



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY 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

Fourth meeting – Part II

Montreal, Canada, 7-19 December 2022

Agenda item 8

DECISION ADOPTED BY THE PARTIES TO THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT-SHARING

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

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,¹ which includes the input provided by the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol at its fourth meeting;

2. *Endorses* the long-term strategic framework for capacity-building and development² adopted under the Convention to support the implementation of the Kunming-Montreal Global Biodiversity Framework;³

3. *Welcomes* the recommendations for the improvement of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, and agrees to revise it in line with the Kunming-Montreal Global Biodiversity Framework, the long-term strategic framework for capacity-building and development to support the implementation of the Kunming-Montreal Global Biodiversity Framework and the findings of the evaluation referred to in paragraph 1 above;

¹ The strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol was adopted in decision NP-1/8. The evaluation of the strategic framework is contained in document CBD/SBI/3/INF/1.

² Decision 15/8, annex I.

³ Decision 15/4, annex.

4. *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;⁴

5. *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, to update its terms of reference to include supporting the revision and updating of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, and to expand the membership of the Informal Advisory Committee to include representatives of the business sector, the research community and youth;

6. *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 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;

8. *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 Kunming-Montreal Global Biodiversity Framework and the long-term strategic framework for capacity-building and development, 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.

B. Awareness-raising

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

1. *Welcomes* the progress made in the implementation of the awareness-raising strategy⁵ for the Nagoya Protocol;

2. *Takes note* of the feedback from Parties, other Governments and other relevant stakeholders on the *CEPA Toolkit - Including Considerations for Access and Benefit-sharing*,⁶ and encourages Parties, other Governments, relevant organizations and other stakeholders to continue to utilize the toolkit as part of their awareness-raising and capacity-building activities;

3. *Welcomes* the communications strategy to support the Kunming-Montreal Global Biodiversity Framework⁷ as an important element to also raise awareness on access and benefit-sharing and the related goal and target of the Kunming-Montreal Global Biodiversity Framework;

⁴ CBD/NP/CB-IAC/2019/1/4.

⁵ As set out in decision NP-1/9.

⁶ <https://www.cbd.int/abs/doc/cepa-toolkit-en.pdf>.

⁷ Decision 15/14, annex.

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;

5. *Requests* the Executive Secretary to continue facilitating the implementation of the awareness-raising strategy through capacity-building and development activities and by encouraging the use of the access and benefit-sharing awareness-raising toolkit in related capacity-building and development and awareness-raising projects carried out by Parties, other Governments and relevant organizations;

6. *Also requests* the Executive Secretary to consider incorporating elements of the awareness-raising strategy when revising the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, 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 AND DEVELOPMENT
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:⁸

(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, monitoring the utilization of genetic resources including the designation of checkpoints, as well as the provisions related to 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;

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

(g) Development of tools and checklists to help integrate gender concerns in the different competency areas to be addressed by capacity-building initiatives and activities, including the integration of gender responsiveness into access and benefit-sharing policies and measures.

⁸ Element (g) was added during the adoption of the present decision, and was not identified during the first assessment and review (NP-3/1).