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

Fourth meeting

Montreal, Canada, 29-31 October 2019

REPORT OF THE INFORMAL ADVISORY COMMITTEE ON CAPACITY-BUILDING FOR THE IMPLEMENTATION OF THE NAGOYA PROTOCOL ON ITS FOURTH MEETING

INTRODUCTION

A. Background

1. At its first meeting, 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 adopted a strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol (see decision [NP-1/8](#), annex I). It also established an informal advisory committee on capacity-building to provide the Executive Secretary with advice on matters of relevance to the assessment of the effectiveness of the strategic framework (see decision NP-1/8, para. 2).
2. At its third meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, in decision [NP-3/5](#), requested the Executive Secretary to prepare an evaluation of the strategic framework for capacity-building and development in accordance with decision NP-1/8, paragraph 9(f), and submit the evaluation report for the consideration of the Subsidiary Body on Implementation at its third meeting, with a view to ensuring an effective approach to capacity-building under the Nagoya Protocol that is consistent with the post-2020 global biodiversity framework (section A, para. 7(b)).
3. It also requested the Informal Advisory Committee to provide inputs for the evaluation of the strategic framework through a review of preliminary findings and by providing additional information and recommendations (decision NP-3/5, section A, para. 5).
4. Furthermore, in decision [14/24](#), the Conference of the Parties requested the Executive Secretary to develop a draft long-term strategic framework for capacity-building beyond 2020 aligned with the draft post-2020 global biodiversity framework and the 2030 Agenda for Sustainable Development for consideration by the Subsidiary Body on Implementation at its third meeting and for subsequent consideration by the Conference of the Parties at its fifteenth meeting. In decision NP-3/5, the Parties to the Protocol requested that the Informal Advisory Committee contribute to the development of the draft long-term strategic framework for capacity-building beyond 2020 (section B, para. 5).
5. The fourth meeting of the Informal Advisory Committee on capacity-building for the implementation of the Nagoya Protocol was held in Montreal, Canada, from 29 to 31 October 2019.

B. Attendance

6. Taking into account that a number of countries had become Parties to the Nagoya Protocol since the Informal Advisory Committee had first been established, there was a need to renew the composition of the Committee for this intersessional period on the basis of new nominations from Parties to the Protocol.
7. Through notification [2019-039](#) of 5 April 2019, the Secretariat had invited the nomination of experts to attend the meeting of the Informal Advisory Committee. From the nominations received, 13 experts from Parties and 3 experts from indigenous peoples and local communities were selected on the basis of their experience and engagement in access and benefit-sharing, capacity-building and equitable geographic representation, in accordance with the terms of reference in annex II to decision NP-1/8. Due to the small number of nominations received from Parties in the Central and Eastern European (CEE) group, only one member from this region could be selected instead of three.
8. Representatives of international and regional organizations involved in capacity-building to support the implementation of the Nagoya Protocol were also invited to the meeting.
9. The composition of the Informal Advisory Committee was announced through notification [2019-057](#) of 5 July 2019.
10. The meeting was attended by experts from Argentina, Belarus, Belgium, Bhutan, China, Cuba, the European Union, Germany, Guyana, Madagascar, Malawi, Rwanda and Tuvalu.
11. Indigenous peoples and local communities were represented by members of the following associations and organizations: Red de Mujeres Indígenas sobre Biodiversidad de América Latina y el Caribe; International Indigenous Forum on Biodiversity; and Tebtebba.
12. The meeting was also attended by representatives of the ABS Capacity Development Initiative, the Commission on Genetic Resources for Food and Agriculture of the Food and Agriculture Organization of the United Nations (CGRFA-FAO), the United Nations Development Programme (UNDP) and the United Nations Environment Programme (UNEP).
13. Representatives of the following organizations were selected but were unable to attend the meeting: ASEAN Centre for Biodiversity (ACB); Bioversity International; Caribbean Community Secretariat (CARICOM); Commission for the Forests of Central Africa (COMIFAC); Global Environment Facility (GEF); International Development Law Organization (IDLO); International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA); International Union for Conservation of Nature (IUCN); and United Nations Conference on Trade and Development (UNCTAD).

ITEM 1. OPENING OF THE MEETING

14. The meeting was opened by Mr. David Cooper, Deputy Executive Secretary of the Convention on Biological Diversity, at 9.30 a.m. on 29 October 2019.
15. Welcoming Committee members to the meeting, Mr. Cooper noted that 123 Parties to the Convention had ratified the Nagoya Protocol, and further ratifications were expected in the coming months as countries were finalizing their national processes. He emphasized that capacity-building and development played a critical role in supporting the implementation of the Nagoya Protocol, as reflected in its Article 22 and articulated in the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, which had been adopted at the first meeting of the Parties to the Protocol.
16. In referring to the mandate of the Informal Advisory Committee, Mr. Cooper highlighted the importance of the Committee's role in reviewing the preliminary findings of the evaluation of the strategic framework for capacity-building of the Nagoya Protocol as well as the long-term strategic framework for capacity-building beyond 2020. He encouraged the Committee members to actively contribute to the discussions in identifying recommendations for both the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol as well as the long-term strategic framework for capacity-building beyond 2020.

17. In concluding, Mr. Cooper pointed out that the Committee had a unique opportunity to facilitate coordination on capacity-building among Parties, indigenous peoples and local communities, and key players in capacity-building to ensure a coherent and balanced approach for the implementation of the Nagoya Protocol.

ITEM 2. ORGANIZATIONAL MATTERS

18. Mr. Rahul Chand (Tuvalu) was elected chair for the meeting.

19. On the basis of the provisional agenda ([CBD/NP/CB-IAC/2019/1/1](#)) prepared by the Executive Secretary, the Committee adopted the following agenda:

1. Opening of the meeting.
2. Organizational matters:
 - 2.1 Election of officers;
 - 2.2 Adoption of the agenda;
 - 2.3 Organization of work.
3. Update on existing capacity-building and development initiatives and resources supporting the implementation of the Nagoya Protocol and lessons learned.
4. Preliminary findings and recommendations of the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol.
5. Update on the development of the long-term strategic framework on capacity-building beyond 2020.
6. Feedback on the CEPA Toolkit, including considerations for access and benefit-sharing.
7. Adoption of the report.
8. Closure of the meeting.

20. The Committee agreed on the organization of its work as proposed in the annotated provisional agenda ([CBD/NP/CB-IAC/2019/1/1/Add.1](#)).

ITEM 3. UPDATE ON EXISTING CAPACITY-BUILDING AND DEVELOPMENT INITIATIVES AND RESOURCES SUPPORTING THE IMPLEMENTATION OF THE NAGOYA PROTOCOL

21. Under this agenda item, the Secretariat made a presentation on existing capacity-building and development initiatives and resources supporting the implementation of the Nagoya Protocol based on information made available in the documentation for the meeting ([CBD/NP/CB-IAC/2019/1/2](#)). Capacity-building activities carried out by the Secretariat were also presented. The presentation included a summary of the Global Capacity-building Workshop on Monitoring the Utilization of Genetic Resources under the Nagoya Protocol held in Bonn from 30 September to 2 October 2019.¹

22. The Committee expressed appreciation for the methodology used and the outcomes of the workshop, while noting the absence of participation by indigenous peoples and local communities. In that regard, the Committee highlighted the need for global face-to-face meetings for exchanging information, experiences and lessons learned among Parties, indigenous peoples and local communities and other stakeholders, as well as the importance of continuing to build capacity for the monitoring system on the utilization of genetic resources, the functions of checkpoints, compliance measures and online permitting systems. The Committee recommended that further global capacity-building activities be organized in the

¹ The documentation of the workshop is available at: <https://www.cbd.int/meetings/NP-CB-WS-2019-01>.

next intersessional period and that more support be provided to the Secretariat in order to enable it to undertake such activities.

23. With a view to ensuring continuous capacity-building support at the global level, participants discussed possibilities for global projects and cooperation among multiple countries through GEF. The Committee was informed that, in the GEF-7, funds set aside for global access and benefit-sharing projects had not been included. Nevertheless, the Committee suggested that the countries should evaluate the possibility of dedicating part of their GEF-7 STAR-allocation to a multi-country project on access and benefit-sharing. In addition, members were of the view that a common strategic approach for GEF-8 might be useful to ensure a dedicated global access and benefit-sharing programme.

24. In discussing how to increase support for capacity-building initiatives on access and benefit-sharing, some members raised the importance of access and benefit-sharing national focal points liaising with GEF focal points within their countries as well as with relevant cooperation agencies in order to include access and benefit-sharing as part of bilateral cooperation agreements.

25. The Committee noted that information for most of the countries of the Western European and Others Group (WEOG) was absent from the analysis of existing capacity-building and development initiatives carried out in the context of supporting the implementation of Article 22 of the Nagoya Protocol (see [CBD/NP/CB-IAC/2019/1/2](#)). The Committee encouraged WEOG countries to publish information on capacity-building initiatives and resources in the Access and Benefit-sharing Clearing-House. Furthermore, it was clarified that information on national capacity-building and awareness-raising activities carried out by Parties to implement the Protocol was captured in the interim national reports and included in the analysis of information contained in the reports.²

26. On the basis of some of the main challenges identified in document [CBD/NP/CB-IAC/2019/1/2](#), the Committee was invited to make proposals for improving both the uploading of information to the Access and Benefit-sharing Clearing-House and the quality of the records published. The Committee was also invited to discuss how to address regional gaps in the coverage of capacity-building and development initiatives, as in the case of the Central and Eastern European (CEE) region.

27. In providing proposals for improving the publication and quality of information on capacity-building initiatives and resources in the Access and Benefit-sharing Clearing-House, Committee members noted the need for highlighting and communicating why it is important to publish information on capacity-building initiatives and resources in the Access and Benefit-sharing Clearing-House to various stakeholders. Members also proposed identifying strategies for Parties, organizations and indigenous peoples and local communities to increase the publishing of information. For example, the new capacity-building portal being developed by the Secretariat could showcase and give visibility to initiatives and resources. It was suggested that the Secretariat could send regular or automatic reminders to publish or update information.

28. The Committee further discussed who should be publishing the information on initiatives and resources in the Access and Benefit-sharing Clearing-House and it was pointed out that those resources could be published as reference records by any person with a CBD account. It was suggested that publishing information on the Access and Benefit-sharing Clearing-House could be included as an activity in the design of access and benefit-sharing projects and that the person responsible for this task could be identified at the start of the project. National focal points could also play a role in ensuring that information concerning capacity-building in their country was published and accurately reflected in the Access and Benefit-sharing Clearing-House. The Committee suggested that the persons responsible for publishing information on capacity-building initiatives and resources should ensure that they had the consent of the relevant authors, indigenous peoples and local communities, and/or authorities. It was generally

² See “Analysis of information contained in the interim national reports and information published in the Access and Benefit-sharing Clearing-House” ([CBD/SBI/2/INF/3](#)).

acknowledged that improving guidance and providing trainings on how to publish information could help ameliorate the quantity and quality of information submitted.

29. The Committee noted that capacity-building initiatives on access and benefit-sharing targeting indigenous peoples and local communities were often a component of a broader initiative. The importance of building the capacity of trainers and using appropriate means to communicate with indigenous peoples and local communities, such as podcasts and audio-visual materials in indigenous languages, was also raised.

30. The Committee also discussed how to increase capacity-building support on access and benefit-sharing in the CEE region. The language barrier was identified as a challenge for delivering capacity-building activities for CEE countries. The need to design and deliver capacity-building in Russian was fundamental. The Institute of Genetics and Cytology, National Academy of Sciences of Belarus, acting as the national coordination centre on access and benefit-sharing in Belarus, expressed an interest in establishing a regional training centre for access and benefit-sharing to support other countries in the region. The Committee proposed that countries of the CEE region could dedicate part of their STAR-allocation to a regional access and benefit-sharing project.

31. Under this agenda item, members of the Committee also provided updates on developments of capacity-building and development initiatives carried out by their country or organization supporting the implementation of the Nagoya Protocol. Furthermore, the Committee agreed to validate the information compiled by the Secretariat on capacity-building initiatives ([CBD/NP/CB-IAC/2019/1/2/Add.1](#)) and capacity-building and awareness-raising tools and resources ([CBD/NP/CB-IAC/2019/1/2/Add.2](#)). The Secretariat took note of all the information mentioned, which will be reflected in the documentation for the third meeting of the Subsidiary Body on Implementation.

ITEM 4. PRELIMINARY FINDINGS AND RECOMMENDATIONS OF THE EVALUATION OF THE STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING AND DEVELOPMENT TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE NAGOYA PROTOCOL

32. Under this agenda item, the Committee provided input to the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol through a review of the preliminary findings, conclusions and recommendations contained in document [CBD/NP/CB-IAC/2019/1/3](#), as requested in decision [NP-3/5](#), section A, paragraph 5.

33. The Secretariat presented the preliminary findings of the evaluation as well as findings from the first assessment and review of the Protocol relating to capacity-building. Subsequently, the Committee discussed:

- (a) The main challenges related to capacity-building on access and benefit-sharing;
- (b) Any additional elements that should be included in the findings;
- (c) Whether the elements of the framework (i.e. key areas, objectives, proposed activities) are still relevant.

34. In discussing the main challenges and additional elements related to capacity-building on access and benefit-sharing, the Committee confirmed the relevance of the challenges identified in the assessment and review as well as the preliminary findings of the evaluation of the strategic framework. In particular, the Committee underscored the challenges related to the participation of indigenous peoples and local communities during the policymaking process and at different stages in the implementation of the Nagoya Protocol, such as lack of mechanisms for inclusion, lack of funding, lack of political will and the oral nature of communication of indigenous peoples and local communities. The Committee noted that the participation of users of genetic resources in the implementation of the Protocol was also a challenge.

35. Additional challenges identified by the Committee included the need to enhance the capacity to communicate access and benefit-sharing to decision makers, indigenous peoples and local communities

and different groups of stakeholders and to develop narratives on access and benefit-sharing and illustrate the link between access and benefit-sharing, conservation, sustainable use of biodiversity and sustainable development.

36. The Committee stressed the need to reinforce the understanding of the provisions of the Nagoya Protocol, including those on compliance, indigenous peoples and local communities and how to implement the special considerations contained in Article 8 of the Protocol. It also emphasized the need for a mechanism for access and benefit-sharing practitioners and policymakers to exchange information, experiences and implementation practices, such as the UNDP global ABS community of practice.

37. The Committee agreed that the key areas of the strategic framework were still relevant. They also suggested merging key areas one and two with a view to reducing overlaps. It was also suggested that the capacity-building measures for indigenous peoples and local communities be separate from other stakeholder groups such as the business and scientific communities.

38. Some participants raised the possible inclusion of targets and indicators to measure progress on capacity-building in a revised version of the strategic framework. In that regard, the Committee highlighted that measuring progress at the global level presented challenges and limitations. However, others indicated that sharing information on effective ways of measuring progress on capacity-building at the national and project levels might be useful. Participants also shared their experiences in using certain tools to measure capacity gained, such as the capacity development score cards developed by UNDP and the tracking tool of the Secretariat of the Pacific Regional Environment Programme (SPREP).

39. The Committee noted that the GEF-7 core indicators used to measure the impact of projects were limited (e.g. core indicators 1 and 4), and it was recognized that further work might be needed to develop core indicators that would measure other dimensions of access and benefit-sharing.

40. The Committee acknowledged that, if a revised version of the strategic framework included reviewing its implementation, the framework should also contain the specific criteria for this purpose.

41. In providing feedback on the preliminary findings of the evaluation of the strategic framework, the Committee was generally of the opinion that the strategic framework was useful as a reference document and that the most useful aspect was the appendices. Likewise, the Committee was of the view that it had been useful in providing advice regarding the facilitation of coordination; however, its role could be strengthened in the future. The Committee expressed appreciation of the role of the Secretariat in supporting the implementation of the strategic framework as well as the role of the Access and Benefit-sharing Clearing-House in facilitating the exchange of information on capacity-building.

42. The Committee provided comments on the preliminary recommendations of the evaluation of the strategic framework and requested the Secretariat to reflect them in the final version of the evaluation.

43. The Committee recommended that the Secretariat revise the evaluation to take into consideration the need for the following:

(a) Expanding the membership of the Committee to include representatives of the business sector, the research community and youth while ensuring a balanced representation;

(b) Increasing engagement with the business sector, the research community and youth in capacity-building and the implementation of the framework;

(c) Taking into consideration the importance of intergenerational equity;

(d) Ensuring the alignment of future GEF programmatic priorities with the strategic framework;

(e) Better linking of the framework to the Sustainable Development Goals;

(f) Strengthening capacities in strategic communication on access and benefit-sharing;

(g) Enhancing the promotion and the dissemination of the strategic framework among governments, indigenous peoples and local communities, relevant stakeholders, capacity-building providers, donors and other relevant organizations;

(h) Adding the concepts of triangular cooperation, twinning, and South-South cooperation to enhance peer-to-peer learning.

44. The Committee recalled that the strategic framework for capacity-building needed to be implemented with due account being taken of the three objectives of the Convention — conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources — and the objective of the Nagoya Protocol — fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies — as per Article 1 of the Protocol).

45. The Committee recommended that the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol be revised based on the findings of the assessment and review of the Protocol³ and the present report.

46. The Committee suggested that the Subsidiary Body on Implementation at its third meeting should adopt a recommendation that the strategic framework be revised in line with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building beyond 2020 and the evaluation of the strategic framework for consideration by the Parties to the Protocol at their fifth meeting.

ITEM 5. UPDATE ON THE DEVELOPMENT OF THE LONG-TERM STRATEGIC FRAMEWORK ON CAPACITY-BUILDING BEYOND 2020

47. At its fourteenth meeting, the Conference of the Parties requested the Executive Secretary to initiate the preparation of a long-term strategic framework for capacity-building beyond 2020. As part of the process, the Executive Secretary has been undertaking a study to provide the knowledge base for the preparation of the long-term strategic framework.

48. Under this agenda item, the Secretariat provided an update on the preparation of the long-term strategic framework for capacity-building beyond 2020 and shared preliminary results of the study along with initial proposals of elements being considered for inclusion in the draft long-term strategic framework.

49. The Committee provided feedback on the preliminary elements to be considered for inclusion in the long-term strategic framework on capacity-building beyond 2020. There was a general agreement that it would be useful if the long-term strategic framework contained principles and general approaches to capacity-building. Further, capacity-building coordination at a higher level between the donors, funding agencies and other key stakeholders was suggested.

50. The Committee also provided feedback on the link between the long-term strategic framework on capacity-building beyond 2020 and the future of the strategic framework for capacity-building and development for the effective implementation of the Nagoya Protocol.

51. Acknowledging that the post-2020 global biodiversity framework and the long-term strategic framework on capacity-building were still under development, and noting that capacity-building was key for the implementation of the Nagoya Protocol, the Committee recommended that a separate document be developed to highlight the specificities of capacity-building for the implementation of the Nagoya Protocol in the context of post-2020 global biodiversity framework.

52. The Committee recommended that the different frameworks on capacity-building should be complementary and not duplicative of each other.

³ Decision [NP-3/1](#) on the assessment and review of the effectiveness of the Protocol (Article 31).

53. The Committee also recommended that relevant programming directions of GEF-8 be aligned with the post-2020 global biodiversity framework, the long-term strategic framework beyond 2020 and the revised framework developed for the Nagoya Protocol.

54. The Committee suggested that some of the findings and recommendations from the evaluation of the strategic framework and the present report should be taken into account in the development of the long-term strategic framework.

55. The Committee also discussed how it could participate in the development of the long-term strategic framework beyond 2020. It was suggested that members of the Committee participate in the online consultations planned to provide inputs for the development of the long-term framework. It was also suggested that the Chair of the Committee participate in the Thematic Consultation on Capacity-building and Technical and Scientific Cooperation for the Post-2020 Global Biodiversity Framework, which was scheduled to be held back-to-back with the second meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework.

56. Members of the Committee were also invited to share their future plans and priorities for capacity-building and development on access and benefit-sharing. Accordingly, the representatives of Belgium, Bhutan, the European Union, the International Indigenous Forum on Biodiversity, Tebtebba, the ABS Capacity Development Initiative, CGRFA-FAO, UNDP, UNEP and SPREP⁴ provided updates on their future plans.

ITEM 6. FEEDBACK ON THE CEPA TOOLKIT - INCLUDING CONSIDERATIONS FOR ACCESS AND BENEFIT-SHARING

57. The *CEPA Toolkit - Including Considerations for Access and Benefit-sharing*⁵ was developed by the Secretariat with a view to supporting the implementation of the awareness-raising strategy. The Executive Secretary was requested to seek feedback from Parties, non-Parties and other relevant actors on the awareness-raising toolkit for access and benefit-sharing (see decision [NP-3/6](#), para. 6).

58. The Secretariat introduced the CEPA toolkit for access and benefit-sharing and invited the Committee to provide feedback on how the toolkit had been used and make recommendations for improving it as well as indicate what additional awareness-raising resources could be listed under “recommended resources”.

59. In general, the Committee expressed appreciation to the Secretariat for developing the toolkit and noted that it was useful as well as user-friendly. However, it was underlined that the dissemination of the toolkit could be enhanced.

60. In reporting on how the toolkit had been used, members indicated that it was used in a variety of capacity-building activities, such as trainings, training-of-trainers, and the design of awareness-raising campaigns and specific interventions and materials.

61. Members also provided recommendations for improving the toolkit, such as including more illustrations and case studies, dividing the toolkit into separate modules, generating a more condensed version, and translating it into indigenous languages. The Committee identified resources which could be added to the toolkit.

62. The Secretariat took note of the recommendations as well as the additional resources identified and informed the Committee that those resources would be added to the list of recommended resources in the toolkit as there were no cost implications. However, a further revision of the toolkit was not envisaged at that stage.

⁴ The expert nominated by Tuvalu also represented SPREP.

⁵ The toolkit is available in the six official languages of the United Nations at <https://absch.cbd.int/database/resource/16B113CB-CC86-0008-4D4B-4B29E846B83C>.

ITEM 7. ADOPTION OF THE REPORT

63. The Chair introduced the draft report on the meeting, which was adopted as orally amended.

ITEM 8. CLOSURE OF THE MEETING

64. Mr. Worku Yifru, Senior Legal Officer in the Secretariat of the Convention and Officer-in-Charge of the Access and Benefit-sharing Unit, made a closing statement. He thanked members of the Committee for their contribution to such an important process as reviewing capacity-building needs for enhancing the implementation of the Nagoya Protocol, which ultimately should aid the promotion of conservation and sustainable use of biological diversity.

65. In his closing statement, the Chair expressed satisfaction with the outcomes of the meeting. He encouraged the other members of the Committee to continue playing an active role during the current biennium. He also thanked the Secretariat for providing the Committee with excellent support and facilitating its work.

66. The Committee and Secretariat staff observed a minute of silence to remember Ms. Alejandra Romana Barrios Perez, the former Access and Benefit-sharing National Focal Point of Mexico, who had passed away in May 2019.

67. The Chair declared the meeting closed at 1 pm on Thursday, 31 October 2019.
