



Convention on Biological Diversity

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SUBSIDIARY BODY ON IMPLEMENTATION

Third meeting

Online, 16 May-13 June 2021 and

Geneva, Switzerland, 14-29 March 2022

Agenda item 7

RECOMMENDATION ADOPTED BY THE SUBSIDIARY BODY ON IMPLEMENTATION

3/9. Evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol

The Subsidiary Body on Implementation

Recommends that the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting adopt a decision along the following lines:

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. *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;

3. *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;

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

5. *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;

6. *Urges* Parties, and encourages non-Parties and relevant organizations in a position to do so:

¹ CBD/SBI/3/INF/1.

² Decision 15/--, annex XX.

³ CBD/NP/CB-IAC/2019/1/4.

(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;

7. *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.

Annex

SPECIFIC PRIORITIES FOR CONTINUED CAPACITY-BUILDING 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, [including the national institutional frameworks] [in particular those provisions dealing with digital sequence information on genetic resources,] monitoring the utilization of genetic resources [and derivatives], [including through the utilization of digital sequence information on genetic resources], the designation of checkpoints, as well as the provisions related to [human rights and defence of] 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 [and capacities to develop mutually agreed terms and contractual clauses];

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