



NOTIFICATION

Follow-up to decisions adopted at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-Sharing

Overview of requests for action and planned meetings for the biennium 2023–2024

Dear Madam/Sir,

The purpose of the present notification is to bring to your attention the decisions adopted at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP 4) that contain requests for action by Parties, other Governments, international organizations, indigenous peoples and local communities and relevant stakeholders, as well as relevant decisions adopted at the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity related to access and benefit-sharing and the Nagoya Protocol. A summary of the decisions is included in the annex, for your consideration. The notification also contains information on planned meetings for the biennium 2023–2024.

Concurrently to COP-MOP 4, the Conference of the Parties to the Convention on Biological Diversity adopted at its fifteenth meeting the historic Kunming-Montreal Global Biodiversity Framework and its associated decisions, notably the decision on Digital Sequence Information on Genetic Resource which agrees that the benefits from the use of digital sequence information on genetic resources should be shared fairly and equitably, and establishes a process to define a multilateral mechanism to enable this decision. The Framework comprises four goals for achieving the 2050 vision of “living in harmony with nature” and 23 action-oriented targets to be achieved by 2030. Goals and targets specifically related to access and benefit-sharing include:

- Goal C: The monetary and non-monetary benefits from the utilization of genetic resources, and digital sequence information on genetic resources, and of traditional knowledge associated with genetic resources, as applicable, are shared fairly and equitably, including, as appropriate with indigenous peoples and local communities, and substantially increased by 2050, while ensuring traditional knowledge associated with genetic resources is appropriately protected, thereby contributing to the conservation and sustainable use of biodiversity, in accordance with internationally agreed access and benefit-sharing instruments
- Target 13: Take effective legal, policy, administrative and capacity-building measures at all levels, as appropriate, to ensure the fair and equitable sharing of benefits that arise from the utilization of genetic resources and from digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources, and facilitating appropriate access to genetic resources, and by 2030 facilitating a significant increase of the benefits shared, in accordance with applicable international access and benefit-sharing instruments

To: ABS national focal points and CBD national focal points (where ABS focal points have not yet been designated), indigenous peoples and local communities, relevant organizations and relevant stakeholders



Goal C and Target 13 underline the crucial role and importance of equitable and fair benefit-sharing linked to access, in tandem with the other two pillars, or objectives, of the Convention. The Framework provides a great opportunity to make use of the approach to planning, monitoring, reporting and review under the Convention to enhance the full and effective implementation of the Nagoya Protocol and the integration and mainstreaming of access and benefit-sharing in revised or updated national biodiversity strategies and action plans.

Intersessional meetings for the biennium 2023–2024

The following intersessional meetings related to the Nagoya Protocol or access and benefit-sharing are planned to be held in line with the decisions adopted at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and at the fifteenth meeting of the Conference of the Parties:

2 May 2023 (online)	First meeting of the Ad Hoc Technical Expert Group on Indicators for the Kunming-Montreal Global Biodiversity Framework, including access and benefit-sharing indicators
20–22 June 2023 (Montreal, Canada)	Fifth meeting of the Informal Advisory Committee on Capacity-building for the implementation of the Nagoya Protocol (may also entail online consultations, as needed)
25–29 September 2023 (tentative dates and place to be determined)	Meeting of the Advisory Committee on Resource Mobilization
14–18 November 2023 (Geneva, Switzerland)	First meeting of the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources
First quarter of 2024 (tentative date, Montreal, Canada)	Fifth meeting of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House (may also entail online discussions, as needed)
First quarter of 2024 (Montreal, Canada)	Fourth meeting of the Compliance Committee
Second quarter of 2024 (tentative date, place to be determined)	Second meeting of the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources
May 2024 (tentative date, place to be determined)	Fourth meeting of the Subsidiary Body on Implementation, at which the following issues will be considered in relation to the Nagoya Protocol: <ul style="list-style-type: none">• A revised strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, including elements of awareness-raising• A compilation of views in conducting virtual and hybrid meetings held in 2021 and 2022 and an analysis of options to improve the effectiveness of meetings under the Convention and the Protocols• A proposed methodology for conducting the second assessment and review of the effectiveness of the Nagoya Protocol

- A collection of views and information on experiences and lessons learned in gaining access to and using funds from the financial mechanism for the implementation of the Nagoya Protocol, including information on challenges and underlying reasons to gain access to and use Global Environment Facility (GEF) funds and on possible barriers to regional collaboration, in the context of the sixth review of the financial mechanism

Monthly
(usually held during the
last week of the month,
online)

Access and Benefit-sharing Clearing-House live question and answer
webinar on a different topic every month¹

The Secretariat will invite submissions in preparation for the intersessional meetings in due course and where appropriate.

Eighth replenishment of the Global Environment Facility Trust Fund

The eighth replenishment of the GEF Trust Fund includes an objective relating to the effective implementation of the Nagoya Protocol. Specifically, the second objective of the eighth replenishment, to effectively implement both Protocols to the Convention, has been allocated 82 million United States dollars, representing 1.5 per cent of the Fund.

To broaden the possibilities for mainstreaming and integrating access and benefit-sharing into biodiversity planning, I would like to take this opportunity to draw particular attention to decision NP-4/8, in which the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol urged eligible Parties to prioritize access and benefit-sharing projects during the programming of their eighth replenishment country allocations under the System for Transparent Allocation of Resources. In the same decision, the Conference encouraged Parties to incorporate access and benefit-sharing activities in projects developed under, inter alia, other programmes of the programming directions for the eighth replenishment of the GEF Trust Fund.

In this regard, you may wish to contact the GEF national focal point of your country.²

The present intersessional period includes the sixth review of the effectiveness of the financial mechanism, which I encourage you to participate in.

The Secretariat remains available for any questions on any of the decisions and planned activities. I thank you for your continued cooperation and support for the implementation of the Nagoya Protocol.

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

(Signed) David Cooper
Acting Executive Secretary

¹ See <https://absch.cbd.int/> for more information.

² Contact information for GEF operational focal points may be found at: https://www.thegef.org/focal_points_list.

Annex

Summary of requests for action as derived from the decisions adopted at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and at the fifteenth meeting of the Conference of the Parties of the Convention on Biological Diversity*

Decisions adopted at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol
<u>Decision NP-4/2. Compliance with the Protocol</u>
2. <i>Urges</i> Parties concerned to expedite the adoption and implementation of their access and benefit-sharing legislative, administrative or policy measures and institutional arrangements, among other things the designation of checkpoints, in accordance with the Protocol;
3. <i>Also urges</i> those Parties that have relevant national information to be made available to the Access and Benefit-sharing Clearing-House in accordance with the requirement of Article 14, paragraph 2, of the Protocol to make this information available as soon as possible;
4. <i>Recognizes</i> the need for further capacity-building and development, technical and scientific cooperation, technology transfer and resource mobilization to accelerate the operationalization of the Protocol and invites Parties, other Governments, donors and relevant organizations to provide additional resources and to support the implementation of the Protocol, in particular in developing countries, including countries with economies in transition, small island developing States and least developed countries
7. <i>Urges</i> Parties that have not yet done so to submit their national report without further delay;
8. <i>Encourages</i> Parties to take the Kunming-Montreal Global Biodiversity Framework as an opportunity to strengthen their efforts to implement their obligations under the Protocol effectively;
<u>Decision NP-4/3. Monitoring and reporting (Article 29)</u>
5. <i>Requests</i> Parties to submit a first national report on the implementation of their obligations under the Nagoya Protocol, and welcomes submissions of relevant information by non-Parties: (a) In an official language of the United Nations; (b) Through the Access and Benefit-sharing Clearing-House; (c) At the same time as the seventh national reports under the Convention are due;
9. <i>Urges</i> Parties to provide complete and accurate information in their national reports.
<u>Decision NP-4/4. Access and Benefit-sharing Clearing-House and information sharing (Article 14)</u>
3. <i>Recalls</i> decision NP-3/3, paragraph 3, in which Parties that have not yet done so are urged 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, considering that the publication of mandatory information in the Access and Benefit-sharing Clearing-House is essential for the implementation of the Nagoya Protocol;

* The full text of the decisions is available at www.cbd.int/decisions/np-mop/?m=np-mop-04 and www.cbd.int/decisions/cop/?m=cop-15.

4. *Also recalls* decision NP-3/3, paragraph 4, which urges Parties to provide information on their national access and benefit-sharing procedures through the voluntary common format on procedures, as available in the Access and Benefit-sharing Clearing-House;

5. *Further recalls* decision NP-3/3, paragraph 9, which invites Parties, other Governments, and relevant organizations to make use of the interoperability mechanisms of the Access and Benefit-sharing Clearing-House to facilitate information exchange with their relevant databases, websites and information technology systems, decision NP-3/3, paragraph 10, which invites Parties, other Governments, and relevant organizations, as appropriate, to include capacity-building activities related to the Access and Benefit-sharing Clearing-House in their relevant capacity-building activities, plans and projects in coordination with the Executive Secretary, and decision NP-3/3, paragraph 11, which invites Parties, other Governments, relevant international organizations, regional development banks and other financial institutions, as appropriate, to support capacity-building activities related to the Access and Benefit-sharing Clearing-House, including the Protocol's system for monitoring the utilization of genetic resources;

6. *Invites* Parties, other Governments, relevant international organizations, regional development banks and other financial institutions, as appropriate, to support capacity-building and development activities, including those related to setting up national access and benefit-sharing electronic permitting systems and other relevant information technology systems that make use of the interoperability mechanisms of the Access and Benefit-sharing Clearing-House;

Decision NP-4/5. Enhancing the implementation of the Nagoya Protocol in the context of the Kunming-Montreal Global Biodiversity Framework

3. *Invites* Parties, and encourages other Governments, to make use of the approach to planning, monitoring, reporting and review under the Convention to enhance the implementation of the Nagoya Protocol and the integration of access and benefit-sharing in revised or updated national biodiversity strategies and action plans.

Decision NP-4/7. Measures to assist in capacity-building and development (Article 22) and awareness-raising (Article 21)

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

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 Kunming-Montreal 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;

B. Awareness-raising

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

Decision NP-4/8. Financial mechanism and resources (Article 25)

A. The financial mechanism
3. <i>Urges</i> eligible Parties to prioritize access and benefit-sharing projects during the programming of their eighth-replenishment country allocations under the System for Transparent Allocation of Resources;
4. <i>Encourages</i> Parties to incorporate access and benefit-sharing activities in projects developed under other objectives of the biodiversity focal area, the integrated programmes and relevant global programmes of the programming directions for the eighth replenishment of the Global Environment Facility Trust Fund;
7. <i>Encourages</i> Parties to cooperate at the global, regional and subregional levels and recommends to the Conference of the Parties to request the Global Environment Facility to continue providing and enhancing support for joint projects, at global, regional or national levels, in order to maximize synergies and opportunities for cost-effective sharing of resources, information, experiences and expertise;
9. <i>Invites</i> Parties to the Nagoya Protocol to participate actively in the sixth review of the effectiveness of the financial mechanism under the Convention;
B. Resource mobilization
3. <i>Encourages</i> Parties to consider resource mobilization for the Nagoya Protocol in the implementation of the strategy for resource mobilization adopted in decision 15/7 of the Conference of the Parties, and in particular, to include provisions for the implementation of the Nagoya Protocol in national biodiversity finance plans, taking into account Article 20 of the Convention on Biological Diversity and Article 25 of the Nagoya Protocol.
<u>Decision NP-4/9. Review of effectiveness of structures and processes under the Convention and its Protocols</u>
B. Experience with virtual meetings
7. <i>Encourages</i> Parties and observers to continue to participate in hybrid meetings, when applicable, and in extraordinary circumstances, in virtual meetings, while recognizing the need to ensure the full and effective participation of Parties, especially developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, to promote transparent and inclusive processes under the Convention and the Protocols, as long as no final decisions are taken virtually, with the exception of budgetary and procedural matters;

Decisions adopted at the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity on access and benefit-sharing

Decision 15/9. Digital sequence information on genetic resources

14. *Encourages* Parties to support the capacity needs and priorities, as appropriate, of indigenous peoples and local communities and relevant stakeholders, as identified by them, emphasizing the capacity needs and priorities of women;

20. *Invites* Parties, other Governments, indigenous people and local communities and relevant organizations to submit views on the issues set out in the annex to the present decision;^a

Decision 15/16. Knowledge management and the clearing-house mechanism

1. *Invites* biodiversity-related conventions, organizations, networks, processes and initiatives supporting the generation, discovery, capture, management and use of biodiversity-related data, information and knowledge, to contribute to the clearing-house mechanism of the Convention, based on existing knowledge management networks, organizations, initiatives and processes, to, among other things, promote and facilitate, collaboration, interconnection and networking among them, with a view to making biodiversity data, information and knowledge more readily available and accessible for biodiversity planning, policy and decision-making, implementation, monitoring, and reporting and review;

Decision 15/34. Budget for the integrated programme of work of the Secretariat

17. *Invites* 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 requests 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;

19. *Urges* Parties that have still not paid their contributions to the core budgets (BY, BG, BB Trust Funds) for 2022 and prior years to do so without delay or conditionalities, and requests the Executive Secretary to publish and keep up-to-date the information on the status of contributions to the trust funds of the Convention (BY, BG, BB, BE, 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 to the respective regions as indicated in paragraph 21 below;

21. *Confirms* that, with regard to contributions due from 1 January 2005 onwards, Parties whose contributions are in arrears for two (2) or more years will not be eligible to become a member of the Bureaux of the Convention, its Protocols or the Subsidiary Body on Scientific, Technical and Technological Advice or to nominate a member of a compliance committee, and decides that this will only apply in the case of Parties that are not least developed countries or small island developing States;

^a See the notification dated 31 January 2023 on the [submission of views on issues for further consideration for digital sequence information on genetic resources](https://www.cbd.int/notifications/2023-003). Submissions available at: <https://www.cbd.int/notifications/2023-003>