



Convention on Biological Diversity

Distr.: Limited
1 November 2024

Original: English

**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 Benefits Arising from their Utilization
Fifth meeting**

Cali, Colombia, 21 October–1 November 2024

Agenda item 18

Adoption of the report

Draft proceedings of the meeting

I. Introduction

A. Background

1. Following the invitation of the Government of Colombia, the fifth 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 was held in Cali, Colombia, from 21 October to 1 November 2024, concurrently with the sixteenth meeting of the Conference of the Parties to the Convention on Biological Diversity and the eleventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.

2. The meeting was preceded by a ceremonial opening on 20 October, consisting of a cultural presentation and statements by the President of Colombia, Gustavo Petro Urrego, the Secretary-General of the United Nations, António Guterres, the Minister of Ecology and Environment of China and President of the fifteenth meeting of the Conference of the Parties to the Convention, Runqiu Huang, the Minister of Environment and Sustainable Development of Colombia, María Susana Muhamad González, the Governor of the Department of Valle del Cauca, Dilian Francisca Toro Torres, and the Mayor of Cali, Álvaro Alejandro Eder Garcés.

B. Attendance

3. [to be completed]

II. Proceedings

Item 1

Opening of the meeting

4. The 1st plenary session was held jointly with those of the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, on 21 October.
5. The President of the three bodies declared the meetings open at 9.30 a.m. and delivered his opening remarks.
6. Opening statements were made by the Executive Secretary of the Convention, Astrid Schomaker, and the incoming President.¹

Item 2

Organizational matters

7. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol considered agenda item 2 at its 1st plenary session. It had before it a provisional agenda,² an annotated provisional agenda³ and a proposed organization of work.⁴ An information document on the procedures for elections to fill the positions of vice-presidents of the Conference of the Parties to the Convention and chairs of the intergovernmental subsidiary bodies had also been issued in relation to item 2.⁵

Election of the President

8. Pursuant to Article 26, paragraph 3, of the Nagoya Protocol, the Bureau of the Conference of the Parties to the Convention also served as the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol. As Colombia was not a Party to the Nagoya Protocol, however, the President of the sixteenth meeting of the Parties could not serve as the President of the fifth meeting of the Parties to the Protocol. Therefore, in accordance with rule 21 of the rules of procedure for meetings of the Conference of the Parties to the Convention, which applied mutatis mutandis to meeting of the Parties to the Protocol, at the 1st plenary session of the meeting, the Conference of the Parties serving as the meeting of the Parties to the Protocol elected Nneka Nicholas (Antigua and Barbuda) as President of the fifth meeting of Conference of the Parties serving as the Parties to the Nagoya Protocol.

Election of substitute officers

9. At its fifteenth meeting, the Conference of the Parties to the Convention elected 10 members of the Bureau for a term of office commencing upon the closure of the fifteenth meeting and ending at the closure of the sixteenth meeting. Subsequently, the Conference of the Parties serving as the meeting of the Parties to the Protocol elected substitute Bureau members for those regions where the Bureau member was representing a Party to the Convention that was not a Party to the Protocol. The Bureau for the fifth meeting of the Parties to the Nagoya Protocol thus comprised the following members, in addition to the President:

Khangeziwe Mabuza (Eswatini)⁶

Moustafa Fouda (Egypt)

¹ See CBD/COP/16/xx, paras. 5–10, for a summary of opening remarks and statements.

² CBD/NP/MOP/5/1.

³ CBD/NP/MOP/5/1/Add.1.

⁴ CBD/NP/MOP/5/1/Add.2.

⁵ CBD/NP/MOP/5/INF/2.

⁶ Replacing Hlobisile Sikhosana (Eswatini), who had been elected by the Conference of the Parties to the Convention at the resumed second part of its fifteenth meeting.

Krishneel Nand (Fiji)
 Somaly Chan (Cambodia)
 Sino Tohirzoda (Tajikistan)
 Angela Lozan (Republic of Moldova)
 Jesús Guerra Bell (Cuba)
 Corina Sarli (Argentina)
 Eric Schauls (Luxembourg)
 Norbert Bärlocher (Switzerland)

10. At its 1st plenary session, the Conference of the Parties serving as the meeting of the Parties to the Protocol agreed that Ms. Chan would serve as Rapporteur for the meeting, as proposed by the Bureau.

11. At its 4th plenary session, on 31 October, in accordance with article 26, paragraph 3, of the Protocol, the Conference of the Parties serving as the meeting of the Parties to the Protocol elected Ditta Greguss (Hungary), Kumar Mambetaliev (Kyrgyzstan) and Jeremiah Edmund (Saint Lucia) as members of the Bureau for the Nagoya Protocol, substituting for Adla Kahrić (Bosnia and Herzegovina), Jakhongir Talipov (Uzbekistan) and Gillian Guthrie (Jamaica), as Bosnia and Herzegovina, Uzbekistan and Jamaica were not party to the Protocol.

Adoption of the agenda

12. At its 1st plenary session, the Conference of the Parties serving as the meeting of the Parties to the Protocol adopted the following agenda on the basis of the provisional agenda prepared by the Secretariat in consultation with the Bureau:⁷

1. Opening of the meeting.
2. Organizational matters.
3. Report on the credentials of representatives to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.
4. Reports of subsidiary bodies.
5. Report of the Compliance Committee.
6. Administration of the Protocol and budget for the trust funds.
7. Financial mechanism and resources.
8. Capacity-building and development and awareness-raising.
9. Access and Benefit-sharing Clearing-House and information-sharing.
10. Assessment and review of the effectiveness of the Protocol.
11. Cooperation with international organizations, bodies established under other conventions, and initiatives.
12. Review of effectiveness of processes under the Convention and its Protocols.
13. Enhancing the implementation of the Nagoya Protocol in the context of the Kunming-Montreal Global Biodiversity Framework.
14. Digital sequence information on genetic resources.

⁷ CBD/NP/MOP/5/1.

15. Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol.
16. Global multilateral benefit-sharing mechanism.
17. Other matters.
18. Adoption of the report.
19. Closure of the meeting.

Organization of work

13. At its 1st plenary session, the Conference of the Parties serving as the meeting of the Parties to the Protocol agreed to organize its work as set out in annex III to the proposed organization of work.⁸ Accordingly, it agreed to establish two working groups. Working Group I would be chaired by Charlotta Sörqvist (Sweden) and Working Group II by Hesiquio Benítez Díaz (Mexico).

First stocktake session

14. The 2nd plenary session of the meeting, on 25 October, served in part as a stocktake session held jointly with the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol. During the stocktake session, the Chairs of Working Group I, Working Group II and the contact group on budgetary matters reported on the progress made to date.

15. Statements were made by representatives of the following Parties: Fiji (on behalf of the Pacific island States Parties to the Protocol represented at the meeting) and Lao People's Democratic Republic (on behalf of the States members of the Association of Southeast Asian Nations Parties to the Protocol and represented at the meeting).

16. A statement was also made by a representative of the following non-Party: Russian Federation (on behalf of Brazil, China, Egypt, Ethiopia, India, South Africa and the United Arab Emirates).

Second stocktake session

17. The 3rd plenary session of the meeting served in part as a second stocktake session held jointly with the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol. During the stocktake session, representatives heard a report from the President on the outcomes of the high-level segment, as well as reports by the Chairs of Working Group I, Working Group II and the contact group on budgetary matters, on the progress made to date.

18. A statement was made by a representative of the Plurinational State of Bolivia (also on behalf of Antigua and Barbuda, Brazil, Cook Islands, Cuba, Dominican Republic, Ecuador, Fiji, Guatemala, Haiti, India, Indonesia, Kiribati, Malaysia, Micronesia (Federated States of), Nauru, Palau, Philippines, Marshall Islands, Solomon Islands, Tonga, Vanuatu, Venezuela (Bolivarian Republic of) and the African States).

Work of sessional working groups

19. [to be completed].

Item 3

Report on the credentials of representatives to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

20. At its 1st plenary session, the Conference of the Parties serving as the meeting of the Parties to the Protocol noted that, in accordance with the relevant rules of procedure for meetings of the

⁸ CBD/NP/MOP/5/1/Add.2.

Parties, the Bureau had reviewed the list of observers admitted to the meeting⁹ and would examine the credentials of delegations and report thereon at a later session. It also noted that the Bureau had designated Ms. Mabuza as its representative for the review of credentials.

21. Accordingly, at the 2nd plenary session, Ms. Mabuza reported that 125 Parties to the Protocol were registered as attending the meeting. Representatives of 92 registered Parties had submitted credentials in full compliance with rule 18 of the rules of procedure, while representatives of 33 registered Parties had not yet submitted credentials.

22. At the 3rd plenary session, Ms. Mabuza reported that 128 Parties to the Protocol were registered as attending the meeting. Representatives of 98 registered Parties had submitted credentials in full compliance with rule 18 of the rules of procedure, while representatives of 30 registered Parties had not yet submitted credentials.

23. At the 4th plenary session, the President reported that the report on credentials had been issued as information document CBD/NP/MOP/5/INF/4. In addition, representatives of Tajikistan had submitted fully compliant credentials, bringing the number of Parties that had submitted credentials in full compliance with rule 18 of the rules of procedure to 99 for the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

24. The Conference of the Parties serving as the meeting of the Parties to the Protocol took note of, and approved, the report on credentials.

Item 4

Reports of subsidiary bodies

25. The Conference of the Parties serving as the meeting of the Parties to the Protocol considered agenda item 4 at its 1st plenary session. It had before it the reports of the Subsidiary Body on Implementation on its fourth and fifth meetings¹⁰ and the reports of the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources on its first and second meetings.¹¹

26. The Conference of the Parties serving as the meeting of the Parties to the Protocol heard oral reports from the Chair of the Subsidiary Body on Implementation and the representative of the Chair of the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources.

27. Statements were made by the representatives of the following Parties: Democratic Republic of the Congo and Egypt (speaking in his capacity as Rapporteur of the Subsidiary Body on Implementation at its fifth meeting).

28. The Conference of the Parties serving as the meeting of the Parties to the Protocol took note of the information provided and agreed to consider the recommendations of the subsidiary bodies in the working groups, under the relevant agenda items.

Item 5

Report of the Compliance Committee

29. The Conference of the Parties serving as the meeting of the Parties to the Protocol considered agenda item 5 at its 1st plenary session. It had before it a draft decision (see CBD/NP/MOP/5/2, item 5) and the report of the Compliance Committee under the Nagoya Protocol on the work of its fourth meeting.¹²

⁹ CBD/NP/MOP/5/INF/3.

¹⁰ CBD/SBI/4/17 and CBD/SBI/5/4, respectively.

¹¹ CBD/WGDSI/1/3 and CBD/WGDSI/2/3, respectively.

¹² CBD/NP/MOP/5/3.

30. The Chair of the Compliance Committee under the Nagoya Protocol presented the report of the Compliance Committee on the work of its fourth meeting.

31. In accordance with the organization of work, substantive matters arising from the report were referred to Working Group II for consideration.

32. Pursuant to notification No. 2024-092, issued by the Secretariat on 12 September 2022, the Conference of the Parties serving as the meeting of the Parties to the Protocol had extended the term of the five members of the Committee listed in table A of the annex to the notification for two more years. It also agreed that 10 new members, 2 from each region, would be elected later in the meeting to replace the 10 members listed in table B of the annex to the notification, whose terms would end on 31 December 2024.

33. At the 4th plenary session, the Conference of the Parties serving as the meeting of the Parties to the Protocol elected the following new members of the Compliance Committee:

Somaly Chan (Cambodia)

Park Won Seog (Republic of Korea)

Betty Kauna Schröder (Namibia)

El Khitma el-Awad Mohammed (Sudan)

Peter Maňka (Slovakia)

Sino Tohirzoda (Tajikistan)

Eliška Rolfova (Czechia) (as alternate)

José Alfredo Hernández Ugalde (Costa Rica)

Julietta Ansele (Argentina)

Katie Becket (United Kingdom of Great Britain and Northern Ireland)

Mery Ciacchi (European Union)

Gladman Chibememe (Zimbabwe)

Viviana Figueroa (indigenous peoples and local communities)

Allan John Locke (Australia) (as alternate)

34. [to be completed from the Working Group II report]

35. At its 2nd plenary, the Conference of the Parties serving as the meeting of the Parties to the Protocol considered draft decision CBD/NP/MOP/5/L.2, submitted by the Chair of Working Group II.

36. Statements were made by representatives of the following Parties: Democratic Republic of the Congo, Fiji and Peru.

37. The Conference of the Parties serving as the meeting of the Parties to the Protocol adopted the draft decision, as orally amended, as decision NP-5/xx.

Item 6

Administration of the Protocol and budget for the trust funds

38. The Conference of the Parties serving as the meeting of the Parties to the Protocol considered agenda item 6 at its 1st plenary session. It had before it a draft decision (see CBD/COP/16/4/Add.1, item 7) and notes by the Secretariat on the administration of the Convention and its Protocols for the

biennium 2023–2024,¹³ the proposed budget for the programmes of work of the Convention, the Cartagena Protocol and the Nagoya Protocol for the biennium 2025–2026,¹⁴ requirements for the trust fund for additional voluntary contributions in support of approved activities¹⁵ and the functional review of the Secretariat.¹⁶

39. The Executive Secretary reported on the activities of the Secretariat and presented the proposed budget for the programmes of work of the Convention and its Protocols for the biennium 2025–2026.

40. The Conference of the Parties to the Convention, serving also as the meetings of the Parties to its Protocols, established a contact group on budget, chaired by Charles Gbedemah (Ghana), with the mandate to consider the proposed budget for the biennium 2025–2026 in detail.

41. In addition, the Conference of the Parties to the Convention, serving also as the meetings of the Parties to its Protocols, established a group of friends of the President, facilitated by Mr. Gbedemah, to address the matters discussed by the Subsidiary Body on Implementation in relation to the process for the appointment of future executive secretaries.

42. [to be completed]

Item 9

Access and Benefit-sharing Clearing-House and information-sharing

1. [to be completed from the Working Group II report]

2. At its 2nd plenary, the Conference of the Parties serving as the meeting of the Parties to the Protocol considered draft decision CBD/NP/MOP/5/L.3, submitted by the Chair of Working Group II.

3. Statements were made by representatives of the following Parties: Argentina, Bangladesh, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Egypt, European Union and its member States, Gabon and Uganda.

4. Following the exchange of views, the Conference of the Parties serving as the meeting of the Parties to the Protocol agreed to resume its consideration of the draft decision at a later stage in the meeting, once a small group, consisting of representatives of Burkina Faso, Côte d'Ivoire, the Democratic Republic of the Congo, Egypt and Gabon, in addition to the representative of Argentina as facilitator, had succeeded in resolving the outstanding issue.

5. [to be completed]

Item 10

Assessment and review of the effectiveness of the Protocol

1. [to be completed from the Working Group II report]

2. At its 2nd plenary, the Conference of the Parties serving as the meeting of the Parties to the Protocol considered draft decision CBD/NP/MOP/5/L.5, submitted by the Chair of Working Group II, and adopted it as decision NP-5/xx.

Item 17

Other matters

43. [to be completed]

¹³ CBD/NP/MOP/5/4.

¹⁴ CBD/NP/MOP/5/5.

¹⁵ CBD/NP/MOP/5/5/Add.1.

¹⁶ CBD/NP/MOP/5/5/Add.2.

Item 18

Adoption of the report

44. [to be completed]

Item 19

Closure of the meeting

45. [to be completed]
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