



Convention on Biological Diversity

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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
Benefits Arising from Their Utilization
Sixth meeting
Yerevan, 19–30 October 2026
Item 11 of the provisional agenda*
Specialized international access and benefit-sharing
instruments in the context of Article 4, paragraph 4,
of the Nagoya Protocol**

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Note by the Secretariat

I. Introduction and background

1. In decision [NP 5/8](#), 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 invited Parties, other Governments, relevant stakeholders and international organizations to submit views on the process proposed in recommendation [3/16](#) of the Subsidiary Body on Implementation, as well as reflections on the relationship among specialized international access and benefit-sharing instruments.
2. Pursuant to the same decision, notification [No. 2025-033](#) was issued and 19 submissions,¹ including 9 from Parties,² 2 from non-Parties³ and 7 from observers,⁴ were received.
3. Owing to the limited number of submissions from observers, in particular relevant international organizations, the Executive Secretary of the Convention on Biological Diversity extended the deadline for submissions for such organizations. However, the timelines for preparation of documentation for the sixth meeting of the Subsidiary Body on Implementation did not allow for the incorporation of submissions received from relevant international organizations after the original deadline in the pre-session document containing a synthesis of views, which was considered by the Subsidiary Body.⁵

* [CBD/NP/MOP/6/1](#).

¹ See www.cbd.int/notifications/2025-033 for the full texts of the submissions.

² Bolivia (Plurinational State of); Denmark, on behalf of the European Union and its member States; Egypt, both individually and on behalf of the African Group of Negotiators; Japan; Namibia; Norway; South Africa; Switzerland; and United Kingdom of Great Britain and Northern Ireland.

³ Australia and Canada.

⁴ DMUN Foundation, Euroseeds, German Plant Breeders' Association, HATOF Foundation, International Federation of Pharmaceutical Manufacturers and Associations, SynBio Africa and Third World Network.

⁵ See [CBD/SBI/6/8](#).

4. Prior to the sixth meeting of the Subsidiary Body and on the basis of document [CBD/SBI/6/8](#), submissions were received through the early online statement modality, including from the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations and the World Health Organization (WHO).
5. The Subsidiary Body considered document [CBD/SBI/6/8](#) and adopted recommendation [6/7](#), which contained a draft decision for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting.
6. Following the preparation of document [CBD/SBI/6/8](#), additional submissions were received from WHO, the World Intellectual Property Organization (WIPO) and the International Union for the Protection of New Varieties of Plants (UPOV).
7. As indicated in document [CBD/SBI/6/8](#), submissions received after the preparation of that document, together with information arising from the second assessment and review of the effectiveness of the Nagoya Protocol relevant to paragraph 4 of Article 4 of the Protocol, would be made available to the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting through a separate note by the Secretariat. In line with that mandate, the present note provides an analysis of the additional information that subsequently became available, including submissions from relevant international organizations and information contained in national reports submitted in the context of the second assessment and review. The information presented herein is intended to support the consideration of recommendation [6/7](#) by the Conference of the Parties serving as the meeting of the Parties to the Protocol and is provided without prejudice to the draft decision contained in that recommendation.
8. This note provides an overview of those additional submissions (see sect. II below), identifies some cross-cutting observations arising from them (sect. III) and highlights their relevance in relation to information already available through the second assessment and review of the effectiveness of the Protocol (sect. IV). The information is provided for informational purposes in support of the consideration of recommendation [6/7](#) of the Subsidiary Body on Implementation by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting.

II. Overview of additional submissions from international organizations

A. World Health Organization

9. WHO provided information on developments within its mandate relevant to access and benefit-sharing, notably on the Pandemic Influenza Preparedness Framework for the sharing of influenza viruses and access to vaccines and other benefits (PIP Framework) and the WHO Pandemic Agreement, including the proposed pathogen access and benefit-sharing (PABS) system.
10. WHO indicated that the PIP Framework constituted a sector-specific multilateral system relating to influenza viruses with pandemic potential. According to the submission, the Framework incorporated both monetary and non-monetary benefit-sharing measures and operated through standardized material transfer agreements.
11. WHO indicated that the WHO Pandemic Agreement, adopted in May 2025 and subject to further development relating to the relevant implementing arrangements, provided for the establishment of a multilateral PABS system relating to pathogens with pandemic potential. WHO noted that the Pandemic Agreement recognized the importance of consistency with respect to the objectives of the Convention on Biological Diversity and the Nagoya Protocol.
12. WHO expressed the view that both the PIP Framework and the PABS system, once operational, could be considered specialized international access and benefit-sharing instruments consistent with the meaning of Article 4, paragraph 4, of the Nagoya Protocol.

B. World Intellectual Property Organization

13. WIPO provided information on developments that it considered relevant to discussions under Article 4, paragraph 4, of the Protocol.

14. WIPO reported ongoing enhancements to its database of contracts relating to intellectual property and genetic resources, which provided access to model and actual contractual arrangements, including agreements relevant to access and benefit-sharing.

15. Referring to the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge, adopted in May 2024, WIPO noted that the parties to the Treaty recognized that the Treaty and other relevant international instruments should be mutually supportive; and further provided that the Treaty would be implemented in a mutually supportive manner with such instruments.

16. WIPO noted that, while the Treaty did not establish access and benefit-sharing obligations, it did contribute to transparency and coherence in the broader international framework relating to genetic resources.

C. International Union for the Protection of New Varieties of Plants

17. UPOV referred to previous exchanges with the Convention on Biological Diversity regarding the importance of access to genetic resources for plant breeding and innovation.

18. UPOV highlighted the breeder's exemption under the International Convention for the Protection of New Varieties of Plants, which permitted the use of protected varieties for the purpose of developing new varieties, and indicated that that mechanism facilitated continued access to plant genetic resources for breeding activities.

19. Indicating that its system contributed to the development and dissemination of improved plant varieties, UPOV identified such contributions as a means through which benefits could be derived from innovation in plant breeding.

III. Cross-cutting observations arising from the submissions

20. The additional submissions illustrate the diversity of international instruments, frameworks and institutional arrangements that may be relevant to discussions under Article 4, paragraph 4, of the Nagoya Protocol.

21. The submissions refer to instruments and arrangements addressing a range of sectors and policy objectives, including public health, intellectual property and plant breeding. The information provided reflects different approaches to access and benefit-sharing, including multilateral systems that incorporate access and benefit-sharing measures, tools and mechanisms intended to support transparency and legal certainty and sector-specific regulatory frameworks that address matters relating to the use of genetic resources.

22. The submissions highlight the importance placed by the respective organizations on coherence and mutual supportiveness among relevant international instruments and processes through:

- (a) Multilateral systems combining access and benefit-sharing obligations (WHO);
- (b) Supporting mechanisms enhancing transparency and contractual practice without establishing access and benefit-sharing obligations (WIPO);
- (c) An approach whereby a regulatory system facilitates access to genetic resources through mechanisms such as the breeder's exemption, thereby supporting innovation in plant breeding. While not explicitly framed as an access and benefit-sharing model, that approach highlights how access-oriented legal structures can contribute to the sustainable use of genetic resources and generate benefits for society (UPOV).

IV. Linkages with the second assessment and review

23. The second assessment and review of the effectiveness of the Nagoya Protocol includes consideration of Article 4, paragraph 4, drawing in particular on information provided by Parties as contained in national reports submitted by them.
24. Information contained in national reports suggests that further clarity regarding the relationship between the Nagoya Protocol and other relevant international instruments may support coherent implementation at the national level. Parties identified issues relating to legal clarity, institutional coordination and increased awareness of the different access and benefit-sharing frameworks.
25. The additional submissions from international organizations complement the information available from national reports by providing perspectives on the design, operation and objectives of sector-specific instruments and arrangements that may be relevant to discussions under Article 4, paragraph 4.
26. Taken together, the information contained in national reports and that contained in the additional submissions from international organizations contribute to a broader understanding of issues relevant to Article 4, paragraph 4, including the relationship among international instruments and approaches relevant to access and benefit-sharing. That information is made available in support of the consideration of recommendation [6/7](#) by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting.

V. Concluding observations

27. This note provides information received from WHO, WIPO and UPOV after the preparation of document [CBD/SBI/6/8](#). That information was therefore not reflected in the synthesis of submissions considered by the Subsidiary Body on Implementation at its sixth meeting.
28. The additional information complements material that became available through the second assessment and review of the effectiveness of the Nagoya Protocol and is made available for the purpose of supporting the consideration of recommendation [6/7](#) by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting.
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