



## Convention on Biological Diversity

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SUBSIDIARY BODY ON IMPLEMENTATION  
Second meeting  
Montreal, Canada, 9-13 July 2018  
Agenda item 6

### RECOMMENDATION ADOPTED BY THE SUBSIDIARY BODY ON IMPLEMENTATION

#### **2/4. Global multilateral benefit-sharing mechanism (Article 10 of the Nagoya Protocol)**

*The Subsidiary Body on Implementation,*

*Recommends* that the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, at its third meeting, adopt a decision along the following lines:

*The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,*  
*Mindful* of the objective of the Nagoya Protocol,

*Recalling* the sovereign right of States over their genetic resources,

*Recalling also* Article 10 of the Nagoya Protocol,

*Recalling further* Articles 11 and 22 of the Nagoya Protocol,

*Acknowledging* the work undertaken [to explore the need for a global multilateral benefit-sharing mechanism] further to decisions XI/1 B, NP-1/10 and NP-2/10, including the online forum, the study on experiences gained with the development and implementation of the Nagoya Protocol and other multilateral mechanisms and processes, the syntheses of views and the outcomes of the two expert meetings on Article 10,<sup>1</sup>

[*Recognizing* from the work already undertaken that the need for a global mechanism has been demonstrated to move ahead with elaborating the modalities of a global multilateral benefit-sharing mechanism to address fair and equitable benefit-sharing in transboundary situations or situations for which it is not possible to grant or obtain prior informed consent,]

[*Noting* that benefits generated through the global multilateral benefit-sharing mechanism and shared with the custodians of biodiversity and traditional knowledge associated with genetic resources is a valuable incentive for the conservation and sustainable use of biodiversity and its components,]

[*Recognizing* that many Parties are still in the early stages of implementing the Protocol][*Notwithstanding* the different stages in the implementation of the Nagoya Protocol by Parties, efforts towards the full and effective implementation of the Nagoya Protocol in its entirety should not be hindered],

*Recognizing also* the ongoing need for capacity-building to support Parties and indigenous peoples and local communities in developing and implementing legislative, administrative and policy measures on access and benefit-sharing,

<sup>1</sup> [UNEP/CBD/ICNP/3/5](#) and [UNEP/CBD/NP/COP-MOP/2/10](#).

1. *Welcomes* the information synthesized by the Executive Secretary through the interim national reports and the Access and Benefit-Sharing Clearing-House of relevance to Article 10;

2. *Takes note* of the information on developments in relevant international processes and organizations;

[3. *Decides* that the need for a global multilateral benefit-sharing mechanism has been sufficiently demonstrated through various submissions of views and studies carried out in connection with Article 10 for Parties to start to consider the modalities of a global multilateral benefit-sharing mechanism;]

4. *Considers* that more information on specific cases for a global multilateral benefit-sharing mechanism [that are not covered under the bilateral approach] would assist Parties in the consideration of [the modalities in line with] Article 10;

5. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To convene moderated open-ended online discussions to [identify and] discuss [the] specific cases for a global multilateral benefit-sharing mechanism [and the possible modalities for such a mechanism];

(b) To compile the outcomes of the online discussions [and provide possible options for the modalities of a global multilateral benefit-sharing mechanism] for consideration by the Subsidiary Body on Implementation at its third meeting;

(c) To update the information regarding developments in other relevant international processes and organizations and submit it for consideration by the Subsidiary Body on Implementation at its third meeting;

6. *Requests* the Subsidiary Body on Implementation at its third meeting to consider the information in paragraph 5(b) and (c) above and make recommendations for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting.

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