



**Food and Agriculture  
Organization of the  
United Nations**



**The International Treaty**  
**ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE**

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**Item 14.1 of the Provisional Agenda**

**SIXTH SESSION OF THE GOVERNING BODY**

**Rome, Italy, 5 – 9 October 2015**

**Report of the Secretariat of the Convention on Biological Diversity on Cooperation  
with the International Treaty**

**Executive Summary**

1. Following the successful conclusion of the twelfth meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, the Executive Secretary of the Convention on Biological Diversity brings to the attention of the Governing Body, outcomes of both meetings that are of relevance to the International Treaty.
2. The document also contains a summary of recent developments under the Convention and the Nagoya Protocol that are of relevance to the International Treaty.
3. The document, prepared by the Secretariat of the Convention on Biological Diversity for the information of the Governing Body, is being circulated in the form and language in which it was received by the Secretariat of the Treaty.

**OVERVIEW OF RECENT DEVELOPMENTS UNDER THE CONVENTION ON  
BIOLOGICAL DIVERSITY AND THE NAGOYA PROTOCOL ON ACCESS TO  
GENETIC RESOURCES AND BENEFIT-SHARING OF RELEVANCE TO THE  
INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND  
AGRICULTURE**

1. The Executive Secretary of the Convention on Biological Diversity (CBD) is very pleased to provide an update to the sixth session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) on recent developments under the CBD and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (Nagoya Protocol) as well as cooperative activities undertaken by the CBD Secretariat and the Secretariat of the ITPGRFA.

2. Section I of the document summarizes relevant outcomes from the twelfth meeting of the Conference of the Parties (COP) to the CBD. Section II summarizes relevant outcomes from the first meeting of the Conference of the Parties serving as the meeting of the Parties (COP-MOP) to the Nagoya Protocol. Section III provides an overview of cooperative activities undertaken by the CBD Secretariat and the Secretariat of the International Treaty undertaken since the previous session of the Governing Body. Finally, section IV provides a brief update on the status of the Nagoya Protocol.

**I. OUTCOMES FROM THE TWELFTH MEETING OF THE CONFERENCE OF  
THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY**

3. The twelfth meeting of the Conference of the Parties to the Convention on Biological Diversity was held from 6 to 17 October 2014 in Pyeongchang, Republic of Korea. The COP adopted a number of decisions relevant to the Governing Body of the ITPGRFA.

4. In decision XII/6 on ‘cooperation with other conventions, international organizations and initiatives’, the COP noted that the fourth edition of the *Global Biodiversity Outlook* (GBO4) identifies that progress towards sustainable food and agriculture is crucial in determining whether the Strategic Plan for Biodiversity 2011-2020 will succeed and recognized the *Reviewed Strategic Framework 2010-19* of the Food and Agriculture Organization of the United Nations as an important contribution to the implementation of the Strategic Plan for Biodiversity 2011-2020 and the achievement of the Aichi Biodiversity Targets. The enhanced implementation of access and benefit-sharing arrangements and conservation and sustainable use of plant genetic resources for food and agriculture are obviously important means to achieve the objectives of that Reviewed Strategic Framework. The Executive Secretary was requested to continue to strengthen cooperation with the Food and Agriculture Organization of the United Nations on relevant matters in this regard.

5. One of the actions identified in GBO4 to enhance progress towards Aichi Biodiversity Target 13 refers to integrating the conservation of crop (and livestock) wild relatives into protected area networks (Aichi Biodiversity Target 11). The Executive Secretary, in collaboration with the Secretariats of the Commission on Genetic Resources for Food and Agriculture, the International Treaty on Plant Genetic Resources for Food and Agriculture and Bioversity International, has issued notification 2015-092<sup>1</sup> that provides further details on this topic and alerts Parties to relevant needs and opportunities. This also represents a good example, among many, of the convergence of interests between the biodiversity “conservation” and agriculture communities and how the two can strengthen their inter-action for their mutual benefit.

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<sup>1</sup> Available online at: <https://www.cbd.int/doc/notifications/2015/ntf-2015-092-gspc-en.pdf>.

6. Decision XII/30 on the financial mechanism includes elements on ‘enhancing programmatic synergies among the biodiversity-related conventions’ whereby the COP invited the governing bodies of the various biodiversity-related conventions to provide elements of advice that may be referred to the Global Environment Facility through the COP. Such advice is to be transmitted to the Executive Secretary of the CBD who is requested to include it in documentation for consideration by COP-13.

7. Furthermore, in decision XII/31 on ‘multi-year programme of work of the Conference of the Parties up to 2020’, the COP agreed to a list of issues to be addressed by its thirteenth, fourteenth and fifteenth meetings foreseen for 2016, 2018 and 2020 respectively. One of the issues for COP-13 is “strategic actions to enhance national implementation, in particular through mainstreaming and the integration of biodiversity across relevant sectors, including agriculture, forests and fisheries.” Possible strategic actions are expected to be considered by the nineteenth meeting of the Subsidiary Body on Technical and Technological Advice and the first meeting of the Subsidiary Body on Implementation to be held from 2 to 5 November 2015 and 2 to 6 May 2016, respectively.

## II. OUTCOMES FROM THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL

8. The Nagoya Protocol entered into force on 12 October 2014. Pursuant to paragraph 6 of Article 26 of the Protocol, the first meeting of the Conference of the Parties serving as the meeting Parties to the Protocol was held concurrently with COP-12 in Pyeongchang, Republic of Korea, from 13 to 17 October 2014.

9. Item 14 of the agenda for the meeting addressed cooperation. Under this item, a note from the Executive Secretary was made available summarizing cooperative activities with, *inter alia*, the Secretariat of the International Treaty.<sup>2</sup> Furthermore, COP-MOP 1 also had before it, as an information document, the outcomes of the fifth session of the Governing Body of the Treaty, which had been submitted by the Treaty Secretariat.<sup>3</sup> The Secretariat of the International Treaty also made a statement during the consideration of this item, which was noted by the meeting.<sup>4</sup>

10. The meeting adopted 13 decisions as listed in table 1 below. Summaries of the decisions most relevant to the ITPGRFA are also included below. The full report of the meeting, including the full text of all the decisions may be found in document UNEP/CBD/NP/COP-MOP/1/10, available online at <https://www.cbd.int/doc/meetings/abs/np-mop-01/official/np-mop-01-10-en.pdf>.

**Table 1. Decisions adopted by the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol**

(Decisions highlighted in grey are summarized below.)

NP-1/1.	Rules of procedure for meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol
NP-1/2.	The Access and Benefit-sharing Clearing-House and information sharing (Article 14)
NP-1/3.	Monitoring and reporting (Article 29)

<sup>2</sup> Document UNEP/CBD/NP/COP-MOP/1/6.

<sup>3</sup> Document UNEP/CBD/NP/COP-MOP/1/INF/5, available online : <https://www.cbd.int/doc/meetings/abs/np-mop-01/information/np-mop-01-inf-05-en.pdf>.

<sup>4</sup> See paragraphs 115-119 of the report of the meeting, document UNEP/CBD/NP/COP-MOP/1/10, available online: <https://www.cbd.int/doc/meetings/abs/np-mop-01/official/np-mop-01-10-en.pdf>.

NP-1/4.	Cooperative procedures and institutional mechanisms to promote compliance with the Nagoya Protocol and to address cases of non-compliance
NP-1/5.	Model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards (Articles 19 and 20)
NP-1/6.	Matters related to the financial mechanism
NP-1/7.	Resource mobilization for the implementation of the Nagoya Protocol
NP-1/8.	Measures to assist in capacity-building and capacity development (Article 22)
NP-1/9.	Measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)
NP-1/10.	The need for and modalities of a global multilateral benefit sharing mechanism (Article 10)
NP-1/11.	Improving the efficiency of structures and processes under the Convention and the Protocols: Subsidiary Body on Implementation
NP-1/12.	Improving the efficiency of structures and processes under the Convention and the Protocols: concurrent meetings of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Protocols
NP-1/13.	Programme budget for the biennium following the entry into force of the Nagoya Protocol

***NP-1/2. The Access and Benefit-sharing Clearing-House and information-sharing (Article 14)***

11. In this decision, COP-MOP 1 established an informal advisory committee (IAC) in order to assist the Executive Secretary with the implementation of the Access and Benefit-sharing Clearing-House (ABS Clearing-House) and to provide technical guidance with respect to the resolution of technical and practical issues arising from the ongoing development of the ABS Clearing-House. The decision urges Parties to make available to the ABS Clearing-House all mandatory information in accordance with the Nagoya Protocol as soon as possible and to continue providing feedback on its operation and implementation. It also invites non-Parties, international organizations, indigenous and local communities and relevant stakeholder to provide information to the ABS Clearing-House and feedback about its operation and implementation.

12. COP-MOP 1 also agreed to the modalities of operation of the ABS Clearing-House, and requested the Executive Secretary to implement the ABS Clearing-House accordingly and further refine the modalities of operation, taking into account progress made, the advice given by the IAC, and feedback received for consideration by COP-MOP 2.

13. The modalities of operation describe the functions of the Secretariat in administering the ABS Clearing-House, the role of Parties and non-Parties with respect to the exchange of information through the ABS Clearing-House and identified different authorities interacting with the ABS Clearing-House (publishing authorities and national authorized users) and their functions.

***NP-1/3. Monitoring and reporting (Article 29)***

14. In decision NP-1/3, the COP-MOP adopted the guidelines and format for the submission of the interim national report on the implementation of the Protocol. The guidelines and format are contained in the annexes to the decision and the Executive Secretary is requested to make them available through the ABS Clearing-House. Parties are requested to submit an interim national report twelve months prior to the third meeting of the COP-MOP. The Executive

Secretary is requested to consolidate the information provided in the interim national reports as a contribution to the assessment and review of the effectiveness of the Protocol required by Article 31 of the Protocol.

***NP-1/4. Cooperative procedures and institutional mechanisms to promote compliance with the Nagoya Protocol and to address cases of non-compliance***

15. Article 30 of the Protocol requires the first meeting of the COP-MOP to consider and approve cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Protocol and address cases of non-compliance. Accordingly, in decision NP-1/4, the COP-MOP adopted the cooperative procedures and institutional mechanisms on compliance set out in the annex to the decision and established a Compliance Committee. The Executive Secretary is requested to arrange for at least one meeting of the Compliance Committee to be held before COP-MOP 2.

16. At its first meeting, the Committee is to develop its rules of procedure and to identify and consider the need for and modalities of support, including possibly through a flexible mechanism to provide advice or assistance to Parties, in particular developing country Parties and, where appropriate and applicable, indigenous and local communities to address challenges related to compliance with the provisions of the Nagoya Protocol, with a view to making effective use of the compliance mechanism. Parties, other Governments, international organizations, indigenous and local communities and relevant stakeholders are invited to submit views on the need for and modalities of support.

***NP-1/5. Model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards (Articles 19 and 20)***

17. The decision encourages model contractual clauses, voluntary codes of conduct, guidelines, best practices and standards developed under Articles 19 and 20 of the Protocol to be submitted to the ABS Clearing-House and encourages the updating of tools relevant to Articles 19 and 20 that were developed prior to the Protocol. The Parties also decided to take stock of the use of Articles 19 and 20 tools as well as indigenous and local communities' customary laws, community protocols and procedures four years following the entry into force of the Protocol and in conjunction with the first assessment and review of the Protocol.

***NP-1/8. Measures to assist in capacity-building and capacity development (Article 22)***

18. With decision NP-1/8, COP-MOP 1 adopted the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol. Parties, other Governments, indigenous and local communities and relevant organizations are invited to develop and implement capacity-building and development activities consistent with the strategic framework.

19. The COP-MOP also requested the Executive Secretary to: (a) promote and facilitate coordination and cooperation in the implementation of the strategic framework; (b) provide the possibility for submitting and accessing information on capacity-building and development needs, opportunities and activities through all CBD platforms; (c) compile information; and (d) prepare updates on the implementation of the strategic framework and an evaluation for consideration by the meeting of the Parties to the Nagoya Protocol in 2020.

20. COP-MOP also established an informal advisory committee to provide advice to the Executive Secretary, until the third meeting of the COP-MOP, on matters related to the assessment of the effectiveness of the strategic framework in accordance with the term of reference contained in annex II to the decision.

21. The decision also welcomes the invitation of the Governing Body of the Treaty to establish and maintain cooperation with the COP-MOP and recalls the need to ensure that measures to assist in capacity-building under the two instruments are consistent and mutually supportive. Paragraph 8 of the decision notes the cooperative efforts of the Executive Secretary with other partners in promoting capacity-building and facilitating the exchange of views and experiences on the mutual supportiveness and harmonious implementation of the Nagoya Protocol and other international instruments relevant to the Protocol while paragraph 9 calls on Parties that are also Parties to other international instruments relevant to the Protocol to ensure that measures taken to assist in capacity-building are consistent and mutually supportive.

***NP-1/9. Measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)***

22. COP-MOP 1 adopted an awareness-raising strategy for the Nagoya Protocol. The strategy is organized around four priority activities:

- (a) Priority activity 1. Communications situation analysis and the development of needs-based awareness-raising strategies at the national, regional and subregional levels;
- (b) Priority activity 2. Creation of toolkit and awareness-raising materials;
- (c) Priority activity 3. Train communicators and engage target groups;
- (d) Priority activity 4. Evaluation and feedback.

***NP-1/10. The need for and modalities of a global multilateral benefit-sharing mechanism (Article 10)***

23. In this decision, COP-MOP 1 invited the submission of views on a number of topics relevant to Article 10 of the Protocol and requested the Executive Secretary to commission a study. The decision also calls for the convening of an expert meeting to review a synthesis of the views submitted and the commissioned study with a view to reaching a common understanding on the areas requiring further examination as identified in the report of an expert meeting held in September 2013.<sup>5</sup> The outcomes of this work are to be submitted for consideration by COP-MOP 2.

### **III. JOINT ACTIVITIES OF THE SECRETARIAT OF THE CBD AND THE SECRETARIAT OF THE INTERNATIONAL TREATY**

22. In the context of the Memorandum of Cooperation and the Joint Initiative signed between the Secretariats of the CBD and the International Treaty, a number of collaborative activities have been undertaken since the previous session of the Governing Body:

- (a) The Secretariat of the ITPGRFA participated in and gave presentations during a number of capacity-building workshops on the Nagoya Protocol organized by the CBD Secretariat in 2013 and 2014 including the following:

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<sup>5</sup> See document UNEP/CBD/ABSEM-A10/1/3, available online: <https://www.cbd.int/doc/meetings/abs/absem-a10-01/official/absem-a10-01-03-en.pdf>.

- Sub-regional Capacity-building Workshop on the Nagoya Protocol for the Pacific, 25-29 November 2013, Suva, Fiji;
  - Sub-regional Capacity-building Workshop on the Nagoya Protocol for East, South and South-East Asia, 3-7 December 2013, Chennai, India;
  - Sub-regional Capacity-building Workshop on the Nagoya Protocol for the Caribbean, 19-22 May 2014, Georgetown, Guyana; and
  - Regional Capacity-building Workshop on the Nagoya Protocol for Africa, 9-13 June 2014, Kampala, Uganda;
- (b) The Secretary of the Treaty gave a presentation to the special event of the second committee of the United Nations General Assembly held on 30 October 2013, to follow up on resolution 67/212;
- (c) The Executive Secretary of the CBD made statements during: an event on the Treaty during the International Green Week 2014 in Berlin; the 10<sup>th</sup> anniversary celebrations of the ITPGRFA on 3 July 2014; and the Fourth High-Level Ministerial Round Table on the ITPGRFA on 24 September 2014;
- (d) The CBD Secretariat circulated a notification to national focal points announcing the call for proposals for the third round of the benefit-sharing fund;<sup>6</sup>
- (e) The CBD Secretariat participated in the meetings of the *Ad Hoc* Open-Ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-Sharing;
- (f) The CBD Secretariat gave a presentation and participated in the Expert Consultation on the Global Information System on Plant Genetic Resources for Food and Agriculture in January 2015;
- (g) The CBD Secretariat participated in the 2<sup>nd</sup> meeting of the *Ad Hoc* Committee on Sustainable Use of PGRFA, 2-3 March 2015;
- (h) The CBD Secretariat collaborated with the Secretariats of the International Treaty and the Commission on Genetic Resources for Food and Agriculture of the Food and Agriculture Organization of the United Nations, as well as Bioversity International to issue a joint notification on ‘strengthening the *in situ* conservation of plant genetic resources for food and agriculture through incorporation of crop wild relatives under areas important for biodiversity in protected area networks and other effective area-based conservation measures’ (3 August 2015);
- (i) The Secretariat of the ITPGRFA has also played an active role in the Biodiversity Liaison Group, which brings together the heads of the secretariats of the seven biodiversity-related conventions.<sup>7</sup> This work has included cooperation in providing inputs on the development of indicators for the Sustainable Development Goals.
23. The CBD Secretariat has also hosted a staff member of the Treaty since February 2014.
24. The two Secretariats also continue to exchange information on the Global Information System of the Treaty and the ABS Clearing-House of the Nagoya Protocol to inform the development of both systems. We are working to identify areas for collaboration, including with regard to interoperability, and this will be considered by the first meeting of the informal advisory committee to the ABS Clearing-House to be held from 28 to 30 October 2015. The two Secretariats will continue to collaborate as experience is gained in the operation of the Global

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<sup>6</sup> See <https://www.cbd.int/doc/notifications/2014/ntf-2014-063-abs-en.pdf>.

<sup>7</sup> For more information, see <https://www.cbd.int/blg/>.

Information System and the ABS Clearing-House with a view to support the implementation of the Nagoya Protocol and the ITPGRFA in a mutually supportive manner.

25. The two Secretariats are also currently working with a number of partners, in particular Bioversity International, the ABS Capacity Development Initiative and the African Union Commission, to undertake capacity-building activities on mutually supportive implementation of the Nagoya Protocol and the Treaty. Since the Fifth Session of the Governing Body, these activities have included a tandem workshop for national focal points of the Treaty and the Nagoya Protocol in June 2014, the outcomes of which are being published as a primer on mutually supportive implementation of the two instruments. It also led to the development of a pilot project on mutually supportive implementation in Benin and Madagascar. The project launched this year and will continue until 2018 with support from the Darwin Initiative.

26. The partners are also planning a workshop on embedding mutually supportive implementation of the Treaty and the Nagoya Protocol in national policy goals for Africa to be held 15-19 November 2015 at the International Livestock Research Institute in Addis Ababa, Ethiopia and aim to organize similar workshops for other regions in the coming months.

#### **IV. STATUS OF THE NAGOYA PROTOCOL**

27. The Nagoya Protocol has received 66 instruments of ratification, accession, approval or acceptance to date (23 September 2015) and additional ratifications are expected in the coming weeks and months as countries are finalizing their national processes.

28. A fully functional ABS Clearing-House was launched with the entry into force of the Protocol on 12 October 2014. The ABS Clearing-House is available online at <https://absch.cbd.int>. Countries are now publishing their national records in the Clearing-House and the Secretariat is undertaking an outreach and engagement campaign to assist countries to publish information in the Clearing-House.

29. In decisions XII/27 and NP-1/12 as well as decision BS-VII/9 under the Cartagena Protocol on Biosafety, the Parties to the Convention and the Protocols decided that the second meeting of the Parties to the Nagoya Protocol, the seventh meeting of the Parties to the Cartagena Protocol and the thirteenth meeting of the Conference of the Parties to the Convention would be held concurrently during a two-week period. Accordingly, the meetings are scheduled to be held from 4 to 17 December 2016 in Cancun, Mexico.