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## NOTIFICATION

### **Follow up to decisions of the second 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: overview of requests for action and planned activities for the next biennium**

Madam/Sir,

The purpose of this notification is to bring to your attention the decisions adopted at the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP 2) and the thirteenth meeting of the Conference of the Parties (COP 13) that request action by Parties, other Governments, international organizations, indigenous peoples and local communities and relevant stakeholders in relation to the Nagoya Protocol, as well as to provide information on planned activities for the biennium 2017-2018 in light of the decisions adopted at COP-MOP 2.

#### **Actions to be undertaken by Parties to the Nagoya Protocol and other Governments**

A number of decisions adopted at COP-MOP 2, as well as related COP 13 decisions call for action by Parties and non-Parties to the Nagoya Protocol, as well as international organisations, indigenous peoples and local communities and relevant stakeholders. A list of these requests and decisions is included in the annex for your consideration.

The Secretariat will follow-up in due course to invite submissions, as appropriate, in preparation for intersessional activities.

#### **Inter-sessional activities for the biennium 2017-2018**

The following intersessional activities in support of the implementation of the Nagoya Protocol will take place in line with the decisions by COP-MOP 2 and COP 13.

- A meeting of the Informal Advisory Committee to the ABS Clearing-House (tentatively last quarter of 2017) as well as online discussions;
- A meeting of the Compliance Committee (tentatively second quarter of 2018);
- A meeting of the Informal Advisory Committee on Capacity-building for the implementation of the Nagoya Protocol (tentatively last quarter of 2017) as well as online consultations as needed;

To: ABS National Focal Points and CBD National Focal Points (where ABS focal points have not yet been designated), international organisations, indigenous peoples and local communities and relevant stakeholders

- A meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources (tentatively first quarter of 2018);
- The Subsidiary Body on Scientific, Technical and Technological Advice at its 22<sup>nd</sup> meeting (tentatively third quarter of 2018) will consider the outcomes of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources;
- The second meeting of the Subsidiary Body on Implementation (tentatively third quarter of 2018) will consider the following issues related to the Nagoya Protocol:
  - The need for and modalities of a global multilateral benefit-sharing mechanism;
  - Criteria that could be used to identify what constitutes a specialized international access and benefit-sharing instrument, and what could be a possible process for recognizing such an instrument, in the context of Article 4, paragraph 4, of the Protocol; and
  - The analysis and synthesis of relevant information as the basis for the first assessment and review of the effectiveness of the Protocol, as well as the draft framework of indicators as a basis for measuring progress in achieving the objective of the Protocol.

Further details on these activities will be provided in due course.

I thank you for your continued cooperation and support of the work of the Nagoya Protocol.

Please accept, Madam/Sir, the assurances of my highest consideration.

David Cooper  
Deputy Executive Secretary  
Officer-in-Charge

Enclosure

*Annex*

**SUMMARY OF REQUESTS FOR ACTION AS DERIVED FROM THE DECISIONS<sup>1</sup> ADOPTED AT COP-MOP 2 OF THE NAGOYA PROTOCOL AND COP-13 OF THE CONVENTION**

Decision	Requested action/information
<b>DECISION COP XIII/1. Progress in the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 and towards the achievement of the Aichi Biodiversity Targets</b>	
<b>COP XIII/1</b>	26. <i>Invites</i> Parties to the Convention on Biological Diversity that have not yet done so to deposit their instrument of ratification, acceptance or approval or their instrument of accession to the Nagoya Protocol as soon as possible, and to take steps towards its implementation, including by establishing institutional structures and legislative, administrative or policy measures on access and benefit-sharing, and to make relevant information available to the Access and Benefit-sharing Clearing-House;
<b>COP XIII/1</b>	28. <i>Invites</i> Parties and other Governments to take note of and to apply, as appropriate, the voluntary guidelines contained in the <i>Elements to Facilitate Domestic Implementation of Access and Benefit-Sharing for Different Subsectors of Genetic Resources for Food and Agriculture</i> , <sup>2</sup> which were developed by the Team of Technical and Legal Experts on Access and Benefit-sharing and welcomed by the Commission on Genetic Resources for Food and Agriculture and the Conference of the Food and Agriculture Organization of the United Nations, and are aimed at assisting Governments in taking into account, in the development and implementation of access and benefit-sharing measures, the importance of genetic resources for food and agriculture, their special role for food security and the distinctive features of the different subsectors of genetic resources for food and agriculture.
<b>DECISION NP-2/1. Review of progress towards Aichi Biodiversity Target 16 on the Nagoya Protocol</b>	
<b>NP-2/1</b>	1. <i>Urges</i> Parties to the Nagoya Protocol to take further steps towards the effective implementation of the Nagoya Protocol, including by establishing institutional structures as appropriate and legislative, administrative or policy measures for implementing the Nagoya Protocol and, without prejudice to the protection of confidential information, to make all relevant information available to the Access and Benefit-sharing Clearing-House, in accordance with the Protocol;
<b>NP-2/1</b>	3. <i>Invites</i> Parties and other Governments to implement the International Treaty on Plant Genetic Resources for Food and Agriculture <sup>3</sup> and the Nagoya Protocol in a mutually supportive manner, as appropriate.

<sup>1</sup> <https://www.cbd.int/conferences/2016/np-mop-2/documents> and <https://www.cbd.int/conferences/2016/cop-13/documents>

<sup>2</sup> [Food and Agriculture Organization of the United Nations, Commission on Genetic Resources for Food and Agriculture, Rome, 2016.](#)

<sup>3</sup> [United Nations, Treaty Series, vol. 2400, No. 43345.](#)

<b>DECISION COP XIII/3. Strategic actions to enhance the implementation of the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets, including with respect to mainstreaming and the integration of biodiversity within and across sectors</b>	
<b>COP XIII/3</b>	41. <i>Encourages</i> Parties and <i>invites</i> other Governments, as appropriate, to implement the International Treaty on Plant Genetic Resources for Food and Agriculture and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, in a mutually supportive manner;
<b>DECISION NP-2/2. Access and Benefit-sharing Clearing-House and information-sharing (Article 14)</b>	
<b>NP-2/2</b>	5. <i>Urges</i> Parties to make permits or their equivalents available to the Access and Benefit-sharing Clearing-House so that they can constitute internationally recognized certificates of compliance, which serve as evidence that the genetic resource and associated traditional knowledge which they cover have been accessed in accordance with prior informed consent and that mutually agreed terms have been established, thus increasing use of the internationally recognized certificates of compliance in order to facilitate monitoring and compliance and contribute to legal certainty;
<b>NP-2/2</b>	11. <i>Urges</i> Parties that have not yet done so to publish all mandatory information available at the national level on the Access and Benefit-sharing Clearing-House, in accordance with the obligations in Article 14, paragraph 2, of the Protocol as soon as possible, and to ensure that the information published is complete and relevant and kept up-to-date, with a view to having all existing information available in the Access and Benefit-sharing Clearing-House by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;
<b>NP-2/2</b>	12. <i>Encourages</i> non-Parties, international organizations, indigenous peoples and local communities, and relevant stakeholders to provide the Access and Benefit-sharing Clearing-House with relevant information as soon as possible
<b>NP-2/2</b>	14. <i>Invites</i> Parties, non-Parties, international organizations, regional development banks and other financial institutions to provide financial resources for enabling Parties to actively participate in the Access and Benefit-sharing Clearing-House.
<b>DECISION COP XIII/18. Article 8(j) and related provisions</b>	
<b>COP XIII/18</b>	4. <i>Also invites</i> Parties, other Governments, relevant organizations and indigenous peoples and local communities to make available through the clearing-house mechanism, where appropriate, best practices, lessons learned and good examples of community protocols relevant to access and benefit-sharing arising from the use of traditional knowledge;
<b>DECISION NP-2/3. Compliance Committee</b>	
<b>NP-2/3</b>	4. <i>Urges</i> Parties to submit in a timely manner the interim national reports in line with paragraph 4(c) of decision NP-1/3 and <i>encourages</i> Parties to include information in their interim national reports on difficulties and challenges related to implementation of the Protocol.

<b>DECISION NP-2/4. Assessment and Review of the Effectiveness of the Protocol (Article 31)</b>	
<b>NP-2/4</b>	2. <i>Urges</i> Parties and <i>invites</i> other Governments to submit interim national reports no later than twelve months before the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;
<b>NP-2/4</b>	7. <i>Urges</i> Parties and <i>encourages</i> other Governments, relevant organizations and indigenous peoples and local communities to publish information in the Access and Benefit-sharing Clearing-House so that this information is available for the first assessment and review of the Protocol.
<b>DECISION NP-2/5. Cooperation with other international organizations, conventions and initiatives</b>	
<b>NP-2/5</b>	5. <i>Encourages</i> cooperation among Parties and relevant international organizations working on access and benefit-sharing issues related to genetic resources and associated traditional knowledge at the national level, through capacity-building initiatives and experience sharing.
<b>DECISION NP-2/8. Measures to Assist in Capacity-Building and Capacity Development (Article 22)</b>	
<b>NP-2/8</b>	2. <i>Invites</i> Parties, other Governments and relevant organizations to expand their efforts to implement the strategic framework and further share information about their capacity-building initiatives, including emerging experiences, best practices and lessons learned, and capacity-building resources through the Access and Benefit-sharing Clearing-House, using the relevant common formats;
<b>NP-2/8</b>	5. <i>Invites</i> Parties and other Governments with multiple ongoing capacity-building and development initiatives on access and benefit-sharing to review them, in collaboration with relevant development partners and organizations, in order to ensure their complementarity and avoid unnecessary overlaps among them;
<b>NP-2/8</b>	6. <i>Invites</i> Parties and relevant organizations to enhance communication, coordination and collaboration among existing capacity-building initiatives on access and benefit-sharing to avoid or minimize duplication, making use of existing tools and mechanisms, such as the Access and Benefit-sharing Clearing House and the Informal Advisory Committee on Capacity-building for the Nagoya Protocol;
<b>NP-2/8</b>	7. <i>Invites</i> Parties and indigenous peoples and local communities to make use of the tools developed, including under the Bio-Bridge Initiative, to assess their capacity-building and development needs and submit related requests for assistance, for possible matching with existing opportunities for support relating to the implementation of the Nagoya Protocol;
<b>DECISION NP-2/9. Report on progress in the implementation of the awareness-raising strategy</b>	
<b>NP-2/9</b>	6. <i>Invites</i> Parties, non-Parties and other relevant actors to take into consideration decision XIII/22 on the framework for a global communications strategy adopted by the Conference of the Parties at its thirteenth meeting in the implementation of their awareness-raising activities;

NP-2/9	7. <i>Invites</i> Parties, non-Parties and other relevant actors to implement awareness-raising activities in accordance with the priority activities described in the annex to decision NP-1/9 and to make available information on awareness-raising strategies and resources through the Access and Benefit-sharing Clearing-House;
NP-2/9	8. <i>Welcomes</i> the continued involvement of the ABS Capacity-Development Initiative, the International Treaty on Plant Genetic Resources for Food and Agriculture, the International Development Law Organisation and other relevant organizations in raising awareness, and <i>calls</i> for coherence and realization of synergy in awareness-raising approaches with these organizations, in particular at the country level;
<b>DECISION NP-2/10. The need for and modalities of a global multilateral benefit-sharing mechanism (Article 10)</b>	
NP-2/10	2. <i>Reminds</i> Parties of their obligation to make available to the Access and Benefit-sharing Clearing-House all mandatory information in accordance with the Nagoya Protocol.
NP-2/10	3. <i>Recognizes</i> that there is limited information available on the implementation of the provisions of the Protocol related to traditional knowledge associated with genetic resources held by indigenous peoples and local communities, and <i>invites</i> Parties, with the full and effective participation of indigenous peoples and local communities, to pay particular attention to providing such information when preparing and submitting their interim national reports, and <i>also invites</i> indigenous peoples and local communities to submit such information to the Executive Secretary and <i>further requests</i> the Executive Secretary to compile this information for consideration by the Subsidiary Body on Implementation and by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.
NP-2/10	4. <i>Invites</i> Parties, other Governments, indigenous peoples and local communities and stakeholders, including ex situ collections, to submit information, including practical experiences if any, on situations in which it is not possible to grant or obtain prior informed consent in relation to in situ or ex situ genetic resources and associated traditional knowledge, and <i>requests</i> the Executive Secretary to compile this information for consideration by the Subsidiary Body on Implementation and by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.
NP-2/10	5. <i>Also invites</i> Parties, other Governments, indigenous peoples and local communities and stakeholders to submit views on the way forward in relation to Article 10, and <i>requests</i> the Executive Secretary to compile this information for consideration by the Subsidiary Body on Implementation and by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.
<b>DECISION NP-2/12 Integration among the Convention and its Protocols</b>	
NP-2/12	2. <i>Calls upon</i> developed country Parties to increase their contributions to the relevant voluntary trust funds in order to ensure the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, in the concurrent meetings.

<b>DECISION COP XIII/16. Digital sequence information on genetic resources</b>	
<b>COP XIII/16</b>	<p>2. <i>Invites</i> Parties, other Governments, indigenous peoples and local communities, and relevant organizations and stakeholders to submit views and relevant information to the Executive Secretary on the potential implications referred to in paragraph 1*; * Paragraph 1 of the same decision:</p> <p>1. <i>Decides</i> to consider at its fourteenth meeting any potential implications of the use of digital sequence information on genetic resources for the three objectives of the Convention;</p>
<b>DECISION NP-2/14. Digital sequence information on genetic resources</b>	
<b>NP-2/14</b>	<p>2. <i>Invites</i> Parties, other Governments, indigenous peoples and local communities, and relevant organizations and stakeholders to include in their views and relevant information submitted in accordance with paragraph 2 of decision XIII/16 information relevant to the Nagoya Protocol;</p>
<b>DECISION COP XIII/17. Synthetic biology</b>	
<b>COP XIII/17</b>	<p>8. <i>Encourages</i> Parties and <i>invites</i> other Governments and relevant organizations, in the context of the three objectives of the Convention and taking into account, if appropriate and in accordance with domestic legislation or national circumstances, socio-economic, cultural and ethical considerations:</p> <p>(a) To conduct research on the benefits and adverse effects of organisms, components and products of synthetic biology on biodiversity, with a view to filling knowledge gaps and identifying how those effects relate to the objectives of the Convention and its Protocols;</p> <p>(b) To promote and enable public and multi-stakeholder dialogues and awareness-raising activities on the potential benefits and potential adverse effects of organisms, components and products of synthetic biology on biodiversity, involving all relevant stakeholders and with the full and effective engagement of indigenous peoples and local communities;</p> <p>(c) To cooperate in the development of guidance and capacity-building activities with a view to assessing the potential benefits and potential adverse effects of organisms, components and products of synthetic biology and, if necessary, updating and adapting current methodologies for risk assessment of living modified organisms to organisms resulting from synthetic biology, as appropriate;</p>
<b>COP XIII/17</b>	<p>9. <i>Invites</i> Parties, other Governments, relevant organizations and indigenous peoples and local communities to submit to the Executive Secretary information and supporting documentation on:</p> <p>(a) Research, cooperation and activities noted in paragraph 9 above;</p> <p>(b) Evidence of benefits and adverse effects of synthetic biology vis-à-vis the three objectives of the Convention;</p> <p>(c) Experiences in conducting risk assessments of organisms, components and products of synthetic biology, including any challenges encountered, lessons learned and implications for risk assessment frameworks;</p> <p>(d) Examples of risk management and other measures that have been put in place to avoid or minimize the potential adverse effects of organisms, components and products of synthetic biology, including experiences of safe use and best practices for</p>

	<p>the safe handling of organisms developed through synthetic biology;</p> <p>(e) Regulations, policies and guidelines in place or under development which are directly relevant to synthetic biology;</p> <p>(f) Knowledge, experience and perspectives of indigenous peoples and local communities in the context of living in harmony with nature for comparison and better understanding of the potential benefits and adverse effects of synthetic biology;</p>
<b>DECISION COP XIII/26. Enhancing integration among the Convention and its Protocols and the organization of meetings</b>	
<b>COP XIII/26</b>	<p>3. <i>Invites</i> Parties, other Governments and representatives of indigenous peoples and local communities to submit views on possible ways and instruments for achieving full integration of Article 8(j) and provisions related to indigenous peoples and local communities and their full and effective participation in the work of the Convention and its Protocols that are aiming at enhancing efficiencies, coherence and coordination; and <i>requests</i> the Executive Secretary to develop on the basis of the views submitted, proposals on ways and instruments which should entail no additional financial burden and make such proposals available to the tenth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions for its consideration and recommendation to the second meeting of the Subsidiary Body on Implementation for further consideration;</p>
<b>DECISION COP XIII/27. National reporting</b>	
<b>COP XIII/27</b>	<p>7. <i>Invites</i> Parties to facilitate, as appropriate, the full and effective participation of indigenous peoples and local communities and relevant stakeholders, including focal points for other biodiversity-related conventions and Rio conventions, in the preparation of the sixth national report to ensure that national reports reflect national implementation, and to increase alignment and coordination in reporting to the Convention and its Protocols and synergies in reporting among related conventions;</p>
<b>DECISION COP XIII/32. Administration of the Convention and the budget for the Trust Funds of the Convention</b>	
<b>COP XIII/32</b>	<p>14. <i>Invites</i> all Parties to the Convention to note that contributions to the core programme budgets (BY, BG and BB) are due on 1 January of the year for which those contributions have been budgeted, and to pay them promptly, and <i>urges</i> Parties in a position to do so to pay by 31 December 2016 for the calendar year 2017 and by 1 October 2017 for the calendar year 2018, and, in this regard, <i>requests</i> that Parties be notified of the amount of their contributions as early as possible in the year preceding the year in which the contributions are due;</p>
<b>COP XIII/32</b>	<p>16. <i>Urges</i> Parties that have still not paid their contributions to the core budgets (BY, BG, BB Trust Funds) for 2015 and prior years to do so without delay or conditionalities, and <i>requests</i> the Executive Secretary to publish and regularly update information on the status of contributions to the Convention's Trust Funds (BY, BG, BB, BE, BH, BX, BZ and VB) and to keep the members of the Bureaux of the Convention and its Protocols updated so that they can provide information on unpaid contributions and their consequences at regional meetings;</p>
<b>COP XIII/32</b>	<p>42. <i>Urges</i> all Parties to the Convention, and <i>invites</i> States not Party to the Convention and States not Party to the Protocols, as well as governmental, intergovernmental and non-governmental organizations and others, including the private sector, to contribute to the Voluntary Trust Funds of the Convention and its Protocols;</p>