



# COP-MOP 1 Nagoya Protocol

## Main Outcomes

13-17 October 2014, Pyeongchang,  
Republic of Korea





# COP-MOP 1: Introduction

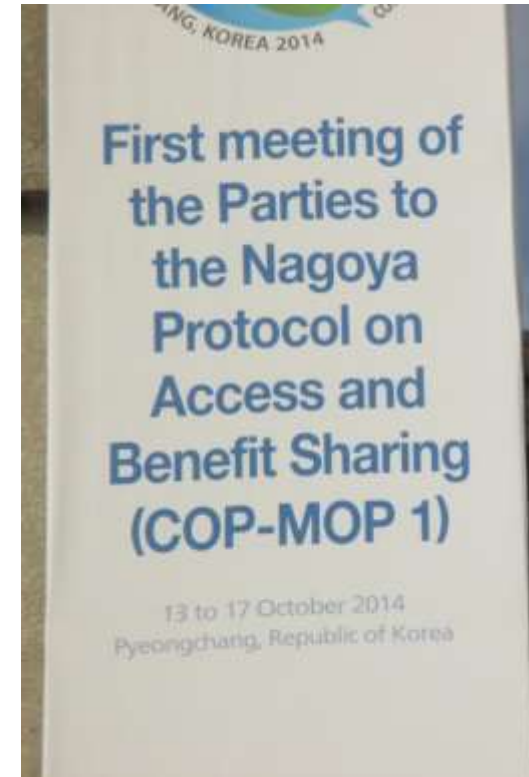
- COP-MOP 1 held in **Pyeongchang, Republic of Korea** 13-17 October 2014, concurrently with COP 12.
- Adopted a total of 13 substantive decisions
- India elected MOP-1 President



# List of 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
- I/7 - Resource Mobilization
- I/8 - Capacity-building





# List of Decisions Adopted

- 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



# Decision NP I/2 - ABS Clearing-House



- Adopted modalities of operation of the ABS-CH
- Established an informal advisory committee (15 experts), to provide technical guidance relating to the ABS-CH
- Parties and non-Parties invited to designate a publishing authority and one or more national authorized users for the ABS-CH
- Parties urged to register mandatory and other relevant information in the ABS-CH and provide feedback
- 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



SCBD to administer 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



SCBD to administer 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/2: ABS-CH Modalities of Operation



## Role of Parties and non-Parties:

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

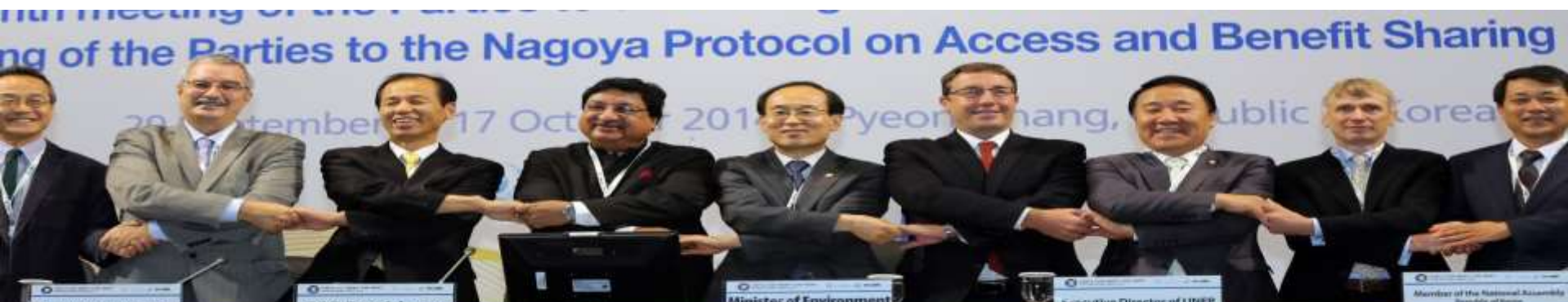






# Decision NP I/3 - Monitoring and Reporting

- Adopted a format for submitting an interim national report (iNR) on the 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 assist Parties unable to submit their iNR online
- SCBD to synthesize information in the iNRs & in ABS-CH for MOP-3 (to establish baseline)
- Intervals for national reporting to be decided at MOP-3





# Decision NP I/4 - Compliance

- 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:

- Include provisions to offer 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

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



## Institutional mechanisms:

- A Compliance Committee, consisting of 15 members (3 nominated by each of the 5 regions) and at least 2 ILC representatives to serve as observers and elected by MOP
- Members shall have recognized competence, including technical, legal or scientific expertise
- Members shall be elected by MOP for a half 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 two consecutive terms

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



## Institutional mechanisms:

- The Committee to develop and submit to MOP its rules of procedure
- 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 individual 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 – Key elements of the compliance procedures and mechanisms



## Functions of the Committee:

- Perform functions specified in the procedures and mechanism 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

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



## Procedures:

The Committee shall receive any submissions relating to issues of compliance and non-compliance from:

- a) Any Party with respect to itself;
  - b) Any Party with respect to another Party;
  - c) COP-MOP
- 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 – Key elements of the compliance procedures and mechanisms



## 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 – Key elements of the compliance procedures and mechanisms



Measures to promote compliance and address cases of 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

- Encouraged Parties, other Governments, international organizations, indigenous and local communities as well as 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/6 - Financial Mechanism

- Established programme priorities and eligibility criteria (including a transitional clause in the eligibility criteria) for the financial mechanism with respect to the Nagoya Protocol
- Urged Parties to prioritize ABS projects when programming their GEF-6 national allocations
- Welcomed the GEF sixth replenishment AND the GEF-6 Biodiversity Focal Area Strategy, which includes Programme 8 on Implementing the Nagoya Protocol





# Decision NP I/7 - Resource Mobilization

Parties invited to:

- Include funding needs, gaps and priorities for NP, as part of the national planning processes, particularly by integrating such considerations into their NBSAPs and national resource mobilization strategies;
- Submit SCBD their experiences related to the mobilization of resources; SCBD Secretary to prepare a synthesis of the information received.





# Decision NP I/8 - Capacity-building

- Adopted a strategic framework for capacity-building and development to support the implementation of the Protocol;
- Invited governments, ILCs and to develop and implement CB and CD activities consistent with the strategic framework and to provide this information to the ABS-CH;
- Established an **informal advisory committee** to provide advice to the Executive Secretary until COP-MOP3 on matters related to the assessment of the effectiveness of the strategic framework





# Decision NP I/8 - Capacity-building

Parties other governments, ILCs and others invited to:

- Develop and implement CB and CD activities consistent with the strategic framework and to provide this information to the ABS-CH;
- Make available through the ABS-CH their CB needs and priorities and to incorporate them in their NBSAPs
- NP Parties that are also Parties other international instruments relevant to the Protocol (e.g. ITPGRFA) invited to ensure that measures taken to assist in CB are consistent and mutually supportive





# Decision NP I/8 - Capacity-building

Key strategic areas for CB and CD:

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



# Decision NP I/9 - Awareness-raising



- Adopted the awareness-raising strategy for the NP
- Parties are encouraged to implement the strategy and report on progress in the implementation of the strategy to the ABS-CH and the COP/MOP, as appropriate

## Priority Activities

- Communications situational analysis and the development of needs-based national awareness-raising strategies





# Decision NP I/9 - Awareness-raising



## Priority Activities

- Creation of toolkits and awareness-raising materials
- Train communicators and engage target groups
- Evaluation and feedback - e.g. effectiveness and reception of the awareness-raising materials, suitability and learning that has taken place during the workshops





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

- 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 for your attention!

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