

China's proposed changes on the text of Implementation and Compliance based on discussions at the evening session in CG4 on 25 Nov, 2024

ARTICLE 13 IMPLEMENTATION AND COMPLIANCE COMMITTEE

1. A mechanism, including a Committee as a subsidiary body of the Conference of the Parties, is hereby established to ~~facilitate~~ promote the implementation of, and ~~promote~~ review compliance with, all provisions of this Convention.

2. ~~The mechanism, including the Committee shall be facilitative, non-punitive and non-adversarial in nature and shall pay particular attention to the respective national capabilities and circumstances of Parties. The committee referred to in paragraph 1 shall examine both individual and systemic implementation and compliance issues, including in particular challenges faced by developing state Parties regarding implementation, and make recommendations to the Conference of the Parties.~~

3. ~~The Conference of the Parties shall, as soon as practicable, develop and approve rules of procedures and terms of reference for the committee referred to in paragraph 1.~~

3. ~~The committee shall consist of 17 members nominated by Parties and elected by the Conference of the Parties with recognized competence in fields relevant to this Convention, including legal or technical expertise, with three members from the five regional groups of the United Nations and two members from the small island developing States. The Committee and its members shall be independent, transparent, and free from conflicts of interest.~~

4. ~~Members shall be elected to the committee to serve for a period of [X] years and for a maximum of two consecutive terms. The Conference of the Parties, at its first meeting, shall elect [X] members to the committee for an initial term of [X] years and [X] members for a term of [half of X] years. Thereafter, the Conference of the Parties shall elect at its relevant regular meetings [x] members for a term of [X] years. The members and alternate members shall remain in office until their successors are elected.~~

5. ~~The committee may consider issues on the basis of: (a) Written submissions from any Party with respect to its own compliance; (b) Requests from the Conference of the Parties; (c) Information provided by the secretariat with respect to the status of submission of information under Article 15; (d) Information available to the committee, inter alia from national reports.~~ 6. ~~The committee referred to in this Article shall elaborate its rules of procedure, which shall be subject to approval by the Conference of the Parties at its second meeting. The Conference of the Parties may adopt further terms of reference for the committee.~~

7. ~~The committee shall make every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted and no consensus is reached, such recommendations shall as a last resort be adopted by a three fourths majority vote of the members present and voting, based on a quorum of two thirds of the members.~~