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Convention on Biological Diversity

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Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization
Sixth meeting
Yerevan, 19–30 October 2026
Agenda item 12
Global multilateral benefit-sharing mechanism

Global multilateral benefit-sharing mechanism

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,

Recalling the sovereign right of States over their genetic resources,

Recalling Article 10 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization,[1]

Recalling also its decision NP-1/10 of 17 October 2014, NP-2/10 of 17 December 2016 and NP-3/13 of 29 November 2018, and decision XI/1 B of 19 October 2012 of the Conference of the Parties to the Convention on Biological Diversity,[2] and recognizing that there have been new developments since work was undertaken pursuant to those decisions,

Recalling further its decisions NP-4/10 of 19 December 2022 and NP-5/7 of 25 October 2024,

[1. *Emphasizes* that any global multilateral benefit-sharing mechanism under Article 10 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization should not replace existing obligations under national access and benefit-sharing requirements for circumstances in which prior informed consent can be granted or obtained and should not undermine applicable requirements concerning prior informed consent and mutually agreed terms;]

2. *Recognizes* the importance of ensuring complementarity and mutual supportiveness among relevant international access and benefit-sharing instruments and mechanisms, while respecting their respective mandates and legal frameworks and avoiding duplication of benefit-sharing obligations, without creating gaps in fair and equitable benefit-sharing;

3. *Recalls* the provisions of the Nagoya Protocol that relate to indigenous peoples and local communities, and recognizes the importance of the full and effective participation of indigenous peoples and local communities in the consideration of a global multilateral benefit-sharing mechanism consistent with their rights and with applicable national legislation;

[1] United Nations, *Treaty Series*, vol. 3008, No. 30619.
[2] Ibid., vol. 1760, No. 30619.

4. *Notes* the key findings and messages developed in the context of the second assessment and review of the effectiveness of the Nagoya Protocol;[3]

5. *Invites* Parties, other Governments, indigenous peoples and local communities, relevant stakeholders and organizations, including research institutions, to submit to the Executive Secretary:

(a) Information on specific cases, including cases concerning traditional knowledge associated with genetic resources, that may support the need for a global multilateral benefit-sharing mechanism, in accordance with Article 10 of the Nagoya Protocol, accompanied by an explanation of why such cases cannot be covered under the bilateral approach set out in the Protocol and through the implementation of its Article 11 on transboundary cooperation, including whether and how fair and equitable benefit-sharing is being secured in such cases, with a view to identifying any gaps in existing benefit-sharing arrangements, as well as information on new developments, including under other international frameworks;

[(b) Views on possible modalities for a global multilateral benefit-sharing mechanism, as well as implications for and interactions with existing national and international access and benefit-sharing frameworks, including options for governance arrangements and benefit-sharing arrangements that provide legal certainty for providers and users of genetic resources, including contributions by users, transparent allocation and accountability;]

6. *Requests* that the Executive Secretary, subject to the availability of resources:

(a) Synthesize the information submitted pursuant to paragraph 5 above;

(b) Update the information provided in the previous study[4] commissioned by the Executive Secretary on experiences gained with the development and implementation of the Nagoya Protocol and other multilateral mechanisms and the potential relevance of ongoing work undertaken under other processes to include new developments and ongoing work in relevant international forums, such as modalities established under other multilateral mechanisms and lessons learned from their experience that may be relevant to the consideration of the need for and modalities of a mechanism under Article 10 of the Protocol, while recognizing that the respective mechanisms have distinct mandates, scopes and legal frameworks;

[7. *Decides* to establish an [open-ended informal advisory group][an [intergovernmental] open-ended working group under the Nagoya Protocol, that would include relevant organizations and stakeholders and be open to all Parties, with the full and effective participation of indigenous people and local communities, in accordance with applicable rules and practices];]

[8. *Requests* that the Executive Secretary convene, subject to the availability of resources, [meetings of the Open-ended Informal Advisory Group][at least two meetings of the Open-ended Working Group, with online consultations, as needed,] before the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, to consider the information referred to in paragraph 6 above, in order to:

(a) Without prejudice to applicable national access and benefit-sharing requirements, review the specific cases that could inform the need for a global multilateral benefit-sharing mechanisms and potential triggers for benefit-sharing through the mechanism, while ensuring that transboundary situations or circumstances in which prior informed consent cannot be granted or obtained do not result in utilization without fair and equitable benefit-sharing;

(b) Identify lessons learned from other multilateral mechanisms, including with regard to the circumstances necessitating their establishment [and their modalities, that could inform the development of access and benefit-sharing modalities under a global multilateral benefit-sharing mechanism];

[3] See CBD/SBI/7/7.
[4] UNEP/CBD/ABS/A10/EM/2016/1/2.

(c) Consider how a potential global multilateral benefit-sharing mechanism could complement national access and benefit-sharing measures and be complementary to and mutually supportive of relevant access and benefit-sharing instruments and mechanisms, while respecting national access and benefit-sharing legislation, sovereign rights over genetic resources and existing bilateral access and benefit-sharing arrangements, and avoid duplication of benefit-sharing obligations, without creating gaps in benefit-sharing;

[(d) Consider possible modalities for access and benefit-sharing under the global multilateral benefit-sharing mechanism, including effective contributions by users, equitable allocation, transparency and accountability, that provide legal certainty for both providers and users of genetic resources and traditional knowledge associated with genetic resources, without prejudice to discussions held pursuant to subparagraphs (a), (b) and (c) above[, including options for governance arrangements, contributions and the sharing of benefits], following the evidence-based consideration of the need for such a mechanism and the determination by the Parties that such a mechanism is necessary;]]

[9. *Requests* that the Open-ended Working Group develop recommendations, as appropriate, and draft elements concerning possible modalities of the global multilateral benefit-sharing mechanism envisaged under Article 10 of the Nagoya Protocol, including its scope, benefit-sharing triggers, governance, contributions, the distribution of benefits and relationships with national access and benefit-sharing measures and relevant international instruments;]

10. *Requests* that the [Subsidiary Body on Implementation][Open-ended Informal Advisory Group][Open-ended Working Group], in its deliberations, take into account the study to identify specific cases of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent,[5] other past work on Article 10 of the Nagoya Protocol and the outcomes of the second assessment and review of the effectiveness of the Protocol;

[11. *Also requests* that, at a meeting held before the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, the Subsidiary Body on Implementation consider the outcomes of [the work requested under paragraph 6 above][the Open-ended Informal Advisory Group][the Open-ended Working Group, including the recommendations and, as appropriate, draft elements mentioned in paragraph 9 above,] and make recommendations to the Conference of the Parties serving as the meeting of the Parties to the Protocol at its seventh meeting, without prejudging the outcome of the discussions [on the need for [and modalities of] a global multilateral benefit-sharing mechanism][and on options for the possible modalities of such a mechanism for consideration at the same meeting].]

[5] CBD/SBI/3/15/Add1.