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Subsidiary Body on Implementation

Sixth meeting

Rome, 16–19 February 2026

Agenda Item 8. Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol.

Thank you, Chair

I am speaking on behalf of the CBD Women's Caucus.

We would like to recall that the provisions of Article 4(4) of the Nagoya Protocol are intended to enhance legal clarity and coherence, not to dilute the core obligations of the protocol pertaining to fair and equitable benefit sharing.

Therefore, we believe that any approach to determining the status of or recognising the specialised international access and benefit sharing instruments must be firmly anchored in the objectives of appropriate access to genetic resources and fair and equitable benefit-sharing, which in turn mandates respect for customary laws and community governance systems, and the protection of the rights and interests of Indigenous Peoples and local communities, including women among them.

Given women's central role as holders, users and transmitters of genetic resources and associated traditional knowledge, and given that women are among those most affected when access and benefit sharing frameworks are fragmented or weakened, we believe that the indicative criteria must establish clear minimum standards for equitable gender-responsive benefit sharing, meaningful participation and accountability, as well as access conditions that are appropriate and respectful of prior informed consent and mutually agreed terms, fully consistent with the objectives of the Nagoya Protocol to the CBD.

Taking into account CBD Decision 16/2 on Digital Sequence Information on Genetic Resources, one of the criteria that international ABS arrangements should fulfil to be recognized as specialized instruments should be to promote appropriate access to DSI and the fair and equitable sharing of benefits arising from its use, on an equal footing principle.

In this context, establishing a clear process to assess the functioning and operations of international ABS arrangements before recognising them as specialized instruments under Article 4(4) is essential. Without such scrutiny, there is a risk that ABS regimes operating outside the CBD framework could weaken the integrity of the ABS system and risk undermining the rights and interests of Indigenous Peoples and local communities, including women as key holders and stewards of genetic resources and associated traditional knowledge.

In this regard, we propose the following textual adjustments to document [CBD/SBI/6/8](#):

In the “Recommendations” section

3. *Requests* the Executive Secretary:

(a) To invite Parties, **Indigenous Peoples and local communities, women and youth and other stakeholders** to submit additional views and proposals on the options for recognizing specialized international access and benefit-sharing instruments and the indicative criteria to determine the status of or recognize those instruments contained in sections I and II, respectively, of the annex to the present decision, and to submit a compilation of the submissions for consideration by the Subsidiary Body on Implementation at its eighth meeting and by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its seventh meeting;

(b) To hold informal technical webinars aimed at supporting Parties, **Indigenous Peoples and local communities, women and youth, and other stakeholders** in progressing towards convergence on options for the recognition of specialized international access and benefit-sharing instruments under paragraph 4 of Article 4 of the Nagoya Protocol;

In the Annex “Proposed indicative criteria...”

1. The objective of option A is to establish a formal, Party-led mechanism for recognizing specialized international access and benefit sharing instruments through the Conference of the Parties serving as the meeting of the Parties of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization on the basis of the indicative criteria set forth in section II. The option may include the following elements:

(c) Inclusive consultations with stakeholders **including Indigenous Peoples and local communities, women and youth**;

3. The objective of option C is to combine self-declarations by the governing bodies and secretariats of specialized international access and benefit-sharing instruments that would be recorded by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol with a minimal review. The option is defined by the following elements:

(f) A cross-regime help desk for Parties, **Indigenous Peoples and local communities, and other** stakeholders.

4. Indicative criteria for recognition include:

(d) Fair and equitable benefit-sharing mechanisms; **including gender-responsive monetary and non-monetary benefits that support women’s livelihoods, knowledge systems, capacity-building and community wellbeing**;

(d)bis Appropriate access to DSI as well as fair and equitable sharing of benefits arising from the use of DSI of Genetic Resources

(e) The effective participation of indigenous peoples and local communities; **including specific measures to ensure the full, effective and meaningful participation of women within those communities**

(f) Transparency, **gender-responsive** monitoring and accountability provisions;

We would like to ask Parties for support.

Thank you.

The CBD Women's Caucus (CBD WC) is the women's constituency within the Convention on Biological Diversity (CBD). It stands as a self-organised global platform, supporting women and girls worldwide to advocate for their rights within biodiversity related decision-making processes across all levels. For more information: coordination@cbdwomenscaucus.org