



A Proposal to Parties on the Draft ABS Protocol submitted by A SEED JAPAN (Environmental NGO)

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We would like to urge Parties to support the following texts in the draft ABS Protocol:

- **Preamble 6:** ~~{Believing that public awareness of the economic and non-economic value of ecosystems and biodiversity, and the fair and equitable sharing of this economic value with the custodians of biodiversity is the primary incentive available for conservation and sustainable use,}~~
- **Preamble 35:** ~~[[Noting the United Nations Declaration on the Rights of Indigenous Peoples]]~~ ~~[[Taking into account the significance of the United Nations Declaration on the Rights of Indigenous Peoples,]]~~ {when dealing with the implementation of the rights of indigenous and local communities in this protocol,}}
- **Article 3, Paragraph 2:** {Without prejudice to the rights and obligations of the Parties in accordance with international law, Parties ~~{should}~~{shall} encourage users of genetic resources ~~{and traditional knowledge associated with genetic resources}~~ to take all reasonable measures to share benefits for genetic resources acquired before the entry into force of this Protocol in situations where no access and benefit-sharing agreements have been established in accordance with the Convention ~~{with the countries of origin of such genetic resources}~~.
- **Article 9, Paragraph 5:** Parties shall~~, as appropriate,~~ take ~~{appropriate}~~ legislative, administrative or policy measures~~, as appropriate,~~ ~~{for}~~~~{so that}~~{to encourage} users of traditional knowledge associated with genetic resources obtained from a source other than directly from an indigenous and local community~~, inter alia traditional knowledge associated with genetic resources whether oral or documented or in other forms,~~ to enter into fair and equitable benefit-sharing arrangements with the rightful ~~{holders}~~ of such knowledge with the indigenous and local communities.
- **Article 11, Paragraph 2 (c):** ~~{When access is granted, decisions related to prior informed consent}~~~~[[Decisions to grant prior informed consent]]~~ {for access to genetic resources, ~~as appropriate and where applicable}~~
- **Article 13, Paragraph 1:** To support compliance, Parties shall take measures, as appropriate, ~~{to enhance transparency about, and}~~ to monitor ~~{and report}~~ the ~~{utilization}~~ of genetic resources ~~{, their derivatives and associated traditional knowledge}~~. Such measures ~~{could}~~{shall} include:
- **Article 13, Paragraph 1 (b):** ~~{Requiring}~~~~[[Encouraging]]~~ users and providers of genetic resources to include provisions in mutually agreed terms to share information on the implementation of such terms, including through reporting requirements;

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