



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



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

## **Item 15.3 of the Provisional Agenda**

### **EIGHTH SESSION OF THE GOVERNING BODY**

**Rome, 11 – 16 November 2019**

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

#### **Note by the Secretary**

This document contains the update on recent developments under the Convention on Biological Diversity (CBD) and the Nagoya Protocol on Access to Genetic Resources and Benefit-sharing (Nagoya Protocol), of relevance to the International Treaty, prepared by the Executive Secretary of the CBD for the information of the Governing Body.

Following the successful conclusion of the UN Biodiversity Conference, held from 17 to 29 November 2018, in Sharm El-Sheikh, Egypt, which encompassed, inter alia, the fourteenth meeting of the Conference of the Parties to the CBD, and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, the Executive Secretary of the CBD brings to the attention of the Governing Body a number of outcomes from these meetings that are of relevance to the International Treaty.

The report also provides an overview of the cooperative activities undertaken by the Secretariats of the Convention on Biological Diversity and the International Treaty, a brief update on the status of implementation of the Nagoya Protocol, and a list of planned meetings during the intersessional period 2019-2020. The report is given in the form and language in which it was received by the Secretariat.

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## **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 pleased to provide an update to the eighth 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 of the UN Biodiversity Conference, held from 17 to 29 November 2018, in Sharm El-Sheikh, Egypt and which encompassed the fourteenth meeting of the Conference of the Parties to the CBD (COP 14), the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 9), and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP 3). Section II provides an overview of the cooperative activities undertaken by the CBD Secretariat and the Secretariat of the ITPGRFA since the previous session of the Governing Body. Section III provides a brief update on the status of implementation of the Nagoya Protocol. Finally, section IV provides information on planned meetings and activities during the 2019-2020 intersessional period.

### **I. OUTCOMES OF THE UN BIODIVERSITY CONFERENCE**

3. The UN Biodiversity Conference resulted in significant commitments for biodiversity, including the Sharm El-Sheikh Declaration: Investing in Biodiversity for People and Planet<sup>1</sup>, which was adopted by ministers at the high-level segment on 15 November 2018. In addition, the Sharm El-Sheikh to Kunming Action Agenda for Nature and People was launched by the Governments of Egypt and China, in collaboration with the CBD Secretariat. The agenda seeks to mobilize action in the lead up to the fifteenth meeting of the Conference of the Parties (COP 15) in 2020. It aims to enhance implementation of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets, advance on the Sustainable Development Goals and support the post-2020 global biodiversity framework, for adoption at COP 15 in China.

4. The present section summarizes outcomes of the UN Biodiversity Conference of relevance to the work of the ITPGRFA, namely: (a) key decisions from COP 14; (b) key decisions from COP-MOP 3; (c) developments on the issue of digital sequence information on genetic resources; and (d) preparation of a post-2020 global biodiversity framework.

#### **A. Fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity**

5. The fourteenth meeting of the COP to the CBD<sup>2</sup> adopted a total of 38 decisions, including a number of decisions relevant to the ITPGRFA, as highlighted below and in sections C and that refer to the relevant decisions on digital sequence information on genetic resources, and the development of the post-2020 global biodiversity framework, respectively.

#### **COP [decision 14/6](#). Conservation and sustainable use of pollinators**

6. The Conference of the Parties to the Convention adopted the Plan of Action 2018-2030 for the International Initiative for the Conservation and Sustainable Use of Pollinators as contained in annex I

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<sup>1</sup> See document CBD/COP/14/2, available online at:

<https://www.cbd.int/doc/c/2000/ec3f/0cbb700fcf8f8e170b5f4afb/cop-14-12-en.pdf>

<sup>2</sup> Document CBD/COP/14/14 contains the full report of the meeting, available as online at:

<https://www.cbd.int/doc/c/1081/32db/e26e7d13794f5f011cc621ef/cop-14-14-en.pdf>

to the decision 14/6<sup>3</sup>, for implementation according to national legislation and national circumstances (paragraph 1).

7. COP requested the Executive Secretary to bring the present decision to the attention of the Secretariat of the International Plant Protection Convention and the International Treaty on Plant Genetic Resources for Food and Agriculture (paragraph 8).

#### **COP [decision 14/23](#). Financial mechanism**

8. In decision 14/23 on the financial mechanism, the Conference of the Parties requested the Subsidiary Body on Implementation at its third meeting to prepare proposals for a four-year outcome-oriented framework of programme priorities for the eighth replenishment period (July 2022 to June 2026) of the Global Environment Facility Trust Fund, aligned with the draft post-2020 global biodiversity framework, for consideration by the Conference of the Parties at its fifteenth meeting (paragraph 17).

9. In this regard, it is important to recall that at its thirteenth meeting, in decision XIII/21, section B, paragraphs 9 and 10, the COP invited the governing bodies of the various biodiversity-related conventions, further to paragraphs 2, 3 and 4 of decision XII/30, to repeat the exercise described therein for the development of strategic guidance for the eighth replenishment of the Global Environment Facility Trust Fund in time for consideration by the Conference of the Parties of the Convention on Biological Diversity at its fifteenth meeting. The COP emphasized that the elements of advice need to be (a) in accordance with the mandate of the Global Environment Facility, and the Memorandum of Understanding between the Conference of the Parties to the Convention and the Council of the Global Environment Facility as per decision III/8, (b) formulated at a strategic level, and (c) formally adopted by the governing bodies of the respective biodiversity-related conventions.

#### **COP [decision 14/24](#). Capacity-building and technical and scientific cooperation**

10. The Conference of the Parties adopted decision 14/24 on capacity-building and technical and scientific cooperation in which they requested the Executive Secretary to prepare a draft long-term strategic framework for capacity-building beyond 2020 in accordance with the terms of reference contained in the appendix to the annex of the decision. Furthermore, COP requested the Executive Secretary to organize, in conjunction with the preparatory process for the post-2020 global biodiversity framework, regional and stakeholder-specific consultative workshops and online discussion forums to enable Parties to the Convention and Parties to its Protocols, as well as indigenous peoples and local communities and relevant organizations, including women's and youth organizations, to contribute to the preparation of the draft long-term strategic framework for capacity-building beyond 2020 (paragraph 1).

11. The COP requested the Executive Secretary to continue to identify synergies and areas of cooperation with the Rio Conventions and biodiversity-related conventions in order to support joint capacity-building activities for consideration in the development of the post-2020 global biodiversity framework (paragraph 3).

#### **COP [decision 14/26](#). Communication**

12. COP adopted decision 14/26 on communication and requested the Executive Secretary to develop, in collaboration with the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services, relevant multilateral environmental agreements, and other relevant organizations, such as the International Union for Conservation of Nature, and in consultation with the Informal Advisory Committee on Communication, Education and Public Awareness, themes and background material around which Parties, other Governments, relevant organizations, and indigenous peoples and local communities, can organize communication and public awareness campaigns in the coming

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<sup>3</sup> Decision 14/6 is available at: <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-06-en.pdf>.

biennium on the current state of biodiversity and the discussions towards the preparation of the post-2020 global biodiversity framework (paragraph 2 (b)).

**COP [decision 14/27](#). Process for aligning national reporting, assessment and review**

13. In COP decision 14/27 on the process for aligning national reporting, assessment and review, Parties emphasized the value of enhanced synergies among the biodiversity-related conventions and the Rio conventions, and noting the progress made thus far in this respect, including the activities of the Liaison Group of Biodiversity-related Conventions and the Joint Liaison Group of the Rio Conventions, as well as relevant initiatives such as the development of the Data and Reporting Tool under InforMEA (preamble).

14. Furthermore, Parties requested the Executive Secretary (paragraph 3):

(e) To identify, in consultation with related convention secretariats, the Liaison Group of Biodiversity-related Conventions and the Joint Liaison Group of the Rio Conventions and, on the basis of suggestions from the informal advisory group on synergies among the biodiversity-related conventions, concrete actions to advance synergies on reporting, inter alia, through:

- (i) Common indicators, where appropriate;
- (ii) Reporting modules on shared issues;
- (iii) Interoperability of information management and reporting systems;
- (iv) Other options for increasing synergies in national reporting among the biodiversity-related conventions and the Rio conventions;

and assess the financial implications of such actions, and to report to the Subsidiary Body on Implementation at its third meeting;

(f) To continue to contribute to the monitoring process for the 2030 Agenda for Sustainable Development and to explore synergies with the related reporting systems and tools for the Sustainable Development Goals, including with regard to methodological approaches;

(g) To contribute to the development, testing and promotion of the Data and Reporting Tool, in collaboration with the InforMEA Initiative, taking into account the experiences of Parties in preparing their sixth national reports to the Convention, with a view to facilitating the use of the Data and Reporting Tool across the biodiversity-related conventions, as appropriate;

(h) To evaluate the use by the Parties of online reporting tools for the sixth national report, the interim national report for the Nagoya Protocol and the national report for the Cartagena Protocol, to explore harmonization with the reporting systems used by related convention secretariats, and to report to the Subsidiary Body on Implementation at its third meeting.

**COP [decision 14/30](#). Cooperation with other conventions, international organizations and initiatives**

15. The Conference of the Parties considered cooperation with other conventions, international organizations and initiatives and adopted decision 14/30.

16. The COP encouraged consideration of actions for enhanced synergies among biodiversity-related conventions, the Rio Conventions, and other conventions that also address issues related to the three objectives of the Convention, in the development of the post-2020 global biodiversity framework, in particular as they are essential for the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (paragraph 4).

17. Furthermore, the COP welcomed the advice provided by the informal advisory group on synergies to the Executive Secretary, the Bureau and the Liaison Group of Biodiversity-related Conventions on prioritization and implementation of desirable key actions in the road map for enhancing synergies among the biodiversity related conventions at the international level 2017-2020 (paragraph 6), and invited the governing bodies and the secretariats of the other biodiversity-related conventions,

as well as other relevant organizations, to consider this advice, as appropriate and within their respective mandates and in line with national circumstances, to continue undertaking desirable key actions on synergies and to be actively involved in the process of developing the post-2020 global biodiversity framework (paragraph 7).

18. The COP also recognized the importance of enhancing synergies at the national level, and encouraged Parties and invited other Governments, as appropriate to their national circumstances, as well as indigenous peoples and local communities, non-governmental organizations and other relevant organizations to continue to take action from among the options for enhancing synergies among the biodiversity-related conventions at the national level contained in annex I of decision XIII/24 and also invited Parties, other governments and relevant organizations in a position to do so, to provide technical and financial support for capacity-building activities in developing countries (paragraph 8).

19. The COP also requested the Executive Secretary and the co-chairs of the open-ended working group on the preparation of the post-2020 global biodiversity framework established through decision 14/34, subject to the availability of resources, to organize a workshop<sup>4</sup> in early 2019, to facilitate, as appropriate, discussions among Parties of the various biodiversity-related conventions to explore ways in which the conventions can contribute to the elaboration of the post-2020 global biodiversity framework and, based on the respective mandate of each convention, to identify specific elements that could be included in the framework, and invites the members of the Liaison Group of Biodiversity-related Conventions to participate in the workshop, which should aim to enhance synergies and to strengthen cooperation among the biodiversity-related conventions, without prejudice to their specific objectives and recognizing their respective mandates and subject to the availability of resources for these conventions, (paragraph 12).

20. In addition, the COP invited the Liaison Group of Biodiversity-related Conventions to consider ways and means of strengthening cooperation among the conventions in order to support their implementation by small island developing States, including with regard to monitoring and reporting, in the context of existing strategic alliances, networks and initiatives and in the context of the implementation of the Programme of Work on Island Biodiversity and the S.A.M.O.A. Pathway (paragraph 19).

### **COP [decision 14/35](#). Global Biodiversity Outlook**

21. In decision 14/35, Parties requested the Executive Secretary to prepare the fifth edition of the Global Biodiversity Outlook and to continue collaborating with other biodiversity-related conventions and other relevant processes and organizations in the preparation and review of the fifth edition of the Global Biodiversity Outlook, as appropriate and in accordance with their respective mandates, including the Food and Agriculture Organization of the United Nations, among others (paragraph 5).

### **B. Third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol**

22. The third meeting of the COP-MOP to the Nagoya Protocol<sup>5</sup> adopted a total of 16 decisions, some of relevance to the ITPGRFA. The International Treaty is explicitly mentioned in decisions related to the Access and Benefit-sharing (ABS) Clearing-House and cooperation with other conventions, international organizations and initiatives.

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<sup>4</sup> The consultation workshop of biodiversity-related conventions on the post-2020 global biodiversity framework, held from 10 to 12 June 2019 in Bern, Switzerland. The report of the workshop will be made available, when finalized, through the following links: <https://www.cbd.int/conferences/post2020/wg2020-01/documents> and <https://www.cbd.int/conferences/post2020/post2020-WS-2019-08/documents>.

<sup>5</sup> Document UNEP/CBD/NP/COP-MOP/2/13 contains the full report of the meeting, available online at: <https://www.cbd.int/doc/c/f855/789d/200667e78e1ed87395b2c896/np-mop-02-13-en.pdf>.

23. The 16 decisions adopted by the COP-MOP are listed in table 1 below. Summaries of the decisions most relevant to the ITPGRFA (highlighted in grey) are included hereafter.

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

<a href="#">NP-3/1.</a>	Assessment and review of the effectiveness of the Protocol (Article 31)
<a href="#">NP-3/2.</a>	Compliance with the Protocol
<a href="#">NP-3/3.</a>	The Access and Benefit-sharing Clearing-House and information sharing (Article 14)
<a href="#">NP-3/4.</a>	Monitoring and reporting (Article 29)
<a href="#">NP-3/5.</a>	Measures to assist in capacity-building and capacity development (Article 22)
<a href="#">NP-3/6.</a>	Measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)
<a href="#">NP-3/7.</a>	Cooperation with other conventions, international organizations and initiatives
<a href="#">NP-3/8.</a>	Financial mechanism
<a href="#">NP-3/9.</a>	Enhancing integration under the Convention and its Protocols with respect to provisions related to access and benefit-sharing
<a href="#">NP-3/10.</a>	Review of experience in holding concurrently meetings of the Conference of the Parties to the Convention, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol
<a href="#">NP-3/11.</a>	Procedure for avoiding or managing conflicts of interest in expert groups
<a href="#">NP-3/12.</a>	Digital sequence information on genetic resources
<a href="#">NP-3/13.</a>	Global multilateral benefit-sharing mechanism (Article 10)
<a href="#">NP-3/14.</a>	Specialized international access and benefit sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol
<a href="#">NP-3/15.</a>	Preparation for the follow-up to the Strategic Plan for Biodiversity 2011-2020
<a href="#">NP-3/16.</a>	Programme of work and budget (Nagoya Protocol)

#### **Decision NP-3/1. Assessment and review of the effectiveness of the Protocol (Article 31)**

24. Four years after its entry into force, COP-MOP 3 conducted the first assessment and review of the effectiveness of the Nagoya Protocol in accordance with Article 31.

25. Parties to the Protocol had the opportunity to assess progress towards implementation, as well as identify successes and challenges. The analysis carried out included consideration of Article 8 of the Protocol on “Special Considerations”, including its paragraph (c) which requires Parties:

“In the development and implementation of its access and benefit-sharing (ABS) legislation or regulatory requirements to: [...] (c) Consider the importance of genetic resources for food and agriculture and their special role for food security”.

26. The conclusions and key findings from this assessment are contained in decision NP-3/1. In general, Parties, as well as non-Parties, have made considerable progress in putting in place ABS frameworks. However, it was also recognized that further efforts were needed to make the Protocol fully operational.

27. Among other things, Parties recognized that further work is needed, as a priority, to develop access and benefit-sharing legislation or regulatory requirements, which provide for legal certainty,

clarity and transparency, taking into account special considerations in accordance with Article 8 of the Protocol and the need to ensure that the Nagoya Protocol and other relevant international instruments are implemented in a mutually supportive manner (paragraph 5 (a)).

28. In the implementation of Article 8 of the Protocol, Parties were invited to take into account relevant work undertaken by the Food and Agriculture Organization of the United Nations, the World Health Organization and other relevant organizations, as appropriate and in accordance with national circumstances (paragraph 12 (b)).

29. In addition, in view of the cross-cutting nature of the Protocol, Parties were also invited to establish appropriate mechanisms to facilitate national coordination among different institutions, including national focal points, competent national authorities and ministries of relevance to access and benefit-sharing (paragraph 11 (a)).

30. The key findings from the first assessment and review can assist in advancing implementation of the Protocol and guiding future work to ensure the fair and equitable sharing of benefits and provide legal certainty to both providers and users of genetic resources and associated traditional knowledge.

### **Decision NP-3/3. The Access and Benefit-sharing Clearing-House and information sharing (Article 14)**

31. The meeting of the Parties to the Nagoya Protocol considered the report on progress in the implementation and operation of the ABS Clearing-House and adopted decision NP-3/3 on the Access and Benefit-sharing Clearing-House and information sharing. In paragraph 2 of the decision, Parties welcomed the efforts made by Parties, non-Parties, indigenous peoples and local communities and relevant stakeholders to make information available in the Access and Benefit-sharing Clearing-House.

32. COP-MOP urged Parties that have not yet done so to publish all mandatory information available at the national level on the Access and Benefit-sharing Clearing-House in accordance with the obligations in Article 14, paragraph 2, of the Protocol, as soon as possible, considering that the publication of mandatory information in the Access and Benefit-sharing Clearing-House is essential for the implementation of the Nagoya Protocol (paragraph 3).

33. COP-MOP also endorsed joint modalities of operation for the clearing-house mechanism of the Convention, the Biosafety Clearing-House and the Access and Benefit-sharing Clearing-House, contained in the annex of the decision 14/25, which are complementary to the modalities of operation of the Access and Benefit-sharing Clearing-House adopted by COP-MOP in decision NP-1/2 (paragraph 6).

34. Goals and priorities for the further development and administration of the Access and Benefit-sharing Clearing-House are contained in the annex of the decision. Among them is to continue to collaborate with relevant instruments and initiatives (such as the International Treaty on Plant Genetic Resources for Food and Agriculture–Global Information System).

### **Decision NP-3/7. Cooperation with other conventions, international organizations and initiatives**

35. The meeting of the Parties to the Nagoya Protocol considered the report<sup>6</sup> from the Secretariat summarizing relevant cooperative activities and, in decision NP-3/7, requested the Executive Secretary to continue to engage with relevant ongoing processes and policy debates, and liaise with other conventions, international organizations and initiatives, as appropriate, to provide and collect information on current discussions on matters related to access and benefit-sharing, and in particular on public health issues (paragraph 2).

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<sup>6</sup> Document CBD/NP/MOP/3/9 available at <https://www.cbd.int/doc/c/79ba/6183/4240ccbde5ed5327383388e5/np-mop-03-09-en.pdf>.

36. The Executive Secretary was also requested to share decision NP-3/14<sup>7</sup> on specialized international access and benefit sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol with the International Treaty on Plant Genetic Resources for Food and Agriculture, among others (paragraph 5).

**Decision NP-3/13. Global multilateral benefit-sharing mechanism (Article 10)**

37. The meeting of the Parties to the Protocol considered the information on developments in relevant international processes and organizations as provided in the note<sup>8</sup> by the Executive Secretary and adopted decision NP-3/13 on the global multilateral benefit-sharing mechanism.

38. The Parties considered that more information on specific cases of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent, accompanied by an explanation as to why such cases cannot be covered under the bilateral approach of the Nagoya Protocol as well as options for addressing those cases, including through a global multilateral benefit-sharing mechanism would assist in the consideration of Article 10 (paragraph 3).

39. Therefore, COP-MOP invited Parties, other Governments, indigenous peoples and local communities, relevant stakeholders and organizations to submit to the Executive Secretary: (a) information on specific cases which may support the need for a global multilateral benefit-sharing mechanism that are not covered under the bilateral approach, accompanied by an explanation as to why such cases cannot be covered under the bilateral approach set out in the Nagoya Protocol; (b) options for possible modalities for addressing those cases, including through a global multilateral benefit-sharing mechanism (in paragraph 4).

40. Furthermore, COP-MOP requested the Executive Secretary: (a) to commission, subject to availability of resources, a peer-reviewed study to identify specific cases of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent; and (b) to compile and synthesize the information submitted pursuant to paragraph 4 (a) and (b). The study and the synthesis will be considered by the Subsidiary Body on Implementation at its third meeting (paragraph 5).

**Decision NP-3/14. Specialized international access and benefit sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol**

41. The meeting of the Parties to the Protocol considered potential criteria for specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol. The meeting of the Parties took note of the study<sup>9</sup>, and agreed to reconsider the potential criteria as summarized in the annex to the decision at its fourth meeting (paragraph 1). The potential criteria summarized in the annex are under discussion and have not been agreed to by Parties to the Protocol.

42. COP-MOP invited Parties and other Governments to submit: (a) information on how specialized international access and benefit-sharing instruments are addressed in their domestic measures; and (b) views on the potential criteria contained in the study, taking into account Article 4, paragraphs 1 to 3, of the Protocol (paragraph 2).

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<sup>7</sup> The decision NP-3/14 is available at: <https://www.cbd.int/doc/decisions/np-mop-03/np-mop-03-dec-14-en.pdf>.

<sup>8</sup> Document CBD/SBI/2/5 (available at <https://www.cbd.int/doc/c/ae6c/05f2/805fea62acc7deec055850d0/sbi-02-05-en.pdf>), section III.

<sup>9</sup> “Study into criteria to identify a specialized international access and benefit-sharing instrument, and a possible process for its recognition” (Document CBD/SBI/2/INF/17 available at <https://www.cbd.int/doc/c/9376/a644/1bed20a1837af8e3d1edc5f9/sbi-02-inf-17-en.pdf>).

### **C. Key outcomes related to digital sequence information on genetic resources**

#### **COP [decision 14/20](#) and COP-MOP [decision NP-3/12](#). Digital sequence information on genetic resources**

43. The issue of digital sequence information on genetic resources was considered by COP 14 and COP-MOP 3 to the Nagoya Protocol and each adopted a decision: COP decision 14/20 and COP-MOP decision NP-3/12, respectively.

44. In decision 14/20, Parties recognized the importance of digital sequence information on genetic resources for the three objectives of the Convention which are mutually supportive, although further work is needed to provide conceptual clarity (paragraph 1). Parties also recognized that access to and use of digital sequence information on genetic resources contributes to scientific research as well as to other non-commercial and commercial activities in areas such as biological diversity, food security and human, animal and plant health (paragraph 2).

45. In addition, Parties recognized also that further capacity to access, use, generate and analyse digital sequence information on genetic resources is needed in many countries, and encouraged Parties, other Governments and relevant organizations to support capacity-building and technology transfer, as appropriate, to assist in the access, use, generation and analysis of digital sequence information on genetic resources for the conservation and sustainable use of biodiversity and benefit-sharing (paragraph 3).

46. The Conference of the Parties noted that, as there is a divergence of views among Parties regarding benefit-sharing from the use of digital sequence information on genetic resources, Parties commit to work towards resolving this divergence through the process established in the decision, with the aim of strengthening the fulfilment of the third objective of the Convention and Article 15, paragraph 7, without prejudice to the circumstances to which this article applies (paragraph 6).

47. In this regard, the decision established a science and policy-based process on digital sequence information on genetic resources for further work on this topic in the 2019-2020 intersessional period<sup>10</sup>, as set out in paragraphs 9 to 12 of the decision. The process entails the submission of views and information, the commissioning and peer review of four studies, work by an ad hoc technical expert group (AHTEG), consideration of the outcomes of the AHTEG by the open-ended inter-sessional working group established under decision 14/34 to support the preparation of the post-2020 global biodiversity framework, and recommendations by the open-ended inter-sessional working group to the Conference of the Parties at its fifteenth meeting on how to address digital sequence information on genetic resources in the context of the post-2020 global biodiversity framework. Decision NP-3/12 also requested the open-ended inter-sessional working group to submit the outcome of its deliberations for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting.

### **D. Preparation of a post-2020 global biodiversity framework**

#### **COP [decision 14/34](#). Comprehensive and participatory process for the preparation of the post-2020 global biodiversity framework; and**

#### **COP-MOP [decision NP-3/15](#). Preparation for the follow-up to the Strategic Plan for Biodiversity 2011-2020**

48. The preparation of the post-2020 global biodiversity framework was considered by COP and COP-MOP to the Nagoya Protocol and each adopted a decision: COP decision 14/34 and COP-MOP decision NP-3/15, respectively.

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<sup>10</sup> A tentative timeline for the implementation of these activities has been provided in [notification 2019-012](#) issued on 5 February 2019 by the CBD Secretariat.

49. In COP decision 14/34 on a comprehensive and participatory process for the preparation of the post-2020 global biodiversity framework, the Parties decided to establish an open-ended intersessional working group to support the preparation of the post-2020 global biodiversity framework as described in the annex to the decision and also designated two co-chairs for the working group (paragraph 2).

50. The process for developing the post-2020 global biodiversity framework will be Party led, and guided by the following various principles, among them inclusiveness: The process will help enable all relevant groups and stakeholders to provide their views for consideration. This includes Parties, other Governments, indigenous peoples and local communities, United Nations organizations and programmes, other multilateral environmental agreements, among others (Annex, Part A, paragraph 2).

51. The key sources of information that will be used in developing documentation related to the post-2020 process and in informing the activities carried out is, among others, information from the other biodiversity-related conventions and Rio conventions and other relevant organizations, including relevant national reports to the other multilateral environmental agreements, and relevant strategies adopted by other biodiversity related conventions (Annex, Part E, paragraph 13 (k)).

52. Up-to-date information on the process for the preparation of the post-2020 global biodiversity framework is available on the CBD website at the following link: <https://www.cbd.int/post2020/>.

## II. COLLABORATIVE ACTIVITIES OF THE SECRETARIAT OF THE CBD AND THE SECRETARIAT OF THE INTERNATIONAL TREATY

53. The secretariats of the International and Treaty and the Convention renewed their Memorandum of Cooperation on 9 July 2018<sup>11</sup>, which identifies four areas for collaboration: (1) Support to the ratification and implementation of the Nagoya Protocol in harmony with the International Treaty and its Multilateral System of Access and Benefit-sharing; (2) Development of synergies between the Global Information System and the ABS Clearing-House; (3) Joint initiative for on-farm conservation, sustainable use of plant genetic resources for food and agriculture (PGRFA) and protected areas; and (4) Promotion of the importance of biodiversity and PGRFA for food security and nutrition under a changing climate.

54. Further, in line with the priority activities identified in the Short-term Action Plan (2017-2020) to Enhance and Support Capacity-Building for the Implementation of the Convention and its Protocols<sup>12</sup>, the Executive Secretary of the CBD was requested to continue contributing to capacity-building for the implementation of the Nagoya Protocol in a mutually supportive manner with the International Treaty, including through workshops and the development of materials.

55. Accordingly, the focus of cooperative activities in the 2017-2018 intersessional period has been on projects for mutually supportive implementation of the International Treaty and the Nagoya Protocol. The secretariats of the Convention and the Treaty, the ABS Capacity Development Initiative and Bioersivity International continued to cooperate on activities on the mutually supportive implementation of the Nagoya Protocol and the International Treaty. In particular, the partners, in cooperation with the International Potato Centre, jointly organized a regional tandem workshop for national focal points in Latin America and the Caribbean on the mutually supportive implementation of the Nagoya Protocol and the International Treaty, held in Peru from 25 to 28 September 2018. As part of the cooperation, the partners also developed capacity-building material (fact sheets)<sup>13</sup> addressing scenarios that may arise at the interface of the two instruments and how national focal points can respond.

56. It may be noted here that, at its second meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol adopted decision NP-2/1, in which it, inter alia, invited

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<sup>11</sup> The agreement is available at: <https://www.cbd.int/doc/agreements/agmt-itpgrfa-2018-07-10-moc-web-en.pdf>

<sup>12</sup> The Short-term Action Plan is available in the Annex of decision NP-2/8 at: <https://www.cbd.int/doc/decisions/np-mop-02/np-mop-02-dec-08-en.pdf>

<sup>13</sup> The fact sheets are available on the CBD website at the following link: <https://www.cbd.int/abs/resources/other.shtml>, as well as on the ABS Clearing-House: <https://absch.cbd.int/register/VLR/94597024-205F-746D-F691-127BB40ACBEF/view>.

Parties and other Governments to implement the International Treaty and the Nagoya Protocol in a mutually supportive manner, as appropriate. The Conference of Parties to the Convention adopted a decision along similar lines.

57. The Secretariat of the Convention took part in the seventh session of the Governing Body of the International Treaty, which was held in Kigali from 27 October to 3 November 2017. A statement was delivered on behalf of the Executive Secretary, and the Secretariat submitted a report on cooperation with the International Treaty.<sup>14</sup> The Secretariat also participated in the special event on genomics information that was convened prior to the opening of the meeting of the Governing Body.

58. Since the seventh session of the Governing Body, the CBD Secretariat participated in a number of ongoing processes under the Treaty, such as the seventh and eighth meetings of the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-Sharing as well as the second and third meetings of Scientific Advisory Committee on the Global Information System on Plant Genetic Resources for Food and Agriculture. The CBD Secretariat also provided a submission to the Ad Hoc Technical Expert Group on Farmers' Rights.

59. The Secretariat of the International Treaty also participated in relevant intersessional activities under the Nagoya Protocol, including meetings of the Informal Advisory Committee on Capacity-Building and the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources. Further to the priorities for future implementation and administration of the Access and Benefit-sharing Clearing-House as identified by the Informal Advisory Committee on the ABS Clearing-House, the two secretariats also exchanged information in the context of the development of their respective information systems.

60. The two secretariats have also collaborated on the development of indicators and the provision of data as part of the global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development. This work focused on indicator 15.6.1 which will assess progress towards Target 15.6 (to “promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed”.)

### III. STATUS OF THE NAGOYA PROTOCOL

61. The Nagoya Protocol has received 120 instruments of ratification, accession, approval or acceptance to date (22 August 2019) and additional ratifications are expected in the coming months as countries finalize their national processes.

62. By 6 August 2019, 539 internationally recognized certificates of compliance have been constituted through the ABS Clearing-House and 12 checkpoint communiqués have been issued by 5 countries. The Secretariat provides technical assistance to countries and stakeholders to facilitate the use of the ABS Clearing-House and is also continuing to implement an outreach and engagement campaign to encourage countries to publish information in the ABS Clearing-House.

### IV. PLANNED INTERSESSIONAL ACTIVITIES 2019-2020

63. The following meetings will take place in line with the decisions by COP 14 and COP-MOP 3<sup>15</sup>:

- a. A Global Consultation Workshop on the Post-2020 Global Biodiversity Framework in relation to Access and Benefit-sharing and the Nagoya Protocol, on 25 August 2019;

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<sup>14</sup> Document IT/GB-7/17/Inf.13, <http://www.fao.org/3/a-bs772e.pdf>.

<sup>15</sup> This is a tentative list of meetings, as additional meetings regarding the development of the post-2020 global biodiversity framework may be convened.

- b. First meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, from 27 to 30 August 2019;
  - c. A Global Capacity-building Workshop on Monitoring the Utilization of Genetic Resources under the Nagoya Protocol, from 30 September to 2 October 2019;
  - d. A meeting of the Informal Advisory Committee on Capacity-building for the implementation of the Nagoya Protocol, from 29 to 31 October 2019, as well as online consultations as needed;
  - e. The eleventh meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, 20 to 22 November 2019;
  - f. The twenty-third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, to be held from 25 to 29 November 2019;
  - g. A meeting of the Informal Advisory Committee to the ABS Clearing-House, from 2 to 4 December 2019, as well as online discussions as needed;
  - h. A meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources, to be held from 17 to 20 March 2020;
  - i. A meeting of the Compliance Committee under the Nagoya Protocol (tentatively 21 to 23 April 2020);
  - j. The twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, 18 to 23 May 2020;
  - k. The third meeting of the Subsidiary Body on Implementation, 25 to 29 May 2020;
  - l. A meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, to be held 27 to 31 July 2020;
  - m. The fifteenth meeting of the COP to the CBD, the ninth meeting of the COP-MOP to the Cartagena Protocol on Biosafety and the fourth meeting of the COP-MOP to the Nagoya Protocol will be held concurrently in October/November 2020 in Kunming, China.
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