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**OPEN-ENDED AD HOC INTERGOVERNMENTAL
COMMITTEE FOR THE NAGOYA PROTOCOL ON
ACCESS TO GENETIC RESOURCES AND THE
FAIR AND EQUITABLE SHARING OF BENEFITS
ARISING FROM THEIR UTILIZATION**

Third meeting

Pyeongchang, Republic of Korea, 24-28 February 2014

Item 3.6 of the provisional agenda*

**DRAFT STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING AND DEVELOPMENT
UNDER THE NAGOYA PROTOCOL**

Note by the Executive Secretary

INTRODUCTION

1. In paragraph 4 of recommendation 2/5, the Intergovernmental Committee for the Nagoya Protocol recommended that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol: (a) adopts the strategic framework for capacity-building and development in support of the effective implementation of the Protocol; (b) invites Parties, other Governments and relevant organizations to carry-out capacity-building and development activities consistent with the strategic framework; and (c) invites Parties, other Governments, international organizations, the Global Environment Facility, regional Banks and other financial institutions, to provide financial resources to support the implementation of the strategic framework.

2. In paragraph 4 of decision XI/1 D, the Conference of the Parties, pursuant to paragraph 4 of recommendation 2/5 of the Intergovernmental Committee for the Nagoya Protocol, requested the Executive Secretary to organize an expert meeting to develop a draft strategic framework for capacity-building and development under the Nagoya Protocol, taking into account the synthesis of views and information submitted by Parties, Governments, international organizations, indigenous and local communities and relevant stakeholders regarding domestic needs and priorities and the proposed elements of the strategic framework contained in document UNEP/CBD/ICNP/2/10, as well as the summary of views expressed at the second meeting of the Intergovernmental Committee, contained in annex III to decision XI/1.

3. Accordingly, the expert meeting was convened in Montreal, from 3 to 4 June 2013, with the generous financial support of the Government of the United Kingdom of Great Britain and Northern Ireland. The draft strategic framework developed by the expert meeting is annexed hereto for consideration by the third meeting of the Intergovernmental Committee. The full report of the expert meeting is available as an information document (UNEP/CBD/ICNP/3/INF/6).

* UNEP/CBD/ICNP/3/1

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4. The Intergovernmental Committee may wish to review and revise the draft strategic framework, as appropriate, and recommend it for adoption by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its first meeting.

5. In addition to the elements contained in paragraph 4 of its recommendation 2/5, the Intergovernmental Committee may also wish to recommend that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, in its decision on capacity-building and development:

(a) *Invites* Parties, other Governments, relevant organizations and indigenous and local communities to submit to the Access and Benefit-sharing (ABS) Clearing-House information on their capacity-building and development initiatives, including information on the status of implementation of the strategic framework.

(b) *Requests* the Executive Secretary to:

- (i) Develop, in collaboration with relevant organizations, a global programme to assist developing country Parties, in particular least developed countries and small island developing States, as well as Parties with economies in transition to implement the strategic framework;
- (ii) Facilitate coordination and cooperation in the implementation of the strategic framework by, *inter alia*, providing relevant information and tools through the ABS Clearing-House;
- (iii) Prepare reports on the status of implementation of the strategic framework for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its regular meetings, taking into account the information made available by Parties, other Governments, relevant organizations and indigenous and local communities through the ABS Clearing-House.

*Annex***DRAFT STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING AND DEVELOPMENT TO SUPPORT EFFECTIVE IMPLEMENTATION OF THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT-SHARING****EXECUTIVE SUMMARY**

This strategic framework seeks to foster a strategic, coherent and coordinated approach to capacity-building and development for the effective implementation of the Nagoya Protocol. It provides guidance on the key areas and measures requiring capacity-building and development and includes a set of practical activities to build and develop the capacities of Parties, indigenous and local communities and relevant stakeholders to enable them undertake strategic measures in the short, medium and long-term to contribute to the effective implementation of the Protocol.

The strategic framework is designed to serve both as reference document to guide the policies and actions of Parties, relevant organizations and donors in relation to capacity-building and development for implementation of the Protocol and includes practical capacity-building and development activities.

The strategic framework covers five key areas for capacity-building and development:

1. Capacity to implement and to comply with the obligations of the Protocol;
2. Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing;
3. Capacity to negotiate mutually agreed terms;
4. Capacity of indigenous and local communities and relevant stakeholders, including business sector and the research community, in relation to the implementation of the Protocol;
5. Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources.

The strategic framework focuses on capacity-building and development for strategic measures that Parties may need to undertake in the short and medium-term (i.e. within the first six years until 2020), and in the long-term (beyond 2020) to build the foundation for effective implementation of the Protocol. The measures, summarized in a table contained in Appendix I, provide an indicative sequence of actions (roadmap) organized under three indicative timeframes.

The strategic framework is intended to assist and guide Parties, regional and international organizations, research and academic institutions, indigenous and local communities and other relevant stakeholders to build and develop capacity through projects and programmes to be implemented at national, subregional, regional and international levels, taking into specific needs and priorities of countries.

The framework includes mechanisms to facilitate coordination and cooperation between and among Parties and relevant organizations on capacity-building and development for the effective implementation of the Protocol with a view to fostering synergies, mutual supportiveness, experience-sharing and lesson-learning and efficient utilization of available resources and expertise.

A comprehensive evaluation of the strategic framework will be carried out in 2020. The evaluation report will be used by the Conference of the Parties serving as the meeting of the Parties to the Protocol to review and revise, as appropriate, the strategic framework in conjunction with the review of the Strategic Plan for Biodiversity 2011-2020.

1. INTRODUCTION

1.1 Background

1. Article 22 of the Protocol requires Parties to cooperate in capacity-building, capacity development and strengthening of human resources and institutional capacities to effectively implement the Protocol in developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, including through existing global, regional, subregional and national institutions and organizations. Parties are also required to facilitate the involvement of indigenous and local communities and relevant stakeholders, including non-governmental organizations and the private sector.

2. Currently, most developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition lack the necessary capacities to effectively implement the Protocol. For example, many do not yet have functional domestic legislative, administrative or policy measures on access and benefit-sharing in place and have not yet set up the institutional arrangements to support implementation of the Protocol at the national level. Many of them also lack experts in the area of access and benefit-sharing and related issues. As well, key stakeholders – including government officials, indigenous and local communities, the private sector and the public – are not fully aware of the provisions of the Protocol.

3. This strategic framework has been developed to facilitate cooperation among Parties, donors and other actors on capacity-building and development for the effective implementation of the Protocol and foster a strategic, coherent and coordinated approach to capacity-building and development. It delineates the general focus and strategic direction for building and developing core capacities at the individual, institutional and systemic levels that would underpin the implementation of the Protocol over the next decade.

4. This document is a result of a broad consultative process, which was initiated after the first meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol (the Intergovernmental Committee) held in June 2011 in Montreal. In its recommendation 1/2, the Intergovernmental Committee called for the development of a strategic framework for capacity-building and development on the basis of the domestic needs and priorities and the elements identified by Parties and indigenous and local communities. Subsequently the Executive Secretary prepared a synthesis of the views and information received. The synthesis was considered by the second meeting of the Intergovernmental Committee, which was held in July 2012 in New Delhi.¹

5. On the basis of the recommendation by the second meeting of the Intergovernmental Committee, the Conference of the Parties requested the Executive Secretary to organize an expert meeting to develop a draft strategic framework, taking into account the above mentioned synthesis of views and information received, the wealth of experiences and lessons learned from existing access and benefit-sharing related capacity-building and development initiatives and access and benefit-sharing related bilateral cooperation, as well as the views expressed at the second meeting of the Intergovernmental Committee.²

6. The expert meeting, held from 3 to 5 June 2013 in Montreal, developed the draft strategic framework on the basis of the above information. The expert meeting also took into account outcomes from the workshops on capacity-building on access and benefit-sharing, which were organized by the Secretariat of the Convention on Biological Diversity and the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture in 2011 and 2012.³ The draft strategic framework will

¹ The synthesis was made available in document UNEP/CBD/ICNP/2/10.

² Decision XI/1 D, paragraph 4 and annex III.

³ The reports of these workshops (UNEP/CBD/ICNP/2/INF/1 and UNEP/CBD/ICNP/2/INF/9) are available at <http://www.cbd.int/icnp2/documents>.

be submitted for consideration by the Intergovernmental Committee at its third meeting in February 2014 in the Republic of Korea.

7. The strategic framework is a flexible and living document. It is intended to be used and adapted by Parties according to the different situations and contexts and will be updated on the basis of emerging experiences and lessons learned.

1.2 Current situation, previous experiences and lessons learned

8. There is a wide variation among countries with regard to the current status of implementation of access and benefit-sharing measures, the existing human resources and institutional capacities and the capacity needs and priorities. In response to the questionnaire sent out by the Secretariat in October 2011, a number of Parties expressed the need for capacity to develop national access and benefit-sharing measures and institutional arrangements, participate in the Access and Benefit-Sharing (ABS) Clearing-House, conduct valuation of genetic resources and associated traditional knowledge, address transboundary situations and national capacity for bioprospecting. The representatives of indigenous and local communities expressed the need to develop their capacity to participate in decision-making and policy development processes, to understand the provisions of the Protocol, to negotiate favourable access and benefit-sharing agreements and to develop inventories and monitor their genetic resources and traditional knowledge associated with genetic resources.

9. Many countries also lack clear and harmonized institutional arrangements and rules governing access and benefit-sharing, including procedures for obtaining prior informed consent and establishing mutually agreed terms. They also lack expertise to effectively carry out access and benefit-sharing regulatory functions and the capacity to collect, manage and share information on access and benefit-sharing. Moreover, the level of awareness of the Protocol and its provisions is very low in most countries. Key stakeholders, including government officials, indigenous and local communities, the private sector and the public are not aware of the requirements under the Protocol. There is also a need for capacity-building and development in all Parties for monitoring the utilization of genetic resources, including through checkpoints.

10. Prior to the adoption of the Protocol, a number of tools and initiatives were developed to assist Parties to implement Article 15 of the Convention on Biological Diversity. For example, an Action Plan on Capacity-building for Access and Benefit-sharing was adopted by the Conference of the Parties in 2004 to facilitate and support the development and strengthening of capacities of individuals, institutions and communities for the effective implementation of the provisions of the Convention relating to access to genetic resources and benefit-sharing. The Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilization adopted in 2002 also assisted Parties, *inter alia*, to develop national regimes and contractual arrangements for access and benefit-sharing.⁴

11. Furthermore, various capacity-building and development initiatives have been implemented over the last few years.⁵ Many of those initiatives have provided training to individuals through face-to-face training seminars and workshops. Few have provided technical support for institutional capacity development and strengthening of capacity at the systemic level. Some initiatives have also developed virtual learning tools, including e-learning modules on access and benefit-sharing and some are supporting on-the-job training and exchange programmes. To date, however, there are very few academic institutions offering formal degree or diploma programmes in access and benefit-sharing.

12. Some of the lessons learned from past and ongoing access and benefit-sharing capacity-building and development initiatives include the following:

⁴ The Action Plan and the Bonn Guidelines are available at <http://www.cbd.int/abs/action-plan-capacity> and <http://www.cbd.int/abs/bonn/default.shtml>.

⁵ Examples of past and ongoing initiatives can be accessed at <http://www.cbd.int/abs/capacity-building.shtml>.

- (a) Addressing access and benefit-sharing capacity needs requires a programmatic approach;
- (b) Capacity-building and development on access and benefit-sharing should target and involve a wide range of stakeholder groups;
- (c) It is important that all parties involved in capacity-building and development have a clear understanding of the content and the implications of the Protocol;
- (d) Regional and subregional initiatives have been effective in building and developing capacities of countries that have similar needs and situations.⁶ They allow countries to pool resources and share expertise available in the region; and
- (e) Capacity-building and development requires adequate and consistent support over a relatively long period of time in order to secure effective and lasting results.

13. The development of this strategic framework has taken into account the current situation, the identified needs and priorities and the experiences and lessons learned from previous capacity-building initiatives.

1.3 Guiding principles and approaches

14. Implementation of capacity-building and development policies, activities, projects and other initiatives in support of the implementation of the Protocol should be guided by principles and approaches based on experiences and lessons learned from previous and current initiatives. In general, capacity-building and development initiatives should:

- (a) Be demand-driven, based on the needs and priorities identified through national self-assessments;
- (b) Ensure national ownership and leadership;
- (c) Build on experiences and lessons learned from past and ongoing access and benefit-sharing capacity-building initiatives;
- (d) Emphasize the role of bilateral and multilateral cooperation;
- (e) Ensure full involvement of indigenous and local communities and relevant stakeholders, including women, in capacity-building and development initiatives;
- (f) Recognize the usefulness and cost-effectiveness of subregional and regional approaches to capacity-building and development particularly where countries have common capacity needs;
- (g) Integrate capacity-building in wider sustainable development efforts;
- (h) Adopt a learning-by-doing approach;
- (i) Foster development of sustainable capacities to enable Parties to comply with the requirements of the Protocol; and
- (j) Consider the views and experiences of different stakeholders involved in access and benefit-sharing.

15. The above guiding principles will help to inform the Parties' capacity-building efforts to ensure that they are developed in accordance with the strategic framework and foster a more streamlined and consistent approach.

⁶ Examples the ABS Capacity-Building Initiative and the ABS initiatives by the Association of Southeast Asian Nations (ASEAN), International Centre for Integrated Mountain Development (ICIMOD), Secretariat of the Pacific Regional Environment Programme (SPREP) and the Caribbean Community (CARICOM).

2. PURPOSE AND OBJECTIVES

16. The purpose of this strategic framework is to foster a systematic, coherent and coordinated approach to capacity-building and development for the effective implementation of the Protocol in accordance with Article 22. It also seeks to catalyse and guide the development, implementation, monitoring and evaluation of capacity-building and development initiatives on access and benefit-sharing. It provides a framework that Parties, indigenous and local communities and other relevant stakeholders can use to, *inter alia*, identify their capacity needs and priorities through national self-assessment; design and implement national capacity-building and development strategies, projects and programmes; and monitor and evaluate their capacity-building and development initiatives.

17. Furthermore, the strategic framework provides a mechanism that could enable Parties, relevant organizations, donors and partners involved in capacity development to cooperate and leverage opportunities and resources through strategic partnerships and synchronized initiatives. It would also foster coordination and dialogue among countries and relevant stakeholders and promote sustainability of capacity-building and development initiatives.

18. The strategic framework is to serve both as reference document to guide the policies and actions of Parties, relevant organizations and donors in relation to capacity-building and development for implementation of the Protocol and include specific practical activities to assist developing country Parties and Parties with economies in transition to build and develop their capacities to undertake measures to facilitate the effective implementation of the Protocol.

19. The strategic framework covers the following key areas:

- (a) Capacity to implement and to comply with the obligations of the Protocol;
- (b) Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing;
- (c) Capacity to negotiate mutually agreed terms; and
- (d) Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources.

20. In addition, the capacity needs and priorities of indigenous and local communities and relevant stakeholders, including business sector and the research community, in relation to the implementation of the Protocol are addressed by the strategic framework.

21. Accordingly, the objectives of strategic framework are:

- (a) To build and develop the capacity for enabling the ratification of, or accession to, the Protocol;
- (b) To build and strengthen the capacity of Parties to develop, implement and enforce domestic legislative, administrative or policy measures to support implementation of the Protocol;
- (c) To support Parties in raising-awareness of the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues;
- (d) To enhance the capacity of Parties to negotiate mutually agreed terms, including through training and development of model contractual clauses;
- (e) To assist Parties in promoting compliance with domestic access and benefit-sharing legislation and regulatory requirements and mutually agreed terms;
- (f) To increase the capacity of Parties to monitor the utilization of genetic resources, including the establishment of checkpoints;

(g) To enable Parties to develop the endogenous research capabilities to add value to their own genetic resources;

(h) To build and develop the capacity of indigenous and local communities and relevant stakeholders, including the business sector and the research community, to effectively participate in the implementation of the Protocol;

(i) To enable Parties to effectively participate in the ABS Clearing-House and use the best available communication tools and Internet-based systems for access and benefit-sharing activities; and

(j) To promote coordination and mutual supportiveness of capacity-building and development initiatives for implementation of the Protocol and other international instruments on access and benefit-sharing.

3. STRATEGIC MEASURES REQUIRING CAPACITY-BUILDING AND DEVELOPMENT

22. The strategic framework focuses on capacity-building and development for strategic measures that Parties may need to undertake in the short and medium-term (i.e. within the first six years until 2020), and in the long-term (beyond 2020) in order to lay a strong foundation for the effective implementation of the Protocol and provide leverage for future capacity-building and development efforts. The proposed measures under each of the key areas are summarized in a table contained in Appendix I.

23. The measures in the table are organized in an indicative order of priority/sequence according to their temporal importance in supporting the implementation of the Protocol and are based on the information that was submitted to the Secretariat by Parties, indigenous and local communities and relevant stakeholders in 2011. It is recognized that the specific priorities vary from Party to Party depending on the situation of each Party, including its national development priorities and budgetary limitations and level of advancement with respect to access and benefit-sharing.

4. IMPLEMENTATION OF THE STRATEGIC FRAMEWORK

4.1 Practical activities to implement the strategic framework

24. The strategic framework may be implemented through practical capacity-building and development activities carried out at national, subregional, regional and international levels. An indicative list of activities is presented in Appendix II. The proposed activities are intended to contribute to building and developing the capacity to implement the strategic measures outlined in Appendix I.

25. The mechanisms for implementing this strategic framework would vary from country to country and from region to region depending on the measures requiring capacity-building and development. In accordance with the information received from Parties in response to the questionnaire sent out in 2011, the main delivery mechanisms include: targeted education and training programmes, conferences and workshops, legal and technical assistance, development of guidance and reference materials, online discussion forums, scientific and technical cooperation, and funding support (including research grants). Other mechanisms include train-the-trainers and learning-by-doing approaches, on-the-job training, multi-stakeholder policy dialogue, study tours and exchange visits and institutional support.

26. The implementation of the strategic framework promotes various approaches to capacity-building, including participatory bottom-up and national, subregional and regional approaches and opportunities.

4.2 Roles and responsibilities

27. The strategic framework is intended to assist and guide Parties, regional and international organizations research and academic institutions, indigenous and local communities and other relevant stakeholders to build and develop capacity through national, subregional and, regional projects and

programmes, taking into account the specific needs and priorities of the respective Parties or regions for the implementation of the Protocol. The Secretariat of the Convention on Biological Diversity is to promote and coordinate the implementation of the strategic framework by, *inter alia*, collecting and providing information through the ABS Clearing-House. It would facilitate activities at the regional and international levels, including the following:

- (a) Informing capacity-building providers about existing capacity-building initiatives and about areas where there are capacity-building gaps;
- (b) Organizing train-the-trainers courses and workshops;
- (c) Identifying and mapping institutions and expertise available at various levels that could assist in the implementation of the strategic framework;
- (d) Developing training materials and disseminating them through the ABS Clearing-House;
- (e) Setting up online expert networks on access and benefit-sharing capacity-building and development; and
- (f) Facilitating communication and exchange of experiences among Parties and relevant organizations, including through the ABS Clearing-House.

28. The Conference of the Parties serving as the meeting of the Parties to the Protocol will be responsible for monitoring the progress made in the implementation of the strategic framework and providing further guidance, if necessary.

4.3 Resources for implementation

29. The main sources of funding for the capacity-building and development activities proposed in this strategic framework include, but are not limited to, the following:

(a) The Global Environment Facility (GEF) is an important source of funding for implementing this strategic framework.⁷ Parties are encouraged to give priority to access and benefit-sharing projects when distributing their country allocation for biodiversity under the System for Transparent Allocation of Resources (STAR).

(b) Bilateral and multilateral development assistance is another potential source of funding for access and benefit-sharing capacity-building and development activities. Parties are encouraged to develop project proposals in line with this framework and submit them to potential donors. Partners are invited to assist Parties to formulate good project proposals. Parties are encouraged to integrate access and benefit-sharing capacity-building and development activities in their national development plans which often guide the discussions with development cooperation agencies.

(c) Technical cooperation with regional and international partners: Parties are encouraged to establish strategic partnerships with various organizations, regional bodies or centres of excellence and, as appropriate, with the private sector with a view to pooling human and technical resources and widening opportunities for mobilizing financial resources from various sources.

(d) New and additional funding: Parties are encouraged to pursue innovative ways of mobilizing resources at the national level to support access and benefit-sharing capacity-building and development activities. These might include resource recovery mechanisms, access application fees, fund-raising through voluntary contributions, support from foundations, and, as appropriate, public-private partnerships. Parties are also encouraged to direct some of the resources generated from the implementation of the Protocol towards capacity-building and development.

⁷ The measures and activities outlined in this strategic framework are covered in the programme priorities contained in the guidance that the Conference of the Parties provided to the GEF in its decision XI/5, paragraphs 21-23 and Appendix I.

(e) National budgets: Parties are encouraged to include in their national budgets adequate provisions to support access and benefit-sharing capacity-building and development activities.

30. The effective implementation of the strategic framework requires availability of adequate financial resources disbursed in a predictable and timely manner. Parties are encouraged to diversify domestic and external funding sources and/or employ different means of mobilizing new and additional resources.

4.4 Sustainability of capacity-building and development initiatives

31. Parties and relevant organizations are encouraged to establish measures to secure long-term sustainability of the capacity-building and development initiatives undertaken in line with this strategic framework. For examples, Parties and relevant organizations are encouraged to involve key stakeholders, including high-level policy and decision makers, politicians, relevant authorities, indigenous and local communities and relevant stakeholders, including the business sector and the research community, in the design and implementation of those initiatives in order to build ownership and political commitment.

32. Parties are also encouraged to integrate access and benefit-sharing considerations in their national development plans, strategies and sectoral policies and plans. Furthermore, activities implemented as part of individual projects (such as training workshops or courses) should be, as much as possible, incorporated into the regular programmes of relevant existing institutions such as local universities or research institution to ensure their sustainability at the end of the projects.

33. Moreover, capacity-building and development projects should include components to develop sufficient levels of institutional capacity that would help sustain the project activities and results after the projects are completed. In addition, Parties are encouraged to devise strategies to diversify the training of staff and to minimize the rate of turnover of personnel trained, in order not to compromise future implementation of the Protocol.

5. COORDINATION AND COOPERATION

5.1 Mechanisms for coordination

34. The Protocol requires Parties to provide information on national, regional and international capacity-building and development initiatives to the ABS Clearing-House, with a view to promoting synergy and coordination on capacity-building and development for access and benefit-sharing.⁸ In addition, coordination would be facilitated through the following mechanisms:

(a) Coordination meetings of government agencies, donors and relevant organizations involved in access and benefit-sharing capacity-building; and

(b) Online discussion forums and networks.

35. The objectives of these coordination mechanisms are to:

(a) Promote cooperation and synergies in the implementation of the strategic framework;

(b) Enhance efficiency in access and benefit-sharing capacity-building and development activities by avoiding duplication at different levels and across different sectors;

(c) Facilitate the sharing of experiences and best practices on access and benefit-sharing capacity-building and development; and

(d) Promote mutual supportiveness of capacity-building and development initiatives for implementation of the Protocol and of other international instruments on access and benefit-sharing.

⁸ Article 22, paragraph 6, of the Protocol.

36. Coordination should take place at international, regional, subregional and national levels. Regional and subregional meetings and existing institutional structures may be used to coordinate access and benefit-sharing capacity initiatives. The national focal points are encouraged to oversee coordination at the national level.

5.2 Cooperation among Parties and relevant organizations

37. Parties are encouraged to establish or use existing mechanisms to facilitate cooperation between and among Parties and relevant organizations on capacity-building and development for the implementation of the Protocol. Cooperation will help Parties and stakeholders complement each other's efforts and provide opportunities for pooling and maximizing available resources and expertise.

38. Initially, it is recommended that the main focus be placed on promoting or strengthening cooperation among Parties at subregional and regional levels, building upon existing initiatives and using existing bodies⁹ and mechanisms/programmes such as the South-South cooperation programme under the Convention on Biological Diversity and the South-South Cooperation Exchange Mechanism under the United Nations Environment Programme.

39. The Secretariat will also initiate cooperation with key partners to ensure mutual supportiveness in their capacity development efforts.

40. Areas of cooperation may include the following:

- (a) Development of joint capacity-building and development initiatives;
- (b) Establishment of exchange programmes between countries;
- (c) Organization of joint meetings, conferences, workshops and trainings to promote dialogue and mutual understanding of access and benefit-sharing issues;
- (d) Joint educational programmes on access and benefit-sharing, including internships or short-term courses;
- (e) Scientific and technical cooperation, including technology transfer, information and experience exchange, and funding support of local programmes and projects; and
- (f) Establishment of regional databases and websites to facilitate information exchange.

41. The Secretariat will conduct periodic assessments and mapping of institutions and organizations (both governmental and non-governmental) involved in capacity-building and development in access and benefit-sharing. Relevant institutions are invited and encouraged to establish a regional or subregional networks or learning communities on capacity-building and development for implementation of the Protocol in the respective regions or subregions.

6. MONITORING AND REVIEW

42. The Conference of the Parties serving as the meeting of the Parties to the Protocol will monitor the implementation of this strategic framework. Parties, indigenous and local communities and relevant organizations are invited to provide to the ABS Clearing-House information on capacity-building and development initiatives, including the results of those initiatives, using a common format developed by the Secretariat.

⁹ Existing regional bodies and institutions that may be used include: the African Union Commission (AUC), Central African Forest Commission (COMIFAC); South Asian Association for Regional Cooperation (SAARC); Economic Cooperation Organization (ECO); Association of Southeast Asian Nations (ASEAN); International Centre for Integrated Mountain Development (ICIMOD); the Gulf Cooperation Council; the Arab League; Secretariat of the Pacific Regional Environment Programme (SPREP) and the Caribbean Community (CARICOM).

43. The Secretariat will prepare reports on the status of implementation of the strategic framework for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its regular meetings. The reports will highlight the main activities accomplished, the key results achieved and the challenges encountered. The report will provide a general sense of the overall progress made at different levels and identify the gaps and areas that might require additional intervention. The meeting of the Parties to the Protocol will review the progress made and provide guidance on measures for improvement.

44. An evaluation of the strategic framework will be carried out in 2020. The evaluation report will be used by the Conference of the Parties serving as the meeting of the Parties to the Protocol to review, and revise as appropriate, the strategic framework in conjunction with the review of the Strategic Plan for Biodiversity 2011-2020.

Appendix I

Overview of measures requiring capacity-building and development in order to effectively implement the Protocol based on the needs and priorities expressed by Parties and indigenous and local communities

Indicative timeframe ¹⁰	Key Area 1: Capacity to implement, and to comply with the obligations of the Protocol	Key Area 2: Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing (ABS)	Key Area 3: Capacity to negotiate mutually agreed terms (MAT)	Key Area 4: Capacity needs and priorities of indigenous and local communities (ILCs) and relevant stakeholders, including the business sector and the research community	Key Area 5: Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources (GR)
Short-term	<ul style="list-style-type: none"> - Enabling ratification of, or accession to, the Protocol - Raising-awareness of the importance of genetic resources (GR) and traditional knowledge associated with genetic resources (TK), and related ABS issues - Mapping of relevant actors, including other relevant international ABS instruments, and existing expertise for the implementation of the Protocol. - Mobilizing new and innovative financial resources to implement the Protocol - Establishing mechanisms for domestic interagency coordination - Employing the best available communication tools and Internet-based systems for ABS activities including providing information to the ABS Clearing-House - Developing mechanisms to implement and comply with the obligations of the Protocol 	<ul style="list-style-type: none"> - Developing a policy framework on ABS. - Taking stock of existing domestic ABS measures to identify gaps in light of the obligations of the Protocol. - Setting-up new or amending existing ABS legislative, administrative or policy measures with a view to implementing the Protocol - Developing regional model legislation - Establishing institutional arrangements and administrative systems for ABS 	<ul style="list-style-type: none"> - Promoting equity and fairness in negotiation of MAT, including through training in relevant legal, scientific and technical skills. - Developing model sectoral and cross-sectoral contractual clauses (to provide guidance in the negotiation of MAT) - Developing and implementing pilot ABS agreements - Promoting better understanding of business models in relation to the utilization of genetic resources 	<ul style="list-style-type: none"> - Participating in legal, policy and decision-making processes - Developing minimum requirements for MAT to secure the fair and equitable sharing of benefits arising from the utilization of TK - Developing community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge - Developing model contractual clauses for benefit-sharing arising from the utilization of TK - Enhancing the capacity of ILCs, in particular women within those communities, in relation to access to genetic resources and/or TK 	<ul style="list-style-type: none"> - Developing and using methods for valuation of GRs and associated TK

¹⁰ The indicative timeframe relates to the period within which implementation of the identified measures may be initiated. Short-term covers the period 2014-2017; medium-term covers 2018-2020; and long-term covers the period beyond 2020.

Indicative timeframe ¹⁰	Key Area 1: Capacity to implement, and to comply with the obligations of the Protocol	Key Area 2: Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing (ABS)	Key Area 3: Capacity to negotiate mutually agreed terms (MAT)	Key Area 4: Capacity needs and priorities of indigenous and local communities (ILCs) and relevant stakeholders, including the business sector and the research community	Key Area 5: Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources (GR)
Medium-term	<ul style="list-style-type: none"> - Developing mechanisms to monitor the utilization of genetic resources, including the designation of checkpoints. - Reporting on measures taken to implement the Protocol 	<ul style="list-style-type: none"> - Enforcing or promoting compliance with domestic legislation or regulatory requirements on ABS 		<ul style="list-style-type: none"> - Developing capacity to negotiate MAT. - Increasing understanding of the obligations of the Parties under the Protocol - Enhancing the capacity of relevant stakeholders in relation to ABS 	<ul style="list-style-type: none"> - Facilitating transfer of technology and developing infrastructure for research, and building technical capacity to make such technology transfer sustainable
Long-term	<ul style="list-style-type: none"> - Monitoring and enforcing compliance with mutually agreed term - Enhancing the contribution of ABS activities to the conservation of biological diversity and the sustainable use of its components - Developing measures regarding access to justice in relation to ABS cases - Addressing transboundary issues 			<ul style="list-style-type: none"> - Managing TK associated with genetic resources 	<ul style="list-style-type: none"> - Undertaking research and taxonomic studies related to conservation of biological diversity and sustainable use of its components and bioprospecting, - Developing genetic resources databases

Appendix II

PRACTICAL CAPACITY-BUILDING AND DEVELOPMENT ACTIVITIES TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE PROTOCOL

Key Area 1: Capacity to implement and comply with the obligations of the Protocol

Strategic measure	Indicative capacity-building and development activities
1.1 Enabling ratification of, or accession to, the Protocol	<ul style="list-style-type: none"> • Development of a manual on the ratification of, or accession to, the Protocol including templates for briefing documents for high government officials based on experiences of countries that have already ratified the Protocol. • Organization of workshops for government officials on the provisions of the Protocol. • Provision of funding support and technical assistance/resource persons for organization of stakeholder consultation workshops on the provisions of the Protocol. • Organization of training for ABS National Focal Points on the management of multi-stakeholder processes in the ABS issues.
1.2 Raising awareness of the importance of GR and TK, and related ABS issues	<ul style="list-style-type: none"> • Development of toolkits to guide Parties and other stakeholders on how to design and conduct awareness-raising activities on the Protocol. • Organization of workshops for government officials and other stakeholders relevant for ABS implementation on how to communicate ABS issues. • Organization workshops for journalists and other media and communication experts on the importance of GR and TK, and related ABS issues. • Development of guidelines on how to integrate ABS issues into post-secondary school curricula and informal education programmes. • Design and organization of short courses on ABS in universities.
1.3 Mapping of relevant actors, including other relevant international ABS instruments, and existing expertise for the implementation of the Protocol	<ul style="list-style-type: none"> • Development of explanatory material on ABS stakeholder mapping and analysis. • Development of templates to assist Parties in taking stock of existing expertise on ABS. • Organization of training in stakeholder identification and analysis skills for government officials in charge of ABS. • Provision of technical assistance for establishment of mechanisms to facilitate networking among various actors.
1.4 Mobilizing new and innovative financial resources to implement the Protocol	<ul style="list-style-type: none"> • Organization of training of government officials in resource mobilization skills (e.g. project development, fundraising and resource recovery) • Provision of technical assistance for the development of national resource mobilization strategies.
1.5 Establishing mechanisms for domestic interagency coordination	<ul style="list-style-type: none"> • Documentation of case studies on best practices and lessons learned on interagency coordination from existing bodies involved in ABS issues. • Provision of technical assistance for the establishment of mechanisms to facilitate domestic interaction among agencies, including for assessment of options and sustainability.
1.6 Employing the best available communication tools and Internet-	<ul style="list-style-type: none"> • Provision of technical assistance and training in the use of the best available communication tools and Internet-based systems for ABS activities.

Strategic measure	Indicative capacity-building and development activities
based systems for ABS activities including providing information to the ABS Clearing-House	<ul style="list-style-type: none"> • Development or adaptation of communication tools, such as webinars, social media and e-learning, for dissemination of existing information material on ABS. • Development of suitable information -sharing platforms linked to the ABS Clearing-House. • Development of e-learning modules and hands on training on the use of the ABS-Clearing-House and the clearing-house mechanism.
1.7 Developing mechanisms to monitor the utilization of genetic resources, including the designation of checkpoints	<ul style="list-style-type: none"> • Development of guidelines for the establishment of checkpoints in-country, including roles and functioning of checkpoints. • Organization of trainings of government officials responsible for managing checkpoints.
1.8 Reporting on measures taken to implement the Protocol	<ul style="list-style-type: none"> • Provision of technical and financial assistance to prepare national reports.

Key Area 2: Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing

Strategic measure	Indicative capacity-building and development activities
2.1 Developing a domestic policy framework on ABS	<ul style="list-style-type: none"> • Provision of technical assistance for analysis of existing ABS-related policies for the identification of gaps. • Provision of technical assistance for developing policy frameworks on ABS. • Development of tools (for example guidelines, and case studies,) to facilitate integration of ABS considerations into sectoral and cross-sectoral policies and plans.
2.2 Taking stock of existing domestic measures to identify gaps in light of the obligations of the Protocol	<ul style="list-style-type: none"> • Provision of technical assistance for taking stock of existing measures relevant to the implementation of the Protocol. • Development of guidelines on how to coordinate relevant national ABS policies, laws and regulations to ensure consistency and legal clarity.
2.3 Setting-up new or amending existing ABS legislative, administrative or policy measures with a view to implementing the Protocol	<ul style="list-style-type: none"> • Provision of technical and legal assistance for reviewing, updating and/or developing domestic ABS legislative, administrative or policy measures, including, as appropriate, provisions on customary use and exchange of genetic resources and TK. • Development of guidelines on drafting or, revising ABS legislative, administrative or policy measures. • Organization of trainings (for example workshops, courses and e-learning modules) in drafting of ABS legislative, administrative or policy measures. • Provision of technical assistance for the establishment of mechanisms for conducting stakeholder consultations on the development of ABS legislative, administrative or policy measures.
2.4 Developing regional model legislation	<ul style="list-style-type: none"> • Provision of technical and legal assistance to existing regional institutions, where appropriate, to draft model regional legislation and regulations that can be adapted to the national situations. • Provision of technical assistance to regional organizations for the development of guidelines to support coherent implementation of the Protocol at the national level.
2.5 Establishing institutional arrangements and administrative systems for ABS	<ul style="list-style-type: none"> • Facilitating the establishment of institutional arrangements and coordination mechanisms for implementing ABS legislative, administrative or policy measures, through working with national institutions to enhance synergies. • Organization of trainings for government officials in the implementation of ABS legislative, administrative or policy measures. • Facilitating sharing of knowledge and expertise on ABS measures through on-job-training and peer-to-peer exchange programmes, regional and subregional learning communities and networks. • Provision of technical assistance for the development of administrative procedures for implementing the ABS measures.

Strategic measure	Indicative capacity-building and development activities
	<ul style="list-style-type: none"> • Development of guidelines for differentiating requests for access to genetic resources for commercial and non-commercial use. • Development of guidelines for establishment of simplified measures on access to genetic resources for non-commercial research purposes.
2.6 Enforcing or promoting compliance with domestic legislation or regulatory requirements on ABS	<ul style="list-style-type: none"> • Provision of technical assistance to raise awareness of the national ABS legislative, policy and administrative measures. • Documentation and dissemination of case studies on good practices in enforcing and promoting compliance with ABS measures. • Organization of trainings for border control personnel on biodiversity and ABS issues.

Key Area 3: Capacity to negotiate mutually agreed terms

Strategic measure	Indicative capacity-building and development activities
3.1 Promoting equity and fairness in negotiation of MAT, including through training in relevant legal, scientific and technical skills	<ul style="list-style-type: none"> • Development of explanatory notes on the different components of the PIC, MAT and relevant actors. • Organization of trainings and orientation programmes on granting PIC and negotiation of MAT, including modules on technical and legal aspects. • Orientation programme on IPR related issues of MATs. • Development of an operational manual on MAT, covering, <i>inter alia</i>, how to negotiate MAT and the roles and responsibilities of relevant actors. • Development of a review paper on legal frameworks linked to MAT process. • Development of toolkit on MAT and organization of trainings and orientation programmes using the toolkit. • Development of guidance on including provisions in MAT to share information on the implementation of MAT, including through reporting requirements. • Development of guidelines on granting PIC, including formats. • Development of a manual on dispute settlement and organization of orientation programmes for legal experts and others on this regard. • Organization of training programmes for national focal points and stakeholders on issues related monitoring and compliance with MAT.
3.2 Developing model sectoral and cross-sectoral contractual clauses	<ul style="list-style-type: none"> • Development of legal training on contract law for non-lawyers • Development of model contractual clauses and contracts, including for different sectors. • Organization of trainings on how to use the model contracts.
3.3 Developing and implementing pilot ABS agreements	<ul style="list-style-type: none"> • Documentation of case studies on ABS agreements, including examples of beneficiaries, monetary and non-monetary benefits, modalities of benefit-sharing and the use of benefits.
3.4 Promoting better understanding of business models in relation to the utilization of genetic resources	<ul style="list-style-type: none"> • Development of a manual on business models in relation to the utilization of genetic resources for various sectors. • Organization of trainings in business models in relation to the utilization of genetic resources for various sectors. • Development of modules on bioprospecting and bioresource-based enterprise development.

Key Area 4: Capacity of indigenous and local communities and relevant stakeholders, including business sector and the research community, in relation to the implementation of the Protocol

Strategic measure	Indicative capacity-building and development activities
4.1 Participating in legal, policy and decision-making processes	<ul style="list-style-type: none"> • Organization of training of ILCs, including women within those communities, on the provisions of the Protocol and how it will work, including the understanding of legal, policy and decision-making processes on ABS issues, acknowledging the value of their TK. • Provision of technical assistance and trainings to enable indigenous and local communities and relevant stakeholders to participate in the development of ABS measures. • Organization of trainings for other relevant stakeholders, including the business sector and the research community, on the implementation of the Protocol.
4.2 Developing minimum requirements for MAT to secure the fair and equitable sharing of benefits arising from the utilization of TK	<ul style="list-style-type: none"> • Development of minimum requirements for mutually agreed terms to secure the fair and equitable sharing of benefits arising from the utilization of TK. • Development of ‘train the trainer’ workshops for ILCs and other relevant stakeholders including the business sector and the research community, on how to use minimum requirements for MAT in order to secure the fair and equitable sharing of benefits arising from the utilization of TK.
4.3 Developing community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge	<ul style="list-style-type: none"> • Development of ‘train the trainer’ workshops, including the production of materials for ILCs on how to develop community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge. • Development of e-learning modules and other tools on how to develop community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge.
4.4 Developing model contractual clauses for benefit-sharing arising from the utilization of TK	<ul style="list-style-type: none"> • Development of ‘train the trainer’ modules for developing and using contractual clauses and ABS agreements for benefit-sharing arising from the utilization of TK. • Development of practical guidance tools on model contractual clauses on TK.
4.5 Enhancing the capacity of ILCs, in particular women within those communities, in relation to access to genetic resources and/or TK	<ul style="list-style-type: none"> • Translation of relevant materials into local languages. • Provision of technical assistance for establishment of help desks for indigenous and local communities and relevant stakeholders. • Provision of technical assistance for establishment and implementation of peer-to-peer learning programmes, including mentorship and on-the-job training programmes. • Orientation and training programmes to enable ILCs to realize the potential of TK through its documentation, protection and use.
4.6 Negotiating favourable MAT	<ul style="list-style-type: none"> • Development of templates and guidelines to facilitate capacity needs self-assessments for MAT. • Organization of training workshops/ courses for ILCs and other relevant stakeholders, including the business sector and the research community, on negotiation of mutually agreed terms. • Development of tailored e-learning modules for ILCs and other relevant stakeholders, including the business sector and the research community, on negotiation of MAT/ ABS agreements.
4.7 Increasing understanding of the obligations of Parties under the Protocol with regard to TK and ILCs	<ul style="list-style-type: none"> • Organization of seminars and workshops on the obligations of Parties under the Protocol with regard to TK and ILCs. • Development of guidelines on how to establish mechanisms to facilitate coordination across government departments/agencies and local authorities governing ABS with regard to TK and ILCs. • Documentation and dissemination of case studies on good practices with regard to TK and ILCs relating to ABS in order to enable practitioners to learn and build on the experience of others. • Supporting the establishment of online learning platforms to facilitate self-directed learning on ABS provisions.

Key Area 5: Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources

Strategic measure	Indicative capacity-building and development activities
5.1 Developing and using methods for valuation of genetic resources and associated traditional knowledge	<ul style="list-style-type: none"> • Development of methodologies for assessing the potential commercial value of specific genetic resources and TK building on good practices in the context of ABS. • Facilitating the development of inter-linkages with other initiatives/methodologies/instruments for valorizing genetic resources and TK, for example through knowledge exchange. • Documentation and dissemination of case studies on good practices and lessons learned to develop understanding of the value chain through analysing business models. • Supporting multi-stakeholder approaches to integrate the potential value of genetic resources and TK into decision-making processes for example through, the development of guidelines on how to establish mechanisms to facilitate coordination across government departments/agencies and local authorities governing ABS.
5.2 Facilitating transfer of technology and developing infrastructure for research and building technical capacity to make such technology transfer sustainable	<ul style="list-style-type: none"> • Provision of technical assistance for joint research and scientific cooperation (e.g. peer-to-peer learning programmes), including transfer and development of technology. • Provision of support (e.g. train the trainer workshops, mentorships and on the job training) to establish facilities in developing countries in order to train researchers and maintain existing skills, including on TK. • Provision of technical assistance to develop research capabilities of domestic institutions and universities to add value to genetic resources. • Supporting collaborative approaches to technical and scientific research and development programmes.
5.3 Undertaking research and taxonomic studies related to conservation of biological diversity and sustainable use of its components and bioprospecting	<ul style="list-style-type: none"> • Providing technical assistance to support the development or strengthening of genetic resources databases. • Organization of trainings on bioprospecting and value-addition for genetic resources for ILCs, small and medium enterprises and private sector. • Organization of trainings on research and taxonomic studies related to conservation of biological diversity and sustainable use of its components.
