow for the effective operationalization of the Agreement.

The Committee will also have to:

- Develop the modalities and procedures for accessing CBTMT, in accordance with the provisions on cooperation in Art.41, modalities Arts. 42 and 43, and types in Art. 44, for approval by the COP
- Another critical function of the committee will be to collaborate on CBTMT with all the relevant mechanisms under the agreement (i.e the secretariat, the STB, the ABSC, the Finance Committee and the ICC, and the CHM), as well as regional, subregional, and sectoral competent IFBs.

The relationship between the CBTMT and the Secretariat will be critical to supporting the ongoing work on CBTMT and interacting with state parties.

The collaboration with the other subsidiary bodies should be seamless and expeditious and perhaps through their respective Chairs, but without need to channel communication through the COP. We recall CARICOM's invitation to the Co-Chairs during our discussion on RoP, to propose provisions in the draft Rules of procedure that facilitates collaboration and interaction among subsidiary bodies.

The collaboration with competent IFBs can be elaborated during PrepCom2 when we take up the matter, but CARICOM would like to ensure we stick a pin here to make the connection.

The relationship with the CHM and the operationalisation of Art. 51.3 (a) (iv) and Art. 51.3 (b) on the requests for CBTMT and the facilitation of matching, will also have to be clearly established.

The Committee will also have to:

- Ensure the implementation of, and review compliance with, all provisions of Part V, in accordance with the implementation and compliance committee
- Develop and periodically review the types of CBTMT for approval by the COP
- Recommend amendments to Annex II of the Agreement for approval by the COP

- Perform such other functions as may be determined by the COP or assigned to it under the agreement

The CBTMT Committee will also be duty bound to facilitate the operationalization of Articles 9 (b); 14 (f); 17 (e); and 27 (f).

The indicators, needs assessment and modalities and procedures to be drafted by the CBTMT committee, would have to take in account similar work by relevant global, regional and sub-regional and sectoral organisations, especially those that have expertise in SIDS and LDCs regions. This will ensure two things - that we do not engage in an exercise of duplicating work, and that we don't start from scratch, and we can ensure a more tailor made approach that captures the full spectrum of developing countries as well as the nuances related to SIDS and LDCs in the drafts.

Should the Rules of Procedure for the Conference of Parties apply mutatis mutandis to subsidiary bodies, unless decided otherwise?

As we indicated in our intervention on the commonalities between the subsidiary bodies, while COP Rules can apply mutatis mutandis, CARICOM accepts that each body will probably need to develop their own working methods and have tailored rules of procedure based on their functions.

Having regard to the Agreement, what should be the eligibility criteria, qualifications and expertise of members, number of members, selection process, term of office and renewal modalities for each of the subsidiary bodies? How may the selection process work?

Eligibility and selection criteria

Members of the committee should serve in their personal capacity

“Possessing relevant and multidisciplinary expertise, and competence in a field relevant to this Convention”

With consideration be given to Early Career Oceans Professionals

Number of members

In keeping with the provisions of Agreement on equitable geographical representation and the representation on the Committee by LDCs, SIDS and LLDCs CARICOM sees **21 members** as follows:

3 members from each of the five United Nations regional groups

2 members from the Least Developed Countries

2 members from Small Island Developing States

2 members from Land Locked Developing Countries

Selection Process

Nominated by Parties and elected by the Conference of Parties

Gender Balance

As we mentioned in the SB cross cutting discussion, while we appreciate that the text of the Agreement prescribes gender balance be taken to account for representatives of the various bodies, and the nominating parties will have that responsibility to fulfil this mandate, in practice we know that it is not always guaranteed.

In this committee CARICOM would like to propose possible formulation of language along the lines of having a *minimum of one woman from each seat category - one from each UN region, one from LDC, one from SIDS, one from LLDC* (which would guarantee 8 seats for women on the CBTMT)

Term of Office and Renewal

CARICOM hasn't landed on the "goldilocks just right" number of years as we consider how all the bodies will shape up, so that we can manage the staggering of election cycles and ensure that the length of term is commensurate with the scope of work. But we are of the view that a term of no less than four and no more than six years, would be prudent, with eligibility for re-election for one further term.

I thank you for your attention.