

Subject: Submission of views and information further to decision NP-2/10 on Article 10 of the Nagoya Protocol
(Ref.: SCBD/ABS/VN/KG/NH/86849)

With regard to Notification 2017-094, Japan would like to submit its view on the way forward in relation to Article 10 of the Protocol as follows:

According to Article 10, a global multilateral benefit sharing mechanism could address the following two situations: 1) transboundary situations, and 2) situations where it is not possible to grant or obtain prior informed consent.

Japan considers that Article 11 can address aforementioned transboundary situations. Therefore, the discussion on Article 10 should focus on the situations in which it is not possible to grant or obtain prior informed consent. Before going into such a discussion, by using the information received as a response to item (b) of this notification, it should be examined whether there are actual/potential cases of such situations, taking into account the following:

- the bilateral approach of access and benefit-sharing should be followed wherever possible; and
- situations in which a Party has not yet developed necessary procedures or it lacks the capacity to grant prior informed consent should be addressed through capacity-building activities and thus, disassociated from the consideration on Article 10.

The need for the global multilateral benefit-sharing mechanism should be considered only after this examination.