



Statement of Hiroko Muraki Gottlieb

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Preparatory Commission for the Entry into Force of the 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 and the Convening of the First Meeting of the Conference of the Parties to the Agreement

PrepCom Co-Chairs' Briefing

Microsoft Teams, Monday, 21 July 2025

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Co-Chairs,

Thank you for giving International Council of Environmental Law the floor.

If the entry into force is in 2026, the launch of the Mechanism could coincide with the first COP, which would take place no later than 12 months from the date of entry into force. For a robust implementation of the Agreement, the Parties may wish for a swift transition from an interim measure taken from entry into force until the launch of the Mechanism.

In that regard, we are concerned that the [ToR](#)'s paragraph 2(iii) could be read to mean that the design and build of the Mechanism would only be decided at COP1. If such interpretation is taken, it would mean that the PrepCom would miss out on the opportunity to prepare the Parties to launch the Mechanism at COP1.

One option to avoid such delay is to clarify in the ToR that the roadmap would be for the Group to draft and issue an open call for proposals requesting proponents to submit design and build concepts, along with associated information such as lead times and cost that the Group could provide to the PrepCom.

Under such scenario, the Group's work could have two phases:

- **Phase I:** Draft a request for proposal (RfP) and based on the responses to the RfP, provide options to the PrepCom on the design and build of the Mechanism for approval at PrepCom3 or PrepCom4, should there be one.
- **Phase II:** Respond to the proponent(s)' questions in implementing the design and build of the Mechanism for launch at COP1.

Thank you.

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