



Convention on  
Biological Diversity



COP13-COPMOP8-COPMOP2  
CANCUN, MEXICO 2016



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# Key outcomes of COP-MOP2 and next steps for the Nagoya Protocol in 2017-2018

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Ms. Valérie Normand, SCBD

10<sup>th</sup> Pan-African Workshop on Access and Benefit-sharing

10 March 2017, Dakar, Senegal

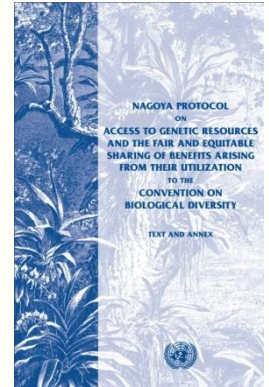
# Outline

- Outcomes of the UN Biodiversity Conference
- Key issues for the 2017-2018 intersessional process
  - Ratification and implementation
  - Progress towards implementation
  - Further policy developments
- Planned meetings in 2017-2018



# Current status of implementation of the Protocol

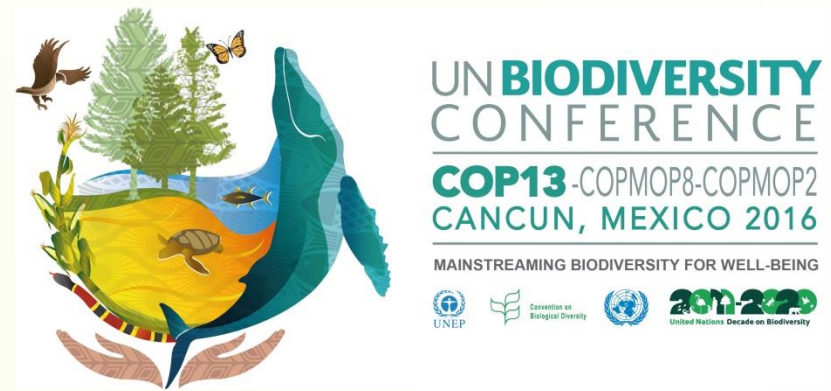
- Entered into force on 12 October 2014
- 96 ratifications (Angola, Qatar, Sao Tomé and Príncipe)
  - 72% of countries in African region have ratified
- Many countries still in the process of making institutional arrangements and establishing measures at the national level
- Several capacity-building and development initiatives supporting the ratification and implementation of the Protocol



# Key outcomes - UN Biodiversity Conference

## 14 decisions adopted by COP-MOP

1. Aichi Target 16
2. ABS Clearing-House
3. Compliance Committee
4. Assessment & Review
5. Cooperation
6. Financial mechanism & resources
7. IPLC terminology
8. Capacity-building
9. Awareness-raising
10. GMBSM (Article 10)
11. SBI Modus operandi
12. Integration
13. Budget
14. DSI on genetic resources



# Key issues - 2017- 2018 inter-sessional process

- **Ratification and implementation**
  - Target 16
  - ABS Clearing-House
  - Capacity-building
- **Progress towards implementation**
  - Interim National Reports
  - Assessment and review
- **Further policy developments**
  - Digital Sequence Information
  - Global Multilateral Benefit-sharing Mechanism (Article 10)
  - Developments in other international forums (e.g. WHO)



# Key issues – Ratification and Implementation

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**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.**

## **Progress towards Target 16 (COP XIII/1, NP 2/1):**

- NP Parties urged to take steps to implement the Nagoya Protocol:
  - establish institutional structures
  - adopt ABS measures
  - make relevant information available to the ABSCH
- Need for capacity-building and development activities and financial resources reiterated
- COP Invited CBD Parties to ratify or accede to the Protocol ASAP and to take steps towards implementation



# Key issues - 2017-2018 intersessional process

## ABS Clearing-House (NP-2/2)

Importance of making information available to the **ABS Clearing-House** emphasized

**Parties** urged to make available:

- All mandatory information at the national level, including permits

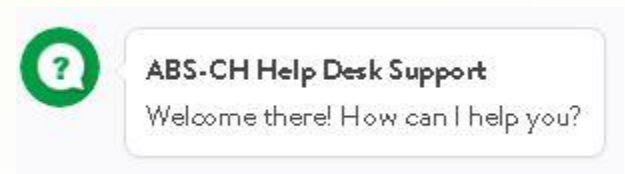
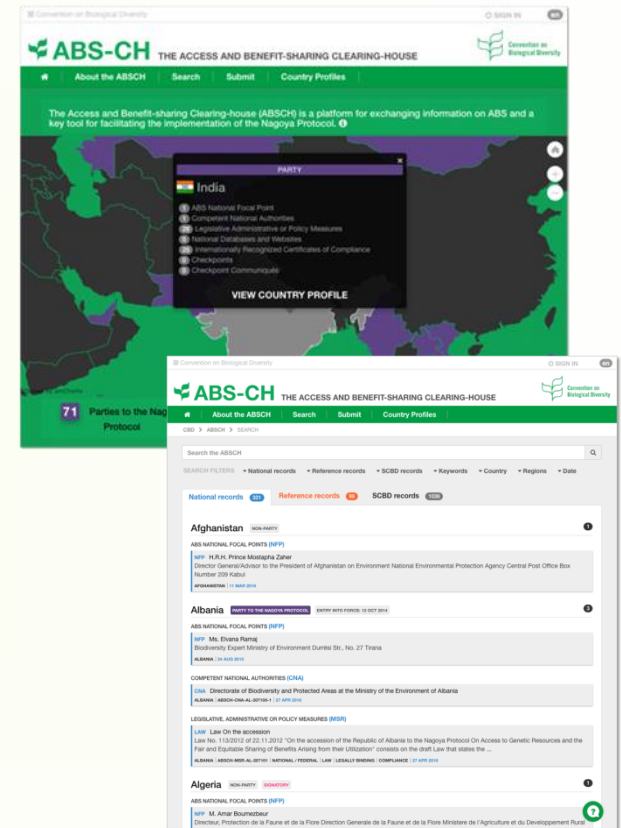
**Need to acquire experience with IRCC**

**Support and technical assistance provided by SCBD**

**Translation in UN languages**

**Informal Advisory Committee on ABS CH**

**- Invitation for nominations by Parties**



# Key issues - Ratification and Implementation

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## Capacity-building (NP-2/8)

- **Strategic Framework on Capacity-Building adopted at COP-MOP 1**
  - Overview of initiatives presented at COP-MOP 2
  - Information on CB initiatives, experiences/lessons learned, resources to be made available to ABS Clearing-House
- **Informal Advisory Committee on Capacity-Building**
  - To meet at least once
  - Composition: 3 per region and relevant organisations
  - Coordination and exchange of experiences/lessons learned
- **ES requested to carry out capacity-building activities**
  - 6 IDLO-SCBD Training courses to support development of national legal frameworks – thanks to JBF and others
  - Mutually supportive implementation of NP and ITPGRFA



# Key issues – Progress towards implementation

## Interim national report (NP-1/3)

**Parties** to report on the implementation of their obligations and submit the interim national report:

- Online, via the ABS Clearing-House
  - 12 months before COP-MOP 3
  - Notification dated 23 Feb. 2017
- **Non-Parties** also invited to submit
  - Submission of reports is key to advancing a number of processes and issues under the NP (e.g. compliance, assessment and review, Article 10)



**Deadline**  
1 November 2017

# Key issues – Progress towards Implementation

## Assessment and review of the effectiveness of the NP (Art. 31)

- First assessment at COP-MOP 3 (4 years after entry into force)
- Will provide reference point
- Methodology agreed at COP-MOP 2
- Framework of indicators to measure progress to be developed
- Sources of information
  - Interim National Reports
  - ABS CH (national information, CB initiatives etc)
  - Compliance Committee outcomes
  - Targeted survey
- SBI to submit its findings to COP-MOP 3
  - Based on analysis of information and Compliance Committee outcomes



# Key issues – Further policy developments

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## Digital sequence information (DSI) on genetic resources

Decision to consider at COP 14 and COP-MOP 3 any potential implications of the use of DSI on genetic resources for the three objectives of the CBD (COP XIII/16) and for the objective of the NP (NP-2/14)

### Inter-sessional process:

- **Submission of views and information** by Parties, IPLCs, relevant organisations and stakeholders
- **Fact finding and scoping study**
  - to clarify terminology and concepts
  - to assess the extent and the terms and conditions of use of DSI on genetic resources in context of CBD and Nagoya Protocol
- **Ad Hoc Technical Expert Group (AHTEG)** established
- **SBSTTA** to consider outcomes of AHTEG and make a recommendation to COP 14 and COP-MOP 3

# Key issues - Further policy developments

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## Global Multilateral Benefit-Sharing Mechanism (Article 10) NP 2/10

- **Inter-sessional process:**
  - Information on implementation of provisions related to TK associated with GR to be submitted through interim national reports and by IPLCs
  - **Submissions** by Parties, other Governments, IPLCs and stakeholders
    - **Information and practical experience** to be submitted on situations where it is not possible to grant or obtain PIC in relation to in situ or ex situ GR and associated TK:
    - **The way forward in relation to Article 10**
  - **SBI** to consider this information, relevant info from national reports and ABS CH and developments in relevant international organisations and **explore need for a GMBSM**

# Key issues - Further policy developments

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## Cooperation (NP-2/5): Developments in other international forums

- **WHO study on** "Implementation of the Nagoya Protocol and Pathogen sharing: public health implications"
  - To be transmitted to COP-MOP 3
- **Info in national reports on Art. 8 b)** to be shared with WHO
- **Study on criteria** for identification of what constitutes a **specialized international ABS instrument** and possible **process** for its recognition (Article 4.4 NP)
  - To be considered by SBI and COP-MOP 3
- ES to follow developments in other forums, in particular on DSI (e.g. WHO, ITPGRFA, CGRFA, UNCLOS BBNJ)

# Planned meetings – 1/3

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## Meetings and tentative dates

Informal Advisory Committee to the ABS Clearing-House: **Last quarter of 2017**

Informal Advisory Committee on Capacity-building for the implementation of the Nagoya Protocol:  
**Last quarter of 2017**

Compliance Committee: **Second quarter of 2018**





# Planned meetings 2/3

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Meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources: **tentatively first quarter of 2018**

22<sup>nd</sup> meeting of the Subsidiary Body on Scientific, Technical and Technological Advice: **tentatively third quarter of 2018**

- Will consider the outcomes of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources

# Planned meetings 3/3

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2<sup>nd</sup> meeting of the Subsidiary Body on Implementation:  
**tentatively third quarter of 2018**

SBI-2 will consider the following issues related to the Protocol:

- Need for a **global multilateral benefit-sharing mechanism** (Article 10)
- Possible criteria to identify what constitutes a **specialized international ABS instrument**, and what could be a possible process for recognizing such an instrument (Article 4.4 NP)
- Analysis and synthesis of relevant information used for the first **assessment and review** of the effectiveness of the Protocol, as well as a draft framework of indicators to measure progress in achieving the objective of the Protocol



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# Thank you

For more information on ABS and the Nagoya Protocol:

[www.cbd.int/abs](http://www.cbd.int/abs)



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