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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

Fourth meeting – Part II
Montreal, Canada, 7–19 December 2022
Agenda item 11

COOPERATION WITH OTHER CONVENTIONS, INTERNATIONAL ORGANIZATIONS AND INITIATIVES

Note by the Executive Secretary

I. INTRODUCTION

1. Decision [NP-3/7](#) on cooperation with other conventions, international organizations and initiatives requested the Executive Secretary to continue to engage with relevant ongoing processes and policy debates, and liaise with other conventions, international organizations and initiatives, as appropriate, to provide and collect information on current discussions on matters related to access and benefit-sharing, and in particular on public health issues (para. 2). The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol also requested the Executive Secretary to prepare a report on activities undertaken, including key developments under international agreements and instruments of relevance to the implementation of the Nagoya Protocol for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fourth meeting (decision NP-3/7, para. 3). This was complemented by the decision to include a standing item on “cooperation with other international organizations” on the agenda of future meetings of the Parties to the Protocol to take stock of developments in relevant international forums (decision NP-3/14, para. 6).

2. The present document provides an overview of activities undertaken by the Executive Secretary since the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol to develop and enhance cooperation with other conventions, international organizations and initiatives, including key developments under international agreements and instruments of relevance. Section II addresses key developments under international agreements and instruments of relevance to access and benefit-sharing as well as cooperative activities undertaken with other intergovernmental organizations. Section III summarizes cooperation with other organizations to support ratification and implementation as well as awareness-raising and capacity-building for the Nagoya Protocol although it is not an exhaustive account. Further information on cooperation under the Convention on Biological Diversity (CBD) is provided in documents CBD/SBI/3/10, CBD/SBI/3/INF/31 and CBD/COP/15/14. Section IV of this document provides some concluding remarks.

II. KEY DEVELOPMENTS UNDER INTERNATIONAL AGREEMENTS AND COOPERATIVE ACTIVITIES WITH INTERGOVERNMENTAL ORGANIZATIONS ADDRESSING ISSUES RELATED TO ACCESS AND BENEFIT-SHARING

3. Issues related to access and benefit-sharing (ABS) and the Nagoya Protocol are addressed in a number of other international forums besides the Convention on Biological Diversity and the Nagoya Protocol. The Secretariat of the Convention collaborates with intergovernmental organizations working in this area with a view to following developments in other international forums and providing information on developments related to the Nagoya Protocol, as described below. Many of these organizations also participate in processes under the Nagoya Protocol. There have been many developments on ABS in other forums over the course of the extended intersessional period since the last meeting of the Parties to the Protocol in December 2018. The information in this section is up-to-date as of 10 October 2022.

A. International Treaty on Plant Genetic Resources for Food and Agriculture

4. The Secretariat of the Convention has a long-standing relationship with the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). The two secretariats cooperate closely on the basis of a Memorandum of Cooperation, from July 2018, which identifies areas for joint collaboration.

5. The CBD Secretariat is in regular communication with the Secretariat of ITPGRFA and is actively involved in aspects of ITPGRFA related to the Nagoya Protocol. The Executive Secretary of CBD transmitted key outcomes from the fourteenth meeting of the Conference of the Parties to CBD and the third meeting of the Parties to the Nagoya Protocol to the Secretary of ITPGRFA, including decision NP-3/14 on specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol, as had been requested in decision NP-3/7.

6. The Secretariat of the Convention took part in the eighth session of the Governing Body of ITPGRFA, which was held in Rome from 11 to 16 November 2019. A statement was delivered on behalf of the Executive Secretary, and the Secretariat submitted a report on cooperation with ITPGRFA.¹ The Governing Body adopted a number of resolutions of relevance to the Convention and the Nagoya Protocol, including on farmers' rights, conservation and sustainable use of plant genetic resources for food and agriculture, implementation and operation of the Multilateral System of access and benefit-sharing (MLS) and cooperation with the Convention on Biological Diversity.

7. The eighth session of the Governing Body also considered a package of measures to enhance the functioning of the Multilateral System on Access and Benefit-sharing. Negotiations for the package had been going on for six years within the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System. Despite the significant progress made by the Working Group, delegates were unable to reach consensus on the package of measures during the eighth session of the Governing Body. The elements of the package of measures would have resulted in the expansion of the coverage of the MLS and the revision of the Standard Material Transfer Agreement used for exchanges of genetic resources in the Multilateral System, which would have included a subscription system.

8. In resolution 11/2019 on cooperation with the Convention on Biological Diversity,² the Governing Body requested the Secretary of ITPGRFA to continue following processes on digital sequence information on genetic resources within the Convention and the Nagoya Protocol and to provide information on relevant ITPGRFA activities and collaborate and, as appropriate, coordinate with the Secretariat of the Convention on issues related to digital sequence information on genetic resources in order to promote coherence and mutual supportiveness between the respective conventions and implementing processes.

9. The ninth session of the Governing Body was held from 19 to 24 September 2022 in New Delhi. The Secretariat of the Convention submitted a report on cooperation with ITPGRFA.³ The final text of the

¹ Document IT/GB-8/19/15.3/Inf.1 available at <http://www.fao.org/3/na908en/na908en.pdf>.

² Resolution 11/2019 available at <http://www.fao.org/3/nb789en/nb789en.pdf>.

³ IT/GB-9/22/16.3/Inf.1, available at <https://www.fao.org/3/cc2085en/cc2085en.pdf>.

resolutions adopted by the Governing Body was not available at the time of writing; however, the summary below is based on some preliminary information on outcomes available online.

10. Notably, the Governing Body re-established the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System, which is to build upon the work done previously (GB-10). The Working Group is to aim to have at least one session before the tenth session of the Governing Body. GB-10 is tentatively planned for 20 to 25 November 2023. The Governing Body requested the Co-Chairs of the Working Group to structure the process to accord early attention to key issues, including digital sequence information on genetic resources (DSI). They are also to report to GB-10 on progress and for any further guidance on the continuation of the process.

11. The Governing Body also considered the issue of DSI in the context of deliberations on the ITPGRFA multi-year programme of work. The Governing Body noted that there is not yet agreement on terminology. It requested the Secretariat of ITPGRFA to continue following discussions in other forums and coordinating with, among others, the Secretariat of the Convention. It invited Parties and stakeholders to provide information on their capacity-building needs for assessing and using DSI and the Secretariat is to report on the information provided to GB-10. It called on Parties to promote the provision of financial resources and technical assistance to reduce the capacity gap on DSI between developed and developing countries. The Governing Body encouraged Parties to CBD to bear in mind the need for implementation of ITPGRFA and CBD to be mutually supportive.

12. The Governing Body also adopted a resolution on cooperation with CBD. The resolution addressed a number of issues at the interface between CBD and ITPGRFA, including the post-2020 global biodiversity framework, mutually supportive implementation of the two instruments, guidance to the Global Environment Facility, processes on DSI and experience from the CBD 2015-2020 gender plan of action.

13. The Secretariat of ITPGRFA participated in relevant intersessional activities under the Nagoya Protocol, including the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources and submitted information on digital sequence information on genetic resources, as well as on Article 10 of the Nagoya Protocol pursuant to decision NP-3/13. Further to the priorities for implementation and administration of the Access and Benefit-sharing Clearing-House as identified by the Informal Advisory Committee on the ABS Clearing-House, the two secretariats also exchanged information in the context of the development of their respective information systems. The CBD Secretariat also participated in the fourth meeting of the Scientific Advisory Committee on the Global Information System of Article 17 of ITPGRFA and gave a presentation on the ABS Clearing-House.

14. The two Secretariats also collaborated in the development of indicators and the provision of data as part of the global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development. In particular, target 15.6 addresses access and benefit-sharing. The CBD Secretariat is the custodian of the related indicator (15.6.1) for this target and collaborates with the Secretariat of ITPGRFA to provide the necessary data to the United Nations Department of Economic and Social Affairs.

B. Commission on Genetic Resources for Food and Agriculture

15. Access and benefit-sharing is one of the agreed joint areas of work in the joint work plan of the secretariats of the Convention and the Commission on Genetic Resources for Food and Agriculture.

16. Two sessions of the Commission have been held since the third meeting of the Parties to the Protocol: the seventeenth regular session was held in Rome from 18 to 22 February 2019 and the eighteenth regular session was held from 27 September to 1 October 2021 in a virtual format. The Secretariat of the Convention participated in both sessions and submitted reports to each on recent developments under the Convention and its Protocols for the information of the Commission.⁴ The report submitted to the seventeenth session of the Commission included the text of decision NP-3/14 on specialized international access and benefit-sharing

⁴ Document CGRFA-17/19/14/Inf.2 available at <http://www.fao.org/3/my971en/my971en.pdf> and document CGRFA-18/21/15/Inf.2 available at <https://www.fao.org/3/ng830en/ng830en.pdf>.

instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol, as had been requested in decision NP-3/7.

17. The Deputy Executive Secretary delivered an opening statement during CGRFA-17 and the Executive Secretary made a statement during the opening of CGRFA-18.

18. On the issue of access and benefit-sharing for genetic resources for food and agriculture, the Commission had previously welcomed the Elements to Facilitate Domestic Implementation of Access and Benefit-Sharing for Different Subsectors of Genetic Resources for Food and Agriculture (ABS Elements) and agreed to produce non-prescriptive explanatory notes describing the distinctive features and specific practices of different subsectors of genetic resources for food and agriculture (GRFA), to complement the ABS Elements.

19. Work to develop the explanatory notes was undertaken in 2017-2018, including through the Team of Technical and Legal Experts on Access and Benefit-sharing in which the Secretariat of the Convention participated. A document on “Draft explanatory notes describing, within the context of the ABS Elements, the distinctive features of the different subsectors of genetic resources for food and agriculture” was presented to the seventeenth regular session of the Commission which welcomed the explanatory notes. At its eighteenth session, the Commission requested its Secretary to bring the ABS Elements with Explanatory Notes to the attention of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework.⁵

20. The Commission, at its seventeenth session, also requested its Secretary to prepare an up-to-date survey of existing legislative, administrative and policy approaches, including best practices, for ABS for the different subsectors of GRFA and traditional knowledge associated with GRFA held by indigenous peoples and local communities, with the aim of identifying typical approaches and lessons learned from their implementation, as well as challenges and possible solutions.

21. Work on the survey was undertaken between 2019 and 2021, including through the Team of Technical and Legal Experts on Access and Benefit-sharing in which the Secretariat of the Convention participated. The “Survey of ABS country measures accommodating distinctive features of genetic resources for food and agriculture and associated traditional knowledge” was presented to the eighteenth session of the Commission. The Commission requested its Secretariat to compile, as a stand-alone document, specific examples of existing country legislative, administrative or policy ABS measures that directly or indirectly accommodate distinctive features of GRFA and traditional knowledge of GRFA. To the extent country ABS measures address “digital sequence information”, such measures may be included in the compilation.

22. At its eighteenth session, the Commission reviewed its past work on access and benefit-sharing and recalled the important role it has played over the past two decades in advancing the work on access and benefit-sharing for GRFA. It took note of relevant developments under other international agreements and instruments, including the ongoing preparation of the post-2020 global biodiversity framework, and emphasized the need to avoid duplication of work and ensure consistency.

23. The Commission also requested that its Secretariat prepare a report on the practical application of ABS country measures to the different subsectors of GRFA and traditional knowledge of GRFA with a view to identifying the effects of ABS measures on the utilization and conservation of the different subsectors of GRFA and traditional knowledge of GRFA and the sharing of benefits. In addition, the Commission requested the Secretariat to prepare an evaluation of the usefulness of the ABS Elements for the development and implementation of ABS measures with the aim of identifying and addressing gaps and weaknesses in the ABS Elements.

24. Furthermore, the Commission requested that its Secretariat collaborate with the Secretariats of ITPGRFA and CBD on means of assembling relevant information for measuring and monitoring monetary and non-monetary benefit-sharing, within their respective mandates and existing frameworks.

⁵ Information on the ABS Elements with Explanatory Notes was made available to the resumed third meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, see document CBD/WG2020/3/INF/9.

25. On the issue of digital sequence information on genetic resources for food and agriculture, at its seventeenth session, the Commission agreed to address the matter further at its eighteenth session. A side event on digital sequence information and genetic resources for food and agriculture was organized by the Secretariat of the Commission and the Government of France during the seventeenth session of the Commission. The CBD Secretariat made a presentation on the processes under the Convention and the Nagoya Protocol during the side event.

26. At its eighteenth session, the Commission considered the document “Digital sequence information on genetic resources for food and agriculture: Innovation opportunities, challenges and implications”.⁶ The Commission took note of the actual and potential applications of DSI relevant to the conservation and sustainable use of GRFA as given in table 2 of the document and requested that the table be submitted to CBD to provide information on the future potential importance of DSI for characterization, conservation, sustainable use and fair and equitable benefit-sharing and importance and potential implications for GRFA.⁷

27. The Commission stressed the need for an internationally agreed definition of DSI or an alternative term.

28. The Commission also made a number of requests to its Secretary, including:

(a) To prepare a document reflecting key practices and experiences on how DSI is generated, stored, accessed and used for research and development related to GRFA, including relevant information on intellectual property protection;

(b) To monitor relevant developments under CBD and in other forums, including in the context of the post-2020 global biodiversity framework, as they relate to DSI on GRFA, to contribute to the analysis of options, including ABS multilateral mechanisms, discussed under CBD;

(c) To hold an intersessional workshop, in collaboration with relevant instruments and organizations, to raise awareness of relevant stakeholders of the role of DSI for the conservation, sustainable use and sharing of benefits derived from GRFA, address the state of the art of DSI on genetic resources, present possible implications related technologies might have on research and development related to GRFA, and consider the challenges for accessing and making full use of DSI;

(d) To continue monitoring developments relevant to DSI in other forums, and consider the implications of these developments for access to, use of and the sharing of benefits derived from GRFA, with a view to identifying, as appropriate, key aspects that should be taken into consideration in addressing DSI and in creating an enabling environment for, and facilitating access to, GRFA as well as to building capacity to generate, use, share and access data for the conservation, development and sustainable use of GRFA.

29. The Secretariat of the Commission has also participated in meetings and events related to the Nagoya Protocol, in particular the fourth meeting of the Informal Advisory Committee on Capacity-building to support the implementation of the Nagoya Protocol, and the Global Capacity-building Workshop on Monitoring the Utilization of Genetic Resources under the Nagoya Protocol. The Secretariat of the Commission also participated in the meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources in March 2020.

C. Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

30. During the intersessional period, the Secretariat of the Convention continued to follow developments on ABS as part of the discussions on marine biodiversity taking place at United Nations Headquarters in New York. The Secretariat participated in the second (25 March to 5 April 2019), third (19 to 30 August

⁶ CGRFA-18/21/5.

⁷ The table was made available to the resumed third meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework; see document CBD/WG2020/3/INF/9.

2019), fourth (7 to 18 March 2022) and fifth sessions (15 to 26 August 2022) of the Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, convened pursuant to General Assembly resolution 72/249, and contributed to the negotiations on issues of relevance to the Convention and the Nagoya Protocol including by providing information materials on relevant developments under the Protocol.

31. A further revised draft text⁸ of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction was prepared by the President of the Intergovernmental Conference for consideration at its fifth session. The President had been requested to prepare this further revised draft text at the end of the fourth session of the Intergovernmental Conference, “with a view to facilitating the prompt finalization of the work of the conference” (paragraph 4 of A/CONF.232/2022/5).

32. The further revised draft text included more than 70 articles across twelve parts. Some articles included different options to present alternative conceptual approaches. The different issues addressed in the revised draft text followed a package of elements agreed to in 2011, namely (a) marine genetic resources, including questions on the sharing of benefits; (b) measures such as area-based management tools, including marine protected areas; (c) environmental impact assessments; and (d) capacity-building and the transfer of marine technology. The Conference is also considering cross-cutting issues.

33. A summary of some key provisions related to access and benefit-sharing in the further revised draft text is provided in information document CBD/NP/MOP/4/INF/4. It should be noted, however, that the negotiating text was further revised during the fifth session of the Intergovernmental Conference. In particular, a “refreshed text” was made available on 21 August 2022 and a “further refreshed text” was issued on 26 August 2022. These texts are not publicly available at the time of writing but it is understood that the language related to ABS may have changed from that contained in the pre-session further revised draft text.

34. The fifth session of the Intergovernmental Conference in August 2022 was unable to conclude the negotiations on an international legally binding instrument. As a result, at the end of the session, the President of the Intergovernmental Conference suspended the conference and a second part is to be held in the coming months.

35. The Secretariat regularly exchanges information concerning ABS and the Nagoya Protocol with the Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs. The Division for Ocean Affairs and the Law of the Sea also provided peer review comments on a study related to digital sequence information on genetic resources pursuant to decision 14/20.

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

36. During the intersessional period, the International Union for the Protection of New Varieties of Plants (UPOV), the CBD Secretariat and the Secretariat of ITPGRFA have been cooperating on the development of a document on complementarities between the UPOV Convention, CBD and ITPGRFA, as well as exchanging information on issues at the interface of the different instruments.

E. World Health Organization

37. Following the concurrent meetings of the Parties to the Convention and the Protocols in November 2018, the Secretariat of the Convention shared with the Secretariat of the World Health Organization (WHO) the key outcomes of the fourteenth meeting of the Conference of the Parties and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol that were of relevance to WHO, including the text of decision NP-3/14 on specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol, as had been requested in decision NP-3/7.

⁸ Document A/CONF.232/2022/5, available at <https://undocs.org/A/CONF.232/2022/5>.

38. As reported in the document on cooperation made available for the third meeting of the Parties to the Protocol (document CBD/NP/MOP/3/9), the secretariats of the Convention and WHO had been cooperating and exchanging information related to ABS and health for the past number of years. This work had focused primarily on the Pandemic Influenza Preparedness (PIP) Framework⁹ (including questions regarding digital sequence information (DSI)/genetic sequence data (GSD)) and the public health implications of the Nagoya Protocol. The outbreak of the COVID-19 pandemic brought significant attention to the issues of access to pathogen samples more broadly (not only regarding pandemic influenza) as well as access to tools and technologies for responding to the pandemic, including diagnostics, vaccines and therapeutics. As a result, the ABS-related areas of cooperation and information exchange between the two secretariats have expanded and thus there have been quite a number of developments to report on as summarized below.

39. A brief summary of recent developments at WHO and cooperative activities between the two Secretariats is provided below with a focus on five areas:

- (a) The PIP Framework, including DSI/GSD;
- (b) The public health implications of implementation of the Nagoya Protocol;
- (c) WHO work in health emergencies;
- (d) The WHO BioHub System;
- (e) WHO involvement in CBD and Nagoya Protocol processes.

The table below provides a timeline of relevant WHO meetings held since the third meeting of the Parties to the Protocol to assist in understanding the sequence of events and the overview that follows.

Table. Timeline of relevant WHO meetings

Dates	Meeting
20 to 28 May 2019	Seventy-second World Health Assembly
3 to 8 February 2020	146th session of the Executive Board
18 to 19 May 2020 (<i>de minimis</i>) and 9 to 14 November 2020 (resumed)	Seventy-third World Health Assembly
24 May to 1 June 2021	Seventy-fourth World Health Assembly
18 to 26 January 2021	148th session of the Executive Board
29 November to 1 December 2021	Special session of the World Health Assembly referred to in decision WHA74(16)
24 to 29 January 2022	150th session of the Executive Board
22 to 28 May 2022	Seventy-fifth World Health Assembly

1. PIP Framework, including digital sequence information/genetic sequence data

40. In October 2018, shortly prior to the third meeting of the Parties to the Nagoya Protocol, the PIP Framework Advisory Group met and considered a number of issues, including genetic sequence data under the PIP Framework. The Advisory Group had been considering various aspects related to GSD since 2013. The discussions have included whether to revise the definition of “pandemic influenza preparedness

⁹ The “Pandemic Influenza Preparedness Framework for the Sharing of Influenza Viruses and Access to Vaccines and Other Benefits”.

biological materials” in the PIP Framework to address genetic sequence data. At its October 2018 meeting, the Advisory Group advised that the definition of “PIP biological material” should be maintained.¹⁰

41. The Advisory Group also decided to revisit some of its earlier work related to GSD and SMTA2 of the PIP Framework (i.e. the SMTA between WHO and an influenza product manufacturer, research institution or other entity that receives PIP biological materials from a laboratory that is part of the Global Influenza Surveillance Response System (GISRS)). For more details, see information document CBD/NP/MOP/4/INF/4.

42. At its seventy-second session, in May 2019, the World Health Assembly (WHA) agreed to decision WHA72(12)¹¹ on the “Pandemic Influenza Preparedness Framework for sharing of influenza viruses and access to vaccines”. Among other things, the decision requested the Director-General to prepare a report on the treatment of influenza virus sharing and the public health considerations thereof by existing relevant legislation and regulatory measures, including those implementing the Nagoya Protocol, in consultation with the Secretariat of the Convention on Biological Diversity as appropriate. The Director-General was also requested to report on the implementation of the decision to the seventy-third WHA through the 146th session of the Executive Board.

43. The two secretariats undertook some coordination in the implementation of decision WHA72(12) on the PIP Framework. For example, the Secretariat of the Convention provided a presentation at a briefing on the decision for WHO Member States and stakeholders during a webinar held on 7 October 2019.

44. A document on “Influenza preparedness” (document EB146/18) was made available for the 146th session of the Executive Board in February 2020. The document addressed implementation of decision WHA72(12), among other issues. It summarized actions taken and information compiled to respond to the requests in the decision. For more details, see information document CBD/NP/MOP/4/INF/4.

45. The Executive Board recommended a decision on this matter to the seventy-third WHA which led to decision WHA73(14) on “influenza preparedness”. Among other things, decision WHA73(14) requested the Director-General:

(a) To promote timely access to, and distribution of, quality, safe, effective and affordable seasonal influenza vaccines, diagnostics, and treatments;

(b) To continue to engage Member States and all relevant stakeholders to promote and uphold the Pandemic Influenza Preparedness Framework for the sharing of influenza viruses and access to vaccines and other benefits, and to encourage international collaboration for the rapid, systematic, and timely sharing of influenza viruses with human pandemic potential, and equitable and timely access to quality, safe, effective and affordable pandemic influenza vaccines, diagnostics and therapeutics, and other benefits, on an equal footing;

(c) To prioritize and contribute to international efforts to sustain and enhance influenza surveillance through the WHO GISRS, by continuing to work with Member States, GISRS laboratories, and other relevant stakeholders, to:

(i) Gather and share information, voluntarily provided, about influenza virus sharing and its associated benefits; and

¹⁰ For the purposes of the PIP Framework and its annexed Standard Material Transfer Agreements and Terms of Reference and the Influenza Virus Tracking Mechanism, “PIP biological materials” is defined to include “human clinical specimens, virus isolates of wild type human H5N1 and other influenza viruses with human pandemic potential; and modified viruses prepared from H5N1 and/or other influenza viruses with human pandemic potential developed by WHO GISRS laboratories, these being candidate vaccine viruses generated by reverse genetics and/or high growth re-assortment. Also included in “PIP biological materials” are RNA extracted from wild-type H5N1 and other human influenza viruses with human pandemic potential and cDNA that encompass the entire coding region of one or more viral genes.” See Art. 4.1 of the PIP Framework.

¹¹ Document WHA72(12), available at [http://apps.who.int/gb/ebwha/pdf_files/WHA72/A72\(12\)-en.pdf](http://apps.who.int/gb/ebwha/pdf_files/WHA72/A72(12)-en.pdf).

(ii) Encourage countries to voluntarily share information and best practices on mitigating hinderances to the rapid, systematic, and timely international sharing of seasonal and pandemic influenza biological materials and to its associated benefits;

(d) To consult Member States and relevant stakeholders, including manufacturers, in a manner consistent with the WHO Framework of Engagement with Non-State Actors, to identify gaps in, and priorities for, affordable, scalable, and sustainable global influenza vaccine production capacity, supply chains, and distribution networks.

46. The Director-General was to report on the implementation of this decision to the seventy-fifth WHA (May 2022) through the 150th session of the Executive Board (held in January 2022). Accordingly, a report by the Director General on “Influenza preparedness” was made available for the 150th session of the Executive Board (document EB150/19). Among other things, the report indicates that the WHO Secretariat is exploring opportunities to enhance GISRS “to serve as an integrated system for surveillance and monitoring of respiratory viruses with epidemic and pandemic potential” (para. 24). This expanded GISRS is known as “GISRS+”. The report also indicated that additional instances (beyond those identified in document EB146/18; see information document CBD/NP/MOP/4/INF/4) have arisen where ABS requirements have affected the sharing of seasonal influenza virus. It stated that uncertainties have arisen as to whether the terms of reference of GISRS institutions fully address the use of seasonal influenza viruses for the development of candidate vaccine viruses (the precursors for seasonal influenza vaccine production.) The report indicated that the WHO Secretariat is engaging with WHO Member States, GISRS members and the CBD Secretariat “to identify solutions and seek greater clarity on the sharing and use of seasonal influenza viruses” (para. 27).

47. The Executive Board noted the report and requested the WHO Secretariat to continue reporting on influenza virus-sharing trends and propose solutions to address any disruptions in virus-sharing, and to provide an assessment of the practical, administrative and financial implications for Member States of the proposed expansion of GISRS. The outcomes from the 150th session of the Executive Board were conveyed to the seventy-fifth WHA but no resolution or decision was adopted by the seventy-fifth WHA in this regard.

2. *The public health implications of implementation of the Nagoya Protocol*

48. At its seventy-second session, the WHA adopted decision WHA72(13) on “the public health implications of implementation of the Nagoya Protocol”.¹² With a view to broadening engagement with Member States, the CBD Secretariat, relevant international organizations and relevant stakeholders, the decision requested the Director-General to (a) provide information on current pathogen-sharing practices and arrangements, the implementation of ABS measures, as well as the potential public health outcomes and other implications; and (b) provide a report to the seventy-fourth World Health Assembly, through the Executive Board at its 148th session, as well as an interim report to the Executive Board at its 146th session.

49. The Secretariat of the Convention cooperated with the WHO Secretariat in the implementation of decision WHA72(13). This included providing input to a survey developed by WHO to collect information on (a) current pathogen-sharing practices and arrangements and (b) implementation of access and benefit-sharing measures. The survey also gathered perspectives on potential public health outcomes and other implications, as requested by the decision. Through a notification,¹³ CBD and ABS national focal points were invited to participate in the survey, in addition to WHO Member States, international and national agencies, WHO Collaborating Centres, non-State actors in official relations with WHO, private sector and other relevant stakeholders. The survey was undertaken from December 2019 to March 2020.

50. Furthermore, upon the request of WHO, the Secretariat of the Convention provided, remotely, presentations to WHO Member States and non-State actors during a briefing on progress with decision WHA72(13).

¹² Document WHA72(13), available at [http://apps.who.int/gb/ebwha/pdf_files/WHA72/A72\(13\)-en.pdf](http://apps.who.int/gb/ebwha/pdf_files/WHA72/A72(13)-en.pdf).

¹³ Notification 2020-012 issued on 24 January 2020, available at <https://www.cbd.int/doc/notifications/2020/ntf-2020-012-abs-en.pdf>.

51. An interim report by the Director-General on the implementation of decision WHA72(13) was provided to the 146th session of the Executive Board in February 2020. The report was prepared in consultation with the CBD Secretariat.

52. A further report by the Director-General on the implementation of decision WHA72(13) was provided to the 148th session of the Executive Board in January 2021 (document EB148/21), including the results of the survey. The Executive Board noted the report.

53. Agenda item 19 of the seventy-fourth WHA in May-June 2021 concerned “the public health implications of implementation of the Nagoya Protocol”. The item was covered as part of the document with the consolidated report by the Director-General (A74/9), which indicated the Executive Board’s noting of the report on the public health implications of implementation of the Nagoya Protocol. No resolution or decision was adopted under this item.

3. Strengthening WHO preparedness for and response to health emergencies

54. The agenda of the seventy-fourth World Health Assembly in May-June 2021 included an item on “WHO’s work in health emergencies”. Discussion under this item considered the response to the COVID-19 pandemic.

55. The WHA adopted both a resolution and a decision under this item. Resolution WHA 74.7 addressed “Strengthening WHO preparedness for and response to health emergencies”. The resolution included a preambular paragraph reading as follows:

Acknowledging the importance of timely identification and notification of events that may constitute a public health emergency of international concern, in accordance with relevant provisions of the International Health Regulations (2005), and acknowledging the critical role played by international cooperation and timely and transparent sharing of epidemiological and clinical data, biological samples, knowledge and information, including timely sharing of pathogen genetic sequence data, and in this context recalling the Convention on Biological Diversity and its objectives and principle and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity and its objective, taking into account relevant national and international laws, regulations, obligations and frameworks, in order to facilitate rapid responses to public health emergencies that equitably benefit all the countries, while taking note of the role that voluntary transfer of technology and know-how on mutually agreed terms plays for scaling up research and development and local manufacturing of health products.

56. Paragraph 9(15) of the resolution requested the Director-General, as soon as practicably possible and in consultation with Member States:

To work together with Member States, the medical and scientific community, and laboratory and surveillance networks, to promote early, safe, transparent and rapid sharing of samples and genetic sequence data of pathogens of pandemic and epidemic, or other high-risk, potential, taking into account relevant national and international laws, regulations, obligations and frameworks, including, as appropriate, the International Health Regulations (2005), the Convention on Biological Diversity and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and the Pandemic Influenza Preparedness Framework and the importance of ensuring rapid access to human pathogens for public health preparedness and response purposes.

57. In the resolution, the WHA also decided to establish a Member States Working Group on Strengthening WHO Preparedness and Response to Health Emergencies (WGPR).

58. Decision WHA74(16) adopted under this item was titled “Special session of the WHA to consider developing a WHO convention, agreement or other international instrument on pandemic preparedness and

response”. Among other things, the decision requested the Director-General to convene a special session of the WHA dedicated to considering the potential development of a “pandemic treaty”.¹⁴

59. The special session of the World Health Assembly referred to in decision WHA74(16) was held from 29 November to 1 December 2021. It considered a report of the WGPR¹⁵ and adopted a decision that had been proposed by numerous States. The decision (SSA2(5)) is entitled “The World Together: Establishment of an intergovernmental negotiating body to strengthen pandemic prevention, preparedness and response”. In the decision, the WHA decided to establish an intergovernmental negotiating body (INB) to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response, with a view to adoption under Article 19, or under other provisions of the WHO Constitution as may be deemed appropriate by the INB. The INB is to submit its outcomes for consideration by the seventy-seventh WHA, with a progress report to go to the seventy-sixth WHA.

Outcomes to date of the Member States Working Group on Strengthening WHO Preparedness and Response to Health Emergencies and the Intergovernmental Negotiating Body

60. The final report of the WGPR was submitted to the seventy-fifth WHA (document A75/17). Further to the report, the WHA adopted decision WHA75(9) on “Strengthening WHO preparedness for and response to health emergencies”. In the decision, the WHA established a process towards making targeted amendments to the International Health Regulations (2005). See information document CBD/NP/MOP/4/INF/4 for further details.

61. The INB began its work in 2022, with its second meeting held from 18 to 22 July 2022. The documentation for that meeting included a working draft of a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response for the consideration of the INB (document A/INB/2/3), as had been required by decision SSA2(5). See information document CBD/NP/MOP/4/INF/4 for further details on the content of the working draft.

62. The decision from the special session of the WHA also required that by the end of its second meeting, the INB would identify the provision of the WHO Constitution under which the instrument should be adopted. Accordingly, at its second meeting, the INB agreed that the instrument it is negotiating should be legally binding and contain both legally binding as well as non-legally binding elements. The INB identified Article 19 of the WHO Constitution as the comprehensive provision under which the instrument should be adopted, without prejudice to also considering the suitability of Article 21 of the WHO Constitution. See information document CBD/NP/MOP/4/INF/4 for further details.

63. A zero draft agreement is to be presented to the next INB meeting, to be held from 5 to 7 December 2022.

4. BioHub System

64. WHO announced a new BioHub System in November 2020 and the first WHO BioHub Facility was announced in May 2021. The objectives of the System are to:

(a) Promote rapid and timely sharing of biological materials with epidemic or pandemic potential;

(b) Facilitate rapid access to such pathogens and their information by relevant, interested, and qualified entities for the development of effective and safe public health products including diagnostics, vaccines and therapeutics;

¹⁴ More formally, the special session was to consider the benefits of developing a WHO convention, agreement or other international instrument on pandemic preparedness and response with a view towards the establishment of an intergovernmental process to draft and negotiate such a convention, agreement or other international instrument on pandemic preparedness and response.

¹⁵ https://apps.who.int/gb/ebwha/pdf_files/WHASSA2/SSA2_3_E.pdf.

(c) Ensure fair and equitable access to such products by all countries, based on public health needs.¹⁶

65. WHO has also characterized BioHub as part of the Director-General's response to paragraph 9(15) of WHA resolution 74.7 (see paragraph 56 above).¹⁷

66. The BioHub System has the following guiding principles: a voluntary system for global public health; timeliness; equity and fairness; transparency; acknowledgement and co-authorship; sustainability and maximal preservation; collaboration and cooperation; best practices for safety and security; consistency with applicable law; and consistency with applicable ethical regulations, norms and standards requirements.¹⁸

67. The BioHub System has been operating in a pilot phase that includes two streams of work. Stream 1 addresses "pilot-testing (operationalization)" and stream 2 addresses "system design".

68. Under stream 1, work has focused on setting up the BioHub System and testing it through sharing variants of SARS-CoV-2. Work under stream 1 has also included the development of two standard material transfer agreements (SMTA) for the non-commercial sharing of "biological materials with epidemic or pandemic potential" (BMEPP).¹⁹ See document CBD/NP/MOP/4/INF/4 for more information on relevant provisions of the SMTAs.

69. Under stream 2, the WHO Secretariat conducted a series of technical consultations, including four thematic consultations on the following topics: research; sharing of genetic sequence data; intellectual property; and access and benefit-sharing.²⁰

70. Next steps for the BioHub System include a series of Member States specific consultations "to discuss and gather input on elements of the access and benefit sharing mechanism".²¹ See also comments by the WGPR on the BioHub system summarized in document CBD/NP/MOP/4/INF/4.

5. WHO involvement in CBD and Nagoya Protocol processes

71. WHO also contributed to processes implemented pursuant to decisions taken by the Parties to the Convention and the Nagoya Protocol. This included submitting comments as part of the peer review of a study related to digital sequence information on genetic resources and participating in the meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources, which was held online from 17 to 20 March 2020.

72. WHO and the CBD Secretariat are also in the process of renewing their memorandum of understanding as the previous such memorandum expired in June 2021.

F. World Intellectual Property Organization

73. The Secretariat of the Convention regularly exchanges information with the World Intellectual Property Organization (WIPO). In the context of the Nagoya Protocol, the Secretariat is following the ongoing process of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). In October 2021, the fifty-fourth session of the WIPO General Assembly agreed on the mandate for the IGC for the 2022-23 biennium. The mandate includes undertaking text-based negotiations with the objective of finalizing an agreement on an international legal instrument(s)

¹⁶ <https://www.who.int/initiatives/who-biohub#objectives>.

¹⁷ See "WHO BioHub System, 1 year progress report: May 2021 – May 2022", p. 2, available at https://cdn.who.int/media/docs/default-source/campaigns-and-initiatives/biohub/who_biohub-system_1_year_progress_report_may_2021_may_2022.pdf?sfvrsn=9477ff0c_1&download=true; and "Strengthening WHO preparedness for and response to health emergencies: Report by the Director-General", document EB150/15 (11 January 2022) at para. 3.

¹⁸ <https://www.who.int/initiatives/who-biohub#principles>.

¹⁹ https://cdn.who.int/media/docs/default-source/campaigns-and-initiatives/biohub/20210923_who-biohub-pilot-testing-package-vfinal-for-webposting.pdf?sfvrsn=313e13b7_4.

²⁰ Recordings of the sessions and documentation for each session available via <https://www.who.int/initiatives/who-biohub#events>.

²¹ "WHO BioHub System, 1 year progress report: May 2021 – May 2022", p. 15.

relating to intellectual property which will ensure the protection of traditional knowledge, traditional cultural expressions and genetic resources.

74. The forty-second session of the IGC was held in February-March 2022 and the forty-third session in May-June 2022. Both sessions focused on negotiations on genetic resources. As recognized by the fifty-fifth session of the WIPO General Assembly (see below), the two sessions made considerable progress and achieved significant convergence around the Chair's text on a "Draft International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources" (document WIPO/GRTKF/IC/43/5).

75. The fifty-fifth session of the WIPO General Assembly was held from 14 to 22 July 2022. Item 9(vi) of the agenda concerned a report from the IGC. Under this item, and on the basis of the progress made by the IGC, the General Assembly decided to convene a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources, based on document WIPO/GRTKF/IC/43/5 and any other contributions by Member States. The Diplomatic Conference is to be held no later than 2024.

76. The WIPO General Assembly also agreed on a number of activities in the lead up to the Diplomatic Conference including a special session of the IGC for further discussions and a Preparatory Committee to establish the modalities of the Diplomatic Conference. Both are to be held in the second half of 2023. If necessary, an extraordinary session of the WIPO General Assembly could be convened to adopt the decisions and preparatory works leading to the Diplomatic Conference.²²

77. The main provision in the Chair's text referred to in paragraph 74 above concerns disclosure requirements for patent applications where the claimed invention is based on genetic resources or traditional knowledge associated with genetic resources (see Article 3).

78. The CBD Secretariat participated in meetings and related activities of WIPO. For example, the Secretariat provided a statement at the thirty-ninth session of the IGC, which was held from 18 to 22 March 2019, and delivered a side-event on traditional knowledge and indigenous peoples and local communities related to the Convention and the Nagoya Protocol. An expert from WIPO participated in the meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources in March 2020.

III. COOPERATION TO SUPPORT RATIFICATION, RAISE AWARENESS AND BUILD CAPACITY FOR IMPLEMENTATION

79. The Secretariat of the Convention also works with a number of partners to support ratification of the Nagoya Protocol, to raise awareness of the Protocol and to build capacity for its implementation. In this regard, one of the specific tasks of the Informal Advisory Committee on Capacity-Building for the Implementation of the Nagoya Protocol is to provide advice on facilitating the coordination, coherence and complementarity among capacity-building and development activities and finding synergies between them. Accordingly, a number of different organizations participated in the fourth meeting of the Informal Advisory Committee during the intersessional period.²³

80. Some specific cooperative activities are outlined below. Additional information on capacity-building activities carried out by partners to support implementation of the Protocol may be found in documents CBD/NP/MOP/4/5 and CBD/NP/MOP/4/INF/1. For capacity-building tools and resources, see CBD/NP/MOP/4/INF/2.

²² See the summary report of the Assemblies of the Member States of WIPO, Sixty-Third Series of Meetings, document A/63/9 (22 July 2022) for full details on the decisions taken by the fifty-fifth session of the WIPO General Assembly, https://www.wipo.int/edocs/mdocs/govbody/en/a_63/a_63_9.pdf.

²³ The report of the meeting, which was held from 29 to 31 October 2019, is available at <https://www.cbd.int/doc/c/7313/04e6/eb3846c30f810b80c6229521/np-cbiac-2019-01-04-en.pdf>.

A. United Nations Development Programme

81. The United Nations Development Programme (UNDP) has undertaken a number of projects to support the ratification and implementation of the Nagoya Protocol at the global, regional and national levels. The Secretariat of the Convention and UNDP regularly exchange information on these projects.

82. In the framework of the UNDP-GEF Global ABS Project on “Strengthening human resources, legal frameworks, and institutional capacities to implement the Nagoya Protocol”, the Secretariat participated and contributed to the Community of Practice Workshop on the Nagoya Protocol on Access and Benefit-sharing for European CIS, Arab and Asian countries held from 9 to 12 April 2019 in Istanbul, Turkey.

83. Over the course of a month in October-November 2020, the UNDP-GEF Global ABS Project partnered with the Secretariat, and other collaborators, to organize the virtual Global Access and Benefit Sharing Conference 2020 “The ABS we ALL need”. This conference series celebrated the 10th anniversary of the adoption of the Nagoya Protocol, took stock of progress achieved in the last decade, and held discussions in preparation of the post-2020 global biodiversity framework. Materials from the campaign are available online at <https://www.cbd.int/abs/theABSweALLneed/>.

84. With the conclusion of the UNDP-GEF Global ABS Project in June 2021, the Secretariat collaborated with UNDP to collect materials from the project.

85. UNDP participated in the Informal Advisory Committee on Capacity-Building to support the Implementation of the Nagoya Protocol and contributed to the Global Capacity-Building Workshop on Monitoring the Utilization of the Genetic Resources under the Protocol.²⁴

B. United Nations Environment Programme

86. The Secretariat collaborated with United Nations Environment Programme (UNEP) on capacity-building initiatives aiming to support the ratification and implementation of the Nagoya Protocol at the global, regional and national levels as needed.

87. The UNEP Law Division has a partnership with the Center for Governance and Sustainability at the University of Massachusetts Boston through which it convened an online course on multilateral environmental agreements in February 2022. As part of this, the Secretariat participated in the session on biodiversity and gave a presentation on the Nagoya Protocol. In addition, in March 2022, the Secretariat co-organized webinars on indicators and monitoring of the global biodiversity framework with the UNEP World Conservation Monitoring Centre, including a presentation on indicators for access and benefit-sharing.

88. UNEP participated in the Informal Advisory Committee on Capacity-Building to support the implementation of the Nagoya Protocol.

C. Regional and subregional bodies and institutions

89. The Secretariat collaborates with various regional and subregional bodies and institutions to facilitate the ratification and implementation of the Nagoya Protocol. In the intersessional period, the Secretariat has specifically collaborated with the Secretariat of the Pacific Regional Environment Programme (SPREP) to encourage compliance with the Nagoya Protocol in the region and a representative of SPREP participated in the meeting of the Informal Advisory Committee on Capacity-Building to support the implementation of the Nagoya Protocol.

90. On 17 March 2021, the Secretariat made a presentation at a webinar organized by the Southern African Development Community (SADC) Plant Genetic Resources Centre. The theme of the webinar was “Creating a harmonious plant genetic resources conservation and utilization policy environment for enhanced agriculture development in Southern Africa.” The CBD Secretariat, the Secretariat of ITPGRFA and the World Intellectual Property Organization were invited to make presentations on the interface of the Nagoya Protocol and ITPGRFA as well as linkages to intellectual property.

²⁴ Held from 30 September to 2 October 2019. The report of the workshop is available in document CBD/NP/CB/WS/2019/1/2.

D. The ABS Capacity Development Initiative

91. The Secretariat of the Convention continues to collaborate with the ABS Capacity Development Initiative (ABS Initiative), a multi-donor initiative that aims to support Governments and relevant stakeholders in the ACP countries (African, Caribbean and Pacific Group of States) in developing and implementing national ABS frameworks, in particular to ratify and implement the Nagoya Protocol. The ABS Initiative has been a key partner since its launch at the eighth meeting of the Conference of the Parties, in March 2006. The Secretariat is a member of the ABS Initiative's steering committee and participates in the meetings of the Initiative's General Assembly. The Secretariat of the Convention and the ABS Initiative regularly exchange information on areas of collaboration.

92. In the intersessional period, the Secretariat participated in and contributed to workshops and events organized by the ABS Initiative. Examples include contributing to the twelfth pan-African ABS Workshop held in Cape Town, South Africa, from 9 to 13 September 2019.

93. The ABS Initiative was also a partner in the organization of the Global Capacity-Building Workshop on Monitoring the Utilization of the Genetic Resources under the Protocol and financially supported the participation of attendants. The ABS Initiative also participated in the Informal Advisory Committee on Capacity-Building to support the implementation of the Nagoya Protocol.

94. The Secretariat and the ABS Initiative have collaborated during this intersessional period in building capacity and raising awareness on digital sequence information. For instance, the Secretariat participated in the first and second Global Dialogues on Digital Sequence Information on Genetic Resources organized through a partnership between the Norwegian and South African governments and with the facilitation support of the ABS Initiative. The Global Dialogues were held from 6 to 8 November 2019 in Pretoria, South Africa and virtually in June-July 2021, respectively. The Initiative co-organized and hosted one of the webinars on digital sequence information as part of a series held by the Secretariat on between December 2020 and April 2021. The Secretariat also participated in a webinar on the report of the informal Co-Chairs' Advisory Group on Digital Sequence Information on Genetic Resources convened by the ABS Initiative in December 2021.

E. Bioversity International and other CGIAR Centers

95. In May 2022, the Alliance of Bioversity International and the International Center for Tropical Agriculture as well as the SADC Plant Genetic Resources Centre organized the Access and Benefit Sharing Virtual Workshop in collaboration with the CGIAR Genebank Platform and the secretariats of CBD and ITPGRFA. The workshop was carried out in the context of the Darwin Initiative project "Bridging Agriculture and Environment: Southern African Crop Wild Relatives Network".

96. The Secretariat provided information on the Nagoya Protocol during an online course on "Genetic Resources Policies for CGIAR Scientists" organized by the CGIAR Genebank Platform Policy Module in November 2021.

97. An expert nominated by the CGIAR Centres participated in the meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources.

F. International Development Law Organization

98. In the intersessional period, the Secretariat continued to cooperate with the International Development Law Organization (IDLO) on the joint capacity-building programme to support the implementation of the Nagoya Protocol undertaken with financial support from the Japan Biodiversity Fund and the European Union.

99. As part of this, the Secretariat presented remotely at the ABS "Training of Trainers" Workshop to support the implementation of the Nagoya Protocol at the national level for Francophone African countries, which took place in Casablanca, Morocco, from 11 to 14 June 2019 and organized in partnership with UNDP Morocco.

H. Cooperation with other organizations

100. The Secretariat of the Convention also works with a number of other organizations, including stakeholder groups, in order to raise awareness and provide information about the Nagoya Protocol, including the ABS Clearing-House. Some aspects of this work are summarized below.

101. The Secretariat of the Convention and the Union for Ethical BioTrade (UEBT) regularly exchange information on relevant activities. In the intersessional period, the Secretariat participated in the “Sourcing with Respect Digital Dialogues 2020” organized by UEBT and convened between October and November 2020, where the Secretariat provided the opening remarks and a presentation on international policy developments and the future of access and benefit-sharing in the post-2020 global biodiversity framework. The Secretariat also co-organized, with other partners including UEBT, a webinar on Access and Benefit-Sharing Contributions to the SDGs, held on 14 April 2021 as part of a series of events put together by the Global Partnership for Business and Biodiversity. In addition, the Secretariat participated in the event on “ABS Today: Rules and experiences, myths and facts on access and benefit-sharing” organized by UEBT on 13 May 2022.

102. The Secretariat of the Convention presented remotely on the “Nagoya Protocol on Access and Benefit-sharing – Implementation and Biotechnology in Africa”, during the 2019 BIO Africa Convention which took place from 26 to 28 August 2019 in Durban, South Africa.

103. The Secretariat receives many requests to participate in capacity-building and awareness raising events on the topic of digital sequence information. Among others, the Secretariat has presented during the “Brazil-EU dialogue on *in silico* genetic heritage in Brazilian ABS legislation” (December 2019); during a virtual seminar on DSI organized by the Inter-American Institute for Cooperation on Agriculture (July 2021); and during a webinar on DSI organized by the Institute for Sustainable Development of the Francophonie (July 2021).

104. The Secretariat is a member of the Justice, Equity, Diversity, and Inclusion Committee (JEDI) of the Earth Biogenome Project. The Secretariat has also shared information on the DSI process with the Ethical, Legal and Social Issues Committee of the Earth Biogenome project and during a meeting of the African Biogenome Project.

IV. CONCLUSIONS

105. Cooperation with a wide range of organizations is important in the light of the cross-cutting nature of the Protocol. In particular, as described above, during the intersessional period (2019-2022), work on the public health aspects of the Nagoya Protocol has grown significantly and the work on digital sequence information on genetic resources has prompted a great deal of interest and requests for information. The surge with regard to interest in ABS is positioning the third objective of the Convention and its integral link and interconnection with the other two objectives as an important component of the international agenda. Due to the high volume of work and staffing constraints, it was not possible for the Secretariat to participate in person in many meetings and events to which it was invited. In some instances, presentations were done remotely; in other instances, the Secretariat had to decline the invitations.
