



## Convention on Biological Diversity

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### CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Seventh meeting  
Kuala Lumpur, 9-20 and 27 February 2004  
Agenda item 25

#### **DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AT ITS SEVENTH MEETING**

##### ***VII/29. Transfer of technology and technology cooperation (Articles 16 to 19)***

*The Conference of the Parties,*

*Noting* that technology transfer and cooperation are essential elements for the implementation of the three objectives of the Convention,

*Recalling* the provisions of Articles 16 to 19 of the Convention,

*Recalling* principle 9 of the Rio Declaration on Environment and Development which states that States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies,

*Also recalling* paragraphs 105 and 106 of the Plan of Implementation of the World Summit on Sustainable Development (WSSD), which call upon States to promote, facilitate and finance, as appropriate, access to and the development, transfer and diffusion of environmentally sound technologies and corresponding know-how, in particular to developing countries and countries with economies in transition on favourable terms, including on concessional and preferential terms, as mutually agreed,

*Recognizing* the vital role of indigenous and local communities, in particular the role of women, and the value of traditional knowledge related to the conservation and sustainable use of biological diversity,

*Recalling* paragraph 44 (h) of the Plan of Implementation of the World Summit, which calls upon States to provide financial and technical support to developing countries, including capacity-building, in order to enhance indigenous and community-based biodiversity conservation efforts,

*Recognizing* the value of initiatives such as the Cooperative Initiative on Alien Species on Islands in providing a focused clearing-house for facilitating scientific and technical cooperation;

*Reiterating* that work on technology transfer under the Convention shall be conducted in an integrated manner that is consistent with the thematic and cross-cutting programmes of work, in line with decision III/16 endorsing SBSTTA recommendation II/3,

*Noting with appreciation* the role of the Norway/United Nations Conference on Technology Transfer and Capacity-building, held in Norway from 23 to 27 June 2003, in the development of the programme of work on technology transfer and scientific and technological cooperation, as requested in decision VI/30,

*Mindful* that the activities under its programme of work on technology transfer and technological and scientific cooperation shall be part of a comprehensive implementation support strategy for the Convention on Biological Diversity consistent with the multi-year programme of work and the Strategic Plan of the Convention, and should draw upon experiences from other international conventions and processes such as the UNFCCC or the Intergovernmental Strategic Plan on Technology Support and Capacity Building under preparation by UNEP,

1. *Adopts* the programme of work on technology transfer and cooperation as contained in the annex to the present decision;

2. *Decides* that implementation of the programme of work should be undertaken in close coordination with relevant activities under thematic programmes of work and programmes of work of other cross-cutting issues, in order to prevent duplication of work and maximize synergy;

3. *Invites* Parties and relevant international organizations, and *requests* the Executive Secretary, to carry out the activities under their respective responsibilities as spelled out in the programme of work up to the eighth meeting of the Conference of the Parties, as a first phase in the implementation of the programme of work;

4. *Invites* the United Nations Environment Programme, upon approval by the Governing Council, to take into account the need for technology transfer and technology cooperation and capacity-building under the Convention when preparing and implementing the Intergovernmental Strategic Plan on Technology Support and Capacity-Building, in order to ensure synergy and support in the implementation of the programme of work on technology transfer and cooperation, and to work with UNDP as the leader on capacity building in the United Nations;

5. *Invites* Parties, in accordance to their identified needs and priorities and taking into account the information gaps identified in the synthesis report of information contained in national reports on technology transfer and cooperation (UNEP/CBD/COP/7/INF/9), to convene national, subregional and regional workshops to exchange information and experiences on, and to enhance capacity for, successful cooperation, transfer, diffusion and adaptation of environmentally sound technologies;

6. *Requests* the Executive Secretary to convene the informal advisory committee of the clearing-house mechanism, further to decision V/14, to assist the Executive Secretary, including through electronic consultation and long distance communication, to:

(a) Provide advice on the development of proposals on the possible role of the clearing-house mechanism as a central mechanism for exchange of information on technologies, as a core element in its role to facilitate scientific and technical cooperation, and for facilitating technology transfer and cooperation and to promote and facilitate technical and scientific cooperation relevant for the conservation and sustainable use of biodiversity, and for technologies that make use of genetic resources and do not cause significant damage to the environment;

(b) Develop guidance for implementation by national clearing-house mechanism nodes for common or similar frameworks for identifying the availability of relevant technologies to enhance international cooperation and to facilitate the interoperability with relevant existing systems of national and international information exchange, including technology and patent databases;

(c) Assist in the implementation of proposals for enhancing the clearing-house mechanism as a central mechanism for exchange of information on technologies, as a core element in its role to promote and facilitate scientific and technical cooperation, and for facilitating and promoting technology transfer and cooperation and for the promotion of technical and scientific cooperation as adopted by the Conference of the Parties;

7. *Requests* the Executive Secretary to establish an expert group on technology transfer and scientific and technical cooperation, balanced regionally as well as in respect to expertise, which shall assist the Executive Secretary, through electronic consultations and long-distance communications as well as through meetings in conjunction with the informal advisory committee of the clearing-house mechanism, in the:

(a) Preparation of proposals on options to apply institutional, administrative, legislative and policy measures and mechanisms, including best practices, as well as to overcome barriers, to facilitate access to and adaptation of technologies on the public domain and to proprietary technologies by developing countries and countries with economies in transition; and in particular, on measures and mechanisms that:

- (i) Foster an enabling environment in developing and developed countries for cooperation as well as the transfer, adaptation and diffusion of relevant technologies;
- (ii) Provide, in accordance with existing international obligations, incentives to private-sector actors as well as public research institutions in developed country Parties, to encourage cooperation and transfer of technologies to developing countries, through, e.g., technology transfer programmes or joint-ventures;
- (iii) Promote and advance priority access for Parties to the results and benefits arising from technologies based upon genetic resources provided by those Parties, in accordance with Article 19, paragraph 2 of the Convention, and to promote the effective participation in related technological research by those Parties;
- (iv) Promote innovative approaches and means of technology transfer and cooperation such as Type 2 partnerships, <sup>1/</sup> in accordance with the outcome of the World Summit on Sustainable Development, or transfers among actors, involving in particular the private sector and civil society organizations;

(b) Exploration of possibilities and mechanisms of cooperation with processes in other Conventions and international organizations, such as the UNFCCC Expert Group on Technology Transfer (EGTT);

8. *Requests* Parties, governments and relevant organizations to develop means to provide access to translation services for scientific and technical information, including by identifying sources of free translation and/or by finding funding for translation;

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<sup>1/</sup> “Type 2” partnerships/initiatives for sustainable development are non-negotiated and complementary to the commitments by Governments in the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development. They shall contribute to translating those political commitments into actions of a voluntary, self-organizing nature, thus enabling all stakeholders to make a concrete contribution to the Plan of Implementation.

9. *Invites* Parties, governments, the private sector and relevant civil society organizations to develop innovative approaches and means of technology transfer and cooperation such as Type 2 partnerships in accordance with the outcome of the World Summit on Sustainable Development (WSSD);

10. *Urges* Parties, governments and relevant organizations to identify further areas in which international or regional cooperative initiatives – such as the proposed cooperative initiative on marine alien species – would support implementation of the Convention;

11. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice and the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to identify, during the development or review of work programmes, methods to increase the contribution of organizations, communities, academia and the private sector to the development and dissemination of scientific knowledge and the diffusion of technology needed for the implementation of those work programmes;

12. *Agrees* that the Conference of the Parties at its eighth meeting will, under the agenda item “refining mechanisms to support implementation”, review the results of the work referred to the previous paragraph, and will identify generic approaches for broadening the practical scientific and technical support for the implementation of the Convention;

13. *Urges* Parties, Governments and relevant international and regional organizations to provide financial and technical support and training, as appropriate, in order to assist in the implementation of the programme of work;

14. *Urges* Parties, Governments, relevant international and regional organizations and the private sector to remove any unnecessary impediments to funding of multi-country initiatives for technology transfer and for scientific and technical cooperation;

15. *Requests* the Executive Secretary to consult with multilateral financial institutions, regional banks and other relevant funding bodies to consider ways and means of involving them in the work of the Convention and in the efforts of Parties in its implementation, and in particular to identify mechanisms for financial support of capacity development, technology transfer and scientific, technical and technological cooperation.

#### *Annex*

### **PROGRAMME OF WORK ON TECHNOLOGY TRANSFER AND TECHNOLOGICAL AND SCIENTIFIC COOPERATION**

1. The purpose of this programme of work is to develop meaningful and effective action to enhance the implementation of Articles 16 to 19 as well as related provisions of the Convention by promoting and facilitating the transfer of and access to technologies from developed to developing countries, including the least developed among them and small island developing States, as well as to countries with economies in transition, as well as among developing countries and other Parties, necessary to ensure implementation of the three objectives of the Convention, and in support of the target to achieve a significant reduction of the current rate of biodiversity loss at the global, regional and national level by 2010. Implementation of this programme of work shall also contribute to the attainment of the Millennium Development Goals to ensure environmental sustainability and to eradicate extreme poverty and hunger by 2015, and shall fully take into account specific national circumstances and constraints such as remoteness or vulnerability.

2. The successful transfer of technology and technology cooperation requires a country-driven, flexible and integrated approach at international, regional as well as national and sectoral levels, based on partnership and cooperation among *inter alia* the private sector, Governments, indigenous and local communities, bilateral and multilateral institutions, funding institutions, non-governmental organizations and academic and research institutions, to enhance activities on technology assessments, on information systems, on creating enabling environments and on capacity-building.

3. Implementation of the activities spelt out in this programme of work, and the indicated timelines, shall not delay the immediate transfer of technologies, in accordance with Articles 16 to 19 of the Convention, in those cases where technology needs and opportunities for the transfer of environmentally sound technologies are already identified and the enabling environment supports their successful transfer, diffusion and adaptation.

4. In implementing this programme of work, the various actors enumerated above are invited to take into account the following strategic considerations:

(a) In the light of largely varying socio-economic and cultural conditions among countries, technology transfer, and in particular the assessment of technology needs and of the related needs for the building or enhancement of capacity, is necessarily a country-driven and flexible process;

(b) Implementation of the programme of work should promote and facilitate the transfer of technology and cooperation among all countries, with special emphasis among developed and developing countries as well as countries with economies in transition consistent with Articles 16 to 19 of the Convention;

(c) The participation, approval and involvement of indigenous and local communities and all relevant stakeholders is key for the successful transfer and diffusion of technology for conservation and sustainable use of biological diversity;

(d) Mechanisms for ensuring that technology transfer and cooperation fully respect the rights of indigenous and local communities need to be taken into account in the implementation of the programme of work;

(e) Consideration should be given to identifying and facilitating the use of local solutions to local issues, as the most innovative solutions are often developed locally, but remain unknown to a wider community of potential users;

(f) The strengthening of national, regional and international information systems including through the development and use of common formats, standards and protocols, providing, *inter alia*, access to information on existing technologies for the purposes of the Convention, and the improvement of the Convention clearing-house mechanism as a central gateway to such information systems, are crucial for the implementation of Articles 16 to 19 of the Convention;

(g) The development of innovative partnerships, involving governmental agencies, public and private research institutions, the private sector, and national and local stakeholders, is a tool that facilitates enabling environments that are conducive to the successful cooperation and transfer of technologies;

(h) In light of the numerous ongoing activities on technology transfer and technology cooperation under existing programmes and initiatives, particular attention should be given to the establishment of synergies with such programmes and initiatives, in order to avoid the duplication of work;

(i) Building or enhancing human and institutional capacity at all levels, in particular in developing countries, least developed countries and small island developing States, as well as in countries with economies in transition, is of paramount importance to implement the present programme of work.

## **PROGRAMME ELEMENT 1: TECHNOLOGY ASSESSMENTS**

Technology assessment is a set of country-driven activities which involve relevant stakeholders in a consultative process to identify and determine the needs of Parties in response to national priorities and policies, particularly developing countries, least developed countries and small island developing States, as well as countries with economies in transition, with regard to the cooperation and transfer of technology for conservation and sustainable use of biodiversity, or technology that makes use of genetic resources and do not cause significant damage to the environment, and with regard to building or enhancement of scientific, legal and administrative capacity, and training. Furthermore, assessments should also identify, as appropriate, the potential benefits, costs and risks of such technologies, with a view to ensuring that transferred technologies are economically viable, socially acceptable and environmentally friendly. Any international cooperation in this field should be on mutually agreed terms.

**Objective:** *Technology needs, the potential benefits costs and risks of such technologies, and the related capacity-building needs of Parties are identified in response to national priorities and policies*

**Operational target 1.1:** *Technology needs assessments are conducted as appropriate, with the participation of stakeholders, in accordance with the activities foreseen in the thematic and cross-cutting work programmes under the Convention and in line with national priorities as set out, inter alia, in the national biodiversity strategy and action plan.*

### *Activities*

*1.1.1. Preparation, in accordance with the activities foreseen in the thematic and cross-cutting work programmes under the Convention and in line with national priorities, of technology assessments addressing:*

- *(a) Technology needs, opportunities and barriers in relevant sectors;*
- *(b) Related needs in the building of capacity.*

**Operational target 1.2:** *Impact and risk assessments are conducted, as appropriate, with the participation of stakeholders and, if needed and requested, with international cooperation.*

### *Activities*

*1.2.1. Preparation, as appropriate, of transparent impact assessments and risk analysis of the potential benefits, risks and associated costs with the introduction of technologies, including new technologies, whose risks and benefits are not yet determined.*

*1.2.2. Dissemination of assessments and related experiences at national and international levels.*

**Main actors:** Parties to the Convention on Biological Diversity, in collaboration with relevant national and international stakeholders and with support from GEF and from relevant international funding organizations, as appropriate

**Timeline for implementation:** *ongoing.*

**Operational target 1.3:** *Information on methodologies for the assessment of technology needs are widely available to Parties through the clearing house mechanism and other means as appropriate.*

*Activities:*

*1.3.1. Collect information on technology needs assessment methodologies, analyse their applicability and adaptation needs for technologies that are relevant to the conservation and sustainable use of biodiversity or make use of genetic resources and do not cause significant damage to the environment, and disseminate this information through the clearing-house mechanism or other means, as appropriate.*

*Main actor:* the Secretariat of the Convention on Biological Diversity, in collaboration with relevant organizations and with input by Parties and Governments.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties.

## **PROGRAMME ELEMENT 2: INFORMATION SYSTEMS**

The development or strengthening of national, regional and international systems for the gathering and dissemination of relevant information on technology transfer and cooperation and technical and scientific cooperation, including the establishment of effective networks of electronic databases of relevant technology, has been recognized as a tool that facilitates the transfer of technology for the conservation and sustainable use of biodiversity and of technology that makes use of genetic resources and do not cause significant damage to the environment, as well as a tool that promotes and facilitates scientific and technical cooperation. Activities under this programme element should build on existing initiatives and programmes with a view to maximizing synergy and avoiding the duplication of work, and should ensure accessibility of such systems for indigenous and local communities and all relevant stakeholders. At the international level, these systems, using the clearing-house mechanism, would provide, *inter alia*, information on the availability of relevant technologies, including their technical parameters, economic and social aspects, data on patents (owners and date of expiration), models of contracts and associated legislation; the identified technology needs of Parties, as well as case-studies and best-practices on measures and mechanisms to create enabling environments for technology transfer and technology cooperation.

**Objective:** *National, regional and international information systems for technology transfer and cooperation provide comprehensive information of relevance to foster technology transfer and technology cooperation*

**Operational target 2.1:** *The clearing-house mechanism is a central mechanism for the exchange of information on and facilitation of technology transfer and technical and scientific cooperation relevant for the Convention on Biological Diversity, providing access to information on national technology needs, available relevant proprietary technologies and technologies in the public domain, including access to databases of existing technologies, and information on best-practices to create enabling environments for technology transfer and technology cooperation.*

*Activities*

*2.1.1. Develop provisional web pages and print media that provide access to information on relevant initiatives and databases for the transfer of technology and for technology cooperation.*

*Main actor:* the Secretariat of the Convention on Biological Diversity in collaboration with relevant organizations and initiatives.

*Timeframe for implementation:* post seventh meeting of the Conference of the Parties.

2.1.2. *Development of proposals to enhance the clearing-house mechanism, including its national nodes, particularly those in developing countries, as a key mechanism for exchange of information on technologies and as a core element in its role to promote and facilitate scientific and technical cooperation, for facilitating and promoting technology transfer and cooperation and for the promotion of technical and scientific cooperation relevant for the conservation and sustainable use of biodiversity or make use of genetic resources and do not cause significant damage to the environment.*

2.1.3. *Development of advice and guidance on the use of new information exchange formats, protocols and standards to enable interoperability among relevant existing systems of national and international information exchange, including technology and patent databases.*

*Main actor:* the Secretariat of the Convention on Biological Diversity in collaboration with Parties, the informal advisory committee of the clearing house mechanism and relevant organizations and initiatives, with support from relevant international funding organizations as appropriate

*Timeframe for implementation:* the eighth meeting of the Conference of the Parties

2.1.4. *Implementation of proposals for enhancing the clearing-house mechanism as a central mechanism for exchange of information on technologies, as a core element in its role to promote and facilitate scientific and technical cooperation, for facilitating and promoting technology transfer and for the promotion of technical and scientific cooperation as adopted by the Conference of the Parties, in full synergy with similar initiatives and mechanisms of other Conventions and international organizations.*

*Main actor:* the Secretariat of the Convention on Biological Diversity in collaboration with the informal advisory committee of the clearing-house mechanism, Parties and relevant organizations and initiatives with support from relevant international funding organizations, as appropriate. This arrangement may be reviewed after a reasonable trial period.

*Timeframe for implementation:* the ninth meeting of the Conference of the Parties, then ongoing.

***Operational target 2.2:*** *Opportunities to establish or strengthen national information systems for technology transfer and technology cooperation are identified, with consultation of and input from indigenous and local communities and all relevant stakeholders.*

***Activities:***

2.2.1. *Compilation and synthesis of information on national and regional information systems for technology transfer and cooperation, including the identification of best-practices and of needs for further improvements, in particular in regard to the accessibility of such systems for indigenous and local communities and all relevant stakeholders as well as information on capacity and human resources available and needed.*

*Main actor:* the Secretariat of the Convention on Biological Diversity, with input from Parties and in cooperation with relevant organizations as appropriate, and with support from relevant international funding organizations as appropriate.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties, then ongoing.



2.2.2. *Develop or strengthen national information systems of technology transfer and technology cooperation.*

*Main actors:* Parties in cooperation with the Secretariat and relevant organizations as appropriate, and with support from GEF and from relevant international funding organizations as appropriate.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties.

***Operational target 2.3:*** *National information systems for technology transfer and technology cooperation, especially those functioning through national clearing-house mechanisms, are established or strengthened, are effectively linked to international information systems and contribute effectively to technology transfer, diffusion and adaptation and to the exchange of technologies, including south-south technology transfer.*

*Activities:*

2.3.1. *Development or improvement of national systems of information exchange on technology transfer and technology cooperation, in consultation with indigenous and local communities and all relevant stakeholders, with a view to fostering dialogue between technology holders and prospective users through, inter alia, the application of ways and means to ensure:*

- (a) *Effective linkages with existing national, regional and international information systems;*
- (b) *Accessibility and adaptability of such systems by indigenous and local communities and all relevant stakeholders;*
- (c) *Information on local needs for adaptation, and related capacity, to be effectively channelled into national systems.*

*Main actors:* Parties to the Convention on Biological Diversity, in consultation with indigenous and local communities and all relevant national stakeholders, with support by relevant organizations and well as with support from GEF and from relevant international funding organizations as appropriate.

*Timeline for implementation:* the ninth meeting of the Conference of the Parties.

***Operational target 2.4:*** *Promote the development of regional and international information systems to facilitate technology transfer and technological cooperation.*

*Activities:*

2.4.1. *Initiate and conduct consultations among relevant organizations, indigenous and local communities and all relevant stakeholders with a view to identifying options to further regional and international cooperation in the development or improvement of information systems on technology transfer and technology cooperation.*

*Main actors:* Relevant organizations, indigenous and local communities and all relevant stakeholders with support by national, regional and international donors, and by national Governments with support from relevant international funding organizations as appropriate.

2.4.2. *Compilation and synthesis of information on regional and international information systems, including best-practices and opportunities for further development and make this information available through the clearing-house mechanism and other means, as appropriate.*

*Main actor:* the Secretariat of the Convention on Biological Diversity with input from Parties and in cooperation with relevant organizations, as appropriate, with support from relevant international funding organizations, as appropriate.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties, then ongoing.

**2.4.3. *Identify and implement measures to develop or strengthen appropriate information systems of technology transfer and technology cooperation, including at the local level.***

*Main actor:* Parties in cooperation with the Secretariat of the Convention, relevant organizations, as appropriate, and with support from GEF as well as from relevant international funding organizations, as appropriate.

*Timeline for implementation:* ongoing.

### **PROGRAMME ELEMENT 3: CREATING ENABLING ENVIRONMENTS**

Creating enabling environments refers to activities of governments at national and international levels that aim to create an institutional, administrative, legislative and policy environment conducive to private and public sector technology transfer and to the adaptation of transferred technology, and that aim to remove technical, legislative and administrative barriers to technology transfer and technology adaptation, inconsistent with international law. Multi-faceted enabling environments in both developed and developing countries are a necessary tool to promote and facilitate the successful and sustainable transfer of technologies for the purpose of the Convention on Biological Diversity. Such government activities may, *inter alia*, focus on: national institutions for research and technology innovation; legal and institutional underpinnings of technology markets both at national and international levels; and legislative institutions that introduce codes and standards, reduce environmental risk and protect intellectual property rights.

***Objective:*** *To identify and put in place institutional, administrative, legislative and policy frameworks conducive to private and public sector technology transfer and cooperation, taking also into account existing work of relevant international organizations and initiatives.*

***Operational target 3.1:*** *Development of guidance and advice for the application of options on measures and mechanisms to facilitate access to and transfer of technologies in the public domain and to proprietary technologies of relevance for the Convention on Biological Diversity, and to foster technology cooperation.*

*Activities:*

**3.1.1.** *Preparation of technical studies that further explore and analyse the role of intellectual property rights in technology transfer in the context of the Convention on Biological Diversity and identify potential options to increase synergy and overcome barriers to technology transfer and cooperation, consistent with paragraph 44 of the Johannesburg Plan of Implementation. The benefits as well as the costs of intellectual property rights should be fully taken into account.*

*Main actors:* Secretariat of the Convention on Biological Diversity, WIPO, UNCTAD and other relevant organizations.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties.

3.1.2. *Compilation and synthesis of information, including case studies, and preparation of guidance on institutional, administrative, legislative and policy frameworks that facilitate access to, adaptation and adaptation of technologies in the public domain and to proprietary technologies, especially by developing countries and countries with economies in transition, and, in particular, on measures and mechanisms that:*

- *(a) Foster an enabling environment in developing and developed countries for cooperation as well as the transfer, adaptation and diffusion of relevant technologies in accordance with the needs and priorities identified by countries;*
- *(b) present obstacles that impede transfers of relevant technologies from developed countries;*
- *(c) Provide, in accordance with existing international obligations, incentives to private-sector actors as well as public research institutions in developed country Parties, to encourage cooperation and transfer of technologies to developing countries, through, e.g., technology transfer programmes or joint-ventures;*
- *(d) Promote and advance priority access for Parties to the results and benefits arising from technologies based upon genetic resources provided by those Parties, in accordance with Article 19, paragraph 2 of the Convention, and to promote the effective participation in related technological research by those Parties;*
- (e) Promote innovative approaches and means of technology transfer and cooperation such as Type 2 partnerships, in accordance with the outcome of the World Summit on Sustainable Development, or transfers among actors, involving in particular the private sector and civil society organizations.*

*Main actor:* the Secretariat of the Convention on Biological Diversity, assisted by the group of experts on technology transfer and cooperation and based on input from Parties and relevant international organizations.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties, then ongoing.

***Operational target 3.2:*** *Development and implementation of national institutional, administrative, legislative and policy frameworks to facilitate cooperation, as well as access to and adaptation of technologies in the public domain and to proprietary technologies of relevance for the Convention on Biological Diversity, and to foster technical and scientific cooperation, consistent with national priorities and existing international obligations.*

*Main actors:* national Governments in collaboration with indigenous and local communities and all relevant stakeholders, with support of relevant international organizations as well as with support from GEF, from relevant international funding organizations and the Secretariat as appropriate.

*Activities:*

*Phase I (preparatory phase):*

3.2.1. *Identification of relevant stakeholders and sources on information;*

3.2.2. *Design and implement mechanisms for effective involvement and participation of indigenous and local communities and all relevant stakeholders;*

- 3.2.3. *As appropriate, review, in collaboration with indigenous and local communities and all relevant stakeholders, existing policies and programmes and identify possible impediments to the transfer of technology of relevance for the Convention on Biological Diversity, capacity-building needs and priority areas for policy action. The study should also identify the necessary steps, if any, to improve accordingly national biodiversity strategy and action plans, national research and technology strategies and other policy planning tools;*
- 3.2.4. *Identify and support community-based opportunities and initiatives for the development of sustainable livelihood technologies for local application and facilitate the pursuit of those opportunities at the local community level.*

*Timeline for implementation:* the eighth meeting of the Conference of the Parties, with further reviews, as appropriate.

#### *Phase II*

*Consistent with relevant international obligations and national priorities, and in synergy with activities foreseen under the programme areas and cross-cutting issues of the Convention:*

- 3.2.5. *Implementation of institutional, administrative, legislative and policy measures and mechanisms to foster an enabling environment in developing countries and countries with economies in transition that would facilitate access to and adaptation of relevant technologies, and that would provide cooperation among developed and developing countries and countries with economies in transition;*
- 3.2.6. *Adoption of legal and regulatory frameworks where appropriate and provision of incentives to private-sector actors as well as public research institutions in developed country Parties, with a view to encourage the transfer of technologies to developing countries and countries with economies in transition;*
- 3.2.7. *Encourage and facilitate community-to-community sharing and transferring of knowledge and technologies through such means as community personnel exchanges, workshops and publications;*
- 3.2.8. *Promotion and advancement of priority access for Parties to the results and benefits arising from technologies based upon genetic resources provided by those Parties, in accordance with Article 19, paragraph 2, of the Convention, and to promote the effective participation in related technological research by those Parties;*
- 3.2.9. *Encouragement of scientific and technical research, including joint research programmes with associated jointly held patents or other protection of intellectual property rights as well as other mechanisms to facilitate transfer of technologies that make use of genetic resources and do not cause significant damage to the environment;*
- 3.2.10. *Promotion of cooperation and technology transfer through innovative approaches such as Type-2 partnerships or transfers among actors, involving in particular the private sector and civil-society organizations;*
- 3.2.11. *Strengthening of national research institutions for the adaptation and further development of imported technologies, including through academic training, consistent with their transfer agreement and international law, as well as the development and use of environmentally sound technologies;*

3.2.12. *Dissemination of related experiences at national and international levels.*

*Timeline for implementation:* the ninth meeting of the Conference of the Parties, then ongoing review as appropriate.

**PROGRAMME ELEMENT 4: CAPACITY-BUILDING AND ENHANCEMENT**

The building or enhancement of technical, scientific, institutional and administrative capacity is an issue of cross-cutting importance for the effective and timely conduct of technology assessments, for the building and strengthening of national or regional technology information systems and for the creation of enabling environments for technology transfer and cooperation. Activities under this programme element should build on existing initiatives and programmes, for instance, under other conventions and international agreements, with a view to maximize synergies and avoid the duplication of work. The long-term benefits arising from technology transfer should be understood as investments by relevant institutions and initiatives.

***Objective:*** *Technical, scientific, institutional and administrative capacity is adequate for the effective cooperation, transfer, diffusion and adaptation of technology as well as technical and scientific cooperation.*

***Operational target 4.1:*** *Technical, scientific, institutional and administrative capacity is adequate for the effective and timely conduct of national technology assessments*

*Activities*

4.1.1. *Financial and technical support and training is provided by relevant international, regional and national organizations and initiatives as appropriate for the building or enhancement of capacity for the effective and timely conduct of national technology assessments;*

*Main actors:* International, regional and national organizations and funds, as appropriate.

*Timeline for implementation:* ongoing, starting at the seventh meeting of the Conference of the Parties.

***Operational target 4.2:*** *Technical, scientific, institutional and administrative capacity is adequate for the development or strengthening and effective operation of national, regional and international information systems for technology transfer and technology cooperation of relevance for the Convention on Biological Diversity.*

*Activities*

4.2.1. *Assessment of capacity-building needs and opportunities for the development or strengthening and effective operation of national information systems for technology transfer and technology cooperation, including risk analysis and impact assessment.*

*Main actors:* Developing country Parties, including least developed countries and small island developing States, and Parties with economies in transition, in collaboration with indigenous and local communities and all relevant stakeholders and with support of relevant international organization as appropriate as well as with support from GEF and relevant international funding organizations.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties.

4.2.2. *Financial and technical support as well as training is provided to improve the capacity of national systems of information gathering and dissemination with regard to needs and*

*opportunities for technology transfer, in particular with regard to capacity for the effective application and use of electronic information technologies, in full synergy with existing initiatives and programmes.*

*Main actors:* GEF, international, regional and national organizations and funds as appropriate.

*Timeline for implementation:* ongoing, starting at the eighth meeting of the Conference of the Parties.

***Operational target 4.3:*** *Technical, scientific, institutional and administrative capacity is adequate for the review of national policies and programmes and the identification of barriers for the transfer of technology of relevance for the Convention on Biological Diversity, capacity-building needs and priority areas for policy action.*

#### *Activities*

4.3.1. *Financial and technical support and training is provided by relevant international, regional and national organizations and initiatives as appropriate for the building or enhancement of capacity for the review of existing policies and programmes and the identification of possible impediments to cooperation and the transfer of technology of relevance for the Convention on Biological Diversity, of capacity-building needs and priority areas for policy action.*

*Main actors:* Developing country Parties, including least developed countries and small island developing States, and Parties with economies in transition, in collaboration with indigenous and local communities and all relevant stakeholders and with support of relevant international organizations, as appropriate, as well as with support from GEF and from relevant international funding organizations.

*Timeline for implementation:* the eighth meeting of the Conference of the Parties, then ongoing.

***Operational target 4.4:*** *Technical, scientific, institutional and administrative capacity is adequate for the implementation of measures and mechanisms that create an environment conducive to private and public sector technology transfer and cooperation, and to the adaptation of transferred technology.*

#### *Activities*

4.4.1. *Based on needs and priorities identified by countries, financial and technical support and training is provided by relevant international, regional and national organizations and initiatives as appropriate to foster enabling environments for technology transfer and cooperation, and in particular with regard to:*

- (a) *Building policy, legal, judicial and administrative capacity;*
- (b) *Facilitating access to relevant proprietary technologies, consistent with Article 16.2;*
- (c) *Providing other financial and non-financial incentives for the diffusion of relevant technologies;*
- (d) *Building capacities of, and empowering indigenous and local communities and all relevant stakeholders with respect to access to and use of relevant technologies, including strengthening of decision-making skills;*
- (e) *Providing financial and technical support and training to improve the capacity of developing countries and countries with economies in transition national research institutions for the development of technologies as well as for adaptation, diffusion and*

*the further development of imported technologies consistent with their transfer agreement and international law including through fellowships and international exchange programmes;*

- (f) *Supporting the development and operation of regional or international initiatives to assist technology transfer and cooperation as well as scientific and technical cooperation, particularly those initiatives designed to facilitate South-South cooperation and South-South joint development of new technologies, as well as such cooperation among countries with economies in transition, and cooperation between the South and countries with economies in transition.*

*Main actors:* GEF, international, regional and national organizations and funds, as appropriate.

*Timeline for implementation:* ongoing, starting at the seventh meeting of the Conference of the Parties.

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