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# **COP-MOP 1 Nagoya Protocol**

**13-17 October 2014, Pyeongchang,  
Republic of Korea**

## **Main Outcomes**

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# COP-MOP 1: Introduction

- COP-MOP 1 held in Pyeongchang, Republic of Korea, 13-17 October 2014, concurrently with COP 12.
- Adopted a total of 13 substantive decisions
- India elected MOP-1 President (as Korea is not yet a Party)



# Decisions Adopted



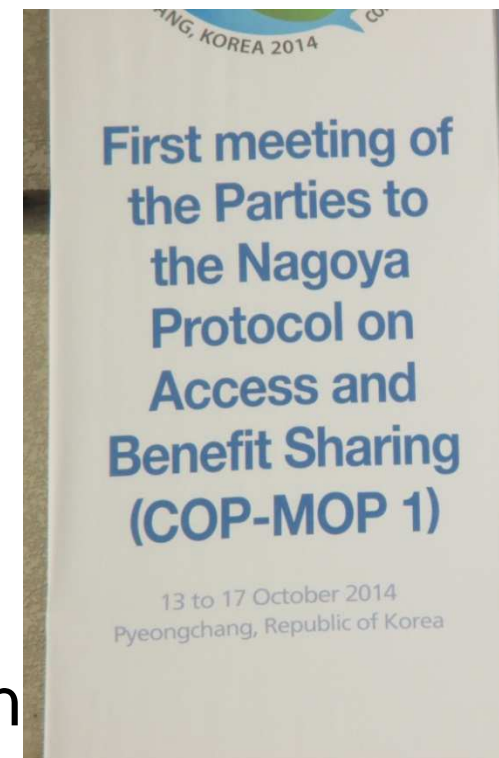
- I/1 – Rules of procedure
- I/2 - ABS Clearing-House
- I/3 - Monitoring and Reporting
- I/4 – Compliance
- I/5 - Model Contractual Clauses, Voluntary Codes of Conduct, Guidelines & Best Practices and/or Standards
- I/6 - Financial Mechanism





# Decisions Adopted

- I/7 - Resource Mobilization
- I/8 - Capacity-building
- I/9 - Awareness-raising
- I/10 - Global Multilateral Benefit-sharing Mechanism
- I/11 - Concurrent COP and COP-MOP meetings
- I/12 - Subsidiary Body on Implementation
- I/13 - Programme Budget

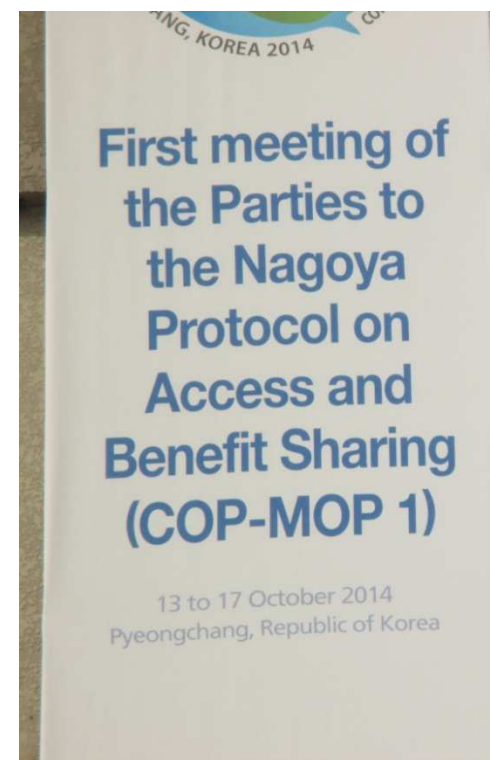




# Focus of the Presentation

Decisions requiring urgent action:

- I/2 - ABS Clearing-House
- I/6 - Financial Mechanism
- I/7 - Resource Mobilization
- I/8 - Capacity-building
- I/9 - Awareness-raising



# Decision NP I/2 - ABS Clearing-House



## COP-MOP:

- Adopted modalities of operation of the ABS-CH
- Established an informal advisory committee (15 experts), to provide technical guidance relating to the ABS-CH
- Invited Parties and non-Parties invited to designate a publishing authority and one or more national authorized users for the ABS-CH
- Urged Parties to register mandatory and other relevant information in the ABS-CH and provide feedback
- Requested SCBD to further develop the ABS-CH, refine its modalities of operation and build capacity for its use

# NP I/2: ABS-CH Modalities of Operation



## Action Required (by Parties and non-Parties):

- Designate the ABS-CH publishing authority to:
  - Authorize the publication of all national records and preparing draft records, as appropriate;
  - Ensure that the registered information is complete, relevant, up-to-date and not confidential
  - Designate one or more national authorized users to assist in the preparation of draft national records.
- Submit national records to the ABS-CH and provide metadata about the records
- Provide courtesy translations of the primary data, where possible



# NP I/2: ABS-CH Modalities of Operation



Role of SCBD in administering the ABS-CH:

- Facilitate submission of information to ABS-CH
- Facilitate easy access to information in the CH
- Facilitate interoperability with other databases and systems
- Ensure security of the ABS-CH & its contents
- Provide & review/refine common formats
- Make ABS-CH operational in 6 UN languages
- Use controlled vocabularies to facilitate registration, search & retrieval of information





# NP I/2: ABS-CH Modalities of Operation



Role of SCBD in administering the ABS-CH:

- Make use of metadata about each record
- Allow for a mechanism to amend or update information
- Make use of unique identifiers generated through the ABS-CH
- Offer, upon request, an offline mechanism for Parties to register and access information
- Provide timely technical assistance to Parties, ILCs and other stakeholders



# NP I/6: Financial Mechanism



COP-MOP recommended, and the COP adopted:

- Operational arrangements between COP and GEF with respect to the NP
- Programme priorities
- Eligibility criteria

**Programme priorities (specified earlier in decision XI/5):**

- Stocktaking and assessment:
  - Gap analysis of ABS in existing policies/laws/ regulations
  - Stakeholder identification
  - Assessment of institutional capacity, including R&D organizations
  - Technical support aimed at speedy ratification of NP



# NP I/6: Financial Mechanism



- **Building the capacity of Parties to:**
  - Develop/implement ABS policy, legal, & regulatory frameworks
  - Establish administrative procedures
  - Negotiate mutually agreed terms
  - Develop endogenous research capabilities to add value to genetic resources and aTK
  - Monitor the use of genetic resources
  - Participate in the ABS Clearing-House and use the best available communication tools and Internet-based systems
  - Raising-awareness of ABS issues
- **Building the capacity of ILCs and stakeholders (women, etc.)**
  - Participate in legal, policy and decision-making processes
  - Develop community protocols, model contractual clauses



# NP I/6: Programme Priorities



- Compliance with legislation and
- Cooperation on trans-boundary issues
- Preparation of the interim national report
- Activities related to implementing the awareness-raising strategy
- Implementation of the strategic framework for capacity-building and development

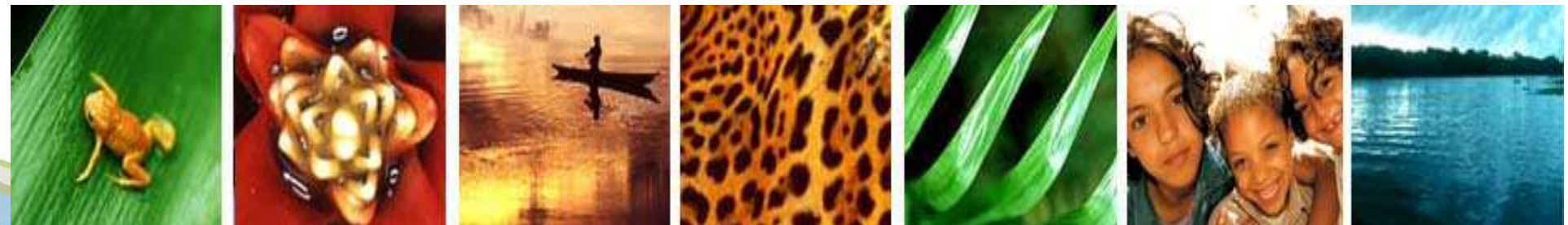




# NP I/6: Eligibility Criteria



- Parties to the Nagoya Protocol
- CBD Parties that provide a clear political commitment towards becoming Parties also eligible for up to 4 years after entry into force
  - For development of national measures and institutional capabilities to enable them to become a Party.
  - Evidence of such political commitment, accompanied by indicative activities and expected milestones, shall take the form of a written assurance to the Executive Secretary that the country intends to become a Party on completion of the activities to be funded



# NP I/6: Financial Mechanism



## Action Required (by eligible Parties):

- Prioritize ABS projects during the programming of the GEF-6 national allocation
- Incorporate ABS activities into multi-focal area projects
- Integrate and prioritize ABS within the NBSAPs and national development plans and programmes
- Ratify the Protocol to be fully eligible
- Liaise with GEF-OFP and GEF agencies



# Decision NP I/7 - Resource Mobilization



## Action Required:

Parties invited to:

- Include funding needs, gaps and priorities for NP in the national planning processes - NBSAPs and national resource mobilization strategies;
- Mainstream NP in development cooperation plans/priorities
- Raise awareness of high-level policy and decision makers, the business sector, and funding agencies, of the importance of GR and aTK
- Submit to SCBD experiences related to mobilization of resources for NP; a synthesis to be considered by COP-MOP



# Decision NP I/8 - Capacity-building



## COP-MOP:

- Adopted a comprehensive strategic framework for capacity-building and development;
- Established an **informal advisory committee** to provide advice on matters related to the assessment of the effectiveness of the strategic framework

## Action Required:

- Invited Governments, ILCs and other stakeholders to:
  - Develop and implement CB activities consistent with the strategic framework





# Decision NP I/8 - Capacity-building



- Provide to the ABS-CH information on capacity-building initiatives, opportunities, best practices and lessons learned;
- Assess capacity-building needs and priorities, submit then to the ABS-CH; and to incorporate them in the NBSAPs
- Ensure that capacity-building for the Nagoya Protocol and ITPGRFA are consistent and mutually supportive;
- Establish or use existing mechanisms to facilitate cooperation on capacity-building for the implementation of the Protocol
- Establish measures to secure the long-term sustainability of the capacity-building initiatives undertaken in line with the strategic framework



# Decision NP I/8 - Capacity-building



## Key strategic areas identified in the framework:

1. Capacity to implement, and to comply with the NP obligations
2. Capacity to develop, implement and enforce domestic ABS legislative, administrative or policy measures
3. Capacity to negotiate mutually agreed terms;
4. Capacity of ILCs and relevant stakeholders, including the business sector and the research community;
5. Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources.



# Decision NP I/9 - Awareness-raising



- MOP adopted an awareness-raising strategy for the NP
- Parties are encouraged to implement the strategy and report on progress in its implementation to the ABS-CH and the COP-MOP

## Action Required (Priority activities):

- Communications situational analysis
- Development of needs-based national awareness-raising strategies



# Decision NP I/9 - Awareness-raising



## Priority Activities

- Creation of toolkits and awareness-raising materials
- Training of communicators and engagement of key target groups
- Evaluation and feedback: effectiveness and reception of the awareness-raising materials, suitability and learning that has taken place during the workshops, etc.





# Decision NP I/3 - Monitoring and Reporting



- Adopted a format for submitting an interim national report (iNR) on implementation of the Protocol
- SCBD to make the format available through the ABS-CH; Parties/non-Parties to provide feedback on the format
- Parties to submit the iNR 12 months prior to MOP-3
- SCBD to synthesize information in the iNRs & in ABS-CH for MOP-3 (to establish baseline)
- Reporting intervals to be decided at MOP-3



# Decision NP I/4 - Compliance



## COP-MOP 1:

- Adopted cooperative procedures and institutional mechanisms to promote compliance with the Protocol provisions and address cases of non-compliance;
- Established a Compliance Committee and elected its 15 members;
- Decided to hold at least one meeting of the Compliance Committee prior to COP-MOP 2.



# Decision NP I/4 – Key elements of the compliance procedures and mechanisms



## Nature and underlying principles:

- Provision of advice or assistance
- Non-adversarial, cooperative, simple, expeditious, advisory, facilitative, flexible and cost-effective
- Guided by principles of fairness, due process, rule of law, non-discrimination, transparency, accountability, predictability, good faith and effectiveness
- Attention to the special needs of DC Parties, in particular LDCs & SIDS, and EIT Parties

# NP I/4 – Compliance procedures and mechanisms



## Institutional mechanisms:

- A Compliance Committee of 15 members (3 nominated by each of the 5 regions) and at least 2 ILC representatives to serve as observers
- Members shall have recognized competence (technical, legal or scientific expertise)
- Members shall be elected by MOP for a term of 4 years
- Each region to nominate an alternate member to replace a member who resigns or is unable to complete their term
- Members shall not serve for more than 2 consecutive terms



# Decision NP I/4 – Key elements of the compliance procedures and mechanisms



## Institutional mechanisms:

- The Committee shall endeavor to reach agreement on all matters of substance by consensus
- Two-thirds of the members of the Committee shall constitute a quorum.
- Meetings of the Committee shall be open, unless the Committee decides otherwise.
- When the Committee is dealing with cases of Parties whose compliance is under consideration, the meetings of the Committee shall be open to Parties and closed to the public, unless the Party concerned agrees otherwise

# Decision NP I/4 – Compliance procedures and mechanisms



## Functions of the Committee:

- Perform functions specified with a view to promoting compliance with the provisions of the Protocol and addressing cases of non compliance:
- Consult with the compliance committees of other agreements in order to share experience
- Submit its reports, including recommendations, to the MOP for consideration and appropriate action

- Any submission is to be addressed in writing to the Committee through the Secretariat
- The Secretariat shall forward any submission to the Committee and to the Party concerned within 30 calendar days receipt

# Decision NP I/4 – Compliance procedures and mechanisms

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## Procedures:

- The Party concerned to respond and provide relevant information within 60 days (the Chair of the Committee could extend the period up to 90 days, upon request).
- SCBD to transit the response and any information received to the Committee forthwith
- The Committee shall make available the draft recommendations to the Party concerned for comment; the comments received are to be forwarded with the report of the Committee to the COP-MOP



# Decision NP I/4 – Measures to promote compliance and address non-compliance



The Committee may:

- a) Offer advice or facilitate assistance, as appropriate;
- b) Request or assist, as appropriate, the Party concerned to develop a compliance action plan (appropriate steps, an agreed timeframe and indicators to assess progress)
- c) Invite the Party concerned to submit progress reports on its efforts to comply.

# NP I/5 - Model Contractual Clauses, Voluntary Codes of Conduct, Guidelines and Best Practices and/or Standards



## COP-MOP 1:

- Encouraged Parties, other Governments, international organizations, ILCs & relevant stakeholders to submit tools developed under Articles 19 and 20 to the ABS Clearing-House;
- Encouraged the updating of tools that were developed prior to the Nagoya Protocol;
- Decided to take stock of the use of these tools four years following the entry into force of the Protocol.



# Decision NP I/10 - The Need for and Modalities of a Global Multilateral Benefit-sharing Mechanism



## COP-MOP 1:

- Invited Governments, organizations, ILCs and relevant stakeholders to submit to the Executive Secretary views on:
  - (i) situations which may support the need for a GMBSM;
  - (ii) possible modalities for a GMBSM; and
  - (iii) the areas requiring further consideration;
- Requested the Executive Secretary to prepare a synthesis of the views. Moreover, subject to the availability of funds, to commission a study and to convene an expert meeting.



## Other Decisions

- Concurrent COP and COP-MOP meetings
- Subsidiary Body on implementation
- Programme budget for the Nagoya Protocol (2 Trust Funds, separate from the CBD trust funds)







Thank you!