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ON ACCESS TO GENETIC RESOURCES AND
THE FAIR AND EQUITABLE SHARING OF
BENEFITS ARISING FROM THEIR UTILIZATION

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Item 4 of the provisional agenda*

SYNTHESIS OF VIEWS AND INFORMATION PROVIDED IN RELATION TO CAPACITY-BUILDING, CAPACITY DEVELOPMENT AND STRENGTHENING OF HUMAN RESOURCES AND INSTITUTIONAL CAPACITIES

Note by the Executive Secretary

I. INTRODUCTION

1. The Nagoya Protocol on Access and Benefit-sharing provides that “as a basis for appropriate measures in relation to the implementation of this Protocol, developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition should identify their national capacity-building needs and priorities through capacity self-assessments. In doing so, such Parties should support the capacity needs and priorities of indigenous and local communities and relevant stakeholders, as identified by them, emphasizing the capacity needs and priorities of women.” (Article 22, para. 3)

2. In addition, in paragraph 7 of decision X/1, the Conference of the Parties invited developing country Parties as well as Parties with economies in transition to make available to the Executive Secretary, no later than two months prior to the first meeting of the Intergovernmental Committee, information regarding their needs in relation to capacity-building, capacity development and strengthening of human resources and institutional capacities in order to effectively implement the Protocol.

3. In addition notifications 2010-216 and 2010-217 (ref. No. SCBD/ABS/VN/SG/74553), of 16 December 2010, the Executive Secretary also invited Parties, international organizations, indigenous and local communities, and relevant stakeholders to provide views on measures to assist in the capacity-building, capacity development and strengthening of human resources and institutional capacities in developing countries.

4. As of 8 April, the Secretariat had received submissions from the following: Argentina, Burundi, China, Ecuador, European Union, Guinea, India, Mexico, Morocco, Nigeria, Thailand, Togo and Vietnam, the Amazon Cooperation Network, the Assembly of First Nations (AFN) as well as the joint

* UNEP/CBD/ICNP/1/1.

submission from the Maritime Aboriginal Peoples Council and IKANAWTIKET Environmental Incorporated, the Native Council of Nova Scotia, the Native Council of Prince Edward Island, the New Brunswick Aboriginal Peoples Council and the Congress of Aboriginal People. These submissions are available at: <https://www.cbd.int/icnp1/submissions/>.

5. This document contains a synthesis of the information received from Parties and from indigenous and local communities for the consideration of the Intergovernmental Committee, in accordance with Article 22 of the Protocol.

II. SYNTHESIS OF INFORMATION AND VIEWS PROVIDED IN RELATION TO CAPACITY-BUILDING AND DEVELOPMENT

6. The submissions received are formulated in various ways, address different facets of capacity-building and development and vary in terms of the level of detail provided. While some have provided a detailed list of measures needed to support the implementation of the Protocol, others have focused on key capacity-building areas and possible mechanisms for capacity-building.

7. The following synthesis of views attempts to group the information provided in the submissions on the basis of the different facets of capacity-building and development as identified paragraphs 4 and 5, Article 22 of the Protocol while also taking into account the structure of the 2004 Action Plan on Capacity-Building for Access to Genetic Resources and Benefit-sharing.

8. First, information received is organized taking into account the key areas for capacity-building and development as identified in paragraph 4, Article 22 of the Protocol. These are:

- (a) Capacity to implement and to comply with the obligations of the Protocol;
- (b) Capacity to negotiate mutually agreed terms;
- (c) Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing (ABS); and
- (d) Capacity to develop endogenous research capabilities to add value to their own genetic resources.

9. The capacity to protect and add value to traditional knowledge associated with genetic resources is considered as an additional key area for capacity-building as it was addressed in several submissions.

10. Paragraph 5, Article 22 of the Protocol provides an indicative list of measures to build or develop capacity in these key areas. In addition to these, subsection A below includes measures identified by Parties in their submissions.

11. Parties have also included information related to actions needed to support the development of measures in key areas. These are listed in subsection B.

12. Subsection C refers to the information received regarding different mechanisms and tools for implementing capacity-building and capacity development measures and actions as identified above. Submissions also identify target groups for developing and building capacity; these are addressed in subsection D. Finally, subsection E describes the capacity needs and priorities of indigenous and local communities as identified in the submissions by Parties and indigenous and local communities.

A. Identification of measures to build or develop capacity in key areas

13. The following Parties have identified measures needed to build or develop capacity in key areas: Burundi, China, Ecuador, the European Union, Guinea, Mexico, Morocco, Nigeria, Thailand, Togo, Uganda, and Vietnam. The suggested measures have been organized in accordance with key areas of capacity-building as identified by paragraph 4, Article 22 of the Protocol, including the additional key area regarding capacity to protect and add value to traditional knowledge associated with genetic resources as identified by Parties.

14. Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing:

- (a) Legal development, including development of policy, legislative and administrative frameworks:¹
 - (i) Development of a national framework defining the national policy approaches to access and benefit-sharing.²
 - (ii) Setting-up a new or amended ABS legislative or administrative framework with a view to implementing the Nagoya Protocol.³
 - (iii) Adapting or amending existing policies, legislation or regulation not in conformity with the Nagoya Protocol.⁴
 - (iv) Development of measures on how to obtain prior informed consent, establish mutually agreed terms and the issuance of a permit.⁵
 - (v) Measures for obtaining prior informed consent for accessing traditional knowledge associated with genetic resources and sharing the benefits derived from its use.⁶
 - (vi) Development of appropriate, effective and proportionate measures for users that fail to respect ABS legislations of other Parties, in line with the nature and severity of the misappropriation.⁷

15. Capacity to implement and to comply with the obligations of the Protocol:

- (a) Development of an institutional framework:⁸
 - (i) Establishment of Competent National Authorities and check points;⁹
- (b) Mechanisms for public participation and involvement;¹⁰
- (c) Regarding information-sharing:
 - (i) Establishment of information systems linked to the ABS Clearing-House;¹¹
 - (ii) Management of the ABS Clearing-House;¹²
- (d) Regarding mechanisms for monitoring and enforcement of compliance:¹³
 - (i) The development of necessary systems for monitoring access to genetic resources and traditional knowledge;¹⁴
 - (ii) Tracking and monitoring of genetic resources and their derivatives;¹⁵

¹ See submissions by Burundi, China, Ecuador, the European Union, Guinea, Thailand, Togo and Vietnam.

² See submission by Burundi.

³ See submission by the European Union.

⁴ See submission by the European Union.

⁵ See submission by the European Union and Burundi.

⁶ See submission by Mexico.

⁷ See submission by the European Union.

⁸ See submissions by Morocco and Togo.

⁹ See submissions by Burundi and Mexico.

¹⁰ See submissions by the European Union, Guinea, Morocco, Togo, Thailand and Vietnam.

¹¹ See submissions by Morocco and Togo.

¹² See submissions by Burundi, China, Ecuador, Mexico and Uganda.

¹³ See Article 22, paragraph 5 (c) of the Protocol and submissions by Burundi, Ecuador, the European Union, Mexico, Morocco, Uganda and Vietnam.

¹⁴ See submission by the European Union.

- (iii) Development of dispute settlement mechanisms;¹⁶
- (e) Regarding conservation and sustainable use of biological resources:¹⁷
 - (i) Development of protection mechanisms for genetic and biological resources;¹⁸
 - (ii) Enhancement of the contribution of access and benefit-sharing activities to the conservation of biological diversity and the sustainable use of its components;¹⁹
- (f) Employment of best available communication tools and Internet-based systems for access and benefit-sharing activities²⁰ including the development of databases:²¹
 - (i) Development of transboundary mechanisms in relation to ABS;²²
 - (ii) Development of facilitated access to promote and encourage research;²³
 - (iii) Mechanisms for monitoring and evaluation;²⁴
- 16. Capacity to negotiate mutually agreed terms:²⁵
 - (a) Promotion of equity and fairness in negotiations;²⁶
 - (b) Development and implementation of pilot ABS agreements;²⁷
 - (c) Development and use of valuation methods.²⁸
 - (i) Comprehensive valuation (environmental, cultural, social and economic) of genetic resources and associated traditional knowledge;²⁹
 - (ii) Valuation of monetary and non-monetary benefits of bio-prospecting.³⁰
- 17. Capacity to develop endogenous research capabilities to add value to their own genetic resources:
 - (a) Bioprospecting, associated research and taxonomic studies:³¹
 - (i) Assessment and inventory of genetic resources,³² including through community biodiversity registers at local level;³³
 - (ii) Bioprospecting, screening, DNA sequencing and characterization,³⁴

¹⁵ See submission by Uganda.

¹⁶ See submissions by Burundi, Ecuador, Morocco, Thailand and Uganda.

¹⁷ See submission by Uganda.

¹⁸ See submissions by Burundi and Ecuador.

¹⁹ See Article 22, paragraph 5 (h) of the Protocol.

²⁰ See Article 22, paragraph 5 (d) of the Protocol.

²¹ See submission by Thailand.

²² See submissions by Burundi and the European Union.

²³ See submission by Mexico.

²⁴ See submissions by Ecuador, European Union and Morocco.

²⁵ See submissions by China, Ecuador, Morocco and Thailand.

²⁶ See Article 22, paragraph 5 (b) of the Protocol.

²⁷ See submissions by Burundi and the European Union.

²⁸ See Article 22, paragraph 5 (e) of the Protocol.

²⁹ See submissions by Ecuador, Nigeria, Morocco and Thailand.

³⁰ See submission by Vietnam.

³¹ See submissions by Thailand, Uganda and Vietnam.

³² See submissions by Ecuador, Morocco and Uganda.

³³ See submission by Vietnam.

³⁴ See submissions by Ecuador and Vietnam.

- (iii) Development of scientific and technical research;³⁵
 - (b) Valuation of genetic and biological resources and their associated derivatives;³⁶
 - (c) Technology transfer, and infrastructure and technical capacity to make such technology transfer sustainable, including transfer of relevant equipment for bio-prospecting and associated research methods;³⁷
 - (d) Generation of production and related marketing strategies;³⁸
 - (e) Improve related research and development capacity at national and/or regional level to add value domestically resulting in access for users at higher stages of the value chain.³⁹
18. Capacity to protect and add value to traditional knowledge:
- (a) Development of measures to protect traditional knowledge and regulate its access;⁴⁰
 - (b) Development of *sui generis* regimes for the protection of traditional knowledge associated with genetic resources with approaches based on the perspective of the indigenous and local communities;⁴¹
 - (c) Assessment and inventory of traditional knowledge,⁴² including development of databases;⁴³
 - (d) Valuation and documentation of traditional knowledge associated with genetic resources and traditional innovations;⁴⁴
 - (e) Development and inventory of customary protocols.⁴⁵

B. Actions needed to support the development of measures in key areas

19. The following Parties have identified actions to be carried out in order to support the development of measures in the key areas identified in paragraph 4, Article 22 of the Protocol: Argentina, Burundi, Ecuador, the European Union, Guinea, Morocco, Nigeria, Togo and Uganda.
20. Capacity to develop domestic legislative, administrative or policy measures:⁴⁶
- (a) Assessment of relevant provisions with regards to access to genetic resources and associated traditional knowledge and/or benefit-sharing in existing national and regional policies and strategies – mandatory or voluntary in relevant sectors (such as forestry, fisheries, agriculture, science and technology, pharmaceutical, cosmetic, traditional medicine, etc.) – and legislation and regulations of relevant sectors including health, property rights, culture, science and research, industry and intellectual property rights;⁴⁷

³⁵ See submissions by Ecuador, Thailand and Togo.

³⁶ See submission by Uganda.

³⁷ See Article 22, paragraph 5 (g) of the Protocol and submission by Togo.

³⁸ See submissions by Ecuador and Uganda.

³⁹ See submission by the European Union.

⁴⁰ See submissions by Burundi and Ecuador.

⁴¹ See submissions by Burundi and Ecuador.

⁴² See submissions by Ecuador and Morocco.

⁴³ See submission by Thailand.

⁴⁴ See submission by Uganda.

⁴⁵ See submission by Burundi.

⁴⁶ See submission by the European Union.

⁴⁷ See submissions by Burundi and Guinea.

(b) Stock-taking of ownership and use-rights of genetic resources, traditional knowledge, and assessment of relevant property rights provisions as specified in the constitution, specific legislation and regulations;

(c) Assessment of pros and cons for stand-alone domestic ABS legislation versus integration of ABS provisions in existing sector legislation/regulations;

(d) Mapping of institutional actors which need to be involved in the sectoral development of the implementation strategy (e.g., forestry, agriculture, health, cosmetic, science and technology, traditional knowledge, public authorities), including regional organizations that may add value to national implementation;

(e) Mapping of current and potential users of genetic resources and traditional knowledge associated with genetic resources including specific utilizations;

(f) Mapping of stakeholders and actors who play a role in genetic resources management and governance (e.g., protected areas authorities, indigenous and local communities, plant and animal breeders, gene bank managers, public authorities, scientists), or that will be affected by national ABS implementation (e.g., as above, health sector, research institutions, private sector utilizing genetic resources and traditional knowledge associated with genetic resources);⁴⁸

(g) Mapping of institutional actors relevant to the utilization of genetic resources and traditional knowledge associated with genetic resources in relation to monitoring compliance measures;

(h) Stock-taking of existing institutional arrangements and assessment which could play a role in permitting processes and genetic resources management and governance, including competent national authorities;

(i) Stock-taking of national, foreign and international institutions, universities and research organizations conducting research and/or development on genetic resources, particularly their naturally occurring biochemical compound resulting from the genetic expression or metabolism of biological resources or genetic resources, even if it does not contain functional units of heredity. This includes also users of traditional knowledge associated with genetic resources;

(j) Analysis of transboundary issues in ABS, including evaluating the existing regional agreements;⁴⁹

(k) Mirroring the outcomes of the above analysis against the obligations under the Nagoya Protocol.

21. Capacity to implement and to comply with the obligations of the Protocol:

(a) Identification of the different situations, needs, capacities and stages of development of each country, as well as types of genetic resources;⁵⁰

(b) Identification of new financial resources;⁵¹

(c) Assess the priority needs towards which to direct the benefits, and the type of benefits to include, in mutually agreed terms;⁵²

(d) Provision of both financial and human resources;⁵³

⁴⁸ See submission by Burundi.

⁴⁹ See submission by Burundi.

⁵⁰ See submission by Nigeria.

⁵¹ See submissions by Burundi and Ecuador.

⁵² See submission by the European Union.

⁵³ See submission by Nigeria.

(e) Provision of appropriate material means, including appropriate information technology (both software and hardware).⁵⁴

22. Capacity to develop endogenous research capabilities to add value to their own genetic resources:

(a) Identification of what are obstacles to adding value to genetic resources or maximizing values of genetic resources and how to overcome them;⁵⁵

(b) Development of a national strategy for the genetic resource valorization;⁵⁶

(c) Make an inventory of genetic resources and associated traditional knowledge innovation and practices;⁵⁷

(d) Evaluation of potential markets and identification of commercial opportunities in the relevant sectors;⁵⁸

(e) Identification of the commercial value of biodiversity.⁵⁹

C. *Mechanisms for implementation of capacity-building and development measures*

23. The following countries have identified capacity-building mechanisms to support the development of appropriate measures: Argentina, Burundi, China, Ecuador, the European Union, Guinea, India, Mexico, Nigeria, Thailand, Togo, Sri Lanka, and Vietnam.

24. International and multiple levels:

(a) Regarding exchange of experiences and cooperation:

(i) Exchange of experience in the implementation of ABS legislative, administrative and policy measures;⁶⁰

(ii) Learning from practical and successful ABS models conducted at national and international levels;⁶¹

(iii) Exchange visits with international research institutions;⁶²

(iv) Electronic discussion forum for sharing experiences;⁶³

(v) Development of bilateral and multilateral cooperation programmes;⁶⁴

(b) Promotion of education and awareness-raising at all levels and dissemination of information:⁶⁵

(i) Awareness-raising on the benefits gained from the sustainable management of resources;⁶⁶

⁵⁴ See submissions by Argentina, Guinea and Togo.

⁵⁵ See submission by the European Union.

⁵⁶ See submission by Burundi.

⁵⁷ See submission by Togo.

⁵⁸ See submissions by Burundi and Morocco.

⁵⁹ See submission by the European Union.

⁶⁰ See submissions by Argentina, China, Ecuador and India.

⁶¹ See submission by Vietnam.

⁶² See submission by Vietnam.

⁶³ See submission by India.

⁶⁴ See submissions by Ecuador and Togo.

⁶⁵ See submissions by Argentina, Burundi, Ecuador, the European Union, Morocco, Nigeria, Togo and Vietnam.

⁶⁶ See submission by Nigeria.

- (ii) Development of audiovisual, multimedia and educational materials (films, posters, booklets, bulletins, and etc.);⁶⁷
 - (iii) Provision of education kits on resource management to primary school pupils;⁶⁸
 - (c) Training workshops, including programme exchange and study trips and training of trainers,⁶⁹ including training on specific issues:
 - (i) Intellectual property rights and issues of relevance to innovations and inventions resulting from genetic resources and associated derivatives and compliance;⁷⁰
 - (ii) Management of a multilateral fund in cases of transboundary genetic resources and associated traditional knowledge;⁷¹
 - (iii) Procedures for legal and technical negotiations of contracts on ABS,⁷² including modalities of benefit-sharing;⁷³
 - (iv) Sustainable sampling and bio-prospecting;⁷⁴
 - (d) Promotion of synergies between different initiatives related to capacity.⁷⁵
25. Regional level:
- (a) Promotion of expert and information exchange at regional level (South-South Cooperation), including between members of ad hoc groups in the context of the Common Market of the South (MERCOSUR);⁷⁶
 - (b) Development of transboundary cooperation between governments and indigenous and local communities for the protection of genetic resources and traditional knowledge.⁷⁷
26. National level:
- (a) Regarding institutional coordination:
 - (i) Creation of an interdisciplinary team with representatives from the various organizations and institutions involved in the implementation of the Nagoya Protocol with a view to coordinate the implementation at national level;⁷⁸
 - (ii) Development of an Internet-based forum for ministerial and local staff and interested people;⁷⁹
 - (b) Regarding indigenous and local communities and stakeholder participation:
 - (i) Establishment of committees or forums of all stakeholders;⁸⁰

⁶⁷ See submissions by Ecuador, Nigeria, Togo and Vietnam.

⁶⁸ See submission by Nigeria.

⁶⁹ See submissions by China, India, Nigeria, Sri Lanka and Togo.

⁷⁰ See submissions by Thailand and Uganda.

⁷¹ See submission by Uganda.

⁷² See submissions by Burundi, China, Ecuador, Uganda and Vietnam

⁷³ See submission by Morocco.

⁷⁴ See submission by Vietnam.

⁷⁵ See submission by Nigeria.

⁷⁶ See submission by Argentina.

⁷⁷ See submission by Burundi.

⁷⁸ See submissions by Argentina and China.

⁷⁹ See submission by Vietnam.

⁸⁰ See submission by Burundi.

- (ii) Organization of multi-stakeholders consultative national workshops;⁸¹
 - (iii) Development of communication channels among different stakeholder and action plans for their involvement and participation;⁸²
 - (iv) Development of directives for ensuring indigenous and local communities participation in national decision-making;⁸³
 - (v) Development of specific methodologies for obtaining prior informed consent from indigenous and local communities;⁸⁴
 - (vi) Development of a guide on consultation and participation of stakeholders.⁸⁵
- (c) Regarding awareness-raising:
- (i) Development of awareness and communication strategies on access and benefit-sharing targeting media and public relation and beneficiary communities (indigenous and local communities, businesses, commercial sectors, and local authorities);⁸⁶
 - (ii) Community based awareness programme on ABS in areas of high conservation value for indigenous genetic resources;⁸⁷
 - (iii) Development of a manual describing the access and benefit-sharing process;⁸⁸
 - (iv) Development and implementation of voluntary guidelines and codes of conduct;⁸⁹
 - (v) Development of models of benefit-sharing agreements and clauses;⁹⁰
- (d) Regarding capacity-building and development:
- (i) Creation of an ABS expert roster;⁹¹
 - (ii) Conduction of training needs assessments;⁹²
 - (iii) Design training programmes on particular topics relevant to ABS to be implemented at national and subnational levels;⁹³
 - (iv) Training on application of national standards of agreement/contract including negotiation types, timing, distribution of benefits, and mechanisms of benefit-sharing.⁹⁴

⁸¹ See submission by Burundi

⁸² See submission by Burundi and Guinea.

⁸³ See submission by Burundi and Mexico.

⁸⁴ See submission by Mexico.

⁸⁵ See submission by Burundi.

⁸⁶ See submission by Burundi.

⁸⁷ See submission by Vietnam.

⁸⁸ See submission by Burundi.

⁸⁹ See submission by the European Union.

⁹⁰ See submissions by Burundi, the European Union and Thailand.

⁹¹ See submission by Burundi.

⁹² See submission by Vietnam.

⁹³ See submission by Vietnam.

⁹⁴ See submission by Vietnam.

D. Target groups

27. The following countries have identified target groups for capacity-building and development activities: Argentina, China, Ecuador, Guinea, India, Mexico, Morocco, Nigeria, Uganda and Vietnam.

- (a) Central and subnational government employees, including those involved in the decision-making;⁹⁵
- (b) Border control authorities;⁹⁶
- (c) Non-governmental organizations;⁹⁷
- (d) Trainers in relevant institutions according to nationally identified priority institutions and individuals;⁹⁸
- (e) Training institutions in order to get ABS issues incorporated in training curriculums;⁹⁹
- (f) Stakeholders, including the corporate sector and scientific community;¹⁰⁰
- (g) Community facilitators;¹⁰¹
- (h) Indigenous and local communities, with emphasis on enhancing the capacity of women within those communities.¹⁰²

E. Particular capacity needs and priorities of indigenous and local communities

28. The following includes the capacity needs and priorities of indigenous and local communities, as submitted by Parties (Ecuador, Morocco and Nigeria) and by the following indigenous and local communities: The Amazon Cooperation Network, the Assembly of First Nations (AFN) as well as the joint submission from the Maritime Aboriginal Peoples Council and IKANAWTIKET Environmental Incorporated, the Native Council of Nova Scotia, the Native Council of Prince Edward Island, the New Brunswick Aboriginal Peoples Council and the Congress of Aboriginal People.

- (a) Capacity for managing and developing traditional knowledge associated with access to genetic resources;¹⁰³
- (b) Capacity to participate in the decision-making and policy formulation;¹⁰⁴
- (c) Capacity for managing their own means of information through the different levels of organization;¹⁰⁵
- (d) Capacity to assess, make inventories and monitor genetic resources and traditional knowledge associated with genetic resources, innovations and practice,¹⁰⁶ including classification of taxa and modern sciences techniques and technologies;¹⁰⁷

⁹⁵ See submissions by Argentina, China, Ecuador, Guinea, India, Mexico, Morocco, Uganda and Vietnam.

⁹⁶ See submission by Argentina.

⁹⁷ See submissions by Argentina and Uganda.

⁹⁸ See submissions by Nigeria and Uganda.

⁹⁹ See submission by Uganda.

¹⁰⁰ See Article 22, paragraph 5 (i) of the Protocol and submissions by Argentina, India, Morocco, Nigeria and Vietnam.

¹⁰¹ See submission by Vietnam.

¹⁰² See Article 22, paragraph 5 (j) of the Protocol and submissions by Argentina, Mexico, Morocco, Nigeria, and Uganda.

¹⁰³ See submission by Ecuador.

¹⁰⁴ See submission by Morocco.

¹⁰⁵ See submission by Ecuador.

(e) Capacity to understand disclosure requirements, prior informed consent and mutually agreed terms;¹⁰⁸

(f) Developing institutional capacity on governance of indigenous knowledge, conservation of biological diversity, ABS, the Nagoya Protocol and other relevant regimes.¹⁰⁹

29. In addition indigenous and local communities have identified specific mechanisms to implement these capacities. These are:

(a) Promotion of biocultural knowledge and its intricate relationship with modern biotechnology;¹¹⁰

(b) Trans-generational learning;¹¹¹

(c) Scholarships, training opportunities;¹¹²

(d) Workshops combining traditional knowledge and science;¹¹³

(e) Research chairs on ABS within a number of universities, and linked to indigenous and local communities, so that they provide an outreach connection with indigenous and local communities and conduct specific research;¹¹⁴

(f) Incorporate traditional knowledge system experts from local communities into the various capacity-building and development activities;¹¹⁵

(g) Create synergies with institutions;¹¹⁶

(h) Create a roster of community experts from both traditional knowledge system and academic institutions.¹¹⁷

III. CONCLUSIONS

30. As of 8 of April, fourteen countries had submitted views and information in relation to capacity-building and development in response to notifications 2010-216 and 2010-217 (ref. No. SCBD/ABS/VN/SG/74553), of 16 December 2010. The content of the submissions received is formulated in various ways and varies in terms of the level of detail provided. The submissions also address different facets of capacity-building and development, namely:

(a) Key areas of capacity-building and development;

(b) Identification of measures to build or develop capacity in key areas and related measures;

(c) Actions identified to support the development of measures in key areas and in some cases including the identification of the sequence of actions;

(d) Mechanisms to implement capacity-building and development, including through actions at national, regional and international and multiple levels;

¹⁰⁶ See submission by Nigeria.

¹⁰⁷ See submission by the Maritime Aboriginal Peoples Council and IKANAWTIKET.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² *Ibid.*

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*

¹¹⁵ See submission by the Amazon Cooperation Network (REDCAM).

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

(e) Target groups for capacity-building and development activities; and

(f) Key areas for capacity-building for indigenous and local communities and mechanisms to implement these capacities.

31. Due to the limited number of submissions received in relation to capacity-building and development and the conceptual differences in their formulation, no general conclusions can be drawn. However, the following provides some key points raised in relation to capacity-building needs:

(a) There is general recognition of the need to strengthen human resources and institutional capacity at the national level to meet the obligations of Parties under the Nagoya Protocol;

(b) The capacity to protect and add value to traditional knowledge associated with genetic resources was considered by some Parties as an additional key area for capacity-building;

(c) It was pointed out that prior to the development of appropriate national frameworks to meet Parties' obligations under the Nagoya Protocol there was a need to assess, at the national level, the existing measures in place, institutional frameworks as well as resources available. This would help to determine the existing gaps as well as the capacities, institutional arrangements and measures needed to meet Parties' obligations under the Protocol while taking into account national circumstances;

(d) Capacity-building needs highlighted by many included: capacity to develop national measures and institutional arrangements, human resources capacity, capacity to effectively access and use the ABS Clearing-House, capacity for the valuation of genetic resources and associated traditional knowledge, capacity to address transboundary situations and finally capacity at the national level for bioprospecting;

(e) The particular capacity-building needs of indigenous and local communities were pointed out;

(f) There is also broad recognition that the implementation of the Nagoya Protocol will require the involvement of a wide range of target groups at the national level (e.g., governmental employees, corporate sector, scientific community, non-governmental organizations, indigenous and local communities, etc.) and that therefore capacity-building efforts should target these;

(g) The need to increase public awareness to access and benefit-sharing was also pointed out; and

(h) The need for appropriate funding resources to address these capacity-building needs was also raised.
