



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
Fifth meeting**

Cali, Colombia, 21 October–1 November 2024

Item 7 of the provisional agenda*

Financial mechanism and resources

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Note by the Secretariat

I. Introduction

1. Article 25 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization addresses the financial mechanism for the Protocol and the financial resources for the implementation of the Protocol.
2. In its decision [NP-4/8 B](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol welcomed decision [15/7](#), by which the Conference of the Parties adopted the strategy for resources mobilization for the Kunming-Montreal Biodiversity Framework and established an advisory committee on resource mobilization and a technical expert group on financial reporting. It encouraged Parties to consider resource mobilization for the Protocol in the implementation of the strategy for resource mobilization, and in particular, to include provisions for the implementation of the Nagoya Protocol in national biodiversity finance plans. It also requested the technical expert group to consider financial reporting related to resource mobilization for the Protocol.
3. In its decision NP-4/8 A, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol developed some elements for inclusion in the four-year outcome-oriented framework of programme priorities for the implementation of the Convention and its Protocols aligned with the Kunming-Montreal Global Biodiversity Framework to inform the ninth replenishment of the Global Environment Facility (GEF) Trust Fund (2026–2030). It also invited Parties to the Protocol to participate actively in the sixth review of the effectiveness of the financial mechanism for the Convention and its Protocols, initiated through decision 15/15 of the Conference of the Parties.
4. The present note provides an update on the implementation of Article 25 of the Protocol. Updates related to the financial mechanism are provided in section II, while suggested elements for

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** The present document is being issued without formal editing.

a draft decision are provided in section III. Regarding resource mobilization, the Conference of the Parties to the Convention at its sixteenth meeting will consider a draft decision prepared by the Subsidiary Body on Implementation at its fourth meeting (recommendation 4/4.)

5. The report of the GEF Council to the Conference of the Parties has been issued as document CBD/COP/16/8.

6. The outcomes of the sixth quadrennial review of the effectiveness of the financial mechanism are contained in document CBD/COP/16/7.

7. Parties to the Protocol are invited to consider the information provided in the present note and the above-mentioned reports and adopt a decision on matters relating to the financial mechanism and resources, including recommendations to the Conference of the Parties regarding further guidance to GEF with respect to the Nagoya Protocol.

II. Financial mechanism

A. Global Environment Facility Trust Fund

8. According to the report of the GEF Council to the sixteenth meeting of the Conference of the Parties, the seventh replenishment of the GEF Trust Fund (GEF-7) had a programming target of \$33.4 million to support the implementation of the Nagoya Protocol, through its programme 8 (implement the Nagoya Protocol), out of a total allocation to biodiversity of \$2.04 billion, which leveraged co-financing of \$16.51 billion for a total investment of \$18.55 billion. Fourteen projects designed to support the implementation of the Protocol in 14 countries¹ were approved under GEF-7 with a total funding of \$32.2 million, representing 90 per cent of the programming target.

9. Under the Biodiversity Focal Area programming for GEF-8, a combined notional amount of \$82 million has been programmed to support the implementation of the Nagoya and Cartagena Protocols. This represents 4.3 per cent of the notional biodiversity allocation. Under the GEF-8 programming directions, GEF will support the following core activities to comply with the provisions of the Protocol:

- (a) Stocktaking and assessment;
- (b) Development (or revision) and implementation of national access and benefit-sharing frameworks;
- (c) Development or revision of national laws and policies that promote scientific research and development and national investments on the use of genetic resources under national access and benefit-sharing frameworks;
- (d) Capacity-building to add value to genetic resources for access and benefit-sharing, biodiversity conservation and sustainable use.

10. GEF will also enhance national implementation of the Nagoya Protocol through regional collaboration.

11. However, to date, GEF-8 usage is low and only four projects have been approved, including two national projects² and two as part of one of the Integrated Programmes.

12. In this context, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to consider encouraging relevant Parties to the Protocol to increase the utilization

¹ Botswana, Cameroon, Cuba, Gambia, Indonesia, Jamaica, Madagascar, Morocco, Niger, Panama, Philippines, South Sudan, Saint Lucia and Venezuela (Bolivarian Republic of).

² “Operationalizing the Nagoya Protocol access and benefit-sharing and traditional knowledge regime in Burkina Faso” and “Empowering indigenous peoples and local communities to manage biodiversity data and information as a strategy to conserve their territories, safeguard traditional knowledge, and promote integrated biodiversity management” in Brazil.

of the notional allocation for the implementation of the Protocol available in the programming directions of the eighth replenishment of the GEF Trust Fund.

B. Global Biodiversity Framework Fund

13. In response to decision 15/15, GEF has established and operationalized the Global Biodiversity Framework Fund. Further information in that regard is contained in the report of the GEF Council for the sixteenth meeting of the Conference of the Parties to the Convention.³

14. Two projects have been approved under the Global Biodiversity Framework Fund relevant to access and benefit-sharing implementation under the Nagoya Protocol, namely “Advancing ABS implementation in Cambodia” and “Support for the development of a national policy, institutional and monitoring framework to effectively implement the Nagoya Protocol in Belize”. It is worth noting that Belize is not a party to the Protocol.

C. Sixth review of the effectiveness of the financial mechanism

15. As noted in paragraph 3 above, in its decision NP-4/8 A, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol invited Parties to the Protocol to participate actively in the sixth review of the effectiveness of the financial mechanism for the Convention and its Protocols. It requested the Executive Secretary, subject to the availability of resources, in the context of the sixth review, to collect views and information from eligible Parties on their experiences and lessons learned in gaining access to and utilizing funds from the financial mechanism for the implementation of the Protocol, including information on challenges and their underlying reasons to access and utilize GEF funds and on possible barriers to regional collaboration (para. 10). The request was referred to the independent evaluator for the sixth review of the effectiveness of the financial mechanism in order that the actions requested would be carried out as part of the review. The independent evaluator conducted meetings and interviews with, among others, focal points for access and benefit-sharing during the fourth meeting of the Subsidiary Body on Implementation. Specific questions on the Protocol based on paragraph 10 were included in the questionnaire that was distributed to national focal points for access and benefit-sharing, in July 2024. Those national focal points were also invited to an information webinar held in August 2024 to provide information on the sixth review and its questionnaire survey.⁴

16. Findings of the report relevant to the implementation of the Nagoya Protocol based on the issues outlined in paragraph 10 include the following:

- (a) Feedback on the efficiency and effectiveness of GEF is mixed;
- (b) Disbursement of funds was lengthy and not timely (e.g. not sufficiently linked to the deadline to submit the relevant national reports);
- (c) Obtaining support for proposals for the financial mechanism was a political process at the national level, which sometimes hindered access;
- (d) Including the implementation of both Protocols in the GEF integrated programmes may increase support.

17. In respect of regional collaboration to achieve the aims of the Protocol, the main barriers highlighted were a lack of commonality, which included the following:

- (a) Divergent priorities;
- (b) Lack of legal frameworks;

³ CBD/COP/16/8.

⁴ Parties were notified through notifications Nos. 2024-072 and 2024-080. The synthesis report and recommendations of the independent evaluator can be found in the annex to document CBD/COP/16/7, while his full report will be issued as document CBD/COP/16/INF/25.

- (c) Unequal technical, administrative and financial capacities.

18. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider recommending that the Conference of the Parties to the Convention request GEF to re-examine its operation, with a view to enabling it to fulfil its responsibilities in operating the financial mechanism for the Nagoya Protocol most effectively and supporting eligible Parties to enhance their implementation of the Protocol.

19. The Conference of the Parties serving as the meeting of the Parties to the Protocol may also wish to encourage eligible Parties to consider exploring ways and means to address the lack of commonalities that hampers regional collaboration to achieve the aims of the Protocol.

D. Four-year outcome-oriented framework of programme priorities for the ninth replenishment period of the Global Environment facility Trust Fund (July 2026–June 2030)

20. At its fifteenth meeting, the Conference of the Parties to the Convention adopted a four-year outcome-oriented framework of programme priorities of the Convention on Biological Diversity for the eighth replenishment period of the GEF Trust Fund, aligned with the Framework.⁵ The framework included elements to support the implementation of the Nagoya Protocol, as recommended to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol in its decision NP-4/8.

21. At its fourth meeting, the Subsidiary Body on Implementation prepared a draft four-year outcome-oriented framework of biodiversity programming priorities for the ninth replenishment of GEF in its recommendation 4/4, for consideration by the Conference of the Parties to the Convention at its sixteenth meeting. Of particular relevance to the Protocol, the draft framework includes the following elements to which effective implementation support is to be provided by GEF:

- (a) The capacity-building and development action plan for the Nagoya Protocol;

- (b) An enclosure for additional guidance on programme priorities to support the implementation of the Protocol, to be adopted by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fifth meeting.

22. Taking account of the above and the utilization of GEF-8 resources as reported in section II A, the Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider adopting the proposed additional elements for the four-year framework, contained in the draft decision provided in section III.

E. Identification of national funding priorities, including nationally prioritized funding needs that could be considered as eligible for funding under the financial mechanism during the period July 2026 to June 2030

23. The eighth replenishment of the GEF Trust Fund amounted to \$5.25 billion. The replenishment package included programming directions and policy recommendations, including country allocations. A total of \$1.89 billion was allocated to the biodiversity focal area, representing 36 per cent of the total pledged.⁶ Under the GEF-8 programming directions,⁷ the effective implementation of the Nagoya Protocol continued to be a priority under the biodiversity focal area. As noted in paragraph 9 above, a combined notional amount of \$82 million was programmed to support the implementation of the Nagoya and Cartagena Protocols, representing 1.5 per cent of the total GEF-8 replenishment and 4.3 per cent of the notional biodiversity allocation.

24. In anticipation of the ninth replenishment, the Conference of the Parties, in its decision 15/15, invited developing country Parties and Parties with economies in transition to identify their national

⁵ Decision 15/15, para. 5.

⁶ Indicative GEF-8 resource allocation table following the conclusion of the replenishment negotiations on 8 April 2022.

⁷ GEF Programming Directions (GEF/R.08/29/Rev.01).

funding priorities, including nationally prioritized funding needs that could be considered as eligible for funding under the financial mechanism for the period July 2026–June 2030, and submit the results to the Secretariat for inclusion in a global assessment of funding needs.

25. Information on the process to conduct an assessment of the funding needs of developing country Parties and Parties with economies in transition for the implementation of the Convention and its Protocols during the ninth replenishment period was provided in document CBD/SBI/4/6. The note outlined the challenge of resource availability that hampered progress; that national biodiversity strategies and action plans and associated national biodiversity finance plans are the main tools for determining the national funding priorities and national priority funding needs; and that, as most Parties are still in the process of revising or updating their national biodiversity strategies and action plans, it may be expected that credible information on national funding priorities, including nationally prioritized funding needs, may become available after the sixteenth meeting of the Conference of the Parties, by which time Parties were requested to submit their revised or updated national biodiversity strategies and action plans.

26. It was therefore proposed that information on related national funding priorities, including nationally prioritized needs that could be considered as eligible for funding under the financial mechanism for the period July 2026–June 2030, be collected through an online questionnaire managed by the Secretariat. The content of the questionnaire, designed to capture the resource needs for the implementation of the Convention and its Protocols, was made available to the Subsidiary Body on Implementation at its fourth meeting in document CBD/SBI/4/INF/16. The results of the funding needs assessment would be used to communicate information on biodiversity funding needs to the GEF Council and the participants of the replenishment negotiations. This was reflected in recommendation 4/4 of the Subsidiary Body on Implementation and the draft decision for the consideration of the Conference of the Parties contained therein. The Secretariat is developing an online version of the aforementioned questionnaire for circulation to the relevant national focal points for the Convention and its Protocols in accordance with paragraph 15 of decision 15/15 and paragraph 9 of recommendation 4/4.

27. In the light of the above, Parties that have not already done so may wish to consider including relevant information and indicating the resources needed for implementing Target 13 and Goal C of the Framework in their revised and updated national biodiversity strategies and action plans and national biodiversity finance plans. They may further wish to ensure that they highlight areas where financial support is needed to enhance implementation of the Protocol in the relevant section of their first national report and to ensure its timely completion and submission.

III. Elements of a possible decision on matters related to the financial mechanism and resources

28. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to adopt a decision along the following lines, bearing in mind that some adjustments may be needed to reflect the outcomes of the negotiations on resource mobilization conducted in the sixteenth meeting of the Conference of the Parties to the Convention:

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

Taking note of the report of the Council of the Global Environment Facility for the sixteenth meeting of the Conference of the Parties to the Convention on Biological Diversity^{8,9} and the report on the sixth review of the effectiveness of the financial mechanism for the Convention and its Protocols,¹⁰

⁸ United Nations, *Treaty Series*, vol. 1760, No. 30619.

⁹ CBD/COP/16/8.

¹⁰ CBD/COP/16/INF/25.

Welcoming the establishment and operationalization of the Global Biodiversity Framework Fund and its programming directions, which include action areas to support the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization,¹¹

Noting with appreciation the projects in support of the implementation of the Nagoya Protocol already approved during the eighth replenishment period of the Global Environment Facility Trust Fund and under the Global Biodiversity Framework Fund,

Noting with concern, however, the low number of projects approved in support of the implementation of the Nagoya Protocol during the eighth replenishment period of the Global Environment Facility Trust Fund,

1. *Welcomes* the strategy for resource mobilization for the Kunming-Montreal Global Biodiversity Framework,¹² as revised in annex I to decision 16/-- for the period 2025–2030, and notes its relevance to the mobilization of resources to support the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization;

2. *Encourages* Parties to ensure that their national funding needs and priorities for implementing the Nagoya Protocol and achieving Goal C and Target 13 of the Framework are adequately reflected in their national biodiversity finance plans;

3. *Recommends* that the Conference of the Parties to the Convention, in adopting its guidance to the Global Environment Facility with regard to support for the implementation of the Nagoya Protocol, include the following requests to the Global Environment Facility:

(a) To make funds available in a timely manner to support eligible Parties in preparing and submitting their first national reports under the Nagoya Protocol;

(b) To strengthen its funding programme dedicated to supporting eligible Parties in implementing the Nagoya Protocol;

(c) To support the implementation of the capacity-building and development action plan for the Nagoya Protocol;¹³

(d) To continue to provide support to eligible Parties for undertaking activities in the following areas:

(i) Specific priorities for continued capacity-building and development to support the implementation of the Nagoya Protocol;¹⁴

(ii) Integration and mainstreaming of access and benefit-sharing on genetic resources and traditional knowledge associated with genetic resources in policies and activities related to biodiversity and sustainable development;

(iii) Development and maintenance of long-term institutional capacities for managing, monitoring and evaluating national access and benefit-sharing frameworks;

(e) To examine options, such as the set-aside of resources and the use of regional projects, to support the implementation of the Protocol, in order to enable the Global Environment Facility to fulfil its responsibilities in operating the financial mechanism for the Protocol most effectively, and to report on those matters to the Conference of the Parties at its seventeenth meeting;

4. *Also recommends* that the Conference of the Parties include the elements listed in subparagraphs 3 (c) and (d) above in the four-year outcome-oriented framework of biodiversity

¹¹ United Nations, *Treaty Series*, vol. 3008, No. 30619.

¹² Decision 15/4, annex.

¹³ Decision NP-5/--, annex.

¹⁴ Decision NP-4/7, annex.

programme priorities for the ninth replenishment period of the Global Environment Facility Trust Fund (2026–2030);¹⁵

5. *Encourages* eligible Parties to give due priority to access and benefit-sharing projects in the programming of their eighth replenishment country allocations under the System for Transparent Allocation of Resources, making use of the notional allocation for the implementation of the Nagoya Protocol available in the programming directions of the eighth replenishment of the Global Environment Facility Trust Fund and taking into consideration the results of the sixth review of the effectiveness of the financial mechanism.

¹⁵ To be included in enclosure I of the annex to the draft decision contained in recommendation 4/4 of the Subsidiary Body on Implementation, pending adoption.