



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 THE
BENEFITS ARISING FROM THEIR UTILIZATION

First meeting

Pyeongchang, Republic of Korea, 13–17 October 2014

Item 14 of the provisional agenda*

COOPERATION WITH OTHER CONVENTIONS, INTERNATIONAL ORGANIZATIONS AND INITIATIVES

Note by the Executive Secretary

I. INTRODUCTION

1. Cooperation with other conventions, international organizations and initiatives is vital to the achievement of Aichi Biodiversity Target 16, that, “by 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation”. This includes developing partnerships with relevant organizations with the mandate and capacity, including at the regional and subregional levels, to provide assistance to Parties. It also requires engagement in other relevant international processes. Such cooperation and engagement fosters synergetic implementation of access and benefit-sharing practices at the national, regional and international levels.

2. The importance of cooperation has been repeatedly emphasized by the Parties to the Convention on Biological Diversity (CBD). In paragraph 1 of decision XI/1 D, the Conference of the Parties (COP) to the Convention on Biological Diversity requested the Executive Secretary, in collaboration with relevant organizations, and subject to the availability of financial resources, to continue supporting capacity-building and development initiatives to support the ratification, early entry into force and implementation of the Nagoya Protocol.

3. In paragraph 1 of decision XI/1 E, the Conference of the Parties requested the Executive Secretary, in collaboration with relevant organizations, as appropriate, and subject to the availability of financial resources, and taking advantage of activities and resources developed under other programmes of work of the Convention, notably under the communication, education and public awareness (CEPA) programme, to carry

* UNEP/CBD/NP/COP-MOP/1/1.

out awareness-raising activities to support the ratification, early entry into force and implementation of the Protocol.

4. The third meeting of the Intergovernmental Committee for the Nagoya Protocol (“Intergovernmental Committee”), in paragraph 1 of its recommendation 3/5, recommended that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP 1) adopt a strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, contained in annex I to the draft decision. The strategic framework seeks to foster a strategic, coherent and coordinated approach to capacity-building and development for the effective implementation of the Nagoya Protocol through strategic partnerships, coordination and synchronized activities.

5. The present note provides an overview of activities undertaken to develop and enhance cooperation with other conventions, international organizations and initiatives to facilitate the entry into force and implementation of the Nagoya Protocol. It is intended to highlight some of the key collaborative arrangements and initiatives and does not purport to be an exhaustive account of the cooperative actions.

II. COOPERATION WITH OTHER CONVENTIONS, INTERNATIONAL ORGANIZATIONS AND INITIATIVES

6. The Secretariat of the Convention on Biological Diversity (SCBD) has undertaken cooperative activities with various conventions, international organizations and initiatives. These include: the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), the Commission on Genetic Resources for Food and Agriculture (CGRFA) of the Food and Agriculture Organization of the United Nations (FAO), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the United Nations University – Institute of Advanced Studies (UNU-IAS), the World Intellectual Property Organization (WIPO), the United Nations Convention on the Law of the Sea (UNCLOS), the International Union for Conservation of Nature (IUCN), regional and subregional bodies and institutions, the ABS Capacity Development Initiative as well as a number of other organizations and initiatives.

A. International Treaty on Plant Genetic Resources for Food and Agriculture

7. The Secretariat has a long-standing relationship with the Secretariat of the ITPGRFA. This relationship has developed further with the adoption of the Nagoya Protocol, particularly in light of the recognition by the Parties to the Convention, in their decision adopting the Nagoya Protocol (decision X/1), that the international regime on access and benefit-sharing includes both the Protocol and the Treaty. A Memorandum of Cooperation between the Secretariat of the Convention and the Secretariat of the ITPGRFA was signed at the tenth meeting of the Conference of the Parties in October 2010 with the objective of enhancing cooperation between the two Secretariats in areas of mutual interest and within their respective mandates, for a period of five years from the date of signature.

8. In this context, the Secretariats of the Convention and of the ITPGRFA agreed on a joint initiative at the margins of the United Nations Summit on Sustainable Development (Rio+20) in 2012 for the harmonious implementation of the ITPGRFA and the CBD and its Nagoya Protocol. The joint initiative seeks to further promote the complementary implementation of the ITPGRFA, the CBD and its Nagoya Protocol.

9. The SCBD and the ITPGRFA have jointly organized an array of activities, including high-level briefings and capacity-building workshops targeting focal points, indigenous and local communities and relevant stakeholders. Examples of recent joint activities include the following:

(a) Joint capacity-building workshops organized back-to-back with the first and second meetings of the Intergovernmental Committee in 2011 and 2012 and the seventh meeting of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) in 2011, which provided an opportunity to explore how to promote mutual supportiveness and harmonious implementation of the Nagoya Protocol and the ITPGRFA;

(b) A joint Ministerial Breakfast Briefing on the Nagoya Protocol and the ITPGRFA was delivered during the margins of the United Nations General Assembly on 22 September 2011;

(c) Joint briefings for government officials and stakeholders were organized in Brazil in February 2013 on mutual supportiveness of both instruments.

10. The Executive Secretary has also made statements on the importance of collaboration to achieve effective implementation of both instruments at the national level during events organized by the Treaty such as the Third High-level Roundtable on the ITPGRFA in the context of the “International Conference on Plant Genetic Resources, Food Security and Climate Change” held in Bandung, Indonesia from 2 to 4 July 2013 and an event on the Treaty during the International Green Week 2014 in Berlin.

11. The Secretariat of the ITPGRFA has also taken part in relevant activities organized by the SCBD such as the regional capacity-building workshops on the Nagoya Protocol organized by SCBD in 2013 and 2014, and which included a component on the mutual supportiveness of the two instruments; and the special event of the second committee of the United Nations General Assembly held on 30th October 2013, to follow up on resolution 67/212.

12. The SCBD is in regular communication with the Secretariat of the ITPGRFA and is actively involved in aspects of the ITPGRFA related to the Nagoya Protocol. This includes participation in the sessions of the Governing Body of the Treaty as well relevant ongoing processes such as the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-Sharing. During the fifth session of the Governing Body of the Treaty, a number of resolutions relevant to the Convention on Biological Diversity were adopted. More information on these may be found in an information document.¹ The SCBD is also currently hosting a staff member of the Treaty Secretariat.

13. Both Secretariats are also engaged in discussions on opportunities to expand their partnership in relation to the development of the Access and Benefit-sharing Clearing-House and the SCBD is participating in the Consultation on the Global Information System on Plant Genetic Resources for Food and Agriculture being undertaken in the context of the Treaty.

14. Finally, both the SCBD and the Secretariat of the ITPGRFA have collaborated with the ABS Capacity Development Initiative and Bioversity International on workshops on the mutual supportiveness of the two instruments (see below for more information).

B. Commission on Genetic Resources for Food and Agriculture

15. There is a long history of cooperation between the CBD and FAO, including its Commission on Genetic Resources for Food and Agriculture (CGRFA). This cooperation is reflected in a joint work plan for the period of 2011 – 2020. The joint work plan was welcomed by the Conference of the Parties to the Convention on Biological Diversity at its eleventh meeting² and by the CGRFA at its thirteenth meeting. The central theme of the joint work plan is the United Nations Decade on Biodiversity and the Strategic Plan for

¹ UNEP/CBD/NP/COP-MOP/1/INF/5.

² Decision XI/6, paragraph 22.

Biodiversity (2011-2020) and the Aichi Biodiversity Targets. Access and benefit-sharing is one of the agreed joint areas of work.

16. Following the adoption of the Protocol, the Secretariat has been actively collaborating with the Secretariat of the CGRFA particularly through the participation of representatives of the Secretariat of the Commission in the regional capacity-building workshops on the Nagoya Protocol organized by the SCBD in 2013 and 2014.

17. The SCBD has also participated in a number of meetings of the Commission. The Executive Secretary gave a keynote statement during the opening of the 14th Regular Session of the Commission in April 2013 and the Secretariat is currently represented as an observer to the meetings of the Commission's Team of Technical and Legal Experts on Access and Benefit-sharing.

C. United Nations Conference on Trade and Development

18. The Secretariat continues to cooperate with the United Nations Conference on Trade and Development (UNCTAD) on issues related to the implementation of the Nagoya Protocol. Recent cooperative activities include the following:

(a) The SCBD participated in the Ad Hoc Expert Group Meeting on the Development Dimensions of Intellectual Property: Biological Diversity and Access and Benefit-sharing, held in Geneva, from 15 to 17 April 2013. The meeting was convened to promote exchange of views and peer-review the UNCTAD draft handbook "The Convention on Biological Diversity and the Nagoya Protocol: Intellectual Property Implications";

(b) UNCTAD gave a presentation during the joint briefing on progress in the implementation of the objectives of the Convention on Biological Diversity as part of the United Nations Decade on Biodiversity, and to further efforts to improve coherence, which was organized on 30 October 2013 as a special event of the Second Committee of the United Nations General Assembly pursuant to resolution 67/212;

(c) The SCBD provided input to the II BioTrade Congress held in December 2013.

D. United Nations Environment Programme

19. The SCBD was the lead executing agency of the Global Environment Facility (GEF) Medium-Sized Project implemented by the United Nations Environment Programme (UNEP) to support the early ratification and entry into force of the Nagoya Protocol. The project was carried out between 2010 and 2013 with the aim of assisting GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Nagoya Protocol, through targeted awareness raising and capacity-building.

20. To support the ratification and implementation of the Nagoya Protocol at global, regional and national levels, the Secretariat is also working with UNEP on a number of projects, through providing input on activities and participating in related meetings and workshops. These projects include: Strengthening the implementation of Access to Genetic Resources and Benefit-sharing Regimes in Latin America and the Caribbean; Global Support for the Entry into Force of the Nagoya Protocol on Access and Benefit Sharing and Ratification; and Implementation of the Nagoya Protocol for the Member countries of the Central African Forests Commission (COMIFAC).

21. The SCBD also cooperated with UNEP regional offices on subregional and regional capacity-building workshops on the Nagoya Protocol for Africa (9-13 June 2014 in Kampala, Uganda), the Caribbean (19-22 May 2014 in Georgetown, Guyana) and West Asia and North Africa (1-5 June 2014 in Dubai, United Arab Emirates). During the Dubai workshop, the participants invited the UNEP Regional Office for West Asia, in collaboration with the SCBD and the Secretariat of League of Arab States to facilitate the development of a regional cooperation mechanism and guidelines for the implementation of the Nagoya Protocol in the subregion and assist countries in the region to develop national and/or regional ABS projects for funding under GEF-6. Likewise, at the Africa regional workshop in Kampala, the participants requested UNEP, in collaboration with the SCBD, the African Union Commission and the Regional Economic Commissions (including the Economic Community of West African States and the Southern African Development Community), to develop a regional capacity-building project to facilitate the implementation of proposed African Union policy framework and guidelines for a coordinated approach to the implementation of the Nagoya Protocol in Africa.

22. UNEP also took part in the joint briefing held during a special event of the Second Committee of the United Nations General Assembly pursuant to resolution 67/212.

E. United Nations University – Institute of Advanced Studies

23. The SCBD has collaborated with the United Nations University – Institute of Advanced Studies (UNU-IAS) on the following activities:

(a) Awareness-raising among parliamentarians and other decision-makers in the Asia, Pacific and Latin American regions with a view to promoting the ratification and early entry into force of the Protocol;

(b) Developing awareness-raising material on the Nagoya Protocol for users of genetic resources operating in different sectors;³

(c) An Informal Meeting for the Implementation of Articles 19 and 20 of the Nagoya Protocol,⁴ which was convened by the Government of Japan and UNU-IAS in collaboration with the Secretariat. The meeting was supported by a study developed by UNU-IAS to inform discussions.

F. World Intellectual Property Organization

24. The SCBD regularly exchanges information with WIPO. In the context of the Nagoya Protocol, the Secretariat is specifically focused on the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). The SCBD participates in meetings and related activities of the IGC in order to provide relevant information on the Convention and the Nagoya Protocol to inform the discussions.

G. United Nations Convention on the Law of the Sea

25. The Secretariat is following developments in the United Nations General Assembly Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine

³ The materials are available at <https://www.cbd.int/abs/policy-brief/default.shtml/>.

⁴ 25-26 March 2013, Tokyo, Japan.

biological diversity beyond areas of national jurisdiction. The SCBD also regularly exchanges information concerning the Nagoya Protocol and access to genetic resources and benefit-sharing with the United Nations Division for Ocean Affairs and the Law of the Sea.

H. International Union for Conservation of Nature

26. Cooperation with IUCN has been an important component in facilitating the entry into force and implementation of the Nagoya Protocol at the regional level. The CBD Secretariat regularly exchanges information with IUCN on activities and developments regarding the Nagoya Protocol to ensure a cooperative approach to the implementation of the Protocol. Areas of cooperation are as follows:

(a) IUCN is executing the UNEP-GEF regional project: Strengthening the implementation of ABS regimes in Latin America and the Caribbean. The overall objective of the project is to strengthen the capacities of eight countries (Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guyana, Panama and Peru) to develop and/or comply with national policy and legal frameworks related to ABS. The SCBD participates in the steering committee for the project;

(b) IUCN actively participated in the subregional workshops on the Nagoya Protocol organized by the SCBD for Latin America (24-28 March 2014 in Montevideo, Uruguay), Central and Eastern Europe and Central Asia (31 March - 4 April 2014 in Minsk, Belarus) and the Caribbean (19 - 22 May 2014 in Georgetown, Guyana). At the CEE workshop in Minsk, the participants requested IUCN, with the collaboration of the SCBD, to assist them in developing two subregional projects on implementation of the Nagoya Protocol for submission to the GEF and other donors; one for Central and Eastern Europe and another for the Caucasus and Central Asian countries.

I. Regional and subregional bodies and institutions

27. The Secretariat is closely collaborating with various regional and subregional bodies and institutions to facilitate the ratification and implementation of the Nagoya Protocol at the regional level through organizing activities which encourage the harmonization of processes so that the Protocol may be implemented in a coherent and effective manner. Specific cooperative activities between the SCBD and regional/subregional bodies and institutions include the following:

(a) *African Union Commission (AUC)*: The CBD and the AUC have collaborated on various activities. The AUC with the support of the SCBD organized preparatory meetings for African delegations prior to the three meetings of the Intergovernmental Committee for the Nagoya Protocol. The SCBD also participated in the peer-review of the proposed African Union policy framework and guidelines for a coordinated approach to the implementation of the Nagoya Protocol in Africa.

(b) *Caribbean Community (CARICOM)*: SCBD and CARICOM co-organized the Subregional Capacity-building Workshop on the Nagoya Protocol for the Caribbean, which was held from 19 to 22 May 2014 at the CARICOM Secretariat offices in Georgetown, Guyana. Furthermore, the CARICOM Secretariat has invited the SCBD to provide briefing material for the Caribbean regional preparatory workshop for the twelfth meeting of the Conference of the Parties and the first meeting of the Parties to the Nagoya Protocol.

(c) *Latin American Integration Association (ALADI)*: In the context of their Memorandum of Cooperation, the SCBD and ALADI collaborated on the organization of the Regional Capacity-building Workshop for Latin America on Nagoya Protocol on Access and Benefit-sharing, which was held from 24 to

28 March 2014 in Montevideo, Uruguay, and on the preparation of a joint publication on views and experience of Latin America on selected issues regarding the implementation of the Nagoya Protocol.

(d) *Secretariat of the Pacific Regional Environment Programme (SPREP)*: The SCBD and SPREP, in collaboration with the ABS Capacity Development Initiative, co-organized the Pacific Sub-regional Workshop on Access and Benefit-sharing which was held from 25 to 29 November 2013 in Suva, Fiji. The SCBD also participated in the Pacific Joint Preparatory Meeting for COP-12 (Nadi, Fiji, 11-15 August 2014) and provided information on ABS and the first meeting of the Parties to the Nagoya Protocol.

28. In addition, the Secretariat has organized activities with the following regional bodies and institutions, among others: Central African Forest Commission (COMIFAC); South Asian Association for Regional Cooperation (SAARC); Economic Cooperation Organization (ECO); Association of Southeast Asian Nations (ASEAN); International Centre for Integrated Mountain Development (ICIMOD); the Gulf Cooperation Council and the League of Arab States.

J. The ABS Capacity Development Initiative

29. The SCBD continues to collaborate with the ABS Capacity Development Initiative, a multi-donor initiative that aims to support relevant stakeholders in the ACP countries (African, Caribbean and Pacific Group of States) in developing and implementing national ABS regulations, in particular to ratify and implement the Nagoya Protocol. The Initiative has been a key partner since its launch at the eighth meeting of the Conference of the Parties in March 2006. The SCBD is an observer on the Initiative's steering committees for the different regions in which it works and as such, also participates in the meetings of the Initiative's General Assembly.

30. The SCBD has participated in many activities organized by the Initiative in support of the early ratification, implementation and entry into force of the Nagoya Protocol and has provided substantive advice on technical materials developed by the Initiative. Activities on which the SCBD has cooperated with the ABS Capacity Development Initiative include carrying out joint briefings and organizing joint workshops.

31. The SCBD is also frequently invited to make presentations during workshops and events organized by the Initiative. Examples include delivering a briefing during the ABS Capacity Development Initiative's Workshop held from 22 to 24 May 2012 in Asau, Samoa; participating in the first ABS Initiative's Workshop for the Caribbean Region held on 3 and 4 September 2012 in Port of Spain, Trinidad and Tobago; a statement by the Executive Secretary during the 3rd ABS Business Dialogue, held in Copenhagen, Denmark on 4 and 5 September 2013; and presentations during the first and second Dialogue sessions held in Cape Town, South Africa, from 30 to 31 January 2014 and Goa, India, from 4 to 6 August 2014, respectively.

32. Furthermore, the SCBD and the Secretariat of the ITPGRFA have collaborated with the Initiative and Bioversity International in the organization of workshops on joint implementation of the Nagoya Protocol and International Treaty. To date, these have included an expert workshop on "The International Treaty and the Nagoya Protocol: Supporting mutual supportiveness in the implementation of both instruments at the national level" and a tandem workshop for national focal points of the Nagoya Protocol and the ITPGRFA. The tandem workshop aimed at increasing the understanding of the interface between the Nagoya Protocol and the ITPGRFA and provided an opportunity for participants to discuss some of the major issues related to the harmonious implementation of both instruments, as well as to develop concrete recommendations on how to improve coordination and collaboration at national and international levels.

K. Other Organizations and Initiatives

33. Access and benefit-sharing is also a component of cooperative activities undertaken in the wider context of the whole Convention. More information on these aspects may be found in document UNEP/CBD/COP/12/24. Other cooperative activities focusing on access and benefit-sharing are outlined below.

World Federation for Culture Collections

34. The SCBD regularly cooperates and exchanges information with the World Federation for Culture Collections and its member organizations. This has included a video statement by the Executive Secretary at the 13th International Conference on Culture Collections in September 2013. Initial discussions were also held with the World Data Center for Microorganisms in order to assess possible linkages between the Global Catalogue of Microorganisms and the ABS Clearing-House.

Diversitas

35. The SCBD has collaborated with Diversitas in the context of a project on “Access and Benefit-sharing in Latin America and the Caribbean: A science-policy dialogue for academic research” developed in partnership with the International Council for Science (ICSU) Regional Office for Latin America and the Caribbean, the International Unions of Biological Sciences and the Swiss Academy of Sciences. The project focuses on academic research in Latin America and the Caribbean and the implications of ABS policies and regulation, and has been undertaken in collaboration with the GEF regional project for Latin America executed by IUCN-Sur and the University of Bonn. The Secretariat provided input to the Science-Policy Workshop on Access and Benefit-Sharing for Non-commercial Academic Research held in Lima, Peru, from 20 to 22 November 2013.

PharmaSea

36. The PharmaSea project focuses on biodiscovery research and the development and commercialization of new substances from marine organisms. It is a consortium of an international and interdisciplinary team of academics, industry researchers and specialists focused on marine biodiscovery. Work package 6 of the project focuses on the complex and rapidly evolving legal and policy environment surrounding marine genetic resources and seeks to identify solutions to bottlenecks that may occur. This includes the convening of an advisory panel of policy and legal experts. The SCBD is represented as an observer on the advisory panel in order to provide relevant information on access and benefit-sharing in the context of the Convention and the Nagoya Protocol. Two meetings of the advisory panel have been held to date. The project will continue until September 2016.

Union for Ethical BioTrade

37. The SCBD and the Union for Ethical BioTrade regularly exchange information on relevant activities. The SCBD has participated in a number of the annual ‘Beauty of Sourcing with Respect’ conferences organized by the Union for Ethical BioTrade and provided information on access and benefit-sharing and the Nagoya Protocol. A representative of the Union for Ethical BioTrade gave a presentation as part of the exchange of views on the state of implementation of the Nagoya Protocol held during the third meeting of the Intergovernmental Committee in February 2014.
