

**Canadian Submission to the Convention on Biological Diversity in Preparation for  
the 8th Meeting of the Working Group on Access and Benefit Sharing**

**Capacity Development – Canadian Submission**

1. Contracting Parties [should][shall] cooperate in the development and/or strengthening of human resources and institutional capacities with regards to access to genetic resources and benefit sharing for the purpose of the effective implementation of the international regime in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition, including through existing global, regional, sub-regional and national institutions and organizations and, as appropriate, through facilitating private sector involvement.
2. The needs of developing country Parties, in particular the least developed and small island developing States among them, for financial resources and access to genetic resources and transfer of technology in accordance with the relevant provisions of the Convention, [should][shall] be taken into account in implementing paragraph 1.
3. Developing country Contracting Parties [should] [could] identify national needs and priorities, including those of indigenous and local communities, for capacity-building in access and benefit sharing of genetic resources and provide this information to the Secretariat for distribution through the Clearing House Mechanism of the Convention.
4. Cooperation in capacity-building [should][shall] include scientific and technical training in the management of genetic resources.
5. Parties [should][shall] exchange information on best practices, as appropriate, in the domestic implementation of the international regime and the use of genetic resources and benefit sharing in enhancing sustainable development.

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**Associated Traditional Knowledge – Canadian Submission**

1. For the purposes of paragraphs 2 and 3 below, “associated traditional knowledge” means knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity that are:

- (a) associated with an in-situ genetic resource; and
- (b) not in the public domain.

2. Each Contracting Party [should][shall] include a requirement in national legislative, policy, or administrative measures that:

- a) a person accessing associated traditional knowledge identify that it is being accessed;
- b) access to associated traditional knowledge is obtained with the approval and involvement of the indigenous or local community that holds it;
- c) access to associated traditional knowledge is based on mutually agreed terms;
- d) mutually agreed terms should be developed at the community level; and
- e) mutually agreed terms address access to, uses of, and benefit sharing arising from the use of the associated traditional knowledge.

3. Each Contracting Party [should] [shall] establish appropriate consultative arrangements to include indigenous and local communities in the development of the legislative, policy or administrative measures about associated traditional knowledge.