



# 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 - Part II

Montreal, Canada, 7-19 December 2022

Agenda item 2

## ANNOTATIONS TO THE AGENDA (PART II)

### INTRODUCTION

1. Following the offer of the Government of China, which was welcomed by the Conference of the Parties to the Convention on Biological Diversity in 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 to be held in Kunming, China, in October 2020, concurrently with the fifteenth meeting of the Conference of the Parties to the Convention as well as 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.
2. Further to the agreement to hold these meetings in two parts and taking into account the necessity of holding the fifteenth meeting of the Conference of the Parties before the end of 2022, the first part was held in a hybrid setting, online and in Kunming, China, from 11 to 15 October 2021. The second part of the meetings will be held in person in Montreal, Canada, from 7 to 19 December 2022.
3. The agenda for the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (CBD/NP/MOP/4/1/Rev.1) was adopted at the first part of the meeting. The Bureau reviewed the preliminary draft annotations for the second part of the fourth meeting of the Parties to the Protocol at its meetings held in May, July and August 2022. The annotations for the second part of the meeting were subsequently finalized by the Executive Secretary, taking into account the comments of the Bureau at those meetings, and are presented in the present document.
4. High-level ministerial segments will be organized by the Presidency during the two parts of the meeting in consultation with the Secretariat and the Bureau. The high-level segment planned for the second part of the meeting will be held from 15 to 17 December 2022.
5. Consultations among delegations and preparatory meetings of regional groups may be held prior to the start of the meetings.
6. The Executive Secretary has prepared a compilation of draft decisions proposed by subsidiary bodies at intersessional meetings or developed by the Executive Secretary (CBD/NP/MOP/4/1/Add.5).
7. For further information, see the annotations to the agenda for the second part of the fifteenth meeting of the Conference of the Parties to the Convention, CBD/COP/15/1/Add.3.

## ITEM 1. OPENING OF THE MEETING

8. The meeting will resume in person and jointly 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 of the Cartagena Protocol.
9. The opening will take place at 10 a.m. (local time, Montreal) on Wednesday, 7 December 2022.
10. The second part of the meeting will be opened by the President of the fifteenth meeting of the Conference of the Parties. At the opening session, the Conference will hear a welcoming address by representatives of the Presidency, as well as of the host country.
11. The Executive Secretary will address the meeting and highlight the main issues before the Conference of the Parties and the meetings of the Parties to the Protocols.
12. Representatives of regional groups, indigenous peoples and local communities and a limited number of other groups may also make statements.

## ITEM 2. ORGANIZATIONAL MATTERS

### *Officers*

13. The President of the fifteenth meeting of the Conference of the Parties, Mr. Runqiu Huang, Minister of Ecology and Environment of China, was elected by acclamation at the opening of the first part of the fifteenth meeting of the Conference of the Parties and will continue to serve through the second part of the meeting and until a new President is elected at the opening of the sixteenth meeting of the Conference of the Parties.
14. The Bureau of the Conference of the Parties to the Convention also serves as the Bureau of the meeting of the Parties to the Nagoya Protocol. Accordingly, Mr. Runqiu Huang also serves as the President of the fourth meeting of the Parties to the Nagoya Protocol.
15. 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 is to be substituted by a member to be elected by and from among the Parties to the Nagoya Protocol.
16. At its fourteenth meeting, the Conference of the Parties elected 10 members of the Bureau for a term of office commencing upon the closure of the fourteenth meeting and ending at the closure of the fifteenth meeting. Subsequently, the third meeting of the Parties to the Nagoya Protocol elected substitute Bureau members for those regions where the Bureau member was representing a Party to the Convention that was not a Party to the Nagoya Protocol. Thus, the Bureau for the fourth meeting of the Parties to the Nagoya Protocol, in addition to the President, comprises the following:
  - Mr. Melesse Maryo (Ethiopia)
  - Mr. Eric Okoree (Ghana)
  - Mr. Naresh Pal Gangwar (India)<sup>1</sup>
  - Ms. Leina El-Awadhi (Kuwait)
  - Mr. Dilovarsho Dustov (Tajikistan)
  - Ms. Elvana Ramaj (Albania)
  - Mr. Joaquín Salzberg (Argentina)
  - Dr. Helena Jeffery Brown (Antigua and Barbuda)
  - Ms. Gabriele Obermayr (Austria)
  - Ms. Marie Haraldstad (Norway)

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<sup>1</sup> Ms. Sujata Arora (India) was elected at the fourteenth meeting of the Conference of the Parties, later replaced by Vinod Mathur and subsequently by Mr. Naresh Pal Gangwar.

17. At the second part of its fifteenth meeting, the Conference of the Parties to the Convention will elect Bureau members whose terms of office will commence upon the closure of the meeting (rule 21 of the rules of procedure). In the event that one or more Bureau members are elected from Parties to the Convention that are not Parties to the Nagoya Protocol, substitute members will be elected by the meeting of the Parties to the Nagoya Protocol.

*Adoption of the agenda*

18. The provisional agenda (CBD/NP/MOP/4/1/Rev.1) was adopted during the first part of the meeting.

*Organization of work*

19. In decision [NP-1/12](#), paragraph 1 (and as also reflected in decisions [XII/27](#), para. 3, and [BS-VII/9](#), para. 1), the Parties to the Nagoya Protocol decided to hold their future ordinary meetings concurrently with the meetings of the Conference of the Parties to the Convention and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol within a two-week period.

20. Accordingly, the meeting of the Parties will be invited to consider and adopt the proposal for the organization of its work during the second part of the meeting (CBD/NP/MOP/4/1/Add.4). The proposed organization of work provides for plenary and two working groups. The document proposes a division of responsibilities between the plenary and the two working groups, and also includes the proposed schedule for the fifteenth meeting of the Conference of the Parties to the Convention and the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol.

21. The organization of work has been prepared taking into account the experience gained with the convening of the concurrent meetings of the Conference of the Parties to the Convention and the meetings of the Parties to the Cartagena and Nagoya Protocols in December 2016 and November 2018.

22. Interpretation will be available for the plenary and morning and afternoon sessions of the working groups.

23. The list of working documents and a preliminary list of information documents issued for the meeting are contained in the annex to the present document.

**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 of the Conference of the Parties to the Convention 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”. The rules of procedure apply, *mutatis mutandis*, to the meetings of the Parties to the Nagoya Protocol.

26. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary issued a notification<sup>2</sup> which included information on requirements for credentials and a link where sample formats of appropriate credentials may be found. Following previous practice, representatives of Parties to the

Convention that are also Parties to the Cartagena Protocol and the Nagoya Protocol may submit a single set of credentials for the fifteenth meeting of the Conference of the Parties to the Convention, the tenth meeting of the Parties to the Cartagena Protocol and the fourth meeting of the Parties to the Nagoya Protocol.

27. The meeting of the Parties to the Nagoya Protocol will be invited 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 “any 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 Nagoya Protocol of the meetings of subsidiary bodies held during the intersessional period and their reports on the understanding that the substantive issues arising therein will be taken up under the appropriate agenda item.

30. The following reports were presented to the Conference of the Parties serving as the meeting of the Parties to the Protocol at the first part of its fourth meeting:

(a) Report of the Subsidiary Body on Implementation on the first part of its third meeting (CBD/SBI/3/20);

(b) Reports of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on its first, second and the first part of its third meeting (CBD/WG2020/1/5; CBD/WG2020/2/4 and CBD/WG2020/3/5).

31. The reports that will be presented at the second part of the tenth meeting include the following:

(a) The report of the Subsidiary Body on Scientific, Technical and Technological Advice on its twenty-fourth meeting (CBD/SBSTTA/24/12);

(b) The report of the Subsidiary Body on Implementation on its third meeting (CBD/SBI/3/21);

(c) Reports of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on its third meeting (CBD/WG2020/3/7), its fourth meeting (CBD/WG2020/4/4) and its fifth meeting (CBD/WG2020/5/-).

#### **ITEM 5. REPORT OF THE COMPLIANCE COMMITTEE (ARTICLE 30)**

32. The Compliance Committee under the Protocol is required to report and submit its recommendations to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. The Compliance Committee held its third meeting virtually from 21 to 23 April 2020 and submitted the report of its meeting to the first part of the fourth meeting of the Parties to the Protocol (CBD/NP/MOP/4/2).

33. During the first part of the meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol took note of the report by the Chair of the Compliance Committee and decided to defer consideration of the Committee’s recommendations and the election of new members until the second part of the meeting.

34. At the second part of its fourth meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will be invited to consider the report and recommendations of the Committee and to take appropriate action. It is expected that the Committee’s recommendations will be considered under the agenda item to which they most closely pertain.

35. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will also be invited to elect members to the Compliance Committee and observers from indigenous peoples and local

communities during the second part of the meeting. The Secretariat issued a notification providing further information on this matter.<sup>3</sup>

#### **ITEM 6. ADMINISTRATION OF THE PROTOCOL AND BUDGET FOR THE TRUST FUNDS**

36. The report of the Executive Secretary on the administration of the Convention, including the budget for the trust funds of the Convention (CBD/COP/15/6) will be before the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for its consideration. The meeting of the Parties will be invited to take note of the report.

37. Following the postponement of the fourth meeting of the Parties to the Nagoya Protocol, the fifteenth meeting of the Parties to the Convention and the tenth meeting of the Parties to the Cartagena Protocol, an interim budget for 2021 was approved by extraordinary meetings in November 2020 (see decision NP-EM-1/1) and an interim budget for 2022 was approved at the first part of this meeting in October 2021 (see decision NP-4/1). Decision NP-4/1 (as well as decisions 15/1 and CP-10/1) requested the Executive Secretary to prepare proposals for the budget for the biennium 2023-2024.

38. Under this item, the Conference of the Parties, as well as the meeting of the Parties of the Protocol, is expected to adopt a programme budget for the biennium 2023-2024 on the basis of a proposal prepared by the Executive Secretary (CBD/COP/15/7 and CBD/COP/15/7/Add.1), in accordance with decisions 14/37 and 5/1. Further information on the requirements for the Trust Fund for Additional Voluntary Contributions in Support of Approved Activities, including a summary of the financial implications of draft decisions, will also be provided (CBD/COP/15/7/Add.2). Further to decision 14/37, the meeting of the Parties will also consider, under this agenda item, matters related to the funding of participants from developing countries (CBD/COP/15/7/Add.3). Elements of a draft decision have been prepared by the Executive Secretary and are provided in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5).

39. It is expected that the Conference of the Parties to the Convention at its fifteenth meeting, will establish a contact group on the budget to address the corresponding item on its agenda. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting may wish to refer consideration of the budget for its programme of work to this contact group.

#### **ITEM 7. FINANCIAL MECHANISM AND RESOURCES (ARTICLE 25)**

40. In decision [14/23](#), the Conference of the Parties requested the Subsidiary Body on Implementation at its third meeting to prepare proposals for a four-year outcome-oriented framework of programme priorities for the Convention and its Protocols, for the eighth replenishment period (July 2022 to June 2026) of the Global Environment Facility Trust Fund, aligned with the draft post-2020 global biodiversity framework, for consideration by the Conference of the Parties at its fifteenth meeting (para. 17). The Subsidiary Body on Implementation was also requested to consider the estimated funding and investment needs for the implementation of the Convention and its Protocols in the eighth replenishment period of the Global Environment Facility to inform the work of the Conference of the Parties at its fifteenth meeting (para. 16).

41. Accordingly, and aided by the note by the Executive Secretary (CBD/SBI/3/6) and its addenda, including a preliminary report of the Council of the Global Environment Facility, the Subsidiary Body on Implementation prepared a recommendation to the Conference of the Parties addressing these elements as well as terms of reference for an evaluation of the effectiveness of the financial mechanism (SBI recommendation 3/7).

42. The Conference of the Parties serving as the meeting of the Parties to the Protocol will have before it a note by the Executive Secretary summarizing relevant information regarding the implementation of Article 25, including support for access and benefit-sharing from the Global Environment Facility (CBD/NP/MOP/4/10). In accordance with decision NP-1/6 (para. 2), the meeting of the Parties will also have before it the report of the Council of the Global Environment Facility to the fifteenth meeting of the

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<sup>3</sup> Notification [2022-054](#), dated 1 September 2022.

Conference of the Parties (CBD/COP/15/8). In addition, a note by the Executive Secretary submitted to the Conference of the Parties concerning the financial mechanism and the provision of guidance to the Global Environment Facility (CBD/COP/15/10) is also relevant to its deliberations.

43. The meeting of the Parties to the Nagoya Protocol is expected to consider the elements of a draft decision contained in the document CBD/NP/MOP/4/10, reproduced in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5), and to adopt a decision on this matter. It is further expected that the meeting of the Parties will consider the recommendation by the Subsidiary Body on Implementation to the Conference of the Parties (SBI recommendation 3/7) and the related aspects of the document CBD/COP/15/10, as well as the report of the Council of the GEF (CBD/COP/15/8), and include in its decision a recommendation to the Conference of the Parties on guidance to the Global Environment Facility, as appropriate.

**ITEM 8. MEASURES TO ASSIST IN CAPACITY-BUILDING AND CAPACITY DEVELOPMENT (ARTICLE 22) AND MEASURES TO RAISE AWARENESS OF THE IMPORTANCE OF GENETIC RESOURCES AND ASSOCIATED TRADITIONAL KNOWLEDGE (ARTICLE 21)**

44. In decision [NP-1/8](#), the Parties to the Nagoya Protocol adopted a strategic framework for capacity-building and development to support the effective implementation of the Protocol (annex I to the decision). Pursuant to decision [NP-3/5](#), the Parties to the Protocol requested the Executive Secretary to prepare an evaluation of the strategic framework in accordance with decision NP-1/8, paragraph 9(f) and to submit the evaluation report for the consideration of the Subsidiary Body on Implementation at its third meeting with a view to ensuring an effective approach to capacity-building under the Nagoya Protocol that is consistent with the post-2020 global biodiversity framework (para. 7 (b)).

45. In decision [14/24](#), the Parties to the Convention requested the Executive Secretary to submit a draft long-term strategic framework for capacity-building beyond 2020 aligned with the draft post-2020 global biodiversity framework and the 2030 Agenda for Sustainable Development for consideration by the Subsidiary Body on Implementation at its third meeting (para. 1(d)). In decision NP-3/5, the Parties to the Protocol requested the Executive Secretary to submit the long-term strategic framework for capacity-building beyond 2020 for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fourth meeting.

46. The Parties to the Protocol requested the Informal Advisory Committee on Capacity-Building for the implementation of the Nagoya Protocol to provide inputs to the evaluation of the strategic framework and to contribute to the development of the draft long-term strategic framework for capacity-building beyond 2020 (decision NP-3/5, paras 4 and 5). The fourth meeting of the Informal Advisory Committee was held in Montreal, Canada, from 29 to 31 October 2019. The report of the meeting is made available as information document CBD/NP/CB-IAC/2019/1/4.

47. The Subsidiary Body on Implementation, at its third meeting, considered a note by the Executive Secretary on the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Protocol and agreed to recommendation 3/9 containing a decision for consideration by the meeting of the Parties to the Nagoya Protocol. At its third meeting, the Subsidiary Body on Implementation also considered the draft long-term strategic framework for capacity development to support implementation of the post-2020 global biodiversity framework and agreed to recommendation 3/8.

48. Furthermore, at its first meeting, the Parties to the Nagoya Protocol adopted an awareness-raising strategy to assist Parties in implementing Article 21 of the Nagoya Protocol (decision [NP-1/9](#)). In decision [NP-3/6](#) on awareness-raising, the Parties to the Protocol requested the Executive Secretary to continue to support the implementation of the awareness-raising strategy and to provide an update on progress with its implementation for consideration by the Parties to the Protocol at its fourth meeting.

49. The Conference of the Parties serving as the meeting of the Parties to the Protocol will be invited to consider this item on the basis of a note by the Executive Secretary (CBD/NP/MOP/4/5) summarizing the progress made on measures to assist in awareness raising (Article 21) and capacity-building and development

(Article 22), including with regard to the long-term strategic framework for capacity-building. The meeting will be invited to adopt a decision including the elements in SBI recommendation 3/9 as well as elements arising from document CBD/NP/MOP/4/5 (see the compilation of draft decisions, CBD/NP/MOP/4/1/Add.5).

**ITEM 9. THE ACCESS AND BENEFIT-SHARING CLEARING-HOUSE AND INFORMATION SHARING (ARTICLE 14)**

50. At its third meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol adopted decision [NP-3/3](#), and requested the Executive Secretary to continue to implement and administer the Access and Benefit-sharing (ABS) Clearing-House by following the goals and priorities for the further implementation and administration contained in the annex to the decision, in accordance with the modalities of operation and feedback received, in particular that of Parties and of the Informal Advisory Committee to the ABS Clearing-House (para. 12).

51. Against this background, the meeting will be invited to consider a report by the Executive Secretary (CBD/NP/MOP/4/6) containing progress made in the implementation and operation of the ABS Clearing-House and to adopt a decision on the way forward (reproduced in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5)).

52. The report from the fourth meeting of the Informal Advisory Committee to the ABS Clearing-House (CBD/NP/ABSCH-IAC/2019/1/3) has been made available for the information of the meeting of the Parties to the Protocol.

**ITEM 10. MONITORING AND REPORTING (ARTICLE 29)**

53. Article 29 of the Nagoya Protocol requires each Party to monitor the implementation of its obligations and to report to the Conference of the Parties serving as the meeting of the Parties to the Protocol on measures taken to implement the Protocol.

54. In decision [NP-3/4](#), paragraph 8, the Parties requested the Executive Secretary to review the reporting format for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fourth meeting, taking into account comments received, input from the Compliance Committee, the framework of indicators contained in annex to decision [NP-3/1](#), the post-2020 global biodiversity framework and the alignment of national reports under the Convention and its Protocols, while bearing in mind the need for continuity in the format in order to measure progress in implementation .

55. The Parties to the Protocol will be invited to consider a note by the Executive Secretary (CBD/NP/MOP/4/7) including a revised reporting format for the first national report on the implementation of the Nagoya Protocol and adopt a decision in this regard reproduced in the compilation of draft decisions (CBD/NP/MOP/4/1/Add.5)).

**ITEM 11. COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS, CONVENTIONS AND INITIATIVES**

56. In carrying out activities related to the Nagoya Protocol, the Secretariat cooperates with a number of other international organizations, conventions and initiatives. Pursuant to decision NP-3/7, the meeting of the Parties will have before it a note by the Executive Secretary providing an update on cooperative activities between the Secretariat and other conventions, international organizations and initiatives relevant to access and benefit-sharing and the Nagoya Protocol (CBD/NP/MOP/4/8). The note will also provide an overview of key developments under international agreements and instruments of relevance to the implementation of the Nagoya Protocol.

57. The meeting of the Parties will be invited to take note of the information.

**ITEM 12. REVIEW OF EFFECTIVENESS OF STRUCTURES AND PROCESSES**

58. At their first meeting, in decision NP-1/12, the Parties to the Nagoya Protocol decided to hold future ordinary meetings within a two-week period concurrently with the meetings of the Parties to the Convention and the Cartagena Protocol. At their second meeting, the Parties to the Protocol decided to review their experience in holding concurrent meetings at their third and fourth meetings, on the basis of criteria agreed to in decision [NP-2/12](#).

59. At its third meeting, the Parties to the Nagoya Protocol reviewed experience with concurrent meetings and, in decision [NP-3/10](#), requested the Executive Secretary to further develop the preliminary review of experience on the basis of the experience gained from the concurrent meetings in Sharm El-Sheikh, Egypt, for consideration by the Subsidiary Body on Implementation at its third meeting.

60. The second and final review prepared by the Executive Secretary was considered by the Subsidiary Body on Implementation, at its third meeting. In light of the circumstances arising from the COVID-19 pandemic, the Subsidiary Body also considered the challenges and opportunities of conducting meetings through online modalities. The meeting agreed to recommendation 3/13 containing a draft decision for consideration by the Conference of the Parties to the Convention as well as each of the meetings of the Parties to the Protocols.

61. Under this item, the meeting of the Parties to the Protocol will be invited to consider SBI recommendation 3/13 (also contained in the compilation of draft decisions, document CBD/NP/MOP/4/1/Add.5) in conjunction with the corresponding item on the agenda of the Conference of the Parties and the meeting of the Parties to the Cartagena Protocol.

**ITEM 13. POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

62. The Conference of the Parties adopted decision [14/34](#) on a comprehensive and participatory process for the preparation of the post-2020 global biodiversity framework. Also, in decision [14/31](#), the Conference of the Parties encouraged Parties to consider further integration of access and benefit-sharing into other areas of work under the Convention as part of discussions on the post-2020 global biodiversity framework (para. 12).

63. The meeting of the Parties to the Nagoya Protocol, in decision [NP-3/15](#), welcomed decision 14/34 by the Conference of the Parties and encouraged Parties to the Protocol to undertake measures to enhance the implementation of the Nagoya Protocol, in the context of the post-2020 global biodiversity framework (para. 2).

64. Against this background, the meeting will have before it a note by the Executive Secretary (CBD/NP/MOP/4/9) containing an update on the status of implementation of the Protocol and a summary of linkages between the Protocol and draft decisions relating to the post-2020 global biodiversity framework. The meeting will be invited to consider a draft decision (also reproduced in the compilation of draft decisions CBD/NP/MOP/4/1/Add.5).

**ITEM 14. DIGITAL SEQUENCE INFORMATION ON GENETIC RESOURCES**

65. At its fourteenth meeting, the Conference of the Parties to the Convention adopted decision [14/20](#) on digital sequence information on genetic resources. Among other things, the decision established an Ad Hoc Technical Expert Group which was to submit its report to the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework.

66. In decision [NP-3/12](#), the meeting of the Parties to the Nagoya Protocol welcomed decisions [14/34](#) and [14/20](#) of the Conference of the Parties. It recognized that the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework would consider the outcomes of the Ad Hoc Technical Expert Group established by the Conference of the Parties in decision 14/20 and requested the Open-ended Working Group to submit the outcome of its deliberations to the fourth meeting of the Parties to the Protocol.

67. The Ad Hoc Technical Expert Group met virtually in March 2020 and its outcomes were considered by the Open-ended Working Group on the Post-2020 Global Biodiversity Framework at its third meeting



(parts I and II). At the second part of its third meeting, the Open-ended Working Group on the post-2020 Global Biodiversity Framework agreed to recommendation 3/2 on “digital sequence information on genetic resources”. Among other things, the recommendation included a draft decision for consideration by the Conference of the Parties at its fifteenth meeting. In paragraph 15, the Working Group recommended that the meeting of the Parties to the Nagoya Protocol at its fourth meeting consider WG2020 recommendation 3/2 as well as any decision prepared by the Conference of the Parties at its fifteenth meeting.

68. The issue of digital sequence information on genetic resources was further considered by the Open-ended Working Group on the Post-2020 Global Biodiversity Framework at its fourth meeting as decided upon in WG2020 recommendation 3/3. It will be further considered by the Working Group at its fifth meeting of the to be held in December 2022.

69. The meeting of the Parties to the Nagoya Protocol will be invited to consider this agenda item in conjunction with the corresponding item on the agenda of the Conference of the Parties.

**ITEM 15. SPECIALIZED INTERNATIONAL ACCESS AND  
BENEFIT-SHARING INSTRUMENTS IN THE CONTEXT OF  
ARTICLE 4, PARAGRAPH 4, OF THE NAGOYA PROTOCOL**

70. In decision [NP-3/14](#), paragraph 1, the meeting of the Parties to the Protocol took note of the study<sup>4</sup> and potential criteria for specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol as summarized in its annex, and agreed to reconsider these potential criteria at its fourth meeting.

71. The Subsidiary Body on Implementation, at its third meeting, considered a note by the Executive Secretary containing a synthesis of information provided by Parties and other Governments on how specialized international access and benefit-sharing instruments are addressed in their domestic measures and views on the potential criteria contained in the study. The note also included information on developments in relevant international forums.

72. The fourth meeting of the Parties to the Nagoya Protocol will be invited to consider this issue on the basis of a recommendation by the Subsidiary Body on Implementation (SBI recommendation 3/16, also reproduced in the compilation of draft decisions CBD/NP/MOP/4/1/Add.5).

**ITEM 16. GLOBAL MULTILATERAL BENEFIT-SHARING  
MECHANISM (ARTICLE 10)**

73. In decision [NP-3/13](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol considered that more information on 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 accompanied by an explanation as to why such cases cannot be covered under the bilateral approach as well as options for addressing those cases, including through a global multilateral benefit-sharing mechanism, would assist in consideration of Article 10.

74. In the same decision, the Executive Secretary was requested to commission a peer-reviewed 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 and to synthesize information submitted by Parties and others on information on specific cases accompanied by an explanation as to why such cases cannot be covered under the bilateral approach set out in the Nagoya Protocol, as well as on options for possible modalities for addressing those cases, including through a global multilateral benefit-sharing mechanism.

75. The Subsidiary Body on Implementation, at its third meeting, considered the study and a synthesis of the views and information described above, with a view to identifying specific cases, if any, that cannot

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<sup>4</sup>“Study into criteria to identify a specialized international access and benefit-sharing instrument, and a possible process for its recognition” (CBD/SBI/2/INF/17).

be addressed through the bilateral approach, and, if identified, options for addressing these cases, including a possible global multilateral benefit-sharing mechanism.

76. The fourth meeting of the Parties to the Nagoya Protocol will be invited to consider this matter on the basis of a recommendation by the Subsidiary Body on Implementation (SBI recommendation 3/17, also reproduced in the compilation of draft decisions CBD/NP/MOP/4/1/Add.5).

#### **ITEM 17. OTHER MATTERS**

77. The Parties to the Nagoya Protocol may wish to consider other matters raised and accepted for discussion in accordance with the rules of procedure.

78. Under this agenda item, the President is expected to inform the plenary about the outcome of the high-level segment to be held from 15 to 17 December 2022.

#### **ITEM 18. ADOPTION OF THE REPORT**

79. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will be invited to consider and adopt the report on the work of the second part of its fourth meeting on the basis of the draft report prepared by the Rapporteur.

80. The reports of parts I (CBD/NP/MOP/4/4) and II will together constitute the proceedings of the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

81. In accordance with established practice, the Parties will be invited to authorize the Rapporteur to complete the final report after the meeting with the guidance of the President and the assistance of the Secretariat.

#### **ITEM 19. CLOSURE OF THE MEETING**

82. It is expected that the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will be closed on Monday, 19 December 2022, at approximately 6 p.m.

*Annex***PROVISIONAL LIST OF DOCUMENTS****A. Working documents**

<i>Symbol</i>	<i>Title</i>	<i>Agenda item(s)</i>
CBD/NP/MOP/4/1/Rev.1	Provisional agenda	2
CBD/NP/MOP/4/1/Add.1	Annotated provisional agenda (part I)	2
CBD/NP/MOP/4/1/Add.2	Proposed organization of work (part I)	2
CBD/NP/MOP/4/1/Add.3	Annotations to the agenda (part II)	2
CBD/NP/MOP/4/1/Add.4	Proposed organization of work (part II)	2
CBD/NP/MOP/4/1/Add.5	Compilation of draft decisions	
CBD/WG2020/1/5	Report of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on its first meeting	4 & 13
CBD/WG2020/2/4	Report of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on its second meeting	4 & 13
CBD/WG2020/3/5	Report of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on the work of part I of its third meeting	
CBD/WG2020/3/7	Report of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on the work of its third meeting	
CBD/WG2020/4/4	Report of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework on the work of its fourth meeting	
CBD/SBSTTA/24/12	Report of the Subsidiary Body on Scientific, Technical and Technological Advice on the work of its twenty-fourth meeting	
CBD/SBI/3/21	Report of the Subsidiary Body on Implementation on the work of its third meeting	
CBD/NP/MOP/4/2	Report of the Compliance Committee under the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization on the work of its third meeting	5
CBD/NP/MOP/4/3	Proposed interim budget for the programme of work of the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing for the year 2022	6
CBD/NP/MOP/4/4	Report of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on its fourth meeting (part I)	18

CBD/NP/MOP/4/5	Progress report on measures to assist in capacity-building and development and awareness-raising (Articles 22 and 21)	8
CBD/NP/MOP/4/6	Report on progress on the implementation and operation of the Access and Benefit-sharing Clearing-House	9
CBD/NP/MOP/4/7	Monitoring and reporting (Article 29)	10
CBD/NP/MOP/4/8	Cooperation with other international organizations, conventions and initiatives	11
CBD/NP/MOP/4/9	Enhancing implementation of the Nagoya Protocol in the post-2020 global biodiversity framework	13
CBD/NP/MOP/4/10	Financial mechanism and resources (Article 25)	7
CBD/COP/15/6	Report of the Executive Secretary on the administration of the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing for the period 2019-2022, including the budget for the trust funds	6
CBD/COP/15/7	Proposed budget for the programme of work of the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-Sharing for the biennium 2023-2024	6
CBD/COP/15/7/Add.1	Addendum to the proposed budget for programme of work of the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing for the biennium 2022 2024	6
CBD/COP/15/7/Add.2	Further information on the requirements for the Trust Fund for Additional Voluntary Contributions in Support of Approved Activities	6
CBD/COP/15/7/Add.3	Matters related to the Special Voluntary Trust Fund for Facilitating the Participation of Developing Country Parties in the Process of the Convention on Biological Diversity	6
CBD/COP/15/10	The financial mechanism: matters related to the provision of guidance to the Global Environment Facility, including the consolidation of guidance	7

## **B. Information documents (preliminary list)**

<i>Symbol</i>	<i>Title</i>	<i>Agenda item(s)</i>
CBD/NB/CB-IAC/2019/1/4	Report of the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol	8
CBD/SBI/3/6	Evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol	8

CBD/NP/MOP/4/INF/1	Overview of capacity-building and development initiatives providing direct support to countries for the implementation of the Nagoya Protocol	8
CBD/NP/MOP/4/INF/2	Overview of access and benefit-sharing capacity-building tools and resources	8
CBD/NP/ABSCH-IAC/2019/1/3	Report of the Informal Advisory Committee to the Access and Benefit-sharing Clearing House	9
CBD/NP/CB-WS/2019/1/2	Report on the Global Capacity-building Workshop on Monitoring the Utilization of Genetic Resources under the Nagoya Protocol	
CBD/SBI/3/14	Specialized international access and benefit sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol	15
CBD/SBI/3/15	Global multilateral benefit-sharing mechanism (Article 10) of the Nagoya Protocol	16
CBD/SBI/3/15/Add.1	Study to identify specific cases of genetic resources and associated 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	16
CBD/DSI/AHTEG/2020/1/7	Report of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources	14

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