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INFORMAL ADVISORY COMMITTEE
ON CAPACITY-BUILDING FOR THE
IMPLEMENTATION OF THE
NAGOYA PROTOCOL

Fifth meeting

Montreal, Canada, 20–22 June 2023

Item 4 of the provisional agenda*

**FIRST DRAFT OF THE REVISED STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING
AND DEVELOPMENT TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE
NAGOYA PROTOCOL**

Note by the Executive Secretary

I. INTRODUCTION

1. In its decision NP-4/7, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol requested the Executive Secretary to prepare, in consultation with Parties, a revised strategic framework for capacity-building and development to support the effective implementation of the Protocol, in line with the Kunming-Montreal Global Biodiversity Framework and the long-term strategic framework for capacity-building and development, taking into account the findings of the evaluation, for the consideration of the Subsidiary Body on Implementation at its fourth meeting and for adoption by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fifth meeting.
2. Under Article 22 of the Protocol, Parties are required to cooperate in the areas of capacity-building and development. The strategic framework for capacity-building and development adopted in decision NP-1/8 is aimed at facilitating cooperation among Parties, donors and other actors on capacity-building and development for the effective implementation of the Protocol and at fostering a strategic, coherent and coordinated approach. In the evaluation of the framework undertaken in 2019,¹ it was found that the framework was used primarily as a guide in the design of capacity-building and development interventions and that it helped to provide a common language and road map for building the capacities necessary to operationalize the Protocol.
3. In the same evaluation, as well as in the first assessment and review of the Protocol² undertaken the previous year, it was also found that significant progress had been made in the implementation of the Protocol since its adoption in 2010 and entry into force in 2014. Such success was intrinsically linked to the capacity-building and development efforts undertaken through various national, regional and global access and benefit-sharing initiatives and projects. The Global Environmental Facility and other donors have invested important financial resources and supported projects and initiatives benefiting numerous Parties.
4. Those efforts notwithstanding, many Parties still lack the capacity and financial, technical and technological infrastructure necessary to make the Protocol operational. Capacity-building and development support therefore continues to be essential to make progress on the implementation of the Protocol, especially

* CBD/NP/CB-IAC/2023/1/1.

¹ [CBD/SBI/3/16](#) and [CBD/SBI/3/INF/1](#).

² See [decision NP-3/1](#).

for developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition.

5. In addition, Parties have been relying on international development assistance to implement the Protocol. Capacity-development efforts, especially in developing countries, have thus been undertaken in the context of externally funded short-term projects often carried out in silos and without a strong enabling environment conducive to bringing about desired changes and impacts.

6. In the long-term strategic framework for capacity-building and development that it adopted with decision 15/8, the Conference of the Parties to the Convention on Biological Diversity, in addition to recognizing those shortcomings, highlighted the fact that many countries had not yet adopted systemic, longer-term and institutionalized approaches to capacity-building and development. The long-term strategic framework seeks to catalyse institutionalized capacity-building and development interventions that are robust, synergized, coordinated and delivered in a holistic and complementary manner. It also seeks to promote the coherence, efficiency and effectiveness of capacity-building and development efforts at all levels through strategic and harmonized approaches.

7. One of the key strategies proposed in the long-term strategic framework is the elaboration of thematic capacity-building and development action plans. In line with that guidance, and to avoid redundancies and overlap, it is proposed that the revised strategic framework for capacity-building and development for the effective implementation of the Protocol be referred to as the capacity-building and development action plan for the Nagoya Protocol.

8. The Kunming-Montreal Global Biodiversity Framework sets out ambitious targets and goals that will not be met unless urgent and transformative actions are taken through a whole-of-government and whole-of-society approach. Goal C and Target 13, in addition to raising the profile and importance of access and benefit-sharing, also call for all stakeholders to ramp up efforts by taking effective capacity-building and development measures at all levels.

9. The present document consists of a draft revised strategic framework prepared by the Secretariat for consideration by the Informal Advisory Committee for the Implementation of the Nagoya Protocol at its fifth meeting. It takes account of comments provided by members of the Committee during the online forum convened by the Secretariat from 10 to 29 May 2023.³ At the present meeting, the Committee is invited to review the elements comprising the framework and support its revision and updating, as requested by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol in paragraph 6 of decision NP-4/7.

10. The input provided by the Informal Advisory Committee will be used to refine the draft revised framework to be submitted for consideration by the Subsidiary Body on Implementation at its fourth meeting.

II. ISSUES FOR CONSIDERATION BY THE INFORMAL ADVISORY COMMITTEE

11. The Informal Advisory Committee is invited to consider the draft revised framework contained in the annex, including the outputs and activities presented in the appendix.

12. The Informal Advisory Committee may wish to make recommendations regarding the next steps in the development of the revised framework. The fourth meeting of the Subsidiary Body on Implementation is tentatively scheduled for May 2024, which will provide some additional time for the further development of the revised framework. The Committee may wish to continue to work on the draft through the online forum by providing a final round of comments after the present meeting. The comments would be taken into account by the Secretariat in the preparation of a final version of the revised framework to be presented to the Committee through a webinar scheduled for the fourth quarter of 2023.

³ The purpose of the online forum was to collect views on various elements to be considered in the revised strategic framework, which had been previously presented to the Informal Advisory Committee in a preparatory webinar held on 9 May 2023. In total, members provided 31 comments on four topics during the online forum.

13. Lastly, the Informal Advisory Committee may wish to make recommendations regarding the potential role that it could play in supporting the implementation of the action plan by Parties and other Governments, indigenous peoples and local communities, international, regional and national organizations, donors, including regional development banks, the business sector, the research community and groups representing women and young people.

Annex

**CAPACITY-BUILDING AND DEVELOPMENT ACTION PLAN FOR THE NAGOYA
PROTOCOL**

I. INTRODUCTION

A. Purpose

1. The capacity-building and development action plan for the Nagoya Protocol is aimed at improving the effectiveness and efficiency of capacity-building and development interventions by: (a) promoting a set of concepts and principles that foster strategic and longer-term capacity-building and development; (b) articulating the changes expected from capacity-building and development, while describing underlying assumptions that underpin the expected results and frame conditions that must be met to ensure success; (c) identifying priority outcome areas for capacity-building and development, along with indicative outputs and activities; (d) identifying potential contributions that different actors can make to enhance efforts; and (e) fostering cooperation, synergies and coordination at the international, regional and national levels, as well as the sharing of experiences and lessons learned among stakeholders. The action plan covers the same period as the action-oriented targets of the Kunming-Montreal Global Biodiversity Framework, that is, up to 2030.

B. Target audience

2. The target audience comprises all actors planning to facilitate capacity-building and development assistance to support the implementation of the Protocol. This includes Parties, other Governments, indigenous peoples and local communities, international, regional and national organizations, donors, including regional development banks, the business sector, the research community and groups representing women and young people. In each country, the target audience will vary depending on national circumstances, needs and priorities.

3. The plan is aimed at benefiting primarily developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition. This, however, does not preclude capacity-building and development programming from targeting relevant stakeholders in the developed world. By strengthening the capacities of, for example, the business sector and research community in developed countries, to comply with the Protocol, important progress can be made in its implementation, thus contributing to increasing the fair and equitable sharing of benefits that arise from the utilization of genetic resources and associated traditional knowledge.

4. Table 2 provides an overview of the actors involved in the development and implementation of access and benefit-sharing systems. When a sector is referred to in the action plan, it includes all different types of actors listed for that sector.

Table 1

Actors involved in the development and implementation of access and benefit-sharing systems

Government	Access and benefit-sharing national focal points, other relevant national focal points under the Convention on Biological Diversity, representatives of competent national authorities, government institutions with a role in the access and benefit-sharing system (e.g. checkpoints and publishing authorities) and line ministries, agencies and policymakers
Indigenous peoples and local communities	Leaders and representatives of indigenous peoples and local communities
Research community	Researchers, scientists, academics, botanical gardens, seed banks

Business sector	Representatives of small and medium-sized enterprises, private businesses, companies and industries from sectors relevant to access and benefit-sharing (agriculture, biotechnology, botanicals, cosmetics, nutraceuticals, food and beverages, and pharmaceuticals)
Civil society	Representatives of women's and youth groups, non-governmental organizations or other local stakeholder groups

C. How to use the capacity-building and development action plan

5. The action plan can be used for various purposes, including (a) the design of capacity-building and development programmes and projects at the global, regional and national levels to support the implementation of the Protocol; (b) the development of national strategies and programmes to implement the Protocol; (c) the development of capacity-building plans related to the Protocol as part of national biodiversity strategies and action plans; (d) as a reference to guide the capacity-building and development programmatic directions of the financial mechanism of the Protocol, the Global Environmental Facility and other donors; and (e) as a tool to foster the engagement of stakeholders, such as indigenous peoples and local communities, the business sector, research community, academia and organizations representing women and young people.

II. LINKS TO THE KUNMING-MONTREAL GLOBAL BIODIVERSITY FRAMEWORK, THE LONG-TERM STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING AND DEVELOPMENT AND THE SUSTAINABLE DEVELOPMENT GOALS

6. The action plan contributes directly to the implementation of Target 13 of the Kunming-Montreal Global Biodiversity Framework (Take effective legal, policy, administrative and capacity-building measures at all levels, as appropriate, to ensure the fair and equitable sharing of benefits that arise from the utilization of genetic resources and from digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources, and facilitating appropriate access to genetic resources, and by 2030, facilitating a significant increase of the benefits shared, in accordance with applicable international access and benefit-sharing instruments). The plan supports the development of effective capacity-building measures for implementing the Protocol, thus contributing to the fair and equitable sharing of benefits that arise from the utilization of genetic resources and associated traditional knowledge.

7. The action plan also has direct links to other targets of the Kunming-Montreal Global Biodiversity Framework, namely:

(a) Target 15, on taking legal, administrative or policy measures to encourage and enable business, and in particular to ensure that large and transnational companies and financial institutions, inter alia, report on compliance with access and benefit-sharing regulations and measures, as applicable, in order to progressively reduce negative impacts on biodiversity, increase positive impacts, reduce biodiversity-related risks to business and financial institutions and promote actions to ensure sustainable patterns of production;

(b) Target 20, on strengthening capacity-building and development, access to and transfer of technology, and promote development of and access to innovation and technical and scientific cooperation.

8. The present action plan is to be considered as one of the thematic action plans proposed under the long-term strategic framework for capacity-building and development (decision 15/8). Key concepts presented in the long-term framework, including the definition of capacity-building and development, have been incorporated, together with guiding principles and relevant approaches and strategies.

9. The action plan can also help to support Parties with meeting the Sustainable Development Goals, and it directly contributes to the achievement of target 15.6 (Promote fair and equitable sharing of the benefits

arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed).

III. KEY CONCEPTS AND GUIDING PRINCIPLES

A. Key concepts

10. In line with the long-term strategic framework, capacity-building and development are understood as the process whereby people, organizations and society as a whole unleash, strengthen, create, adapt and maintain capacity over time to achieve positive biodiversity results.

11. An important notion introduced by the long-term strategic framework is that effective change is dependent on securing the relevant capacities at all levels within systems and societies. In the context of the present plan, three levels are considered, namely, the enabling environment level, the organizational level and the individual level.¹

12. When designing capacity-building and development programmes, careful consideration needs to be given to all three interconnected levels. Individuals cannot use their capacity if they lack the resources and infrastructure needed to do their work. Organizations may have good policies and systems but will not be effective without skilled and competent staff. They also need an enabling environment, for example, appropriate and functional legal frameworks. Individuals and organizations alike will only succeed in a supportive environment where change is enabled and fostered. At the opposite end, policies and laws can only be implemented when relevant organizations and individuals have the capacity to turn them into action.

13. Equally important to designing effective interventions is the need to consider the various types of capacities that individuals and organizations must have to function effectively and efficiently, which comprise technical, technological and functional capacities,² and for enabling conditions to be in place.

14. Lastly, it should be kept in mind that capacity-building and development are an ongoing iterative process with constant feedback loops and flexibility for revising, updating and adapting strategies. The process should encompass interventions not only for capacity analysis (analysing existing capacity and identifying needs and gaps) and development (enhancing capacities or creating new ones), but also for capacity utilization (mobilizing, deploying and utilizing existing capacities) and retention (nurturing, maintaining and sustaining the capacity created over time).

B. Guiding principles

15. To ensure that interventions are relevant and effective, the design and implementation of capacity-building and development plans, programmes, projects and other initiatives in support of the implementation of the Protocol should be guided by a series of principles, that is, they should:³

- (a) Be based on an inclusive analysis of the national context, stakeholders, existing capacities and needs;
- (b) Ensure political and technical ownership and commitment by countries;

¹ The enabling environment level encompasses the broad system and set of conditions needed for organizations and individuals to function in pursuit of their goals. These may be policies, laws, agreements, conventions, protocols or social norms. The organizational level covers internal structures, processes and procedures. It includes leadership, management systems, frameworks and other elements that influence the ability of any institution to operate and fulfil its mission. The individual level is about the knowledge, skills, expertise, attitude, competencies and experience of the people within organizations or communities that enable them to do their work effectively.

² Technical capacities include specialized knowledge, know-how, skills and organizational structures and systems, which are tangible or visible. Functional capacities are the intangible characteristics, values, behaviours, skills and competencies at all levels that allow functioning, adaptation and development within societies and systems. See CBD/SBI/3/7/Add.1 for additional information.

³ Adapted from the long-term strategic framework for capacity-building and development (decision 15/8, annex I).

- (c) Take a long-term programmatic approach with an emphasis on sustainability and the retention of capacities;
- (d) Promote strategic and integrated system-wide approaches to capacity-building and development;
- (e) Be built upon recognized good practices and lessons learned;
- (f) Integrate the perspectives of indigenous peoples and local communities and of young people and gender perspectives, taking into account the Gender Plan of Action;⁴
- (g) Include monitoring, evaluation and adaptive management and learning as integral parts;
- (h) Encourage synergies, mainstreaming, integration and mutually supportive implementation with other international access and benefit-sharing instruments.

IV. THEORY OF CHANGE AND RESULTS CHAIN

16. The action plan draws attention to capacity-building and development not only as an important means of implementation but also as an end in itself. To better understand the changes that the plan is expected to bring about, an overarching theory of change⁵ has been developed, together with a results chain (see box 1).

17. The theory of change of the plan holds that, if adequate human, financial, material and technological resources are invested, then activities that analyse the context and needs, map and engage stakeholders, design effective capacity-building and development interventions and strengthen multi-stakeholder coordination mechanisms at the national level can be carried out. If those activities are carried out, then high-quality long-term plans or programmes and strategic partnerships dedicated to capacity-building and development for the Protocol will be created. If those outputs are produced, then knowledge and capacities will be developed, used and retained at all levels to implement the Protocol effectively. If capacities are built, developed, used and retained at the individual, organizational and enabling environment levels to implement the Protocol effectively, then benefits from the utilization of genetic resources will be shared fairly and equitably, thereby contributing to the conservation and sustainable use of biodiversity.

18. Underpinning the theory of change are several assumptions. According to it, results can only be achieved if the following conditions are met:

- (a) Adequate financial, technical, technological and human resources are made available for capacity-building and development;
- (b) A whole-of-government and whole-of-society approach is taken;
- (c) Capacity-building and development are prioritized in national access and benefit-sharing plans;
- (d) Capacity-building and development interventions are designed according to the guidance in the present action plan;
- (e) The products and services (outputs) generated in the context of the plan are relevant and effective;
- (f) The implementation of the Protocol leads to benefit-sharing;
- (g) Benefit-sharing contributes to the conservation and sustainable use of biodiversity.

⁴ Decision [15/11, annex](#).

⁵ A theory of change is a comprehensive description and illustration of how and why a desired change is expected to happen in a particular context (see United Nations Development Group, "Theory of change", United Nations Development Assistance Framework companion guidance, available at <https://unsdg.un.org/sites/default/files/UNDG-UNDAF-Companion-Pieces-7-Theory-of-Change.pdf>).

19. At the same time, several factors may hinder expected accomplishments, such as:
- (a) Insufficient political will and technical knowledge, commitment and support at the national, regional and global levels;
 - (b) Insufficient resources to support and maintain capacity-building and development at the national level;
 - (c) Lack of capacity-building providers with technical expertise to support the plan;
 - (d) Competing priorities and demands at the national level.
20. Box 1 shows the causal linkage between inputs, activities, outputs, outcomes and impact based on the theory of change.

Box 1

Results chain

Inputs

Adequate money, time, staff, materials, information, technology, equipment and partners, enabling a programmatic approach to capacity development for the Nagoya Protocol.

Activities

- Carry out participatory, country-driven and country-owned stakeholder analyses and needs assessments to design capacity-building and development interventions.
- Integrate Protocol-related capacity-building and development in the planning, financing and implementation of national biodiversity strategies and action plans.
- Design longer-term programmes and projects that foster capacity-building and development at the individual, organizational and enabling environment levels.
- Establish or strengthen multi-stakeholder coordination mechanisms at the national and local levels.
- Leverage cooperative, synergistic and collaborative action through network and partnership development.

Outputs

- High-quality plans or programmes and targeted interventions implemented to strengthen capacities at all levels for the effective implementation of the Protocol.
- Increased number of national biodiversity strategies and action plan with capacity-building and development plans for the Protocol.
- Increased engagement of different stakeholders, including national officials from user and provider countries, indigenous peoples and local communities, academia, the research community, the business sector and youth and women's groups, in capacity-building and development.
- Strategic partnerships and learning networks established, especially to facilitate technical and scientific cooperation and joint technology development.
- Effective coordination and cooperation mechanisms at the subnational, national and international levels.
- Available relevant national information published and kept up to date on the Access and Benefit-sharing Clearing-House platform.

Immediate outcomes

There is an increase in capacities (technical, technological and functional in key areas) developed, used, maintained and retained at the individual, organizational and enabling environment levels to implement the Protocol effectively.

Intermediate outcome

The Protocol is implemented, and benefits generated from the utilization of genetic resources and associated traditional knowledge are shared fairly and equitably, thereby contributing to the conservation and sustainable use of biodiversity.

Impact

Biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people.

Key outcome areas

21. Table 2 shows immediate outcome areas for capacity-building and development, along with the primary target groups that have been identified.

Table 2.

Key outcome areas for capacity-building and development and primary target groups

<i>Key outcome areas</i>	<i>Primary target groups for capacity-building</i>
1. Strengthened capacity to implement and comply with the obligations of the Nagoya Protocol	<ul style="list-style-type: none"> • Governments in provider and user countries • Research community and academia • Business sector • Civil society organizations
2. Strengthened capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing	<ul style="list-style-type: none"> • Governments
3. Strengthened capacity to negotiate mutually agreed terms	<ul style="list-style-type: none"> • Governments • Indigenous peoples and local communities • Civil society organizations
4. Strengthened capacity of indigenous peoples and local communities to participate in the implementation of the Nagoya Protocol	<ul style="list-style-type: none"> • Indigenous peoples and local communities • Civil society organizations
5. Strengthened capacity to undertake endogenous biodiversity-based research and development to add value to genetic resources	<ul style="list-style-type: none"> • Government • Research community and academia • Indigenous peoples and local communities • Business sector • Civil society organizations

22. In addition to the key outcome areas listed above, multi-stakeholder engagement and collaboration, strategic communication, including awareness-raising, and gender issues have been identified as important cross-cutting areas for capacity-building and development. Such cross-cutting capacities underpin the success in the other key outcome areas that have been identified. For each key outcome area, a list of indicative outputs and activities that could be considered in the design of capacity-building and development programmes and projects have been included in the appendix, following result-based management logic. The relevance of those outputs and activities will depend on the national circumstances, current capacities and needs and should be used in a flexible and adaptive manner.

V. COOPERATION AND COORDINATION

23. All actors are encouraged to use existing mechanisms and strategies or establish new ones to facilitate cooperation on capacity-building and development for the implementation of the Protocol.

24. A widespread constraint for the implementation of the plan is the limited number of capacity-building providers with expertise on access and benefit-sharing. A critical mass of experts and organizations working on access and benefit-sharing needs to be developed, maintained and increased to help to ramp up efforts and meet the growing demand. In line with the guidance provided in the long-term strategic framework, government and non-government actors could establish regional support networks or centres of excellence that could provide, upon request, capacity-building and development support to national government institutions, subnational governments, local authorities, indigenous peoples and local communities and other stakeholders within their respective regions or subregions. Such support centres would not only foster cooperation, collaboration and synergy but could also contribute to building individual and organizational expertise, skill and know-how on access and benefit-sharing at the regional and subregional levels.

25. Other relevant strategies promoted by the long-term strategic framework include:

(a) Designing interventions that strengthen partnerships and networks for implementing the Protocol and the capacity of countries to use their own genetic resources and associated traditional knowledge through value addition;

(b) Enhancing synergies and mutual supportiveness among relevant access and benefit-sharing processes in their capacity-building and development efforts, such as the International Treaty on Plant Genetic Resources for Food and Agriculture;

(c) Build more opportunities for North-South, South-South, South-North, North-North and triangular cooperation.

26. All actors have a role to play in supporting capacity-building and development efforts for the implementation of the Protocol and access and benefit-sharing more generally. Box 2 contains an outline of some of the contributions that different stakeholders can make.

<p>Box 2 Examples of roles and contributions of different actors</p>	
<p>Governments</p> <ul style="list-style-type: none"> • Integrate capacity-building and development plans and programmes for the Nagoya Protocol in national biodiversity strategies and financing plans. • Include capacity-building and development in organizational budgets and strategic planning. • Support the creation and strengthening of the capacities of competent national authorities and checkpoints. • Support capacity-building and development programmes for implementing the Protocol by providing funds for bilateral and multilateral cooperation. • Establish national grants to support research and development and academic programmes related to access and benefit-sharing. • Integrate access and benefit-sharing in the basic education curricula. • Ensure access and benefit-sharing knowledge management and retention at the national level. • Organize, convene and participate in strategic conferences, symposiums, round tables and other 	<p>Indigenous peoples and local communities</p> <ul style="list-style-type: none"> • Participate in strategic planning, including capacity assessments. • Assist in identifying capacity-development needs. • Advocate the interests of indigenous peoples and local communities in the design of capacity-building initiatives. • Raise awareness of the Protocol and create guidance using culturally appropriate communication means. • Develop training for indigenous peoples and local communities and participate in capacity-building programmes and projects. • Facilitate the development of biocultural community protocols related to traditional knowledge associated with genetic resources. • Facilitate different ways of learning and generating knowledge in capacity-building and development with regard to access and benefit-sharing.

<p>exchanges on access and benefit-sharing at the national and international levels.</p> <ul style="list-style-type: none"> • Ensure that available relevant and mandatory national information is published and kept up to date on the Access and Benefit-sharing Clearing-House platform. • Endorse community protocols, procedures and customary laws, and integrate and mainstream them into national legislation. 	<ul style="list-style-type: none"> • Support the development of organizational and modern management capacities for indigenous peoples and local communities.
<p>Research community and academia</p> <ul style="list-style-type: none"> • Provide academic options to prepare the next generation of access and benefit-sharing experts. • Raise awareness of the Protocol and create guidance and incentives to support the research community with complying with access and benefit-sharing measures. • Facilitate technical and scientific cooperation that fosters equitable research partnerships. • Lead research that supports the generation of knowledge related to genetic resources in collaboration with local partners. • Promote technology transfer, as appropriate. • Identify access and benefit-sharing topics for research to be conducted by local students addressing locally determined needs. • Encourage understanding of biocommunity protocols and customary law related to genetic resources and associated traditional knowledge and the relevance to research and academia. • Organize, convene and participate in conferences, symposiums, round tables and other exchanges on access and benefit-sharing. 	<p>Business sector</p> <ul style="list-style-type: none"> • Participate in government-led capacity-building and development strategic planning, including capacity assessments. • Create incentives and reward businesses that develop products compliant with access and benefit-sharing regulations. • Invest financial resources to raise awareness and build the capacities of businesses with regard to access and benefit-sharing. • Contribute at the enabling level by making infrastructure and technical and technological resources available. • Provide products and services that support capacity-building and development related to the Protocol. • Encourage understanding of biocommunity protocols and customary law related to genetic resources and associated traditional knowledge and the relevance to the business sector.
<p>Civil society organizations (e.g. non-governmental organizations, women’s groups and youth groups)</p> <ul style="list-style-type: none"> • Participate in strategic planning, including capacity assessments. • Facilitate the development of biocultural community protocols related to traditional knowledge associated with genetic resources. • Design service-based programmes and other support. • Advocate the interests of target populations in the implementation of national biodiversity strategies and action plans. • Facilitate appropriate and targeted capacity-building and development at the community level with different groups, including indigenous peoples and local communities, women and young people. 	<p>International, regional and subregional organizations, including financial institutions</p> <ul style="list-style-type: none"> • Include access and benefit-sharing in strategic priorities. • Create grants, funds and investment opportunities that support access and benefit-sharing. • Support inter-institutional coordination mechanisms at the national and regional levels. • Coordinate regional and subregional efforts in carrying out strategic planning related to capacity-building and development. • Lead the implementation of regional and subregional capacity-building and development strategies and programmes. • Create an enabling environment through agreements and partnerships. • Create and maintain knowledge and information management products, including lessons and best practices. • Support the monitoring and evaluation of capacity-development efforts. • Support capacity development at the national level by providing funding, training and technical assistance. • Support and promote technical and scientific cooperation, including technology transfer.

	<ul style="list-style-type: none"> Facilitate South-South, North-South and triangular cooperation and the exchange of experiences among Parties.
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27. Fostering coordination at the national, regional and global levels generates numerous benefits, including enhancing synergies, promoting strategic and coherent approaches, fostering partnerships and multi-stakeholder initiatives and identifying opportunities to mobilize additional resources for capacity-building and development efforts.

28. At the national level, coordination can be fostered through the inter-institutional and cross-sectoral arrangements set up for the revision and implementation of the national biodiversity strategies and action plans and national targets to assess contributions towards the Kunming-Montreal Global Biodiversity Framework. The United Nations resident coordinator office can also play a role by supporting national institutions with setting up and managing the multi-stakeholder process.

29. At the regional level, regional organizations, including support centres, can play a role in bringing together various actors to identify needs and opportunities for cooperation, synergy and collaboration and to foster the sharing of experiences and lessons learned. For example, the future mechanism to strengthen technical and scientific cooperation in support of the Kunming-Montreal Global Biodiversity Framework could play such a role.⁶

30. At the global level, coordination can be fostered through the Convention and Protocol processes, including the meetings of the informal advisory committees established to provide advice to the Executive Secretary on issues related to the implementation of the Protocol. The capacity-building and development forum to facilitate networking and the sharing of experiences to be convened before each meeting of the Subsidiary Body on Implementation⁷ should include dedicated sessions related to access and benefit-sharing and the Protocol that could provide opportunities for strengthening coordination and cooperation.

VI. RESOURCES FOR CAPACITY-BUILDING AND DEVELOPMENT

31. Both international and national funding sources are required to support capacity-building and development programmes and projects for implementing the Protocol. Potential sources include the following:

(a) The Global Environment Facility, which is the financial mechanism of the Protocol and one of the main sources of funding for national implementation projects. Parties are encouraged to include capacity-building and development projects in support of the Protocol in their country allocation under the System for Transparent Allocation of Resources (STAR);

(b) The Global Biodiversity Framework Fund being established under the Global Environment Facility. Whereas funding under the financial mechanism of the Protocol is focused on national projects funded through the STAR allocation, the Global Biodiversity Framework Fund will be a complementary fund, and it is expected that global and regional projects would be eligible for funding from it;

(c) The mechanism to strengthen technical and scientific cooperation in support of the Framework being established to support the implementation of the Framework, which could also facilitate cooperation on access and benefit-sharing between Parties and relevant stakeholders;

(d) The future multilateral mechanism for benefit-sharing from the use of digital sequence information on genetic resources;⁸

(e) National biodiversity finance plans.⁹ Parties are encouraged to develop, update and implement those plans on the basis of their assessments of biodiversity expenditure and finance needs for the

⁶ See decision 15/8, annex II.

⁷ See decision 15/8, para. 15 (g).

⁸ See decision 15/9.

⁹ See decision 15/7.

implementation of their national biodiversity strategies and action plans. Finance plans should provide information on capacity-building and development support needs;

(f) National research and development funding programmes;

(g) Other proposals to increase biodiversity-related financial flows and financial resources as part of the strategy for the mobilization of resources,¹⁰ which can be employed to increase funding for capacity-building and development in support of the Protocol. Some of the innovative examples mentioned in decision 15/7 include green bonds and payments for ecosystem services;

(h) Additional sources of funding that may be available from the private sector and philanthropic foundations.

VII. ROLE OF THE SECRETARIAT

32. While the capacity-building and development action plan for the Protocol is directed primarily at Parties and other relevant actors, the Secretariat will continue to support Parties in their efforts to implement the Protocol. The support includes managing and maintaining the Access and Benefit-sharing Clearing-House and undertaking and facilitating activities, including capacity-building and development activities, as requested by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

33. The Secretariat will disseminate and promote the use of the capacity-building and development action plan by its target audiences. Additional support may be provided upon request from the Conference of Parties serving as the meeting of Parties to the Nagoya Protocol. Such support could include compiling experiences, lessons learned and good practices, bringing together Parties and other relevant stakeholders to share experiences and lessons learned at the global level and facilitating the review of the action plan.

VIII. REVIEW OF THE ACTION PLAN

34. The Conference of the Parties will undertake a review of the relevance and use of the action plan in 2030 and decide whether it needs to be updated. The review will draw on information provided by the Parties in their national reports, the second assessment and review of the effectiveness of the Protocol and the review of the long-term strategic framework on capacity-building and development, under the monitoring framework of the Kunming-Montreal Global Biodiversity Framework¹¹ and the open-ended forum of the Subsidiary Body on Implementation, in reports of the Global Environment Facility on the implementation the eighth replenishment and of the Global Biodiversity Framework Fund and in the Access and Benefit-sharing Clearing-House, among others.

¹⁰ See decision 15/7, annex I.

¹¹ Decision 15/5.

Appendix

RESULTS FOR INCLUSION IN CAPACITY-BUILDING AND DEVELOPMENT PROGRAMMES OR PROJECTS TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE NAGOYA PROTOCOL

The matrix below has been prepared to provide a list of indicative outputs and activities for each key outcome area following results-based management principles¹ that can be included as part of programmes or projects aimed at capacity-building and development for the Nagoya Protocol.

Outcome area 1: strengthened capacity to implement and comply with the obligations of the Nagoya Protocol	
Outputs	Indicative capacity-building and development activities
1.1. Ratification of, or accession to, the Protocol is enabled	<ul style="list-style-type: none"> • Organize workshops for government officials on the provisions of the Protocol. • Provide technical assistance and resource persons for the holding of stakeholder consultation workshops on the provisions of the Protocol.
1.2. Awareness of the importance of genetic resources, associated traditional knowledge and related access and benefit-sharing issues is raised	<ul style="list-style-type: none"> • Develop strategic communication materials for various audiences, including government officials, indigenous peoples and local communities, researchers, business community and civil society. • Organize workshops for journalists and other media and communication experts on the importance of genetic resources, associated traditional knowledge and related access and benefit-sharing issues. • Develop guidelines on how to integrate access and benefit-sharing issues into post-secondary school curricula and informal education programmes. • Develop access and benefit-sharing courses for universities.
1.3. Mechanisms for inter-agency and multi-stakeholder coordination at the national level are established	<ul style="list-style-type: none"> • Map relevant actors and existing expertise for the implementation of the Protocol. • Organize training for access and benefit-sharing national focal points on facilitating multi-stakeholder processes. • Provide technical assistance for establishing and coordinating multi-stakeholder mechanisms to support access and benefit-sharing.
1.4. New and innovative financial resources to implement the Protocol are mobilized	<ul style="list-style-type: none"> • Organize training for government officials on resource mobilization skills (e.g. project development, fundraising and resource recovery). • Provide technical assistance for the development of national resource mobilization strategies.
1.5. Mandatory and relevant information is made available on the Access and Benefit-sharing Clearing-House platform	<ul style="list-style-type: none"> • Publish all mandatory information on the Access and Benefit-sharing Clearing-House platform, in accordance with Article 14 of the Protocol. • Develop national information systems and databases, including permitting and checkpoint systems. • Ensure that information is being published on the Access and Benefit-sharing Clearing-House platform in a cost effective and timely manner, including by making use of interoperability to connect permitting systems and databases to the Access and Benefit-sharing Clearing-House and automate and streamline the publication and updating of information. • Communicate suggestions for new functionalities of and improvements to the Access and Benefit-sharing Clearing-House to the Secretariat.

¹ Results are changes in a state or condition that derive from a cause-and-effect relationship. Outcomes represent changes that can be attributed to the completion of outputs. Outputs are direct products or services stemming from the activities of an organization, programme or initiative. Activities are actions taken or work performed through which inputs are mobilized to produce outputs (see United Nations, *Results-based Management Handbook* (2011), available at <https://unsdg.un.org/resources/unsdg-results-based-management-handbook>).

<p>1.6. Mechanisms to monitor the utilization of genetic resources, including through the designation of effective checkpoints, are established</p>	<ul style="list-style-type: none"> • Develop guidelines for the establishment and the strengthening of checkpoints in-country, including on their roles and functioning. • Develop national systems for the collection of information from users at designated checkpoints, making use of checkpoint communiqués, and make the systems interoperable with the Access and Benefit-sharing Clearing-House. • Organize training for government officials responsible for managing checkpoints on the collection of information through the checkpoint communiqué.
<p>1.7. Progress on the implementation of the Protocol is reported</p>	<ul style="list-style-type: none"> • Provide financial support and technical assistance to prepare national reports and make them available on the Access and Benefit-sharing Clearing-House platform. • Develop guidance on the collection of national information to measure progress on monetary and non-monetary benefit-sharing.² • Organize workshops to train national officials on the internationally agreed methodologies for measuring monetary and non-monetary benefit-sharing. • Support the use, analysis and visibility of national reporting data to highlight challenges and lessons, monitor progress and improve implementation.
<p>Outcome area 2: strengthened capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing</p>	
<p>Outputs</p>	<p>Indicative capacity-building and development activities</p>
<p>2.1. National policy frameworks on access and benefit-sharing are developed</p>	<ul style="list-style-type: none"> • Support the development of a national target and plans to meet Target 13 and Goal C of the Kunming-Montreal Global Biodiversity Framework, including through the national biodiversity strategy and action plan process. • Provide technical assistance for developing policy frameworks. • Develop tools (e.g. guidelines and case studies) to facilitate the integration of access and benefit-sharing considerations into sectoral and cross-sectoral policies and plans. • Develop guidelines on how to coordinate relevant national access and benefit-sharing policies, laws and regulations to ensure consistency and legal clarity. • Endorse community protocols, procedures and customary laws, and integrate and mainstream them into national legislation.
<p>2.2. New or revised legislative, administrative or policy measures on access and benefit-sharing are established and made available on the Access and Benefit-sharing Clearing-House platform</p>	<ul style="list-style-type: none"> • Take stock of existing access and benefit-sharing legislative, administrative or policy measures against the provisions of the Protocol, including those related to compliance with domestic legislation or regulatory requirements (Arts. 15 and 16), monitoring the utilization of genetic resources (Art. 17), indigenous peoples and local communities (Arts. 6, 7 and 12) and special considerations (Art. 8). • Develop guidelines for the establishment of simplified measures on access to genetic resources for non-commercial research purposes (Art. 8). • Develop guidelines or methodologies to ascertain and improve the efficiency of existing access and benefit-sharing legislative, administrative or policy measures in increasing the shared benefits, with a view to meeting Target 13 and Goal C of the Kunming Global Biodiversity Framework. • Provide technical and legal assistance for reviewing, updating or developing domestic access and benefit-sharing legislative, administrative or policy measures, including, as appropriate, the consideration of interim measures to gain experience.

² See the work conducted on the Monitoring Framework for the Kunming-Montreal Global Biodiversity Framework (www.cbd.int/gbf/monitoring/).

	<ul style="list-style-type: none"> • Organize training for government officials on drafting access and benefit-sharing legislative, administrative or policy measures. • Provide technical assistance for conducting stakeholder consultations on the development of access and benefit-sharing legislative, administrative or policy measures. • Develop guidelines for differentiating requests for access to genetic resources for commercial and non-commercial use. • Ensure that access and benefit-sharing measures are published on the Access and Benefit-sharing Clearing-House platform with clearly described key elements, including, to the extent possible, with courtesy translations and attached documents in an appropriate machine-readable format (i.e. not scanned images).
<p>2.3. Institutional arrangements and administrative systems for access and benefit-sharing are established and made available on the Access and Benefit-sharing Clearing-House platform</p>	<ul style="list-style-type: none"> • Facilitate the establishment of institutional arrangements and coordination mechanisms for implementing access and benefit-sharing legislative, administrative or policy measures, through working with national institutions to enhance synergies. • Put in place staff dedicated to facilitating the operation of the national access and benefit-sharing system. • Organize training for government officials on the implementation of access and benefit-sharing legislative, administrative or policy measures. • Facilitate the sharing of knowledge and expertise on access and benefit-sharing measures through on-the-job-training and peer-to-peer exchange programmes, regional and subregional learning communities and networks.
<p>2.4. Access and benefit-sharing procedures are established and operational and made available on the Access and Benefit-sharing Clearing-House platform</p>	<ul style="list-style-type: none"> • Facilitate processes to improve procedures, including through reviews and organized consultations of stakeholders to ensure that procedures for access and benefit-sharing are practical, usable and user-friendly and address the concerns of users and providers, including the business sector and research community, regarding the development of such procedures. • Support the development of tools and capacity for processes to be responsive, functional and effective at addressing and processing access and benefit-sharing requests from users. • Support awareness-raising efforts for users to understand and comply with procedures and obligations related to access and benefit-sharing. • Ensure that access and benefit-sharing processes are functioning efficiently to manage related requests. • Provide technical assistance to national focal points and publishing authorities to support the publication of procedures on the Access and Benefit-sharing Clearing House platform. • Facilitate the sharing of experiences among Parties to support the establishment, standardization and use of access and benefit-sharing procedures.
<p>2.5. Compliance with domestic legislation or regulatory requirements is promoted</p>	<ul style="list-style-type: none"> • Carry out awareness-raising activities on compliance for potential users of genetic resources, including, academia, the research community and the business sector. • Ensure that access and benefit-sharing measures are published with clearly described key elements on the Access and Benefit-sharing Clearing-House platform to facilitate understanding and compliance. • Encourage and support communication among government authorities to improve relationships, build trust and cooperate in cases of non-compliance. • Document and disseminate case studies on good practices in enforcing and promoting compliance with access and benefit-sharing measures.
<p>2.6. Regional model legislation is developed</p>	<ul style="list-style-type: none"> • Provide legal assistance to existing regional institutions, where appropriate, to draft model regional legislation and regulations that can be adapted to national contexts. • Provide technical assistance to regional organizations for the development of guidelines to support the coherent implementation of the Protocol at the national level.

Outcome area 3: strengthened capacity to negotiate mutually agreed terms	
Outputs	Indicative capacity-building and development activities
3.1. Access and benefit-sharing agreements are developed and implemented	<ul style="list-style-type: none"> • Organize workshops for government officials and indigenous peoples and local communities on the negotiation of mutually agreed terms. • Develop an operational manual on mutually agreed terms, covering, inter alia, how to negotiate mutually agreed terms and the roles and responsibilities of relevant actors. • Develop a toolkit on mutually agreed terms and organize training and orientation programmes on how to use the toolkit. • Develop guidance on including provisions in mutually agreed terms to share information on the implementation of such terms, including through reporting requirements. • Develop a manual on dispute settlement and organize orientation programmes for legal experts and others in this regard. • Organize training for national focal points and stakeholders on monitoring the utilization of genetic resources and compliance with mutually agreed terms. • Develop and implement pilot access and benefit-sharing agreements and document and share experiences.
3.2. Model sectoral and cross-sectoral contractual clauses are developed and used	<ul style="list-style-type: none"> • Organize legal training for non-lawyers on contract law and administrative law. • Organize training for various sectors on how to develop and use model contractual clauses and contracts. • Compile case studies and examples of successful model contractual clauses.
3.3. Better understanding of business models in relation to the utilization of genetic resources is promoted	<ul style="list-style-type: none"> • Develop manuals and organize training for various sectors on business models in relation to the utilization of genetic resources. • Develop training material on bioprospecting and bioresource-based enterprise development. • Develop awareness-raising material on the generic process and value chain of bioprospecting projects, indicating potential benefits along the value chain and the time lag to the generation of benefits.
Outcome area 4: strengthened capacity of indigenous peoples and local communities to participate in the implementation of the Nagoya Protocol	
Outputs	Indicative capacity-building and development activities
4.1 Community protocols and procedures and customary laws are developed and published on the Access and Benefit-sharing Clearing-House platform	<ul style="list-style-type: none"> • Develop practical guidance tools on community protocols and procedures and customary laws in relation to access to traditional knowledge and the fair and equitable sharing of benefits arising from the use of that knowledge. • Organize training on the development of community protocols and procedures. • Organize training on mapping and managing traditional knowledge associated with genetic resources. • Develop best practice guidelines on the integration and mainstreaming into national legislation and policy frameworks of community protocols and customary laws relating to access to traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from the use of that knowledge. • Develop and record best practice on sui generis ways of protecting community intellectual property rights with regard to traditional knowledge associated with genetic resources.
4.2. Indigenous peoples and local communities, in particular women and young people from those groups, understand access and benefit-	<ul style="list-style-type: none"> • Translate relevant materials into local languages. • Organize training for target groups to raise awareness and understanding of access and benefit-sharing issues and traditional knowledge.

sharing issues and the relation to traditional knowledge	<ul style="list-style-type: none"> Organize training on how to engage with Governments, the private sector and the business community.
4.3. Model contractual clauses for benefit-sharing arising from the use of traditional knowledge are developed and published on the Access and Benefit-sharing Clearing-House platform	<ul style="list-style-type: none"> Develop practical guidance tools on model contractual clauses on traditional knowledge associated with genetic resources. Organize training to develop model contractual clauses on traditional knowledge associated with genetic resources.
4.4. Equitable, fair and mutually agreed terms are negotiated	<ul style="list-style-type: none"> Organize training for indigenous peoples and local communities to enable them to negotiate mutually agreed terms successfully.

Outcome area 5: strengthened capacity to undertake endogenous biodiversity-based research and development to add value to genetic resources

Outputs	Indicative capacity-building and development activities
5.1. An assessment of genetic resources with potential commercial value is undertaken	<ul style="list-style-type: none"> Provide training on how to carry out assessments of genetic resources. Align research with national political and economic priorities, opportunities and support.
5.2. The transfer of technology is facilitated	<ul style="list-style-type: none"> Provide support to establish joint research and scientific cooperation and multilateral networking among public-private research institutions, academia, indigenous peoples and local communities and industry. Provide training to researchers on how to operate, maintain and service technological tools. Provide technical assistance for the transfer and development of technology, taking into account appropriateness and relevance. Increase effective access to international databases and their use by researchers in developing countries.
5.3. Research infrastructure is developed	<ul style="list-style-type: none"> Provide training and financial support to establish research facilities and networks in developing countries. Provide training on knowledge, data and database governance. Provide assistance in building laboratories (physical and institutional infrastructure).
5.4. Bioinformatic programs are implemented	<ul style="list-style-type: none"> Provide training on data sequencing. Provide training on the analysis and processing of large bioinformatic data. Provide training to researchers on how to operate, maintain and service technological tools. Provide technical assistance for the transfer and development of technology, taking into account appropriateness and relevance.
5.5. Research and development related to genetic resources is promoted	<ul style="list-style-type: none"> Establish national grant schemes to support research and development and bioprospecting. Foster research partnerships between users and provider countries. Provide training on the development and use of genetic resource databases. Provide training on bioprospecting and value addition for genetic resources.

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