



**CLME+ Project**  
Caribbean & North Brazil Shelf Large Marine Ecosystems

CLME+ PSC Meeting 11-12 October, 2021



## Agenda Item 3 - Coordination Mechanism

### b. Summary : Comments received from the final (legal) review of the MoU



# Comments received (in writing) since last PSC Meeting

CLME+ PSC Meeting 11-12 October, 2021

## Countries

- Colombia
- Dominican Republic
- Honduras
- Jamaica
- Panama
- Trinidad and Tobago
- United States of America

## Organisations

- United Nations Environment Programme (**UNEP**)
- United Nations Economic Commission for Latin America and the Caribbean (**UN ECLAC**)
- **IOCARIBE** of the **IOC UNESCO**
- United Nations Development Programme (**UNDP**)
- Food and Agriculture Organization of the UN (**FAO**)

*(**OSPESCA** reaffirmed they had finalized their review and were OK with the text)*



# Types of Comments received

CLME+ PSC Meeting 11-12 October, 2021

- Requests for clarifications ← PCU provided responses
- Requests for modifications (**corrections/additions/deletion**) to the text
- Some requested modifications were **editorial**, some seek to **ensure consistency/remove ambiguity**, some seek to **clarify/remove inaccuracies in procedural matters**, some identified **omissions**, some were considered by their proponent to constitute **non-negotiable conditions** for their participation in the CM



- Most (*but not all*) requested **modifications** came from the **legal review by IGOs**
- IGO's held a **meeting on 5 Oct 21** and discussed and agreed on a set of proposed modifications to be presented at the PSCM: ACS (**L**), CARICOM, ECLAC (**L**), UNDP (**L**), UNEP (**L**), IOC-UNESCO, OSPESCA

*(L) = Legal Experts participated in the call*

- Proposed **modifications** emanating from the consultation process are included in [track changes in the version of the MoU circulated prior to the meeting](#)

## A. TO BE DISCUSSED FIRST

1. The addition of two new articles have been proposed:
  - **NEW ARTICLE 32:** Privileges and Immunities of Signatories
  - **ARTICLE 27:** Funding of Cooperation & Collaboration (new text)
2. Additions of text to existing articles:
  - CM = **no legal personality**, CM = no legally binding rights **nor obligations**
3. Clarifications relative to the **powers** of the **Steering Group, Executive Group**
4. Request for MOU to be finalized in 3 languages: **English, Spanish and French** - all versions **equally authentic**

## B. TO FINALIZE THE TEXT

1. **2 open issues** (*punctual matters: signature custodianship, extraordinary meetings*)
2. Suggestions for **added clarity** on a few **procedural matters/removal of inaccuracies**
3. Suggestions to **add definitions/harmonize use of concepts/abbreviations**, where missing, ambiguous or inconsistent
4. A few editorial suggestions

## Reminder:

- Draft MoU text was **technically endorsed at last PSC Meeting**
- The comments received emanated from the Feb21 PSCM request/recommendation for a final **(legal) review**
- Very few remaining substantive comments, most suggestions are minor and likely to be easily resolved

# PROPOSED WAY FORWARD (1)

CLME+ PSC Meeting 11-12 October, 2021

- All remaining proposals for change (*available to PCU*): in MOU in [track changes](#)/square brackets

## AGENDA ITEM 3:

- MoU (Eng & Spa) will be **shared on screen** by PCU. Participants can also open the MoU themselves: *link in the provisional agenda or [click here](#)*
- **Facilitator** will facilitate review and, as and where needed, discussions
- PCU will scroll MoU and provide a **brief explanation of the proposed changes**
- **PSCM participants to request the floor if:**
  - *not in agreement with proposed changes, or need to discuss/further fine-tune*
  - *requiring additional explanations*
  - *[any remaining comments/requests not shared with PCU prior to meeting]*





# PROPOSED WAY FORWARD (2)

CLME+ PSC Meeting 11-12 October, 2021

- **Track changes/square brackets will be removed once agreement/no objection is achieved** (English and Spanish versions)
- Chair may decide to defer issues that cannot be readily resolved to Agenda Item 5 (MoU finalization)
- Full revised MOU text to be cleared (*in English, and, if possible, Spanish*) during Agenda Item 5.
- Further language reconciliation (English-Spanish-French) may need to take place after meeting
- **MoU Finalization:** @ the PSCM
- **Opening for Signature:** *immediately following language reconciliation*

