



CBD



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CONFERENCE OF THE PARTIES TO THE CONVENTION ON
BIOLOGICAL DIVERSITY SERVING AS THE MEETING OF
THE PARTIES TO THE NAGOYA PROTOCOL ON ACCESS TO
GENETIC RESOURCES AND THE FAIR AND EQUITABLE
SHARING OF THE BENEFITS ARISING FROM THEIR
UTILIZATION

Second meeting
Cancun, Mexico, 4–17 December 2016

REVISED ANNOTATED PROVISIONAL AGENDA

INTRODUCTION

1. Pursuant to decision XII/34 of the Conference of the Parties to the Convention on Biological Diversity, the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization will be held in Cancun, Mexico, from 4 to 17 December 2016 and will be held concurrently with the thirteenth meeting of the Conference of the Parties to the Convention as well as the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol.
2. Registration for the meeting will commence on Wednesday, 30 November 2016, from noon at the Moon Palace Golf and Spa Resort. Consultations among delegations and preparatory meetings of regional groups may be held prior to the opening of the meetings on 4 December 2016.

ITEM 1. OPENING OF THE MEETING

3. The opening of the second meeting of the Parties to the Nagoya Protocol will take place on Sunday, 4 December, 2016 concurrently with the opening of the thirteenth meeting of the Conference of the Parties and the eighth meeting of the Conference of the Parties serving as the meeting of the Parties of the Cartagena Protocol. The meeting will be opened by the President of the twelfth meeting of the Conference of the Parties or his representative. It is expected that the President of the twelfth meeting or his representative will call for the election of a representative of the host country as President of the thirteenth meeting. The term of office of the President will begin immediately following his or her election. The President of the thirteenth meeting of the Conference of the Parties will also serve as the President of the second meeting of the Parties to the Nagoya Protocol.
4. At the opening session, the outcomes of the high-level segment will be presented. Representatives of the Government of Mexico and other entities will make welcoming statements. The Executive Secretary will also address participants and highlight the main issues before the meeting.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Adoption of the agenda

5. Pursuant to rules 8 and 9 of the rules of procedure and in consultation with the Bureau, the Executive Secretary has issued a provisional agenda (UNEP/CBD/NP/COP-MOP/2/1/Rev.1) for consideration by the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

6. The second meeting of the Parties to the Nagoya Protocol will be invited to adopt its agenda on the basis of the provisional agenda prepared by the Executive Secretary.

2.2. Election of substitute officers

7. The Bureau of the Conference of the Parties to the Convention also serves as the Bureau to the meeting of the Parties to the Nagoya Protocol. As provided for in Article 26, paragraph 3, of the Nagoya Protocol, however, when the Conference of the Parties serves as the meeting of the Parties to the Nagoya Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention that is not a Party to the Nagoya Protocol at the time of the meeting is to be substituted by a member to be elected by and from among the Parties to the Nagoya Protocol.

8. At its twelfth meeting, the Conference of the Parties elected 10 members of the Bureau for a term of office commencing upon the closure of the twelfth meeting and ending at the closure of the thirteenth meeting. Subsequently, the first meeting of the Parties to the Nagoya Protocol elected substitute Bureau members for those regions where the Conference of the Parties Bureau member was representing a Party to the Convention that was not a Party to the Nagoya Protocol. Thus, the Bureau for the second meeting of the Parties to the Nagoya Protocol, in addition to the President, comprises the following:

Ms. Skumsa Mancotywa (South Africa)
 Mr. Mike Ipanga (Democratic Republic of the Congo)
 Ms. Sujata Arora (India)
 Mr. Belal Al-Hayek (Syrian Arab Republic)
 Ms. Natalya Minchenko (Belarus)
 Ms. Elvana Ramaj (Albania)
 Ms. Maria Luisa del Rio Mispireta (Peru)
 Mr. Indarjit Ramdass (Guyana)
 Ms. Mr Norbert Bärlocher (Switzerland)*
 Ms. Mette Gervin Damsgaard (Denmark)

9. The Conference of the Parties at its thirteenth meeting will elect Bureau members whose terms of office will commence upon the closure of the meeting (rule 21 of the rules of procedure). In the event that one or more Bureau members are elected from Parties to the Convention that are not Parties to the Nagoya Protocol, substitute members will be elected by the meeting of the Parties to the Nagoya Protocol.

2.3. Organization of work

10. In decision NP-1/12, paragraph 1 (and as also reflected in decisions XII/27, para. 3, and BS-VII/9, para. 1), the Parties to the Nagoya Protocol decided to hold their future ordinary meetings concurrently with the meetings of the Conference of the Parties to the Convention and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety within a two-week period.

11. Accordingly, the Parties will be invited to consider and adopt the proposal for the organization of its work shown in documents UNEP/CBD/NP/COP-MOP/2/1/Add.2 and UNEP/CBD/NP/COP-MOP/2/1/Add.3, annex II. The organization of work has been prepared following the process described in decision XII/27, paragraph 4, and in the light of recommendation 1/11 of the Subsidiary Body on Implementation.

12. The proposed organization of work provides for plenary and two working groups sessions. Interpretation will be available for the plenary and morning and afternoon sessions of the working groups.

* Replacing Mr. Andreas Obrecht (Switzerland).

13. The list of working documents and a preliminary list of information documents issued for the meeting are contained in annex I to the present document.

ITEM 3. REPORT ON THE CREDENTIALS OF REPRESENTATIVES TO THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL

14. In accordance with rule 18 of the rules of procedure for meetings of the Conference of the Parties to the Convention, which also applies, *mutatis mutandis*, to the meetings of the Parties to the Nagoya Protocol, Parties shall submit the credentials of their representatives and the names of alternate representatives and advisers to the Executive Secretary not later than twenty-four hours after the opening of the meeting. According to rule 19 of the rules of procedure, the credentials shall be examined by the Bureau of the meeting, which will submit a report thereon to the plenary for an appropriate decision.

15. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary distributed to national focal points a sample format of appropriate credentials in notification 2016-085 (Ref. No. SCBD/OES/BD/WDY/moc/85810 of 4 July 2016). The notification also indicated that representatives of Parties to the Convention that are also Parties to the Nagoya Protocol and the Cartagena Protocol on Biosafety may submit a single set of credentials for the thirteenth meeting of the Conference of the Parties to the Convention, the eighth meeting of the Parties to the Cartagena Protocol on Biosafety and the second meeting of the Parties to the Nagoya Protocol.

16. The meeting of the Parties to the Nagoya Protocol will be invited to consider and adopt the report on credentials submitted to it by the Bureau.

ITEM 4. REPORT OF THE COMPLIANCE COMMITTEE (ARTICLE 30)

17. In decision NP-1/4, the first meeting of the Parties to the Nagoya Protocol adopted cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Nagoya Protocol and to address cases of non-compliance (annex to the decision) and established a Compliance Committee. In paragraph 2 of the same decision, the Executive Secretary was requested to arrange for at least one meeting of the Compliance Committee to be held in the intersessional period, including for the purpose of: (a) developing rules of procedure; and (b) identifying and considering the need for and modalities of support, including possibly through a flexible mechanism to provide advice or assistance to Parties, in particular developing country Parties, and, where appropriate and applicable, indigenous and local communities, to address challenges related to compliance with the provisions of the Nagoya Protocol, with a view to making effective use of the compliance mechanism. The Committee is required to submit its report, including recommendations, to the meeting of the Parties to the Nagoya Protocol.

18. The Compliance Committee held its first meeting in Montreal, Canada, from 6 to 8 April 2016.

19. The second meeting of the Parties to the Nagoya Protocol will be invited to consider the report and recommendations of the Committee (UNEP/CBD/NP/COP-MOP/2/4) and to adopt a decision. It will also be invited to elect members to the Compliance Committee for a four-year term in order to replace the five members, i.e. one from each of the five regions, whose terms will expire at the end of 2016.

ITEM 5. REPORT OF THE SUBSIDIARY BODY ON IMPLEMENTATION

20. In decision XII/26, the Conference of the Parties established the Subsidiary Body on Implementation (SBI). In decision NP-1/11, paragraph 1, the Parties to the Nagoya Protocol decided that SBI would also serve the Nagoya Protocol and that the terms of reference of SBI should apply, *mutatis mutandis*, to the functions of the SBI when serving the Nagoya Protocol.

21. Under this agenda item, the meeting of the Parties will have before it the report of SBI on its first meeting (UNEP/CBD/COP/13/6), which was held in Montreal, Canada, from 2 to 6 May 2016.

22. At its first meeting, SBI decided to recommend a number of decisions for consideration by the second meeting of the Parties to the Nagoya Protocol, which will be considered under sub-items 5.1, 5.2 and 5.3 of this agenda item.

23. At its first meeting, SBI also made recommendations concerning the preparation of the organization of work and administrative and budgetary matters, as noted in these annotations under items 2 and 9, respectively.

5.1. Review of progress towards Aichi Biodiversity Target 16 on the Nagoya Protocol

24. At its first meeting, SBI reviewed progress towards Aichi Biodiversity Target 16, which concerns the Nagoya Protocol. SBI requested the Executive Secretary to update progress towards Target 16 and to make the information available to the Conference of the Parties at its thirteenth meeting and the second meeting of the Parties to the Nagoya Protocol. It also recommended a draft decision for consideration by the second meeting of the Parties to the Nagoya Protocol (see UNEP/CBD/COP/13/6, recommendation 1/2, para. 4).

25. Under this item, the Parties will be invited to consider an updated note by the Executive Secretary on progress towards Target 16 (UNEP/CBD/NP/COP-MOP/2/2) and the draft decision on this matter submitted by SBI in its recommendation 1/2. A compilation of submissions received from Parties and non-Parties on developments towards ratification and implementation of the Nagoya Protocol will also be made available (see UNEP/CBD/NP/COP-MOP/2/INF/1).

5.2. Modus operandi of the Subsidiary Body on Implementation

26. Among the items considered by SBI at its first meeting was its modus operandi. SBI recommended that the Conference of the Parties at its thirteenth meeting adopt the modus operandi contained in the annex to recommendation 1/9. In paragraph 6 of that recommendation, SBI recommended that the Parties to the Nagoya Protocol endorse the modus operandi of SBI that would be adopted by the Conference of the Parties at its thirteenth meeting and decide that the modus operandi should apply, mutatis mutandis, when SBI serves the Nagoya Protocol.

27. Under this item, the Parties to the Nagoya Protocol will be invited to consider the draft decision recommended by SBI concerning its modus operandi (see UNEP/CBD/COP/13/6, recommendation 1/9, para. 6).

5.3. Integration among the Convention and its Protocols

28. In decision NP-1/12, the Parties to the Nagoya Protocol requested the Executive Secretary to prepare the organization of work for the second meeting of the Parties in accordance with the process outlined in decision XII/27 of the Conference of the Parties. The Parties to the Protocol also decided to review, at their third and fourth meetings, the experience with concurrent organization of meetings in accordance with the process outlined in decision XII/27.

29. In accordance with the process described in decision XII/27, paragraph 4, the following was submitted to SBI at its first meeting: (a) a refined plan and preliminary organization of work for the concurrent meetings; (b) information on steps undertaken towards streamlining the agendas of the concurrent meetings; (c) an analysis of the level of participation of Parties in the twelfth meeting of the Conference of the Parties and the first meeting of the Conference of the Parties serving as the meeting of the Parties; and (d) criteria for reviewing experience with concurrent meetings.

30. In recommendation 1/11, paragraph 9, SBI submitted a draft decision concerning the criteria to be used for the review of experience with the holding of concurrent meetings. The meeting of the Parties will be invited to consider this draft decision as contained in the report of SBI (UNEP/CBD/COP/13/6).

ITEM 6. THE ACCESS AND BENEFIT-SHARING CLEARING-HOUSE AND INFORMATION SHARING (ARTICLE 14)

31. Article 14 of the Protocol establishes an Access and Benefit-sharing Clearing-House as part of the clearing-house mechanism under Article 18, paragraph 3, of the Convention.

32. The first meeting of the Parties to the Nagoya Protocol adopted decision NP-1/2 on the Access and Benefit-sharing Clearing-House, which included modalities for the operation of the Clearing-House.

33. The first meeting of the Parties also decided to establish an informal advisory committee to assist the Executive Secretary with the implementation of the Access and Benefit-sharing Clearing-House and to provide technical guidance with respect to the resolution of technical and practical issues arising from its ongoing development (decision NP-1/2, para. 2). The Informal Advisory Committee held two meetings in Montreal,

Canada: the first from 28 to 30 October 2015 and the second from 20 to 22 June 2016. In accordance with decision NP-1/2, paragraph 3, the outcomes of the work of the committee will be made available as information documents UNEP/CBD/NP/COP-MOP/2/INF/2 and UNEP/CBD/NP/COP-MOP/2/INF/3.

34. The Executive Secretary was requested to implement the Access and Benefit-sharing Clearing-House, with available resources, and in accordance with the modalities of operation and feedback received, in particular from Parties (decision NP-1/2, para. 7), and to promote the use of the Access and Benefit-sharing Clearing-House in supporting capacity-building for the implementation of the Protocol (decision NP-1/2, para. 12).

35. The meeting will have before it a note by the Executive Secretary (UNEP/CBD/NP/COP-MOP/2/3) on progress in the implementation and operation of the Access and Benefit-sharing Clearing-House, which will contain information on operational costs, including funding and additional resource requirements, and on collaboration with relevant instruments and organizations for the exchange of relevant data, as requested in paragraph 13 of the decision. The note will also include proposals for further refining the modalities of operation of the Clearing-House (para. 5 of the decision), and regarding the intervals to review its implementation and operation (para. 6 of the decision) that take into account the advice given by the Informal Advisory Committee.

36. The meeting of the Parties will be invited to consider the report of the Executive Secretary and adopt a decision.

ITEM 7. FINANCIAL MECHANISM AND RESOURCES (ARTICLE 25)

37. The first meeting of the Parties to the Nagoya Protocol adopted decision NP-1/6 on matters related to the financial mechanism, including a recommendation to the Conference of the Parties on guidance to the financial mechanism with respect to access and benefit-sharing (para. 6). The Conference of the Parties considered the recommendation and incorporated it in its overall guidance to the Global Environment Facility (see decision XII/30, paras. 16-20). In paragraph 11 of the same decision, the Conference of the Parties decided, in anticipation of the seventh replenishment of the Global Environment Facility Trust Fund, to undertake, at its thirteenth meeting, the second determination of funding requirements for the implementation of the Convention and its Protocols, in line with terms of reference that were annexed to the decision.

38. To facilitate discussions under this item, the Executive Secretary will issue a note on matters related to the financial mechanism (UNEP/CBD/NP/COP-MOP/2/5). In accordance with decision NP-1/6, paragraph 2, the report of the Council of the Global Environment Facility to the Conference of the Parties at its thirteenth meeting regarding the implementation of the guidance received will be made available, including the chapter on access and benefit-sharing (UNEP/CBD/COP/13/12/Add.1). The note will also highlight the funding requirements for the implementation of the Nagoya Protocol in anticipation of the seventh replenishment of the Global Environment Facility Trust Fund.

39. The second meeting of the Parties to the Nagoya Protocol will be invited to consider the information provided in the note by the Executive Secretary, taking into account the report of the Council of the Global Environment Facility, and to adopt a decision in this regard, including a recommendation to the Conference of the Parties on guidance to the financial mechanism, as appropriate.

40. The first meeting of the Parties to the Nagoya Protocol also adopted decision NP-1/7 on resource mobilization for the implementation of the Protocol. Paragraph 8 of the decision invited "Parties, in the context of their obligations under Article 29 of the Nagoya Protocol, and relevant organizations to submit information to the Executive Secretary on their experiences related to the mobilization of resources in support of the implementation of the Protocol, as well as on the status of funds mobilized". Paragraph 9 of the same decision requested the Executive Secretary to prepare a synthesis of the information received and to provide an overview of the status and trends in funding for the consideration of the Parties to the Nagoya Protocol at its next meeting.

41. Pursuant to Article 29 of the Protocol and decision NP-1/3 on monitoring and reporting, the information referred to in paragraph 8 of decision NP-1/7 is to be submitted by Parties through their interim national reports, which are due 12 months prior to, and will be considered by, the third meeting of the Parties to the Nagoya Protocol. Therefore, the synthesis of experiences and overview of the status and trends in funding requested in paragraph 9 of the same decision will also be prepared and issued for the third meeting of the Parties to the Nagoya Protocol.

ITEM 8. COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS, CONVENTIONS AND INITIATIVES

42. In carrying out activities related to the Nagoya Protocol, the Secretariat of the Convention cooperates with a number of other international organizations, conventions and initiatives. The Executive Secretary will issue a note (UNEP/CBD/NP/COP-MOP/2/6) summarizing relevant cooperative activities.

43. The meeting of the Parties will be invited to take note of the information.

ITEM 9. REPORT OF THE EXECUTIVE SECRETARY ON THE ADMINISTRATION OF THE PROTOCOL AND ON BUDGETARY MATTERS

44. In its decision NP-1/13, the meeting of the Parties to the Nagoya Protocol adopted a programme budget for the distinct costs of the Secretariat services and for the work programme of the Nagoya Protocol for the biennium 2015-2016. In paragraph 17 of the decision, the Executive Secretary was requested to prepare and submit, to the second meeting of the Parties, a programme budget for the distinct costs of Secretariat services and the work programme of the Protocol for the biennium 2017-2018 based on two alternatives: (a) making an assessment of the required rate of growth for the programme budget (BYP Trust Fund); and (b) maintaining the programme budget (BYP Trust Fund) at the 2015-2016 level in nominal terms and adding the costs of the posts paid for from voluntary contributions in 2015-2016. The Executive Secretary was also requested to include, in the scenarios, proposals on a pro rata division between the Convention and its two Protocols of the shared operative costs following discussions on the implementation of the functional review of the Secretariat.

45. In decision XII/32, paragraph 15, the Conference of the Parties to the Convention noted that the proportionate division between the Convention and its two Protocols would need to be reconsidered for the 2017-2018 budget following discussions on the implementation of the functional review of the Secretariat.

46. Further, in its recommendation 1/13, SBI requested the Executive Secretary to prepare, for consideration by the Conference of the Parties at its thirteenth meeting and the concurrent meetings of the Parties to the Cartagena and Nagoya Protocols, a proposal for the review of the manner in which the costs of the core budgets of the Secretariat are shared among the Convention, the Cartagena Protocol and the Nagoya Protocol in order to develop cost scenarios in the light of the functional review of the Secretariat, including the increased integration of work and proportional to the number of Parties to the respective instruments and their respective contributions.

47. Concerning the voluntary budget for activities, SBI also called on Parties in a position to do so and on a voluntary basis to prepare for the thirteenth meeting of the Conference of the Parties, the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on the basis of information to be provided in advance by the Secretariat, with a view to making, during those meetings, pledges of financial support for voluntary activities envisaged in the draft decisions of the meetings, in order to assist the Secretariat in planning more effectively and utilizing the resources more efficiently.

48. In its decision NP-1/13, the meeting of the Parties to the Nagoya Protocol took note of decision XII/32 making available funds from the merged Special Voluntary Trust Funds (BZ and BI) to also facilitate the participation of Parties in meetings related to the Nagoya Protocol and agreed, in view of the decision to hold the ordinary meetings of the Convention on Biological Diversity and its Protocols concurrently, to use these funds to facilitate the participation of developing country Parties, in particular the least developed countries and small island developing States, as well as Parties with economies in transition. Further, in its recommendation 1/13, SBI requested the Executive Secretary to prepare a proposal for the review and updating of the guidelines for the apportionment of funds for the participation of developing country Parties, in particular the least developed countries and small island developing States as well as countries with economies in transition, in the meetings of the Convention and its Protocols with a view to promoting full and effective participation in meetings of the Conference of the Parties, concurrent meetings of the Parties to the Cartagena and Nagoya Protocols and meetings of subsidiary bodies.

49. In the light of the above, in their consideration of the agenda item, the Parties to the Protocol will have before them the following:

- (a) A note by the Executive Secretary on the administration of the Protocol and budgetary matters (UNEP/CBD/NP/COP-MOP/2/7);
- (b) A note by the Executive Secretary on the proposed budget for the programme of work of the Convention and the Protocols for the biennium 2017-2018 (UNEP/CBD/NP/COP-MOP/2/12 and Add.1);
- (c) Final report on the functional review of the Secretariat (UNEP/CBD/NP/COP-MOP/2/7/Add.2).

50. It is expected that the Conference of the Parties at its thirteenth meeting will establish a contact group on the budget for the Convention's programme of work for the biennium 2017-2018. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may also wish to refer consideration of the budget for the programme of work of the Nagoya Protocol for the biennium 2017-2018 to such a contact group.

ITEM 10. MEASURES TO ASSIST IN CAPACITY-BUILDING AND CAPACITY DEVELOPMENT (ARTICLE 22)

51. In decision NP-1/8, the meeting of the Parties to the Nagoya Protocol adopted a strategic framework for capacity-building and development to support the effective implementation of the Protocol (annex I to the decision), and requested the Executive Secretary to take a number actions to facilitate its implementation (para. 10 and annex 1, paras. 27, 39, 41 and 43). The meeting of the Parties to the Nagoya Protocol also decided to establish an informal advisory committee to provide the Executive Secretary with advice on matters related to the assessment of the effectiveness of the strategic framework (para. 2). The Informal Advisory Committee held two meetings during the intersessional period, from 15 to 17 September 2015 and from 15 to 17 June 2016.

52. Against this background and to facilitate discussions under this item, the second meeting of the Parties will have before it a note by the Executive Secretary (UNEP/CBD/NP/COP-MOP/2/8) summarizing progress on implementation of the strategic framework for capacity-building and development to support the effective implementation of the Protocol. The reports of the Informal Advisory Committee on Capacity-building on its first two meetings will also be made available as information documents UNEP/CBD/NP/COP-MOP/2/INF/4 and UNEP/CBD/NP/COP-MOP/2/INF/5, respectively.

53. The second meeting of the Parties to the Nagoya Protocol will be invited to take note of progress and decide on any additional guidance to be provided, as appropriate.

ITEM 11. MEASURES TO RAISE AWARENESS OF THE IMPORTANCE OF GENETIC RESOURCES AND ASSOCIATED TRADITIONAL KNOWLEDGE (ARTICLE 21)

54. The first meeting of the Parties adopted an awareness-raising strategy to assist Parties to implement Article 21 of the Nagoya Protocol (decision NP-1/9).

55. The second meeting of the Parties to the Nagoya Protocol will be invited to consider the report of the Executive Secretary on progress made in the implementation of the awareness-raising strategy (UNEP/CBD/NP/COP-MOP/2/9) and decide on any additional guidance to be provided.

ITEM 12. THE NEED FOR AND MODALITIES OF A GLOBAL MULTILATERAL BENEFIT-SHARING MECHANISM (ARTICLE 10)

56. The first meeting of the Parties to the Protocol adopted decision NP-1/10 on the need for and modalities of a global multilateral benefit-sharing mechanism. The decision set out a process to advance consideration of this issue by inviting the submission of views and requesting the Executive Secretary to prepare a synthesis of the views submitted, commission a study and convene an expert group to review the synthesis of views and the study with a view to reaching a common understanding on the areas requiring further examination as identified in the report of a previous expert meeting.

57. The expert group meeting was held from 1 to 3 February 2016 in Montreal, Canada.

58. The second meeting of the Parties to the Nagoya Protocol will be invited to consider the report of the expert group meeting (UNEP/CBD/NP/COP-MOP/2/10) and to adopt a decision in the light of the conclusions and possible next steps contained in the report.

ITEM 13. ASSESSMENT AND REVIEW OF THE EFFECTIVENESS OF THE PROTOCOL (ARTICLE 31)

59. Article 31 of the Nagoya Protocol provides that the Conference of the Parties serving as the meeting of the Parties to the Protocol shall undertake, four year after the entry into force of the Protocol and thereafter at intervals determined by the meeting of the Parties to the Protocol, an evaluation of the effectiveness of the Protocol.

60. Pursuant to Article 31, the third meeting of the Parties is to conduct the first assessment and review of the effectiveness of the Protocol.

61. The Executive Secretary will issue a note (UNEP/CBD/NP/COP-MOP/2/11) to assist the second meeting of the Parties in considering and adopting a decision on the methodology and way forward for conducting the first evaluation of the effectiveness of the Protocol.

ITEM 14. OTHER MATTERS

62. The meeting of the Parties to the Nagoya Protocol may wish to consider other matters, including the following, as appropriate.

63. At its ninth meeting, the Ad hoc Open-ended Inter-sessional Working Group on Article 8(j) and Related Provisions of the Convention recommended that the Conference of the Parties at its thirteenth meeting invite the Conference of the Parties serving as the meeting of the Parties of the Nagoya Protocol to consider taking a decision to apply, mutatis mutandis, decision XII/12 F on the terminology “indigenous peoples and local communities” (see UNEP/CBD/COP/13/3, recommendation 9/4). In the event that the Conference of the Parties adopts the decision recommended by the Working Group, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol would be invited to take a decision on this matter.

64. Furthermore, the Subsidiary Body on Scientific, Technical and Technological Advice at its twentieth meeting adopted a recommendation on synthetic biology (see UNEP/CBD/COP/13/5, recommendation XX/8). The recommendation contains a draft decision for consideration by the Conference of the Parties at its thirteenth meeting that includes a proposal, in brackets, for Conference of the Parties to invite the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol to clarify if and how the use of digital sequence information on genetic resources relates to access and benefit-sharing. Depending on the outcome of the discussion at the thirteenth meeting of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may be invited to take a decision on this matter.

ITEM 15. ADOPTION OF THE REPORT

65. The meeting of the Parties to the Nagoya Protocol will be invited to consider and adopt the report on the work of its second meeting on the basis of the draft report prepared by the Rapporteur. In accordance with established practice, the meeting will be invited to authorize the Rapporteur to complete the final report after the meeting with the guidance of the President and the assistance of the Secretariat.

ITEM 16. CLOSURE OF THE MEETING

66. It is expected that the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will close on Saturday, 17 December 2016 at 6 p.m.

*Annex I***PROVISIONAL LIST OF DOCUMENTS****A. Working documents**

<i>Symbol</i>	<i>Title</i>	<i>Agenda item(s)</i>
UNEP/CBD/NP/COP-MOP/2/1/Rev.1	Revised provisional agenda	2
UNEP/CBD/NP/COP-MOP/2/1/Add.1/Rev.1	Revised annotated provisional agenda	2
UNEP/CBD/NP/COP-MOP/2/1/Add.2	Proposed organization of work	2
UNEP/CBD/NP/COP-MOP/2/1/Add.3	Further guidance on the organization of work	2.3
UNEP/CBD/NP/COP-MOP/2/2	Update on progress towards Aichi Biodiversity Target 16 on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization	5
UNEP/CBD/COP/13/6	Report of the Subsidiary Body on Implementation	5
UNEP/CBD/NP/COP-MOP/2/3	Report on progress on the implementation and operation of the Access and Benefit-sharing Clearing-House	6
UNEP/CBD/NP/COP-MOP/2/4	Report of the Compliance Committee	4
UNEP/CBD/NP/COP-MOP/2/5	Financial mechanism and resources (Article 25	7
UNEP/CBD/COP/13/12/Add.1	Report of the Council of the Global Environment Facility	7
UNEP/CBD/NP/COP-MOP/2/6	Cooperation with other international organizations, conventions and initiatives	8
UNEP/CBD/NP/COP-MOP/2/7	Report of the Executive Secretary on the administration of the Protocol and on budgetary matters	9
UNEP/CBD/NP/COP-MOP/2/7/Add.1	<i>Not issued</i>	9
UNEP/CBD/NP/COP-MOP/2/7/Add.2	Report on the functional review of the Secretariat	9
UNEP/CBD/NP/COP-MOP/2/8	Report on progress on implementation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol	10
UNEP/CBD/NP/COP-MOP/2/9	Report on progress on the implementation of the awareness-strategy for the Nagoya Protocol	11
UNEP/CBD/NP/COP-MOP/2/10	Report of the Expert Group Meeting on Article 10 of the Nagoya Protocol on Access and Benefit-sharing	12
UNEP/CBD/NP/COP-MOP/2/11	Assessment and review of the effectiveness of the Protocol	13
UNEP/CBD/NP/COP-MOP/2/12	Proposed budget for the programme of work of the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-Sharing for the biennium 2017 2018	9
UNEP/CBD/NP/COP-MOP/2/12/Add.1	Programme and subprogramme activities and resources required	9

B. Information documents (preliminary list)

<i>Symbol</i>	<i>Title</i>	<i>Agenda item(s)</i>
UNEP/CBD/NP/COP-MOP/2/INF/1	Information made available on developments related to ratification and implementation of the Nagoya Protocol	5
UNEP/CBD/NP/COP-MOP/2/INF/2	Summary of outcomes of the first meeting of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House	6
UNEP/CBD/NP/COP-MOP/2/INF/3	Summary of outcomes of the second meeting of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House	6
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