



## Convention on Biological Diversity

Distr.  
GENERAL

UNEP/CBD/RW-BF/3/2  
15 March 2011

ORIGINAL: ENGLISH

### REGIONAL WORKSHOP ON BIODIVERSITY AND FINANCE IN SUPPORT OF THE NAGOYA OUTCOMES

Third meeting

Kiev, 25 March 2011

Item 3 of the provisional agenda\*

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

1. In decision X/1, the Conference of the Parties adopted the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. Strategic goal 7 of the Convention's Strategy for Resource Mobilization seeks to enhance implementation of access and benefit-sharing initiatives and mechanisms in support of resource mobilization, through raising awareness and building the capacity of different stakeholders to implement access and benefit-sharing initiatives and mechanisms, and promoting exchange of experiences and good practices in access and benefit-sharing.
2. This brief note provides basic information on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, including signature and ratification, identification of capacity needs, provision of technical and financial assistance, and sharing of experiences and good practices in access and benefit-sharing.

#### **Participants are invited to discuss:**

- (i) Issues related to signing and ratifying the Nagoya Protocol;**
- (ii) Capacity-building and funding needs for implementing the Nagoya Protocol;**
- (iii) Experiences and practices in access and benefit-sharing;**
- (iv) Potential project concepts and technical assistance for ratifying and implementing the Nagoya Protocol.**

\* UNEP/CBD/RW-BF/3/1.

**I. SIGNING AND RATIFYING THE NAGOYA PROTOCOL ON ACCESS TO GENETIC RESOURCES AND THE FAIR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THEIR UTILIZATION TO THE CONVENTION ON BIOLOGICAL DIVERSITY**

3. In paragraph 3 of decision X/1, the Conference of the Parties called upon the Parties to the Convention on Biological Diversity to sign the Protocol at the earliest opportunity and to deposit instruments of ratification, acceptance or approval or instruments of accession, as appropriate, with a view to ensuring its entry into force as soon as possible.

4. The Conference of the Parties also requested the Secretary-General of the United Nations to be the Depositary of the Protocol and to open it for signature at the United Nations Headquarters in New York, from 2 February 2011 to 1 February 2012.

5. The Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (the Intergovernmental Committee) will hold its first meeting from 6 to 10 June 2011 and the second meeting from 23 to 27 April 2012.

6. In paragraph 20 of decision X/1, the Conference of the Parties urged the Parties to the Convention and other States and regional economic integration organizations to designate, as soon as possible and no later than 31 March 2011, a focal point for the Intergovernmental Committee and to inform the Executive Secretary accordingly.

**II. IDENTIFICATION OF CAPACITY NEEDS**

7. In paragraph 17 of decision X/1, the Conference of the Parties invited developing country Parties, in particular the least developed countries and small island developing States, as well as Parties with economies in transition, to make an initial identification of their needs in relation to capacity-building, capacity development and strengthening of human resources and institutional capacities in order to effectively implement the Protocol and to make this information available to the Executive Secretary no later than two months prior to the first meeting of the Intergovernmental Committee.

**III. TECHNICAL AND FINANCIAL ASSISTANCE**

8. Financial assistance has been arranged to support the ratification and implementation of the Protocol. In paragraphs 14 and 16 of decision X/1, the Conference of the Parties invited the Global Environment Facility to provide financial support to Parties to assist with the early ratification of the Protocol and its implementation, and also invited Parties and relevant organizations to provide financial and technical assistance, as appropriate, to support the implementation of the Protocol.

9. The Convention Secretariat will play a role in the provision of technical assistance and awareness raising. In paragraphs 13 and 15 of that decision, the tenth meeting of the Conference of the Parties requested the Executive Secretary to provide technical assistance to Parties with a view to supporting the early ratification and implementation of the Protocol and also requested the Executive Secretary, in collaboration with relevant organizations, to carry out awareness-raising activities among relevant stakeholder groups, including the business community, the scientific community and others, to support the implementation of the Protocol.

#### **IV. EXPERIENCES AND PRACTICES ON ACCESS AND BENEFIT SHARING**

10. The clearing-house mechanism of the Convention will provide an Access and Benefit-sharing Clearing-House as a means for sharing of information related to access and benefit-sharing, in particular, information made available by each Party relevant to the implementation of this Protocol. In paragraphs 18 and 19 of decision X/1, the Conference of the Parties requested the Executive Secretary to collect and make available on the clearing-house mechanism sectoral and cross-sectoral model contractual clauses for mutually agreed terms, and to collect and make available on the clearing-house mechanism existing guidelines and codes of conduct related to access and benefit-sharing.

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