



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 8

Measures to assist in capacity-building and capacity development (Article 22)

Draft decision submitted by the Chair of Working Group II

A. Capacity-building and development to support the effective implementation of the Nagoya Protocol

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

1. *Takes note* of the findings and recommendations of the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, which includes the input provided by the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol at its fourth meeting;¹

2. *Endorses* the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework, as contained in the annex to decision 15/-- of the Conference of the Parties;

3. *Welcomes* the recommendations for the improvement of the strategic framework, and *agrees* to revise it in line with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework² and the findings of the evaluation referred to in paragraph 1 above;

4. *Takes note* of the report of the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol on its fourth meeting, held during the intersessional period,³ and *decides* to extend the mandate of the Informal Advisory Committee until the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and to update its terms of reference to include supporting the revision and updating of the strategic framework for capacity-building and development;

5. *Decides* to expand the membership of the Informal Advisory Committee to include representatives of the business sector, the research community and youth;

¹ CBD/SBI/3/INF/1.

² Decision 15/--, annex XX.

³ CBD/NP/CB-IAC/2019/1/4.

6. *Also decides* that the Informal Advisory Committee will hold one meeting, and online consultations, as needed to support the revision and updating of the strategic framework for capacity-building and development;

7. *Urges* Parties and *encourages* other Governments and relevant organizations in a position to do so:

(a) To expand their efforts to build and develop the capacities of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, in line with the provisions of the Convention and its Nagoya Protocol, to implement the Nagoya Protocol, taking into account the priority areas identified in the annex to the present decision and in the post-2020 global biodiversity framework;

(b) To continue to make available information on capacity-building and development needs, initiatives and resources and share best practices and lessons learned on the Access and Benefit-sharing Clearing-House;

8. *Requests* the Executive Secretary to prepare, in consultation with Parties, a revised strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, in line with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework, taking into account the findings of the evaluation, for the consideration of the Subsidiary Body on Implementation at its fourth meeting and for adoption by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fifth meeting;

B. Awareness-raising

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

1. *Welcomes* the progress made in the implementation of the awareness-raising strategy for the Nagoya Protocol;

2. *Takes note* of the feedback from Parties, other Governments and other relevant stakeholders on the *CEPA Toolkit - Including Considerations for Access and Benefit-sharing*,⁴ and encourages Parties, other Governments, relevant organizations and other stakeholders to continue to utilize the toolkit as part of their awareness-raising and capacity-building activities;

3. *Welcomes* the framework for a communication strategy to support the post-2020 global biodiversity framework, contained in decision 15/-- of the Conference of the Parties, as an important element to also raise awareness on access and benefit-sharing and the related goal and target of the post-2020 global biodiversity framework;⁵

4. *Encourages* Parties, other Governments, relevant organizations and other stakeholders to continue to implement awareness-raising activities and to make available information on awareness-raising tools and resources through the Access and Benefit-sharing Clearing-House;

5. *Requests* the Executive Secretary to continue facilitating the implementation of the awareness-raising strategy⁶ through its capacity-building and development activities and by encouraging the use of the access and benefit-sharing awareness-raising toolkit in related capacity-building and development and awareness-raising projects carried out by Parties, other Governments and relevant organizations;

⁴ <https://www.cbd.int/abs/doc/cepa-toolkit-en.pdf>.

⁵ Subject to the adoption of the COP decision on the communication strategy.

⁶ As set out in decision NP-1/9.

6. *Also requests* the Executive Secretary to consider incorporating elements of the awareness-raising strategy when revising the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, for the consideration of the Subsidiary Body on Implementation at its fourth meeting and for adoption by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fifth meeting.

Annex

**SPECIFIC PRIORITIES FOR CONTINUED CAPACITY-BUILDING AND DEVELOPMENT
TO SUPPORT THE IMPLEMENTATION OF THE NAGOYA PROTOCOL**

Specific priorities for continued capacity-building and development identified during the assessment and review of the Nagoya Protocol include:

(a) Developing access and benefit-sharing legislation or regulatory requirements, considering Article 8 of the Protocol and the need to ensure that the Protocol and other relevant international instruments are implemented in a mutually supportive manner;

(b) Enhancing the implementation of the provisions on compliance with domestic legislation and regulatory requirements on access and benefit-sharing, monitoring the utilization of genetic resources including the designation of checkpoints, as well as the provisions related to indigenous peoples and local communities;

(c) Supporting the participation of indigenous peoples and local communities in the implementation of the Protocol, including by supporting the development by indigenous peoples and local communities of community protocols and procedures, minimum requirements for mutually agreed terms and model contractual clauses for benefit-sharing arising from the utilization of traditional knowledge associated with genetic resources, taking into consideration their customary laws;

(d) Raising awareness among interested and relevant stakeholders and encouraging their participation in the implementation of the Protocol;

(e) Capacity-building and development needs related to the measuring and reporting of both monetary and non-monetary benefits that arise from the utilization of genetic resources and traditional knowledge associated with genetic resources;

(f) Strategic communication at the global, regional and national levels on access and benefit-sharing as an area for capacity-building and development.
