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CONFERENCE OF THE PARTIES TO THE CONVENTION  
ON BIOLOGICAL DIVERSITY SERVING AS THE  
MEETING OF THE PARTIES TO THE NAGOYA  
PROTOCOL ON ACCESS TO GENETIC RESOURCES  
AND THE FAIR AND EQUITABLE SHARING OF THE  
BENEFITS ARISING FROM THEIR UTILIZATION

First meeting

Pyeongchang, Republic of Korea, 13–17 October 2014

Item 8 of the provisional agenda\*

### **REPORT ON PROGRESS MADE AND FEEDBACK RECEIVED IN THE IMPLEMENTATION OF THE PILOT PHASE OF THE ACCESS AND BENEFIT-SHARING CLEARING-HOUSE**

*Note by the Executive Secretary*

#### **INTRODUCTION**

1. Article 14, paragraph 1, of the Nagoya Protocol establishes an Access and Benefit-sharing Clearing-House (ABS Clearing-House) as part of the clearing-house mechanism under Article 18, paragraph 3, of the Convention. The ABS Clearing-House shall serve as a means for sharing information related to access and benefit-sharing and shall provide access to information made available by each Party relevant to the implementation of the Protocol.
2. The ABS Clearing-House was considered at all three meetings of the Ad Hoc Open-ended Intergovernmental Committee for the Nagoya Protocol (the Intergovernmental Committee).
3. The first meeting of the Intergovernmental Committee recommended that the ABS Clearing-House be implemented in a phased manner, building up its functions and activities in response to clear and identified demand, taking into account ongoing feedback from users, in line with available resources, and recognizing the importance of reaching common understanding on issues unresolved in the Intergovernmental Committee (paragraph 1 of recommendation 1/1).
4. The second meeting of the Intergovernmental Committee requested the first meeting of the Conference of the Parties and serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP) to take into account the points that may require further consideration as contained in paragraph 7 of the annex to the Report of the Expert Meeting on the Modalities of Operation of the ABS Clearing-House (UNEP/CBD/ABS/EM-CH/1/4) and to suggest ways of reaching common understanding of these points informed by lessons learned from the pilot phase of the ABS Clearing-House (recommendation 2/4, paragraph 6).

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5. In paragraph 1 of decision XI/1 C, the Conference of the Parties established an informal advisory committee (IAC) to provide technical guidance with respect to the resolution of technical issues arising from the ongoing development of the pilot phase of the ABS Clearing-House until the first meeting of the Parties to the Protocol. The decision provided that the IAC would hold one meeting, subject to the availability of financial resources, and informal online discussions, as needed, and report on the outcomes of its work to the third meeting of the Intergovernmental Committee. Thanks to the generous financial contribution of the European Union, a meeting of the IAC was held from 2 to 4 October 2013, in Montreal.<sup>1</sup> Online discussions were also held from 15 July to 29 August 2014.
6. At its third meeting, the Intergovernmental Committee requested the Executive Secretary to report on the progress made and feedback received during the implementation of the pilot phase to the first meeting of the Parties to the Protocol (paragraph 8, recommendation 3/4). It also recommended that the first meeting of the COP-MOP consider a synthesis prepared by the Executive Secretary on the basis of the views submitted on: (i) the possible functions of a competent authority of indigenous and local communities and of a contact point for the indigenous and local communities for the ABS Clearing-House in relation to the implementation of the Nagoya Protocol; (ii) their possible role and responsibilities with respect to the ABS Clearing-House; and (iii) who should be responsible for submitting the information on these authorities to the ABS Clearing-House (paragraphs 10 and 11, recommendation 3/4).
7. The ABS Clearing-House is currently being tested by Parties, indigenous and local communities, international organizations, and relevant stakeholders who were encouraged by the third meeting of the Intergovernmental Committee to publish records and provide feedback to the Executive Secretary (paragraphs 4 and 8 of recommendation 3/4).
8. Section I of the present note by the Executive Secretary reports on progress made and feedback received in the implementation of the pilot phase of the ABS Clearing-House, including progress made on reaching common understanding on the points identified as requiring further consideration. Section II provides information on the views received on the modalities of involvement of indigenous and local communities in the ABS Clearing-House in relation to the implementation of the Nagoya Protocol. Section III deals with indicative priorities for further development of the ABS Clearing-House by the Executive Secretary. Finally, section IV contains elements for a raft decision for consideration by the first meeting of the COP-MOP. Information document UNEP/CBD/NP/COP-MOP/1/INF/6 provides further explanation on the indicative priorities for further development of the ABS Clearing-House.

#### **I. REPORT ON PROGRESS MADE AND FEEDBACK RECEIVED IN THE IMPLEMENTATION OF THE PILOT PHASE OF THE ABS CLEARING-HOUSE**

9. Thanks to the generous financial contributions from Germany, Japan, Switzerland and the European Union, the Secretariat was able to hire an Information Management Officer (P-3 level) and a Computer Information Systems Officer (P-2 level) for the development of the pilot phase. Having dedicated staff has enabled the Executive Secretary to expedite the progress made in the development of the pilot phase of the ABS Clearing-House.
10. The development of the pilot phase of the ABS Clearing-House is being informed by:
- (a) Guidance of the Intergovernmental Committee provided in the annex to recommendation 1/1 and in recommendations 2/4 and 3/4;
  - (b) The indicative work plan and timeline for activities to take place until the first meeting of the Parties to the Nagoya Protocol, as contained in document UNEP/CBD/COP/11/11 and endorsed by the Conference of the Parties (decision XI/1 C, paragraph 2);

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<sup>1</sup> All documents for the meeting and its outcomes are available at: <http://www.cbd.int/doc/?meeting=ABS-IAC-CH-01>

- (c) Technical guidance with respect to the resolution of technical issues as provided by the informal advisory committee during its meeting (UNEP/CBD/ICNP/3/INF/5) and online discussions held from 15 July to 29 August 2014;
- (d) Testing of the pilot phase and feedback received;
- (e) Experience acquired during the pilot phase of the ABS Clearing-House, capacity-building workshops, and outreach and engagement campaign;
- (f) Experience gained from the operation of the Biosafety Clearing-House (BCH);
- (g) Progress made in the development of the clearing-house mechanism of the Convention (CHM).

11. This section reports on progress made and feedback received in the implementation of the pilot phase of the ABS Clearing-House and includes a summary of the main features of the operation of the ABS Clearing-House as well as a summary of progress made on different aspects of the pilot phase, namely on: the testing of the pilot phase and feedback received; the central portal and databases of the ABS Clearing-House; reaching common understanding on the points identified by the expert meeting on the modalities of operation of the ABS Clearing-House as requiring further consideration; exploring collaboration with partners; and identifying and addressing capacity needs for registering and retrieving information through the ABS Clearing-House.

#### *A. Introduction to the operation of the ABS Clearing-House<sup>2</sup>*

12. The ABS Clearing-House is accessible online through a dedicated website<sup>3</sup> and is administered by the Secretariat of the Convention on Biological Diversity.

13. As noted in Article 14 of the Protocol, the ABS Clearing-House is established as part of the clearing-house mechanism of the Convention. The CHM has been developed as a single and unified platform which also supports the dedicated clearing-houses of the Cartagena Protocol on Biosafety and the Nagoya Protocol. Consequently, common formats<sup>4</sup> and rules of operation need to be compatible and, where possible, harmonized across the CHM. The common formats developed for the pilot phase of the ABS Clearing-House make use, as much as possible, of predefined text or controlled vocabularies that will be compatible with the controlled vocabularies of the CHM and the BCH.

14. In order to register information, users need to choose the category of information they wish to submit from the list of pre-defined information types or common formats. The categories of information that a registered user is able to submit depends on their designated role in the ABS Clearing-House.

15. The categories of information are divided into two major clusters: national records and reference records. The submission forms under the “national records” category allow Parties to publish relevant information for the implementation of the Nagoya Protocol. The submission forms under the “reference records” category allow the submission of information relevant to the Protocol from any registered user (e.g. Governments, representatives of indigenous and local communities, academia, non-governmental organizations, research institutions, business representatives, etc.) to the ABS Clearing-House. The Secretariat would be responsible for publishing all reference records.

16. In order to ensure that the national records published in the ABS Clearing-House are reliable, Parties are required to designate a person responsible for publishing all national records in the ABS Clearing-House. This function is referred to hereafter as “publishing authority”.

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<sup>2</sup> For more information, please see document UNEP/CBD/ICNP/3/6.

<sup>3</sup> <http://absch.cbd.int>.

<sup>4</sup> Common formats are standardised forms to facilitate submission of information in a harmonized manner. Common formats are available online through the ABS Clearing-House website and offline in MS word format at <https://absch.cbd.int/commonformat>.

17. The publishing authority for the ABS Clearing-House may nominate national authorized users. National authorized users are only allowed to create and manage draft records, which are then forwarded to the publishing authority for publication.

18. The following common formats have been developed with a view to assisting Parties in making national information available to the ABS Clearing-House as “national records”:<sup>5</sup>

(a) Designation of ABS national focal points and publishing authorities for the ABS Clearing-House (MS Word offline format only);

(b) Competent national authority/ies;

(c) Legislation, administrative or policy measures on access and benefit-sharing;

(d) Information on the permit or its equivalent for constituting an internationally recognized certificate of compliance;

(e) Checkpoints;

(f) Information for the checkpoint communiqué;

(g) National ABS related websites and databases.

19. A common format for an Access and Benefit-sharing “Virtual Library” has also been developed in harmony with the virtual library of the CHM. A wide range of information could be made available through this common format, such as model contractual clauses, codes of conduct guidelines and best practices and/or standards, publications, capacity-building information, etc.

20. Metadata such as the owner of the record, the status of the record, the date of submission as well as the category of the common format used, are created automatically when information is submitted to the ABS Clearing-House. In addition to the automatically generated metadata, the person registering the records will also be expected to supply additional metadata to describe the information in the records by selecting descriptive terms from a list of predefined keywords.

21. Although free text searches are easy to implement and carry out, problems sometimes arise when retrieving the full range of results from the incorporation of information in various languages, the use of synonyms and inconsistent terminology and spelling. Therefore, where appropriate, the ABS Clearing-House makes use of a controlled vocabulary, in order to facilitate the future ability to conduct searches in a number of different languages and return consistent search results. This is essentially a thesaurus of standardized words used to search and register information with the database in the ABS Clearing-House. As mentioned above, controlled vocabularies have been developed in harmony across the wider CBD clearing-house mechanisms, with a view to enabling searches of information.

22. The ABS Clearing-House has been designed to support the six official languages of the United Nations, but it also offers a facility for linking to other resources in any other languages.

23. To ensure an effective flow of information, the ABS Clearing-House is designed to allow for the sharing of relevant information with other databases and systems and allows for other databases to retrieve information hosted by the ABS Clearing-House. Implementation of interoperability allowing a flow of information from systems to the ABS Clearing-House would be done on a case-by-case basis and upon request.

### ***B. Testing of the pilot phase and feedback received***

24. The Intergovernmental Committee, at its third meeting, invited Parties to designate a publishing authority and one or more national authorized users, and encouraged all Parties to the Convention, in

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<sup>5</sup> Common formats are available online through the ABS Clearing-House website and offline in MS word format at <https://absch.cbd.int/commonformat>.

particular those that have ratified the Nagoya Protocol, to participate in the pilot phase by publishing national records and to provide feedback to the Executive Secretary (recommendation 3/4, paragraphs 3 and 4). Accordingly, by notification 2014-045 (Ref. No. SCBD/ABS/BG/aba/83333) of 21 March 2014 and the reminder dated of 27 May 2014, the Executive Secretary invited Parties to designate a publishing authority, and one or more national authorised users if they so wished.

25. Pursuant to paragraph 5 of recommendation 3/4, the Executive Secretary has made the information on access and benefit-sharing measures, competent national authorities, and national focal points currently hosted on the website of the Convention on Biological Diversity available in the ABS Clearing-House as draft records and invited Parties to validate and publish the draft records in order to ensure that all national records in the ABS Clearing-House are up-to-date and have been validated by the publishing authority by the time of entry into force of the Nagoya Protocol.

26. Since August 2014, an outreach and engagement campaign is being carried out in order to encourage Parties to designate their publishing authority and incorporate existing national information in the ABS Clearing-House. As of 1 September 2014, the Executive Secretary had received 26 designations for publishing authorities, and 17 of them from Parties that have ratified the Protocol.

27. Pursuant to recommendation 3/4, paragraph 8, indigenous and local communities, international organizations, and relevant stakeholders were also invited to participate in the pilot phase by registering reference records and providing feedback (notification 2014-046 of 21 March 2014 and reminder dated of 27 May 2014).

28. Parties, indigenous and local communities and other relevant stakeholders had the opportunity to provide feedback in the development of the pilot phase of the ABS Clearing-House in the following occasions:

(a) The ABS Clearing-House capacity-building workshop held on 23 February 2014 in Pyeongchang, Republic of Korea;<sup>6</sup>

(b) The regional capacity-building workshops for Latin America (24-28 March 2014 in Montevideo, Uruguay); Central Eastern Europe and Central Asia (31 March - 4 April 2014 in Minsk, Belarus); Caribbean (19-22 May 2014, Georgetown, Guyana); West Asia and North Africa (1-5 June 2014 in Dubai, United Arab Emirates); and Africa (9-13 June 2014 in Kampala, Uganda);

(c) The outreach and engagement campaign that has is being carried out since August 2014;

(d) The IAC online discussions held from 15 July to 29 August 2014 addressed the search functions and filters, general layout and functionality of the register information page, dashboard and country space, and the common formats. The IAC provided useful guidance particularly in relation to improving the user interface, the addition of explanatory information to the formats, and the identification of remaining technical issues.

29. As part of the feedback received, there was a suggestion for developing a new common format on explanatory information on the process to obtain prior informed consent and establish mutually agreed terms. The ABS Clearing-House currently provides the possibility of including explanatory information as a type of document that could be submitted in the common format for the legislation, administrative or policy measures on access and benefit-sharing. However, some Parties and stakeholders considered that to have clear and easy access to this information would increase transparency about access for users of genetic resources and associated traditional knowledge, and that a different and independent common format should be developed.

30. The feedback provided during all these occasions has been taken into account and incorporated in the development of the pilot phase or in the proposed indicative priorities for future development of the ABS Clearing-House.

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<sup>6</sup> For further information, please see document UNEP/CBD/ICNP/3/INF/8 containing the summary of outcomes of the meeting of the Capacity-Building Workshop on the Access and Benefit-Sharing Clearing-House.

**C. Progress made in the central portal and databases of the ABS Clearing-House**

31. Since the third meeting of the Intergovernmental Committee improvements have been made in the ABS Clearing-House in the following areas:

- (a) Login process in the CHM and ABS Clearing-House;
- (b) User interface, including improvements in the home page, feedback received by ABS Clearing-House users for actions and page loading, and information displayed in the personal dashboard;
- (c) Optimization for speed: Deployment of the website (automatic minimization of CSS and JS files) and changes in the design of the registering page in order to minimize problems related to internet speed;
- (d) Search function and country profiles, including development of the backend search engine (a system of indexing records to provide quick retrieval of records), improvement to the search filters, display of metadata about the record (status and author of the record) and country profiles;
- (e) Registering functions and common formats: Implementation of changes in the common formats and improved explanatory texts in the forms, including the development of the facility for updating or amending the internationally recognized certificate of compliance constituted from information on the permit or its equivalent (IRCC), the generation of PDFs for the internationally recognized certificate of compliance constituted from information on the permit or its equivalent and checkpoint communiqués; and the display of information on the history and linkages among certificates and checkpoint communiqués;
- (f) Provision of help and assistance: Development of online interactive guidance material (see “help” link included in the pages).<sup>7</sup>

**D. Progress made on reaching common understanding on the points identified as may requiring further consideration**

32. In recommendation 2/4, paragraph 6, the Intergovernmental Committee requested the first meeting of the COP-MOP to take into account the points that may require further consideration as identified in paragraph 7 of the annex to the report of the Expert Meeting on the Modalities of Operation of the Access and Benefit-Sharing Clearing-House (UNEP/CBD/ABS/EM-CH/1/4)<sup>1</sup> and to suggest ways of reaching common understanding of these points informed by lessons learned from the pilot phase of the ABS Clearing-House. Information on how the ABS Clearing-House is currently addressing the points identified in the expert meeting report is described below:

33. *Notification of permits or their equivalent.* According to the report of the expert meeting “...whereas it was generally recognized that the permits themselves should be made available to the Clearing-House under Article 14, a view was expressed that this could be understood to mean that only summary information on the permits issued would need to be made available (e.g., “75 permits issued for non-commercial research”) unless there was a need for an internationally recognized certificate for compliance under Article 17 where the full permit is required.” The ABS Clearing-House currently only provides the possibility of making information about the permit or its equivalent available to the ABS Clearing-House for constituting an internationally recognized certificate of compliance.

34. *Updating internationally recognized certificates of compliance.* Following the guidance for the pilot phase<sup>8</sup> and the technical advice from the IAC, the pilot phase of the ABS Clearing-House provides the following possibility for updating or modifying the IRCC:

- (a) Information is submitted for the issuance of a new internationally recognized certificate of compliance;

<sup>7</sup> See <https://absch.cbd.int/find> for an example of the help function.

<sup>8</sup> Annex I to recommendation 1/1 of the Intergovernmental Committee, paragraph 11.

(b) Information is submitted to replace a previously issued internationally recognized certificate of compliance (a new certificate will be constituted and the old one will no longer be valid);

(c) An existing permit or its equivalent is revoked and the internationally recognized certificate of compliance will no longer be valid;

(d) An existing record of a permit or its equivalent is automatically duplicated and the copy is modified in order to have two distinct but similar valid internationally recognized certificate of compliance and minimize the need for registering similar information in more than one occasion.

35. If a record on the permit or its equivalent is modified or updated, a revised IRCC will be constituted based on the information provided, which will be linked to the original certificate through references to its unique identifier. Each certificate will include a link referring to the online record at the ABS Clearing-House. In order to have certainty about the latest and valid version of an IRCC, a user of the ABS Clearing-House can follow the link provided in the certificate and compare the information. With a view to ensuring transparency and traceability, the ABS Clearing-House will display previous records on the permit or its equivalent in archived form and its status will be reflected in the record as well as information outlining the reason for the update of the record on the permit or its equivalent.

36. *Third party transfer.* The Intergovernmental Committee in its guidance for the pilot phase identified as particularly valuable the need to provide, through the ABS Clearing-House, information on third party transfer arrangements, where it is available, to be incorporated into the internationally recognized certificate of compliance.<sup>9</sup> A non-mandatory field on third party transfer has been included in the common format. However, a number of experts of the IAC also suggested making this field mandatory.<sup>10</sup>

37. *Tracking the utilization of genetic resources.* The report of the expert meeting noted "...that a common understanding needs to be established on the extent to which the intent of the Protocol is to track access, use and/or transfers of genetic resources."

38. The report also noted that "for access of specimens for non-commercial research where Parties have established simplified procedures in accordance with Article 8, paragraph (a) of the Nagoya Protocol, they may wish to share these simplified procedures through the ABS Clearing-House". The ABS Clearing-House allows the identification of the relevant sections and articles related to non-commercial research in the common format on legislation, administrative or policy measures on access and benefit-sharing.

39. *Identification of subject matter or genetic resource covered by the certificate.* The report of the expert meeting noted that "due to changes in taxonomic nomenclature resulting from scientific research, or following changes in identification, these names may not be static and there is a risk that the name on the certificate will become inaccurate for the resource and reduce its evidentiary value. One means of addressing this problem is to link the identity on the certificate, in addition to a taxonomic name, to a voucher specimen held in an appropriate facility and given its own unique identifier. The potential of this should be investigated." The common format prepared for the information on the permit or its equivalent for constituting an internationally recognized certificate of compliance includes the facility to link to a voucher specimen held in a facility and/or link to a taxonomic database.

40. *Confidential information.* According to paragraph 2 of Article 14, information should be made available to the ABS Clearing-House without prejudice to the protection of confidential information. Following the guidance of the IAC, it is considered that as all information published in the ABS Clearing-House is publicly available, by the act of publishing it the user confirms that the information published is not confidential. The responsibility for the protection of confidential information for the case of national records lies with the publishing authority, and for reference records, with the person who submitted that information.

41. In addition the IAC, in regard to the *checkpoint communiqué*, noted in its report that many countries have not yet established checkpoints and therefore the type of information to be submitted to the ABS Clearing-House may need further consideration once more experience has been gained.

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<sup>9</sup> Annex I to recommendation 1/1 of the Intergovernmental Committee, paragraph 4 (f).

<sup>10</sup> Paragraph 33 of document UNEP/CBD/ICNP/3/INF/5.

42. The first meeting of the COP-MOP may wish to consider how best to make further progress on issues related to permit or its equivalent constituting an internationally recognized certificate of compliance and the checkpoint communiqué.

***E. Progress made in exploring possible collaboration with partners***

43. The Intergovernmental Committee, in recommendation 1/1, requested the Executive Secretary to explore opportunities for collaboration with partners and other data providers in the development of the ABS Clearing-House. A preliminary list of relevant partners and other data providers is included in section III of the report on progress and next steps in the implementation of the pilot phase of the ABS Clearing-House.<sup>11</sup>

44. Pursuant to the Memorandum of Cooperation and the Joint initiative signed between the Secretariats of the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA),<sup>12</sup> some preliminary discussions were held between the Secretariats on possible opportunities to expand the partnership in relation to the development of the ABS Clearing-House and the consultations being carried out on the Global Information System on Plant Genetic Resources for Food and Agriculture (COGIS-PGRFA) with a view to contributing to strengthen the implementation of both, the ITPGRFA and the Nagoya Protocol, in a mutually supportive manner.

45. Initial discussions were also held with the World Data Center for Microorganisms<sup>13</sup> in order to assess possible linkages between the Global Catalogue of Microorganisms and the ABS Clearing-House.

46. However, potential linkages and collaboration with partners and data providers needs to be further explored as a common understanding on the role and modalities of the ABS Clearing-House advances.

***F. Progress made in identifying and addressing capacity needs for registering and retrieving information through the ABS Clearing-House***

47. The Intergovernmental Committee, at its third meeting, recommended a draft strategic framework for capacity-building and development to support effective implementation of the Nagoya Protocol on Access and Benefit-sharing for adoption at the first COP-MOP.<sup>14</sup>

48. One of the objectives of the draft strategic framework is to “enable Parties to effectively participate in the ABS Clearing-House and use the best available communication tools and internet-based systems for access and benefit-sharing activities”. To this effect, strategic measure 1.6 was identified, which relates to “employing the best available communication tools and internet-based systems for ABS activities including providing information to the ABS Clearing-House”. Appendix I of the draft framework identifies the indicative timeframe for initiating the implementation of this measure as short term (2014-2017).

49. The indicative capacity-building activities identified in Appendix II draft framework for measure 1.6 are the following:

- (a) Provision of technical assistance and training in the use of the best available communication tools and Internet-based systems for ABS activities;
- (b) Development or adaptation of communication tools, such as webinars, social media and e-learning, for dissemination of existing information material on ABS;
- (c) Development of suitable information-sharing platforms linked to the ABS Clearing-House;
- (d) Development of e-learning modules and hands-on-training on the use of the ABS Clearing-House and the clearing-house.

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<sup>11</sup> UNEP/CBD/ICNP/2/8.

<sup>12</sup> See: <http://www.cbd.int/doc/agreements/agmt-itpgrfa-2010-10-28-moc-en.pdf> and [http://www.planttreaty.org/sites/default/files/gbw14\\_Relationship\\_with\\_the\\_CBD.pdf](http://www.planttreaty.org/sites/default/files/gbw14_Relationship_with_the_CBD.pdf)

<sup>13</sup> See for more information: <http://www.wdcm.org/>

<sup>14</sup> See document UNEP/CBD/NP/COP-MOP/1/1/Add.2.



50. Recognizing the need for building and developing capacity related to the ABS Clearing-House, the Secretariat is, on a continuing basis, assessing the capacity needs, in particular those of developing countries and countries with economies in transition, as well as the needs of indigenous and local communities and relevant stakeholders to enable their active participation in the ABS Clearing-House.

51. To this end, and thanks to generous contribution of the European Union, an extra day on the ABS Clearing-House was included in a series of regional workshops carried out for the Nagoya Protocol during 2014 as provided in paragraph 28 (b) above. In addition, an ABS Clearing-House capacity-building workshop was held back to back with the third meeting of the Intergovernmental Committee and another workshop will be held on the 12 October in Pyeongchang, Republic of Korea.<sup>15</sup>

52. As part of the outreach and engagement campaign, the Secretariat is currently providing webinar training sessions and personalized training and technical assistance to the countries having designated their publishing authorities that request technical support for registering information on the ABS Clearing-House. The Secretariat is also working on including an online interactive help function in the ABS Clearing-House website.

53. Ensuring appropriate participation in the ABS Clearing-House of Parties, other Governments, indigenous and local communities and other stakeholders is essential for having a fully operational ABS Clearing-House. In order to achieve this goal and subject to the availability of resources, it is proposed that efforts on capacity-building and development for participating in the ABS Clearing-House are particularly focused on the development of appropriate capacity-building and awareness-raising materials and the provision of personalized technical assistance to Parties, other Governments, indigenous and local communities and other stakeholders for registering and retrieving information, through *inter alia* on-demand help desk service, webinars and other distance learning and support means. This approach would not be only cost-effective, but it would also enable the Secretariat to give a timely and direct answer to the specific needs of users of the ABS Clearing-House, and thus, reducing the need for face-to-face workshops or courses.

54. The information document on indicative priorities for further development of the ABS Clearing-House<sup>16</sup> further develops the suggested approach for building and developing capacity for the ABS Clearing-House.

## **II. SYNTHESIS OF VIEWS ON THE MODALITIES OF INVOLVEMENT OF INDIGENOUS AND LOCAL COMMUNITIES IN THE ABS CLEARING-HOUSE IN RELATION TO THE IMPLEMENTATION OF THE PROTOCOL**

55. The Intergovernmental Committee recommended that the first meeting of the COP-MOP considers a synthesis prepared by the Executive Secretary on the basis of the views submitted on: (i) the possible functions of a competent authority of indigenous and local communities and of a contact point for the indigenous and local communities for the ABS Clearing-House in relation to the implementation of the Nagoya Protocol; (ii) their possible role and responsibilities with respect to the ABS Clearing-House; and (iii) who should be responsible for submitting the information on these authorities to the ABS Clearing-House (paragraph 10 and 11, recommendation 3/4).

56. Notifications were sent on 21 March 2014 and reminder dated 27 May 2014 inviting Parties (notification 2014-045) and indigenous and local communities, international organizations, and relevant stakeholders (notification 2014-046) to submit views on those issues.

57. Only one submission from Andes Chinchasuyo, Organizacion Yanasha, and Red de Mujeres Indigenas sobre Biodiversidad para America Latina y El Caribe (RMIB-LAC) was received.

58. Regarding the possible functions of a competent authority of indigenous and local communities and of a contact point for the indigenous and local communities for the ABS Clearing-House in relation to the implementation of the Nagoya Protocol, the submission suggested that a national authority should work with an inter-cultural team that would include representatives from different indigenous and local

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<sup>15</sup> The outcomes of the workshop will be made available to the first meeting of the COP-MOP as an information document.

<sup>16</sup> UNEP/CBD/NP/COP-MOP/1/INF/6.

communities and have the financial and technical capacity to carry out its functions in a sustained and transparent manner.

59. Regarding the possible role and responsibilities of a competent authority and a contact point with respect to the ABS Clearing-House, the submission noted that a competent authority should have ABS expertise and combine both western and indigenous perspectives, and should communicate with indigenous and local communities in a transparent and culturally appropriate manner, including in indigenous languages.

60. Regarding the question of who should be responsible for submitting the information on these authorities to the ABS Clearing-House, the submission proposed that a competent authority should be selected by the indigenous and local community's authorities and be recognized by the local, regional and national authorities as well as the competent Ministry.

61. Bearing in mind that only one submission was received on this matter, the COP-MOP may wish to determine the best process forward with a view to building a better understanding on the issues mentioned on the modalities of involvement of indigenous and local communities in the ABS Clearing-House in relation to the implementation of the Nagoya Protocol.

### **III. INDICATIVE PRIORITIES FOR FURTHER DEVELOPMENT OF THE ABS CLEARING-HOUSE**

62. The Secretariat will administer the central portal of the ABS Clearing-House and perform the functions in accordance to the modalities of operation to be considered and adopted by the first meeting of the COP-MOP and made available as document an addendum to this document. Paragraph 5 of the draft modalities of operation identifies the following functions to be carried out by the Secretariat:

(a) Developing and maintaining the central portal and central databases to ensure that the ABS Clearing-House is accessible, user-friendly, searchable, and understandable;

(b) Identifying, reviewing and developing, as necessary, common formats for making information available to the ABS Clearing-House;

(c) Providing technical assistance to Parties, other Governments, indigenous and local communities and other stakeholders for registering and retrieving information;

(d) Cooperating with relevant international, regional, subregional and national organizations and entities, as appropriate;

(e) Enabling information exchange, as appropriate, with other data providers to support the implementation of the Protocol;

(f) Registering offline submissions of information in the ABS Clearing-House on behalf of Parties, upon request;

(g) Providing portable data storage devices containing information available through the ABS Clearing-House, when requested by Parties;

(h) Performing other administrative functions as requested by the Conference of the Parties serving as the meeting of the Parties to the Protocol.

63. The information document on indicative priorities for further development of the ABS Clearing-House<sup>17</sup> provides further information on the planned activities for some of the above mentioned functions.

64. The Secretariat may also seek assistance from an informal advisory committee for technical guidance with respect to the resolution of technical issues arising from the ongoing development of the ABS Clearing-House.<sup>18</sup>

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<sup>17</sup> UNEP/CBD/NP/COP-MOP/1/INF/6

<sup>18</sup> The draft modalities of operation contained in addendum to this document includes the possibility of an informal advisory committee, constituted and coordinated by the Executive Secretary.

65. However, in order to implement the suggested priorities, the availability of dedicated human resources to the development of the ABS Clearing-House is required, namely the continuation of the Information Management Officer (P-3 level) responsible for managing the overall development of the ABS Clearing-House and a Computer Information Systems Officer (P-2 level). In addition, a new programme assistant (G-6 level) would be required for engaging with Parties and other users and to provide personalized technical assistance and support as proposed in subsection C above. A new programme assistant would also provide administrative and documentation support for the ABS Clearing-House, including in relation to offline submissions of information.

#### **IV. ELEMENTS FOR A DRAFT DECISION FOR CONSIDERATION BY THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL**

66. The first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish:

(a) To welcome the progress made by the Executive Secretary and experience gained during the implementation of the pilot phase of the Access and Benefit-sharing Clearing-House and capacity-building activities for the Access and Benefit-sharing Clearing-House;

(b) To adopt the modalities of operation of the Access and Benefit-sharing Clearing-House that are contained in the note by the Executive Secretary on the subject;<sup>19</sup>

(c) To establish an informal advisory committee in order to assist the Executive Secretary with the implementation of the Access and Benefit-sharing Clearing-House and to provide technical guidance with respect to the resolution of technical issues arising from the ongoing development of the Access and Benefit-sharing Clearing-House;

(d) To decide that the informal advisory committee will hold at least one meeting, and informal online discussions as needed, and report on the outcomes of its work to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

(e) To suggest a way forward to reach a common understanding on:

(i) Modalities of involvement of indigenous and local communities in the Access and Benefit-sharing Clearing-House in relation to the implementation of the Nagoya Protocol, including: (i) the possible functions of a competent authority of indigenous and local communities and of a contact point for the indigenous and local communities for the Access and Benefit-sharing Clearing-House in relation to the implementation of the Nagoya Protocol; (ii) their possible role and responsibilities with respect to the Access and Benefit-sharing Clearing-House; and (iii) who should be responsible for submitting the information on these authorities to the Access and Benefit-sharing Clearing-House;

(ii) Issues related to permit or its equivalent constituting an internationally recognized certificate of compliance and the checkpoint communiqué.

(f) To call upon Parties and other Governments that have not yet done so to designate a publishing authority and/or one or more national authorized users for the Access and Benefit-sharing Clearing-House;

(g) To urge Parties, other Governments, international organizations, indigenous and local communities, and relevant stakeholders to provide relevant information to the Access and Benefit-sharing Clearing-House as soon as possible and to provide feedback to the Executive Secretary;

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<sup>19</sup> UNEP/CBD/NP/COP-MOP/1/2/Add.1.

(h) To invite Parties, other Governments, international organizations, the Global Environmental Facility, regional development banks and other financial institutions to provide financial resources for enabling Parties to actively participate in the Access and Benefit-sharing Clearing-House;

(i) To request the Executive Secretary to continue developing the Access and Benefit-sharing Clearing-House, subject to the availability of resources, and in accordance with the modalities of operation and feedback received, and to report on progress to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

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