



## 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

Fourth meeting

Kunming, China, 11-15 October 2021  
and 25 April to 8 May 2022

### ANNOTATED PROVISIONAL AGENDA

#### INTRODUCTION

1. Following the invitation of the Government of China and as decided by the Conference of the Parties to the Convention on Biological Diversity in its [decision XIII/33](#), the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization was scheduled to be held in Kunming, China, from 15 to 28 October 2020. The meeting was to be held concurrently with the fifteenth meeting of the Conference of the Parties and the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety. However, due to the ongoing COVID-19 pandemic, the meetings were postponed (for more information, see the annotated provisional agenda for Part I of the fifteenth meeting of the Conference of the Parties (CBD/COP/15/1/Add.1)).

2. After extensive consultations and considering the challenges that the pandemic situation still poses to convene an in-person meeting, the Bureau agreed, at its meeting held on 19 July 2021, to hold the fourth meeting of the Parties to the Nagoya Protocol, the fifteenth meeting of the Conference of the Parties and the tenth meeting of the Parties to the Cartagena Protocol in two parts: the first part (Part I) to be held online from 11 to 15 October 2021, and the second part (Part II) to be held in person, in Kunming, China, from 25 April to 8 May 2022. Part I of the meeting, while being convened virtually, will also include a limited presence of delegates in Kunming, China. The Bureau, the host country and the Secretariat will keep under review the pandemic situation with a view to making alternative arrangements in the case that the modality and timing of Part II the meeting, which is scheduled to be held in person in Kunming, China, cease to be feasible.

3. The Bureau considered and finalized the provisional agenda for the meeting (CBD/NP/MOP/4/1/Rev.1) at its meeting, held online, on 26 April 2021. It also reviewed the preliminary draft annotations. The annotations for the agenda items to be addressed at Part I of the meeting were subsequently finalized by the Executive Secretary, taking into account the comments of the Bureau at the 26 April meeting and are indicated in the present document. The annotations for items to be addressed at Part II of the meeting will be completed and updated in the light of the outcomes of the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, the third meeting of the Subsidiary Body on Implementation, and a further meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework.

4. The following agenda items are to be addressed at Part I of the meeting: 1 (opening of the meeting); 2 (organizational matters); 3 (report on credentials of representatives to the fourth meeting of the Parties to the Nagoya Protocol); 4 (reports of subsidiary bodies); 5 (report of the Compliance Committee (Article 30)); 6 (administration of the Protocol and budgets for the trust funds); 17 (other matters); 18 (adoption of the report); and 19 (closure of the meeting). With the exception of item 1, it is expected that these items will need to be further considered at Part II of the meeting. Agenda items 7 to 16 would also be addressed at Part II of the meeting.

5. High-level ministerial segments will be organized by the host country during the two parts of the meeting in consultation with the Secretariat and the Bureau. The high-level segment planned for the first part of the meeting will be held on 12 and 13 October 2021.

6. In accordance with established practice, the Executive Secretary will prepare a compilation of the draft decisions that would be proposed by subsidiary bodies at intersessional meetings or developed by the Executive Secretary in the light of earlier decisions and recommendations. The Executive Secretary will also prepare a summary of the financial implications of draft decisions and make that compilation and a summary available six weeks prior to the resumed session (Part II) of the meeting.

### **Item 1. Opening of the meeting**

7. The opening ceremony will be held at 3 p.m. (Kunming, China time) on Monday, 11 October 2021. The opening of the meeting will continue immediately afterwards and will be undertaken jointly with the opening of the fifteenth meeting of the Conference of the Parties to the Convention and the tenth meeting of the Parties to the Cartagena Protocol.<sup>1</sup>

8. The meeting will be opened by the President of the fourteenth meeting of the Conference of the Parties or her representative. At the opening session, the Conference will hear a welcoming address by representatives of the Government of China and the local authorities.

9. The Executive Secretary will address the meeting and highlight the main issues before the Conference of the Parties.

10. Representatives of regional groups, indigenous peoples and local communities and a limited number of other groups may also make statements.

### **Item 2. Organizational matters**

#### *Election of the President*

11. It is expected that, at the opening session, the President of the fourteenth meeting of the Conference of the Parties, or her representative, will call for the election of a representative of the host country as President of the fifteenth meeting. The term of office of the President will begin immediately following his or her election at the fifteenth meeting of the Conference of the Parties and will end with the election of a successor at the sixteenth meeting. The President of the fifteenth meeting of the Conference of the Parties will also serve as the President of the fourth meeting of the Parties to the Nagoya Protocol.

#### *Election of officers other than the President*

12. In accordance with rule 21 of the rules of procedure (as adopted by [decision I/1](#) and amended by decision V/20), in addition to the President, 10 vice-presidents, one of whom acts as Rapporteur, are to be elected by the Conference of the Parties from among the representatives of the Parties present at the meeting. The term of office of the vice-presidents will commence upon the closure of the fifteenth meeting of the Conference of the Parties and end at the closure of the sixteenth meeting.

13. The Bureau of the Conference of the Parties to the Convention also serves as the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. In accordance with Article 26, paragraph 3, of the Nagoya Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention that is not a Party to the Nagoya Protocol at the time of the meeting

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<sup>1</sup> See CBD/COP/15/1/Add.2.

is to be substituted by a member to be elected by and from among the Parties to the Nagoya Protocol. Thus, the Bureau for the third meeting of the Parties to the Nagoya Protocol, in addition to the President, comprises the following:

- 1 Mr. Eric Okoree (Ghana)
- 2 Mr. Melesse Maryo (Ethiopia)
- 3 Ms. Sujata Arora (India)  
later replaced by Mr. Vinod Mathur (India)
- 4 Ms. Leina El-Awadhi (Kuwait)
- 5 Mr. Dilovarsho Dustov (Tajikistan)
- 6 Ms. Elvana Ramaj (Albania)
- 7 Mr. Joaquin Salzberg (Argentina)
- 8 Ms. Helena Jeffery Brown (Antigua and Barbuda)
- 9 Ms. Gabriele Obermayr (Austria)
- 10 Ms. Marie Haraldstad (Norway)

14. Regional groups are called upon to submit their nominations, preferably prior to Part II of the meeting in 2022. Early nominations would allow the newly elected members of the Bureau to attend, as observers, the Bureau meetings to be held during Part II of the meeting of the Parties to the Protocol, in order to ensure a smooth transition between outgoing and incoming Bureau members.

15. Where necessary, substitute officers will be elected by the Conference of the Parties serving as the fourth meeting of the Parties to the Nagoya Protocol and the Conference of the Parties serving as the tenth meeting of the Parties to the Cartagena Protocol during the second part of the meetings, in 2022.

#### *Election of officers of subsidiary bodies*

16. Rule 26 of the rules of procedure provides that the chairperson of any subsidiary body shall be elected by the Conference of the Parties. The Conference of the Parties will therefore need to elect the Chair of the Subsidiary Body on Scientific, Technical and Technological Advice and the Chair of the Subsidiary Body on Implementation, to preside over the respective bodies for a term of office that will begin at the end of the fifteenth meeting of the Conference of the Parties and extend until the end of the sixteenth meeting. According to the established regional rotation, it is expected that the Chair of the Subsidiary Body on Scientific, Technical and Technological Advice will be elected from the Central and Eastern European region, while the Chair of the Subsidiary Body on Implementation would be elected from the Asian and the Pacific region.

17. The election of these officers will be held during Part II of the meeting of the Conference of the Parties in 2022.

18. The current Chairs will remain in office until the end of Part II of the meeting. The Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework are also expected to remain in office until the second part of the meeting.

#### *Adoption of the agenda*

19. The provisional agenda (CBD/NP/MOP/4/1/Rev.1) has been approved by the Bureau of the Conference of the Parties. It was prepared by the Executive Secretary, in accordance with rules 8 and 9 of the rules of procedure, with the guidance of the Bureau, and taking into account issues arising from previous decisions of the Parties to the Nagoya Protocol.

20. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to adopt the agenda of its meeting, pursuant to the rules of procedure, on the basis of the provisional agenda set forth in document CBD/NP/MOP/4/1/Rev.1.

*Organization of work*

21. In Part I of the meeting, it is expected that all agenda items will be addressed in plenary. In accordance with established practice, the Conference of the Parties may wish to establish two working groups to support the work of the plenary during Part II of its meeting. If the two working groups are established, the Conference of the Parties will need to elect a chairperson or co-chairpersons for each at the commencement of Part II of its meeting.

22. As decided by the Conference of the Parties in [decision XII/27](#), paragraph 3, and agreed by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol in [decision BS-VII/9](#), paragraph 1, as well as by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol in [decision NP-1/12](#), paragraph 1, ordinary meetings of the Conference of the Parties are held within a two-week period that also includes the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. Thus, it is envisaged that the two working groups would also address issues related to the Cartagena Protocol and the Nagoya Protocol, as may be referred to the working groups by the Conference of the Parties serving as the meeting of the Parties to the respective protocols.

23. The proposed organization of work for Part I of the concurrent meetings of the Conference of the Parties and the meetings of the Parties to the Protocols is contained in document CBD/NP/MOP/4/1/Add.2. This document will be updated and made available at least six weeks prior to the start of Part II of the meeting, in 2022. The update will include, as usual, the proposed division of responsibilities between the plenary and the two working groups.

**Item 3. Report on the credentials of representatives to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol**

24. Rule 18 of the rules of procedure states that:

“The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference of the Parties or the representative of the Executive Secretary not later than twenty-four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary or his representative. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.”

25. Rule 19 provides that “the Bureau of any meeting shall examine the credentials and submit its report to the Conference of the Parties for decision”.

26. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary will issue a notification and distribute to national focal points sample formats of appropriate credentials.

27. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to consider and adopt the report on credentials submitted to it by the Bureau.

**Item 4. Reports of subsidiary bodies**

28. Article 27, paragraph 1, of the Nagoya Protocol provides that “[a]ny subsidiary body established by or under the Convention may serve this Protocol, including upon a decision of the Conference of the Parties serving as the meeting of the Parties to this Protocol. Any such decision shall specify the tasks to be undertaken.”

29. Under this item, the President will inform the Conference of the Parties serving as the meeting of the Parties to the Protocol of the meetings of subsidiary bodies held during the intersessional period and the corresponding reports, on the understanding that the substantive issues arising therein will be taken up under the appropriate agenda item.

30. The reports of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on its first, second and third meetings will be among those submitted to the Conference of the Parties at Part I of its fifteenth meeting.

31. The Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework will report on the progress of the work in preparing the post-2020 global biodiversity framework.

32. The reports of the Subsidiary Body on Scientific, Technical and Technological Advice on its twenty-fourth meeting and the Subsidiary Body on Implementation on its third meeting will be presented to the Conference of the Parties serving as the meeting of the Parties to the Protocol during Part II of the meeting, in 2022.

#### **Item 5. Report of the Compliance Committee**

33. The Compliance Committee under the Nagoya Protocol is required to report and submit its recommendations to the Conference of the Parties serving as the meeting of the Parties to the Protocol. Accordingly, the Committee will submit its report on the work it has undertaken following the third meeting of the Parties to the Protocol.

34. It is expected that the report and the recommendations of the Compliance Committee will be considered during Part II of the meeting.

35. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to elect new members to the Compliance Committee during Part II of the meeting.

#### **Item 6. Administration of the Protocol and budget for the trust funds**

36. The Conference of the Parties serving as the meeting of the Parties to the Protocol will have before it an interim report of the Executive Secretary on the administration of the Convention and its Protocols, including the budget for the respective trust funds. During Part I of the meeting, in October 2021, the Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider and adopt an interim budget for 2022.

37. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to refer the proposed interim budget for 2022 to the budget contact group established by the Conference of the Parties at its first plenary session.

#### **Item 17. Other matters**

38. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider other matters raised and accepted for discussion, in accordance with rule 12 of the rules of procedure and paragraph 7 of decision [IV/16](#).

39. Under this agenda item, it is expected that the President will inform the plenary about the outcome of the high-level segment that is to be held on 12 and 13 October 2021.

#### **Item 18. Adoption of the report**

40. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider and adopt the report on the work of Part I of its meeting on the basis of the draft report prepared by the Rapporteur.

41. During the second part of its meeting, in 2022, the Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider and adopt a supplemental report on the basis of a draft that will be prepared by the Rapporteur and the reports of the two working groups, reflecting the proceedings of the second and in-person part of its meeting. The reports on the two parts of the meeting will together constitute the proceedings of the meeting.

42. The Conference of the Parties serving as the meeting of the Parties to the Protocol may also wish to annex to its report the outcomes of the high-level segment of its meeting, and other events organized in

conjunction with its meeting. In accordance with established practice, the Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to authorize the Rapporteur to complete the final report after the meeting, with the guidance of the President and assistance of the Secretariat.

**Item 19. Closure of the meeting**

43. It is expected that the President will suspend the meeting by 5 p.m. on Friday (Kunming, China time), 15 October 2021, and that the meeting will be resumed for the in person part (Part II), to be held from 25 April to 8 May 2022, in Kunming, China. The meeting will thus be formally closed at the conclusion of Part II, on 8 May 2022.

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