Contact Group II
Part IV
Implementation and compliance

Comments:
The Brazilian delegation supports the establishment of a committee focused on facilitating implementation and promoting compliance. It must be of a facilitative and non-punitive nature, prioritizing dialogue between the Parties with a view to promoting progress. The committee must oversee aspects of both compliance and challenges faced by developing countries regarding the implementation of the instrument. In that spirit, Brazil recalls the first sentence of principle 7 of the Rio Declaration, which reads “States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth’s ecosystem”.

The committee may consider issues on the basis of written submissions from any Party with respect to its own compliance, but not of written submission from any Party regarding another Party’s compliance nor information provided by the Secretariat.

The modalities of such committee should be dealt with at a later stage.

(SUGGESTED TEXT IN CAPITAL LETTER)

Paragraph 3:
“The mechanism shall operate under the modalities and procedures, WHICH SHALL CONSIDER THE NEEDS OF DEVELOPING STATE PARTIES, adopted by the governing body* at its first session and shall report to the governing body*”.

Paragraph 6:
“The committee referred to in paragraph 1 shall examine both individual and systemic implementation and compliance issues, INCLUDING CHALLENGES FACED BY DEVELOPING STATE PARTIES REGARDING IMPLEMENTATION, and make recommendations to the governing body*, as appropriate. The committee shall consist of [X] members relevant to this instrument* to be elected by the governing body* striving to reflect a balance of expertise and on the basis of equitable geographical representation, with [X] members each from the five regional groups of the United Nations and [X] members from the SIDS, taking into account the goal of gender balance.