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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
BENEFITS ARISING FROM THEIR UTILIZATION

Fourth meeting - Part II

Montreal, Canada, 7-19 December 2022

DRAFT DECISIONS FOR THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL

INTRODUCTION

1. The present note contains a compilation of draft decisions for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol. These draft decisions are organized according to the provisional agenda for the meeting and the revised annotations thereto (CBD/NP/MOP/4/1/Rev.1 and CBD/NP/MOP/4/1/Add.3).
2. This note includes the draft decisions contained in various recommendations from the third meeting of the Subsidiary Body on Implementation, the third and fourth meetings of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, and the third meeting of the Compliance Committee under the Nagoya Protocol.
3. It also includes, highlighted in grey, additional elements of draft decisions developed by the Executive Secretary in the light of previous decisions from the meeting of the Parties. The background and/or mandates for the elements contained in the draft decisions are provided in the documentation prepared for the fourth meeting of the Parties to the Nagoya Protocol.

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ELEMENTS OF DRAFT DECISIONS BY ITEMS OF THE AGENDA**Items 1, 2, 3 and 4**

No decisions are foreseen under these items, which are either procedural or the substantive matters will be taken up under the relevant item of the agenda. In accordance with previous practice, the Conference of the Parties serving as the meeting of the Parties may wish to take note, in the report of the meeting, of the reports presented by subsidiary bodies (item 4 of the agenda).

Item 5. Report of the Compliance Committee (Article 30)

The following elements of a draft decision have been reproduced from the report of the Compliance Committee (document CBD/NP/MOP/4/2, annex, paragraphs 1 to 7 and 10). The recommendations of the Committee related to agenda item 10 (monitoring and reporting) have been incorporated into the draft decision for that item, see below.

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

1. *Welcomes*, with appreciation, the progress made by Parties in the implementation of the Protocol;
2. *Urges* Parties concerned to expedite the adoption and implementation of their access and benefit-sharing legislative, administrative or policy measures and institutional arrangements, among other things the designation of checkpoints, in accordance with the Protocol;
3. *Also urges* those Parties that have relevant national information that need to be made available to the Access and Benefit-sharing Clearing House in accordance with the requirement of Article 14, paragraph 2, of the Protocol to make this information available as soon as possible;
4. *Recognizes* the need for further capacity-building and resource mobilization to accelerate the operationalization of the Protocol and invite Parties, non-Parties, donors and relevant organizations to provide additional resources and to support capacity-building activities;
5. *Welcomes* the submission of eleven additional national reports after the last meeting of the Parties to the Protocol;¹
6. *Expresses* appreciation to those non-Parties that submitted national reports on the implementation of the requirements of the Nagoya Protocol;
7. *Urges* Parties that have not yet done so to submit their national report without further delay;
8. *Encourages* Parties to take the post-2020 global biodiversity framework as an opportunity to strengthen their efforts to implement their obligations under the Protocol effectively.

¹ Number up-to-date as of 1 November 2022. Any further update will be provided during part II of the fourth meeting of the Parties.

Item 6. Administration of the Protocol and budget for the trust funds

The following draft decision has been prepared by the Executive Secretary. The tables on administrative and budgetary matters, to be annexed to the decision are provided in document CBD/COP/15/7.

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

Recalling its decision 3/16,

Also recalling its decision NP-EM-1/1, in which it approved the extension of the budget for the biennium 2019-2020 and, on an exceptional basis, a core interim budget for 2021,

Further recalling its decision 4/1, in which it approved the extension of the budget for the biennium 2019-2020 and, on an exceptional basis, a core interim budget for 2022,

1. *Decides to adopt an integrated programme of work and budget for the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing;*

2. *Also decides to share all costs for secretariat services among the Convention, the Cartagena Protocol and the Nagoya Protocol on a ratio of 72:15:13 for the biennium 2023-2024;*

3. *Approves a core (BB) programme budget for the Protocol of [to be completed] United States dollars for the year 2023 and of [to be completed] United States dollars for the year 2024, representing 13 per cent of the integrated budget of [to be completed] United States dollars for the year 2023 and [to be completed] United States dollars for the year 2024 for the Convention and the Protocols, for the purposes listed in the tables X and X below;*

4. *Adopts the scale of assessments for the apportionment of expenses for 2023 and 2024, in accordance with the current scale of assessments of the United Nations, as contained in table x of the present decision;*

5. *Acknowledges the funding estimates for the Additional Voluntary Contributions in Support of Approved Activities of the Nagoya Protocol for the period 2023-2024 included in table X of decision 15/- of the Conference of the Parties;*

6. *Decides to apply, mutatis mutandis, paragraphs 4, 6 to 20 and 22 to 30 of decision 15/-- of the Conference of the Parties.*

Item 7. Financial mechanism and resources (Article 25)

The following draft decision has been reproduced from document CBD/NP/MOP/4/10.

A. The financial mechanism

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

Having considered the information on the implementation of the Nagoya Protocol provided in the report of the Council of the Global Environment Facility and the programming directions of the eighth replenishment,²

1. *Welcomes* the eighth replenishment of the Global Environment Facility Trust Fund, and expresses its appreciation to the countries that contributed to the seventh replenishment;

2. *Also welcomes* the Biodiversity Focal Area Strategy contained in the programming directions for the eighth replenishment of the Global Environment Facility Trust Fund, which includes an objective relating to the effective implementation of the Nagoya Protocol;

3. *Urges* eligible Parties to prioritize access and benefit-sharing projects during the programming of their eighth-replenishment country allocations under the System for Transparent Allocation of Resources;

4. *Encourages* Parties to incorporate access and benefit-sharing activities in projects developed under other objectives of the biodiversity focal area, the integrated programmes and relevant global programmes of the programming directions for the eighth replenishment of the Global Environment Facility Trust Fund;

5. *Recommends* that the Conference of the Parties at its fifteenth meeting include the following elements in the four-year (2022-2026) outcome-oriented framework of programme priorities for the eighth replenishment of the Global Environment Facility Trust Fund:

(a) Specific priorities for continued capacity-building to support the implementation of the Nagoya Protocol;³

(b) Support the integration and mainstreaming of access and benefit-sharing in biodiversity and sustainable development-related policies and activities;

(c) Support mechanisms to develop and sustain long-term institutional capacities for managing, monitoring and evaluating national access and benefit-sharing frameworks;

6. *Encourages* Parties to cooperate at the global, regional and subregional levels and *recommends* to the Conference of the Parties to request the Global Environment Facility to make set-asides available for joint projects in order to maximize synergies and opportunities for cost-effective sharing of resources, information, experiences and expertise;

7. *Invites* Parties to the Nagoya Protocol to participate actively in the sixth review of the effectiveness of the financial mechanism under the Convention;

8. *Requests* the Executive Secretary, subject to the availability of resources, in the context of the sixth review of the effectiveness of the financial mechanism, to collect views and information from eligible Parties on their experiences and lessons learned in accessing and utilizing funds from the financial mechanism for the implementation of the Nagoya Protocol, including information on challenges and

² Report of the Global Environment Facility Presented to the fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD/COP/15/8); GEF Programming Directions ([GEF/R.08/29/Rev.01](#))

³ Decision NP-4/-- (capacity-building), Annex.

underlying reasons, to access and utilize Global Environment Facility funds and on possible barriers to regional collaboration;

B. Resource mobilization

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

Recalling decision NP-1/7 and decision XI/4, paragraph 5, in which the Conference of the Parties decided to include consideration of resource mobilization for the Nagoya Protocol in the implementation of the resource mobilization strategy,

1. *Welcomes* the decision by the Conference of the Parties relating to the new strategy for resource mobilization, and *takes note* of the process established to further develop financial reporting under the Convention;

2. *Requests* the technical expert group on financial reporting to also consider financial reporting related to resource mobilization for the Nagoya Protocol;

3. *Encourages* Parties to consider resource mobilization for the Nagoya Protocol in the implementation of the resource mobilization strategy for the post-2020 period and in particular, to include provisions for the implementation of the Nagoya Protocol in national biodiversity finance plans.

Item 8. Measures to assist in capacity-building and capacity development (Article 22) and measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)

Section A of the following draft decision is taken from recommendation 3/9 of the Subsidiary Body on Implementation with the addition of paragraph 2 for the meeting of the Parties to endorse a decision of the Conference of the Parties on the long-term strategic framework for capacity-building and development in support of the implementation of the post-2020 global biodiversity framework. The Conference of the Parties serving as the meeting of the Parties may also wish to consider the additional elements of a draft decision related to awareness raising, reproduced from document CBD/NP/MOP/4/5 and contained in section B below.

A. Capacity-building and development to support the effective implementation of the Nagoya Protocol

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

1. *Takes note* of the findings and recommendations of the evaluation of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, which includes the input provided by the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol at its fourth meeting;⁴

2. *Endorses* the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework, as contained in the annex to decision 15/-- of the Conference of the Parties;

3. *Welcomes* the recommendations for the improvement of the strategic framework, and *agrees* to revise it in line with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework⁵ and the findings of the evaluation referred to in paragraph 1 above;

4. *Takes note* of the report of the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol on its fourth meeting, held during the intersessional period,⁶ and *decides* to extend the mandate of the Informal Advisory Committee until the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and to update its terms of reference to include supporting the revision and updating of the strategic framework for capacity-building and development;

5. *Decides* to expand the membership of the Informal Advisory Committee to include representatives of the business sector, the research community and youth;

6. *Also decides* that the Informal Advisory Committee will hold one meeting, and online consultations, as needed to support the revision and updating of the strategic framework for capacity-building and development;

7. *Urges* Parties, and *encourages* other Governments and relevant organizations in a position to do so:

(a) To expand their efforts to build and develop the capacities of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, in line with the provisions of the Convention and its Nagoya Protocol, to implement

⁴ CBD/SBI/3/INF/1.

⁵ Decision 15/--, annex XX.

⁶ CBD/NP/CB-IAC/2019/1/4.

the Nagoya Protocol, taking into account the priority areas identified in the annex to the present decision and in the post-2020 global biodiversity framework;

(b) To continue to make available information on capacity-building and development needs, initiatives and resources and share best practices and lessons learned on the Access and Benefit-sharing Clearing-House;

8. *Requests* the Executive Secretary to prepare, in consultation with Parties, a revised strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, in line with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building and development to support the implementation of the post-2020 global biodiversity framework, taking into account the findings of the evaluation, for the consideration of the Subsidiary Body on Implementation at its fourth meeting and for adoption by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fifth meeting;

B. Awareness-raising

In addition, the Conference of the Parties serving as the meeting of the Parties may wish to consider the following additional elements of a draft decision related to awareness raising, reproduced from document CBD/NP/MOP/4/5.

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

1. *Takes note* of progress made in the implementation of the awareness-raising strategy for the Nagoya Protocol;

2. *Takes note also* of the feedback from Parties, non-Parties and other relevant stakeholders on the *CEPA Toolkit - Including Considerations for Access and Benefit-sharing*,⁷ and encourages Parties, other Governments, relevant organizations and other stakeholders to continue to utilize the toolkit as part of their awareness-raising and capacity-building activities;

3. *Encourages* Parties, other Governments, relevant organizations and other stakeholders to continue to implement awareness-raising activities and to make available information on awareness-raising tools and resources through the Access and Benefit-sharing Clearing-House;

4. *Requests* the Executive Secretary to continue supporting the implementation of the awareness-raising strategy⁸ through its capacity-building activities and by encouraging the use of the access and benefit-sharing awareness-raising toolkit in related capacity-building and awareness-raising projects carried out by Parties, other Governments and relevant organizations;

5. *Also requests* the Executive Secretary to consider incorporating elements of the awareness-raising strategy when revising the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, for the consideration of the Subsidiary Body on Implementation at its fourth meeting and for adoption by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fifth meeting.

⁷ <https://www.cbd.int/abs/doc/cepa-toolkit-en.pdf>

⁸ As set out in decision NP-1/9.

*Annex***SPECIFIC PRIORITIES FOR CONTINUED CAPACITY-BUILDING TO SUPPORT THE IMPLEMENTATION OF THE NAGOYA PROTOCOL**

Specific priorities for continued capacity-building and development identified during the assessment and review of the Nagoya Protocol include:

(a) Developing access and benefit-sharing legislation or regulatory requirements, considering Article 8 of the Protocol and the need to ensure that the Protocol and other relevant international instruments are implemented in a mutually supportive manner;

(b) Enhancing the implementation of the provisions on compliance with domestic legislation and regulatory requirements on access and benefit-sharing, [including the national institutional frameworks] [in particular those provisions dealing with digital sequence information on genetic resources,] monitoring the utilization of genetic resources [and derivatives], [including through the utilization of digital sequence information on genetic resources], the designation of checkpoints, as well as the provisions related to [human rights and defence of] indigenous peoples and local communities;

(c) Supporting the participation of indigenous peoples and local communities in the implementation of the Protocol, including by supporting the development by indigenous peoples and local communities of community protocols and procedures, minimum requirements for mutually agreed terms and model contractual clauses for benefit-sharing arising from the utilization of traditional knowledge associated with genetic resources, taking into consideration their customary laws;

(d) Raising awareness among interested and relevant stakeholders and encouraging their participation in the implementation of the Protocol;

(e) Capacity-building and development needs related to the measuring and reporting of both monetary and non-monetary benefits that arise from the utilization of genetic resources and traditional knowledge associated with genetic resources [and capacities to develop mutually agreed terms and contractual clauses];

(f) Strategic communication at the global, regional and national levels on access and benefit-sharing as an area for capacity-building and development.

Item 9. The Access and Benefit-sharing Clearing-House and information sharing (Article 14)

The following draft decision has been reproduced from document CBD/NP/MOP/4/6.

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

1. *Welcomes* progress made by the Secretariat in the development and administration of the Access and Benefit-sharing Clearing-House;

2. *Welcomes* the efforts made by Parties, other Governments, indigenous peoples and local communities and relevant stakeholders to make information available in the Access and Benefit-sharing Clearing-House;

3. *Recalls* decision NP-3/3, paragraph 3, in which Parties that have not yet done so are urged to publish all mandatory information available at the national level on the Access and Benefit-sharing Clearing-House in accordance with the obligations in Article 14, paragraph 2, of the Protocol, as soon as possible, considering that the publication of mandatory information in the Access and Benefit-sharing Clearing-House is essential for the implementation of the Nagoya Protocol;

4. *Also recalls* decision NP-3/3, paragraph 4, which urges Parties to provide information on their national access and benefit-sharing procedures through the voluntary common format on procedures, as available in the Access and Benefit-sharing Clearing-House;

5. *Further recalls* decision NP-3/3, paragraph 9, which invites Parties, other Governments, and relevant organizations to make use of the interoperability mechanisms of the Access and Benefit-sharing Clearing-House to facilitate information exchange with their relevant databases, websites and information technology systems, decision NP-3/3, paragraph 10, which invites Parties, other Governments, and relevant organizations, as appropriate, to include capacity-building activities related to the Access and Benefit-sharing Clearing-House in their relevant capacity-building activities, plans and projects in coordination with the Executive Secretary, and decision NP-3/3, paragraph 11, which invites Parties, other Governments, relevant international organizations, regional development banks and other financial institutions, as appropriate, to support capacity-building activities related to the Access and Benefit-sharing Clearing-House, including the Protocol's system for monitoring the utilization of genetic resources;

6. *Invites* Parties, other Governments, relevant international organizations, regional development banks and other financial institutions, as appropriate, to support capacity-building activities, including those related to setting up national access and benefit-sharing permitting systems and other relevant information technology systems that make use of the interoperability mechanisms of the Access and Benefit-sharing Clearing-House;

7. *Requests* the Executive Secretary to continue to develop and administer the Access and Benefit-sharing Clearing-House following the goals and priorities for the further development and administration of the Access and Benefit-sharing Clearing-House as found in the annex to decision NP-3/3, in accordance with the modalities of operation and feedback received, particularly that of Parties and of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House.

Item 10. Monitoring and reporting (Article 29)

The following draft decision has been reproduced from CBD/NP/MOP/4/7. Paragraphs 9 and 10 of the draft decision are based on recommendations from the Compliance Committee and adjusted for consistency with agreed procedures.

*The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,
Recalling decision NP-3/4,*

Noting the desirability of developing nationally-relevant indicators for access and benefit-sharing in the context of the post-2020 global biodiversity framework,

1. *Welcomes* decision 15/-- of the Conference of the Parties which requests Parties to the Convention to submit their seventh national report by 30 June 2025 and agrees to maintain the synchronized national reporting cycle foreseen in decisions 14/27 and NP-3/4 and to commence such reporting cycle in 2025 in lieu of 2023;

2. *Takes note* of the monitoring framework for the post-2020 global biodiversity framework and its proposed indicators related to access and benefit-sharing, and *welcomes* the process set forth in decision 15/--;

3. *Adopts* the guidelines and format for submission of the first national report on the implementation of the Nagoya Protocol as contained in the annex to the present decision;

4. *Requests* the Executive Secretary to make the guidelines and the format for the first national report available through the Access and Benefit-sharing Clearing-House;

5. *Requests* Parties to submit a first national report on the implementation of their obligations under the Nagoya Protocol, and welcomes submissions of relevant information by non-Parties:

- (a) In an official language of the United Nations;
- (b) Through the Access and Benefit-sharing Clearing-House;
- (c) By 30 June 2025;

6. *Requests* the Executive Secretary to assist Parties for which direct online submission of the national report through the Access and Benefit-sharing Clearing-House is technically not feasible, in making their reports available on the Access and Benefit-sharing Clearing-House;

7. *Also requests* the Executive Secretary to consolidate information contained in first national reports and information made available by Parties through the Access and Benefit-sharing Clearing-House for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its sixth meeting as well as to make information shared by non-Parties and non-State actors, as appropriate, available for the information of the meeting, as a contribution to the second assessment and review of the effectiveness of the Protocol;

8. *Decides* to keep the format of the national report under review, based on feedback received from Parties and the experience gained;

9. *Urges* Parties to provide complete and accurate information in their national reports;

10. *Recommends* to the Conference of the Parties, in adopting guidance to the financial mechanism, that it invite the Global Environment Facility to make financial resources available in a timely manner to eligible Parties to assist them in meeting their reporting obligation under the Protocol.

*Annex***GUIDELINES AND FORMAT FOR THE FIRST NATIONAL REPORT ON THE IMPLEMENTATION OF THE NAGOYA PROTOCOL****Overview**

1. Article 29 of the Nagoya Protocol requires each Party to monitor the implementation of its obligations under the Protocol and to report to the Conference of the Parties serving as the meeting of the Parties on the implementation measures it has taken. National reports play an essential role in the review of the implementation of the Protocol and in assisting the Conference of the Parties serving as the meeting of the Parties in taking, within its mandate, the decisions necessary to promote effective implementation of the Protocol in accordance with Article 26, paragraph 4. National reports can also be a useful tool for countries at the national level to engage with stakeholders, assess their level of implementation of the Protocol and identify challenges in implementation and gaps and needs in terms of capacity, resources and technology.
2. Submitting a national report is one of the key obligations the Nagoya Protocol places on its Parties. As per its procedures, the Compliance Committee under the Nagoya Protocol may examine a situation where a Party fails to submit its national report pursuant to Article 29 of the Protocol.
3. The first national report on the implementation of the Nagoya Protocol is due **by 30 June 2025**. The report is to provide an updated state of implementation of the Protocol since its entry into force or since the submission of the interim national report, as applicable to the Party.
4. Given the time required to prepare, approve and submit a national report, Parties are encouraged to start preparing their reports well before the deadline. It is recommended that Parties involve indigenous peoples and local communities and other relevant stakeholders, as appropriate, in the preparation of the report in order to ensure a participatory and transparent approach to its development.

Content and structure of the report

5. Mandatory questions are based on those provisions of the Protocol that establish obligations for its Parties. Other mandatory questions are ones necessary to contextualize other questions, or which serve as means of collecting information for the assessment and review of the effectiveness of the Nagoya Protocol. Mandatory questions and sub-questions are indicated by an asterisk.
6. The reporting format has been developed with a view to minimizing the reporting burden on countries. Many questions are multiple choice and wherever possible, a standard set of three options is provided for responding to these questions:
 - (a) **Yes**, which means that the provision can be considered fully implemented;
 - (b) **Yes, to some extent**, which means the provision can be considered partially implemented (e.g. where work is underway to meet the requirement); or
 - (c) **No**, which means the provision can be considered not yet implemented.
7. Countries are encouraged to provide brief explanations of their responses in view of contributing more detailed information to review processes under the Nagoya Protocol.
8. The reporting format groups questions by theme, as follows:
 - Part I – General information
 - Part II – Institutional structures for the implementation of the Protocol
 - Part III – Measures on access to genetic resources
 - Part IV – Measures on fair and equitable benefit-sharing
 - Part V – Measures on compliance with domestic legislation and on monitoring utilization
 - Part VI – Measures on compliance with mutually agreed terms
 - Part VII – Measures addressing special considerations
 - Part VIII – Measures related to indigenous peoples and local communities
 - Part IX – Contribution to conservation and sustainable use and benefits received

Part X – Transboundary collaboration

Part XI – Model contractual clauses, codes of conduct, guidelines and best practices and/or standards

Part XII – Awareness-raising and capacity-building

Part XIII – Technology transfer, collaboration and cooperation

Part XIV – Financial resources and resource mobilization

Part XV – Optional additional information

Part XVI (offline submission only) – ABS-Clearing House record validation

9. At the end of each part, there is a question inviting countries to provide additional information and links to relevant documentation, should they wish to do so.

Submission of the report

10. The first national report is to be submitted online through the ABS Clearing-House and in one of the six official languages of the United Nations. The ABS Clearing-House is available at: <https://absch.cbd.int/>. To be able to publish its report, each Party will need to have designated a publishing authority for the ABS Clearing-House. Parties are also encouraged to use the opportunity of the preparation of their first national report to verify that their national records in the ABS Clearing-House are complete and up-to-date.

11. Any country may request technical support and assistance for the online submission of the report by contacting the Secretariat (absch@cbd.int).

12. Only when technically not feasible, and in cases where technical issues persist despite the assistance from the Secretariat, may countries submit the completed offline format of the report to the Secretariat (secretariat@cbd.int). For the report to be considered complete, all mandatory questions must be answered, and the country must include a scanned copy of the last page with the signature of the ABS Clearing-House publishing authority. Subsequently, the Secretariat will make the report available on the ABS Clearing-House.

First national report on the implementation of the Nagoya Protocol⁹

Part I - General information	
1. *Country:	<Country name>
2. Time period covered by this report ¹⁰	From [month / year] to [month / year]

Part II - Institutional structures for the implementation of the Protocol	
<p>Article 13.1</p> <p>3. *Has your country designated a national focal point? ¹¹</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Please provide more information on your response and a summary of difficulties and challenges encountered.</p> <p><Text entry></p>
<p>Article 13.2</p> <p>4. *Has your country designated at least one competent national authority?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Please provide more information on your response and a summary of difficulties and challenges encountered.</p> <p><Text entry></p> <p><i>↳ If Yes is selected above,</i></p> <p style="margin-left: 40px;">4.1 *Has your country published information on its competent national authorities in the ABS Clearing-House?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes, to some extent</p> <p style="margin-left: 80px;"><input type="checkbox"/> No</p> <p style="margin-left: 40px;">4.2 Does your country have plans to designate additional competent national authorities in the future?</p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes</p> <p style="margin-left: 80px;"><input type="checkbox"/> No</p>

⁹ In view of simplifying this format, questions have been kept concise to the extent possible. Countries are encouraged to refer to the full text of the Nagoya Protocol (available at: <https://www.cbd.int/abs/resources/protocol.shtml>) as needed.

¹⁰ For countries who submitted an interim national report on the implementation of the Nagoya Protocol, the first national report should cover the time elapsed since the submission of the interim national report (e.g. from 2 November 2017 to 30 June 2025). For countries who were not required to submit an interim national report, the first national report should cover the time period since the entry into force of the Nagoya Protocol for the country.

¹¹ To designate a national focal point for access and benefit-sharing, countries should send an e-mail to the Secretariat (secretariat@cbd.int), attaching an official letter addressed to the Executive Secretary with the necessary contact information or the completed designation form available for download at: <https://www.cbd.int/abs/common-formats/en/ABSCH-NFP-en.doc>. Contact information of an existing national focal point may be updated by notifying the Secretariat by e-mail (secretariat@cbd.int).

<p>Article 17</p> <p>5. *Has your country designated at least one checkpoint?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Please provide more information on your response and a summary of difficulties and challenges encountered.</p> <p><Text entry></p> <p><i>↳ If Yes is selected above,</i></p> <p>5.1 *Has your country published information on its checkpoints in the ABS Clearing-House?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>5.2 Does your country have plans to designate additional checkpoints in the future?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>6. Please provide any additional information.</p>	<p><Text entry></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>

Part III – Measures on access to genetic resources (Article 6)¹²

<p>7. *Has your country established legislative, administrative or policy measures on ABS?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response. <Text entry></p> <p><i>If Yes or Yes, to some extent is selected above,</i></p> <p>7.1 *Has your country published information on its legislative, administrative or policy measures in the ABS Clearing-House?</p> <p><input type="checkbox"/> Yes, all information is published <input type="checkbox"/> Yes, some information is published <input type="checkbox"/> No</p>
<p>Article 6.1</p> <p>8. In your country, is access to genetic resources subject to prior informed consent?</p>	<p><input type="checkbox"/> Yes, in all cases <input type="checkbox"/> Yes, in some cases <input type="checkbox"/> No, my country has determined that access to its genetic resources is not subject to prior informed consent</p> <p>Please explain your response. <Text entry></p>
<p><i>If you answered No to question 8, please skip questions 9 to 14, and continue to Part IV.</i></p>	
<p>Article 6.3 (b)</p> <p>9. * Does your country have fair and non-arbitrary rules and procedures on accessing genetic resources?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response. <Text entry></p>
<p>Article 6.3 (c)</p> <p>10. * Does your country provide information on how to apply for prior informed consent?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response. <Text entry></p>

¹² Questions on the provisions of Article 6 related to indigenous peoples and local communities are found in Part VIII of this reporting format.

	<p><i>↳ If Yes or Yes, to some extent is selected above,</i></p> <p>10.1 Has your country published information on how to apply for PIC on the ABS Clearing-House through the ABS Procedures common format?¹³</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>Article 6.3 (d)</p> <p>11. *Does your country provide for a clear and transparent written decision by a competent national authority?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.¹⁴</p> <p><Text entry></p>
<p>Article 6.3 (e)</p> <p>12. *Does your country provide for the issuance of a permit or its equivalent at the time of access?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.¹⁵</p> <p><Text entry></p> <p><i>↳ If Yes or Yes, to some extent is selected above,</i></p> <p>12.1 *How many permits (or their equivalent) has your country issued during the reporting period? If no permits were issued, please indicate 0.</p> <p><Numerical value></p> <p>Additional information.</p> <p><Text entry></p> <p>12.2 *Has your country published relevant information on permits or their equivalent as internationally recognized certificates of compliance to the ABS Clearing-House?</p> <p><input type="checkbox"/> Yes, in all cases</p> <p><input type="checkbox"/> Yes, in some cases</p> <p><input type="checkbox"/> No</p>

¹³ ABS Clearing-House common formats are available on the Dashboard at: <https://absch.cbd.int/register> (log in required).

¹⁴ This could include information on the type of written decision provided (e.g. licence, contract, resolution, access or export permit), or information on progress made towards implementing this provision of the Protocol.

¹⁵ This could include information on whether permits are issued for all types of genetic resources in the country, on the format of the permit or equivalent, or information on progress made towards implementing this provision of the Protocol.

	<p><i>⌞If Yes, in some cases or No is selected, please explain your response: <Text entry></i></p>
<p>Article 6.3 (g)</p> <p>13. *Does your country have rules and procedures for requiring and establishing mutually agreed terms?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.¹⁶</p> <p><Text entry></p> <p><i>⌞If Yes or Yes, to some extent is selected above,</i></p> <p>13.1 Has your country published National Model Contractual Clauses to the ABS Clearing-House?¹⁷</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>14. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry></p> <p><i>and/or <URL and website name></i></p> <p><i>and/or <Attachment></i></p>

<p>Part IV - Measures on fair and equitable benefit-sharing (Article 5)</p>	
<p>Article 5.3</p> <p>15. *Does your country have measures in place requiring that benefits from the utilization of genetic resources, as well as subsequent applications and commercialization, be shared with the Party providing such resources?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.¹⁸</p> <p><Text entry></p>
<p>Article 5.2</p> <p>16. *Does your country have measures in place aiming to ensure that benefits from the utilization of genetic resources held by indigenous peoples and local communities are shared</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.¹⁹</p>

¹⁶ This could include information on the measures dealing with this aspect and on the process for establishing mutually agreed terms, or information on the progress made to implement this provision of the Protocol.

¹⁷ ABS Clearing-House common formats are available on the Dashboard at: <https://absch.cbd.int/register> (log in required).

¹⁸ This could include information on the measures dealing with the sharing of benefits from the utilization, in your country, of genetic resources provided by other countries and examples of how the measures are applied, or information on the progress made to implement this provision of the Protocol.

¹⁹ This could include information on measures in place to facilitate directing benefits to indigenous peoples and local communities or information on the progress made to implement this provision of the Protocol.

with the indigenous peoples and local communities concerned?	<Text entry>
<p>Article 5.5</p> <p>17. *Has your country taken measures in order that benefits arising from the utilization of traditional knowledge associated with genetic resources are shared with indigenous peoples and local communities holding such knowledge?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.²⁰</p> <p><Text entry></p>
18. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.	<p><Text entry></p> <p>and/or <URL and website name></p> <p>and/or <Attachment></p>

<p align="center">Part V - Measures on compliance with domestic legislation or regulatory requirements on ABS (Articles 15 and Article 16) and monitoring the utilization of genetic resources (Article 17)</p>	
<p>Article 15</p> <p>19. *Has your country taken appropriate, effective and proportionate measures to provide that genetic resources utilized within its jurisdiction have been accessed in accordance with prior informed consent and that mutually agreed terms have been established as required by the domestic ABS legislation or regulatory requirements of other Parties?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.²¹</p> <p><Text entry></p> <p><i>↳ If Yes or Yes, to some extent is selected above,</i></p> <p>19.1 *Has your country encountered and addressed situations of non-compliance with these measures?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Additional information.</p> <p><Text entry></p> <p>19.2 *Has your country cooperated with other Parties in specific cases of alleged violation of ABS measures relating to genetic resources?</p>

²⁰ This could include information on the measures taken or information on the progress made to implement this provision of the Protocol.

²¹ This could include information on the measures for monitoring domestic utilization of genetic resources accessed from other countries, explanation of how the measures are appropriate, effective or proportional, or information on progress made towards implementing this provision of the Protocol.

	<input type="checkbox"/> Yes <input type="checkbox"/> No Additional information. <Text entry>
<p>Article 16</p> <p>20. *Has your country taken appropriate, effective and proportionate measures to provide that traditional knowledge associated with genetic resources utilized within its jurisdiction has been accessed with the prior informed consent or approval and involvement of indigenous peoples and local communities and that mutually agreed terms have been established in accordance with the domestic requirements of the Party where such indigenous peoples and local communities are located?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No Please explain your response. <Text entry> <i>↳ If Yes or Yes to some extent is selected,</i> 20.1 *Has your country encountered and addressed situations of non-compliance with these measures? <input type="checkbox"/> Yes <input type="checkbox"/> No Additional information. <Text entry> 20.2 *Has your country cooperated with other Parties in specific cases of alleged violation of ABS measures relating to traditional knowledge associated with genetic resources? <input type="checkbox"/> Yes <input type="checkbox"/> No Additional information. <Text entry>
<p>Article 17.1(a)</p> <p>21. *Does your country require users of genetic resources to provide the information referred to in Article 17.1 (a)(i)²² to its designated checkpoint/s?</p>	<input type="checkbox"/> Yes, in all cases <input type="checkbox"/> Yes, in some cases <input type="checkbox"/> No Please explain your response. ²³ <Text entry>

²² Information related to prior informed consent, to the source of the genetic resource, to the establishment of mutually agreed terms and/or to the utilization of genetic resources

²³ This could include information on the effectiveness of checkpoints and the functions assigned to them.

	<p><i>↳ If Yes, in all cases or Yes, in some cases is selected above,</i></p> <p>21.1 *Have your designated checkpoint/s collected or received information from users during the reporting period?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><i>↳ If Yes is selected,</i></p> <p>21.2 *Has your country published the information collected or received to the ABS Clearing-House through the Checkpoint Communiqué common format?²⁴</p> <p><input type="checkbox"/> Yes, in all cases</p> <p><input type="checkbox"/> Yes, in some cases</p> <p><input type="checkbox"/> No</p> <p><i>↳ If Yes, in some cases or No is selected, please explain your response: <Text entry></i></p> <p>21.3 *Has your country provided the information referred to in Article 17.1 (a)(i) to relevant national authorities and to the Party providing prior informed consent through other means than the ABS Clearing-House?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>Article 17.1(b)</p> <p>22. *Has your country taken measures to encourage users and providers to include provisions in mutually agreed terms to share information on the implementation of such terms?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.²⁵</p> <p><Text entry></p>

²⁴ ABS Clearing-House common formats are available on the Dashboard at: <https://absch.cbd.int/register> (log in required).

²⁵ This could include information on the measures taken, how they are applied, or information on progress made towards implementing this provision of the Protocol.

<p>Article 17.1 (c)</p> <p>23. *Does your country encourage the use of cost-effective communication tools and systems to monitor utilization and enhance transparency?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.²⁶</p> <p><Text entry></p>
<p>24. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>

<p align="center">Part VI - Measures on compliance with mutually agreed terms (Article 18)²⁷</p>	
<p>Article 18.1</p> <p>25. *Is your country encouraging the inclusion of provisions on dispute resolution in mutually agreed terms?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>Article 18.2</p> <p>26. *Does your country ensure that opportunity to seek recourse is available under your legal systems in case of disputes arising from mutually agreed terms?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>Article 18.3 (a)</p> <p>27. *Has your country taken measures regarding access to justice?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>

²⁶ This could include information on how your country is encouraging the use of cost-effective communication tools and systems or on progress made towards implementing this provision of the Protocol. Links to relevant online tools may be provided in response to question 24.

²⁷ When filling this section, Parties are encouraged to coordinate at national level to draw from the expertise of other institutions dealing with contractual law, private international law or domestic measures related to access to justice (decision NP-3/1, paragraph 22)

<p>Article 18.3 (b)</p> <p>28. *Has your country taken measures regarding utilization of mechanisms on mutual recognition and enforcement of foreign judgements and arbitral awards?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>29. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry></p> <p>and/or <URL and website name></p> <p>and/or <Attachment></p>

<p align="center">Part VII - Measures addressing special considerations (Article 8)</p>	
<p>Article 8(a)</p> <p>30. *In the development and implementation of its ABS legislation or regulatory requirements, has your country created conditions to promote and encourage research which contributes to the conservation and sustainable use of biodiversity including through simplified measures on access for non-commercial research purposes?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not applicable²⁸</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>Article 8(b)</p> <p>31. *In the development and implementation of its ABS legislation or regulatory requirements, has your country paid due regard to cases of present or imminent emergencies that threaten or damage human, animal or plant health?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p> <p><i>↳ If Yes or Yes, to some extent is selected above,</i></p> <p>31.1 In such cases, has your country considered the need for expeditious access to genetic resources and expeditious fair and equitable sharing, including access to affordable treatments by those in need?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

²⁸ This response option may be appropriate for countries who have determined not to require prior informed consent for access to their genetic resources.

	<p>Additional information.</p> <p><Text entry></p>
<p>Article 8(c)</p> <p>32. *In the development and implementation of its ABS legislation or regulatory requirements, has your country considered the importance of genetic resources for food and agriculture and their special role for food security?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>33. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry></p> <p>and/or <URL and website name></p> <p>and/or <Attachment></p>

<p>Part VIII – Measures related to indigenous peoples and local communities (Articles 6, 7 and 12)</p>	
<p>34. *Are there indigenous peoples and local communities in your country?</p>	<p><input type="checkbox"/> Yes (please specify which case applies)</p> <p style="padding-left: 20px;"><input type="checkbox"/> There are indigenous peoples in my country</p> <p style="padding-left: 20px;"><input type="checkbox"/> There are local communities in my country</p> <p style="padding-left: 20px;"><input type="checkbox"/> There are indigenous peoples and local communities in my country</p> <p><input type="checkbox"/> No</p> <p>Additional information.</p> <p><Text entry></p>
<p><i>If you answered No to question 34, please skip questions 35 to 41, and continue to Part IX.</i></p>	

<p>Articles 6.2 and 6.3(f)</p> <p>35. *Do indigenous peoples and local communities have the established right to grant access to genetic resources according to your country's domestic law?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response and if applicable, provide information on the domestic law establishing rights of indigenous peoples and local communities to grant access to genetic resources.</p> <p><Text entry></p> <p><i>If Yes or Yes, to some extent is selected above,</i></p> <p>35.1 *Does your country have measures in place with the aim of ensuring that the prior informed consent or approval and involvement of indigenous peoples and local communities is obtained for access to genetic resources?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>35.2 *Has your country set out criteria and/or process for obtaining prior informed consent or approval and involvement of indigenous peoples and local communities for access to genetic resources?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Article 7</p> <p>36. *Has your country taken measures with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous peoples and local communities within your country is accessed with their prior informed consent, or their approval and involvement, and that mutually agreed terms have been established?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>Article 12.1</p> <p>37. *Has your country considered indigenous peoples and local communities' customary laws, community protocols and procedures with respect to traditional knowledge associated with genetic resources in implementing the Protocol?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response.</p> <p><Text entry></p>
<p>Article 12.2</p> <p>38. *Has your country established mechanisms, with the effective participation of indigenous peoples</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p>

<p>and local communities concerned, to inform potential users of traditional knowledge associated with genetic resources about their obligations?</p>	<p>Please explain your response.²⁹ <Text entry></p>
<p>Article 12.3 39. *Has your country supported the development by indigenous peoples and local communities, including women within these communities, of community protocols, minimum requirements for mutually agreed terms and model contractual clauses?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response.³⁰ <Text entry></p>
<p>Article 12.4 40. *Has your country endeavoured not to restrict the customary use and exchange of genetic resources and associated traditional knowledge within and among indigenous peoples and local communities?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response.³¹ <Text entry></p>
<p>41. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> <i>and/or</i> <URL and website name> <i>and/or</i> <Attachment></p>

<p>Part IX - Contribution to conservation and sustainable use (Article 9) and benefits received</p>	
<p>Article 9 42. *Does your country encourage users and providers to direct benefits arising from the utilization of genetic resources towards the conservation of biological diversity and sustainable use of its components?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response. <Text entry></p>
<p>43. *Has implementation of the Nagoya Protocol contributed to conservation and sustainable use of biodiversity in your country?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain your response and provide, if available, supporting data or examples of impact at national and/or local levels.</p>

²⁹ This could include information on the mechanisms established and which means were deployed to ensure effective participation of indigenous peoples and local communities, including women within these communities, in the development of such mechanisms.

³⁰ This could include further information on how your country is supporting the development by indigenous peoples and local communities of community protocols, minimum requirements for mutually agreed terms and/or model contractual clauses. Links to such resources can be provided in response to question 41.

³¹ This could include information on how ABS measures address this aspect.

<p>44. *Has your country received monetary benefits from granting access to genetic resources for their utilization and/or access to traditional knowledge associated with genetic resources during the reporting period?³²</p>	<p><Text entry></p> <p><input type="checkbox"/> Yes (please select all those that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Access fees and/or up-front payments <input type="checkbox"/> Milestone payments, royalties and/or license fees <input type="checkbox"/> Research funding, grants and/or scholarships <input type="checkbox"/> Contributions to a national or local fund <input type="checkbox"/> Salaries <input type="checkbox"/> Joint ventures <input type="checkbox"/> Other (please specify): <Text entry> <p><input type="checkbox"/> No / Not applicable</p> <p><i>↳ If Yes is selected above,</i></p> <p>*44.1 Please provide the amount of monetary benefits received during the reporting period (in United States dollars) from granting access to genetic resources and/or traditional knowledge associated with genetic resources.</p> <p><Numerical value in USD></p> <p>Additional information.³³</p> <p><Text entry></p>
<p>45. *Has your country received non-monetary benefits from granting access to genetic resources for their utilization and/or access to traditional knowledge associated with genetic resources during the reporting period?³⁴</p>	<p><input type="checkbox"/> Yes (please select all those that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Sharing of information, research results <input type="checkbox"/> Scientific collaboration and/or joint publications <input type="checkbox"/> Access to and transfer of technology <input type="checkbox"/> Capacity-building, capacity development and/or trainings <input type="checkbox"/> Sustainable development benefits (such as improved food security, livelihood security, etc.) <input type="checkbox"/> Other (please specify): <Text entry> <p><input type="checkbox"/> No / Not applicable</p> <p>Additional information.³⁵</p> <p><Text entry></p>

³² This question may require revision in view of indicators to be adopted in the context of the post-2020 global biodiversity framework.

³³ This could include information on who were the main recipients of monetary benefits in the country, and any available disaggregation of those recipients by gender or affiliation, or information on the impact of benefits received.

³⁴ This question may require revision in view of indicators to be adopted in the context of the post-2020 global biodiversity framework.

³⁵ This could include information on who were the main recipients of non-monetary benefits in the country, any available disaggregation of those recipients by gender or affiliation, or information on the impact of benefits received.

<p>46. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> <i>and/or</i> <URL and website name> <i>and/or</i> <Attachment></p>
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<p align="center">Part X – Transboundary Cooperation (Article 11)</p>	
<p>Article 11.1</p> <p>47. *Has your country endeavoured to cooperate, with the involvement of indigenous peoples and local communities concerned where applicable, in instances where the same genetic resources are found <i>in situ</i> within the territory of more than one Party?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No <input type="checkbox"/> Not applicable³⁶</p> <p>Please explain your response.³⁷ <Text entry></p>
<p>Article 11.2</p> <p>48. *Has your country endeavoured to cooperate in instances where the same traditional knowledge associated with genetic resources is shared by one or more indigenous peoples and local communities in several Parties?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No <input type="checkbox"/> Not applicable³⁸</p> <p>Please explain your response.³⁹ <Text entry></p>
<p>49. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> <i>and/or</i> <URL and website name> <i>and/or</i> <Attachment></p>

<p align="center">Part XI - Model contractual clauses, codes of conduct, guidelines and best practices and/or standards (Articles 19 and 20)</p>	
<p>Article 19</p> <p>50. *Has your country encouraged other actors to develop, update and use</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent</p>

³⁶ This response option may be appropriate for countries who have determined not to require prior informed consent for access to their genetic resources or who do not have genetic resources which are also found in situ in other countries.

³⁷ This could include information on cases of cooperation and on the involvement of indigenous peoples and local communities in such cases where applicable.

³⁸ This response option may be appropriate for countries who indicated there are no indigenous peoples and local communities in their country (Q34).

³⁹ This could include information on cases of cooperation and on the involvement of indigenous peoples and local communities in such cases.

<p>model contractual clauses for mutually agreed terms?</p>	<p><input type="checkbox"/> No</p> <p>Please explain your response.⁴⁰</p> <p><Text entry></p>
<p>Article 20</p> <p>51. *Has your country encouraged other actors to develop, update and use of codes of conduct, guidelines and best practices or standards?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response.⁴¹</p> <p><Text entry></p>
<p>52. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry></p> <p>and/or <URL and website name></p> <p>and/or <Attachment></p>

<p align="center">Part XII - Awareness-raising and capacity (Articles 21 and 22)</p>	
<p>Article 21</p> <p>53. *Has your country taken measures to raise awareness of the importance of genetic resources and traditional knowledge associated with genetic resources and related access and benefit-sharing issues?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> Yes, to some extent</p> <p><input type="checkbox"/> No</p> <p>Please explain your response and, if applicable, provide a summary of activities carried out during the reporting period.</p> <p><Text entry></p> <p>↳ <i>If Yes or Yes, to some extent is selected,</i></p> <p>53.1 Has your country adopted an awareness-raising strategy for the Nagoya Protocol on ABS?⁴²</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>Additional information.</p> <p><Text entry></p>
<p>Article 22</p>	<p><input type="checkbox"/> Yes</p>

⁴⁰ This could include information on your country's efforts in this regard, or references to specific model contractual clauses developed by other actors in your country.

⁴¹ This could include information on your country's efforts in this regard, or references to specific codes of conduct, guidelines and best practices or standards developed by other actors in your country.

⁴² This is encouraged in the awareness-raising strategy for the Nagoya Protocol ([decision NP-1/9](#)).

<p>54. *Has your country taken measures to build and develop its capacity and strengthen its human resources and institutional capacities to effectively implement the Protocol?</p>	<p><input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response and, if applicable, provide a summary of activities carried out during the reporting period.⁴³</p> <p style="text-align: center;"><Text entry></p> <p><i>↳ If Yes or Yes, to some extent is selected above,</i></p> <p>54.1 Please provide data, if available, on capacity-building activities carried out during the reporting period.</p> <ul style="list-style-type: none"> - Number of people trained: <Numerical value> - Number of workshops/trainings: <Numerical value> - Number of active capacity-building and development initiatives: <Numerical value> <p>Additional information. <Text entry></p>
<p>Article 22</p> <p>55. *Has your country taken measures to build and develop the capacity and strengthen human resources and institutional capacities of other Parties⁴⁴ to effectively implement the Protocol?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response and, if applicable, provide a summary of activities carried out during the reporting period.⁴⁵</p> <p style="text-align: center;"><Text entry></p>
<p>56. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> and/or <URL and website name> and/or <Attachment></p>

Part XIII - Technology transfer, collaboration and cooperation (Article 23)	
<p>Article 23</p> <p>57. *Has your country collaborated and cooperated in technical and scientific research and development</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p>

⁴³ Countries may wish to refer to the strategic framework for capacity-building and development supporting the implementation of the Nagoya Protocol (adopted in [decision NP-1/8](#)) and its Appendix II, which contains an indicative list of activities.

⁴⁴ Developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition.

⁴⁵ Countries may wish to refer to the strategic framework for capacity-building and development supporting the implementation of the Nagoya Protocol (adopted in [decision NP-1/8](#)) and its Appendix II, which contains an indicative list of activities.

<p>programmes related to ABS during the reporting period?</p>	<p>Please explain your response. <Text entry></p>
<p>58. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> and/or <URL and website name> and/or <Attachment></p>

<p align="center">Part XIV - Financial resources (Article 25) and resource mobilization</p>	
<p>Article 25 59. *Has your country made financial or other resources available to other Parties for the purpose of implementing the Protocol during the reporting period?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Additional information. <Text entry></p>
<p>Article 25 60. *Has your country received financial or other resources from other Parties or financial institutions for the purpose of implementing the Protocol during the reporting period?</p>	<p><input type="checkbox"/> Yes (please select all those that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> From other Parties (please specify): <Text entry> <input type="checkbox"/> From the Global Environmental Facility (GEF) <input type="checkbox"/> From financial institutions other than the GEF (please specify): <Text entry> <input type="checkbox"/> From other sources (please specify): <Text entry> <p><input type="checkbox"/> No</p> <p>Additional information. <Text entry></p> <p>↳ <i>If Yes is selected above,</i></p> <p>60.1 Please provide the amount of resources received (in United States dollars) during the reporting period. <Numerical value></p>
<p>61. Has your country established a mechanism for budgetary allocations of funds for the operation of your national ABS framework?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, to some extent <input type="checkbox"/> No</p> <p>Please explain your response. <Text entry></p>
<p>62. Does your country have full-time staff working in functions directly</p>	<p><input type="checkbox"/> Yes (please specify):</p> <ul style="list-style-type: none"> <input type="checkbox"/> One <input type="checkbox"/> Less than three

<p>related to the implementation of the Nagoya Protocol? If so, how many?</p>	<p><input type="checkbox"/> Between 3 and 5 <input type="checkbox"/> Between 5 and 10 <input type="checkbox"/> 10 or more <input type="checkbox"/> No</p> <p>Please provide further information on your response.⁴⁶ <Text entry></p>
<p>63. Please provide information on experiences related to the mobilization of resources in support of the implementation of the Protocol.⁴⁷</p>	<p><Text entry></p>
<p>64. Please provide information on the status of funds mobilized in support of the implementation of the Protocol.⁴⁸</p>	<p><Text entry></p>
<p>65. Please provide information on lessons learned, what worked well and why, difficulties, challenges and underlying causes, and any other information relevant to this section.</p>	<p><Text entry> and/or <URL and website name> and/or <Attachment></p>

<p>Part XV – Optional additional information</p>	
<p>66. Please provide any other relevant information that may not have been addressed elsewhere in the report.</p>	<p><Text entry> and/or <URL and website name> and/or <Attachment></p>
<p>67. Please provide any comments or suggestions that you may have regarding the format of this report or the reporting guidelines.</p>	<p><Text entry></p>
<p>68. Notes:⁴⁹</p>	<p><Text entry></p>

⁴⁶ This could include information on whether funding for staff positions is secured long-term or on a project basis.

⁴⁷ This question may require revision in the context of the resource mobilization component of the post-2020 global biodiversity framework.

⁴⁸ This question may require revision in the context of the resource mobilization component of the post-2020 global biodiversity framework and related financial reporting.

⁴⁹ The field “Notes” is for personal reference and can be seen only when the record is being edited.

Part XVI (offline submission only) – ABS Clearing-House Record Validation

Parties are invited to submit this report online through the ABS Clearing-House.

Only if technically not feasible, offline reports may be submitted in MS Word format, together with a scanned copy of this page signed by the ABS Clearing-House publishing authority, by e-mail to secretariat@cbd.int. For the report to be considered complete, all mandatory questions must be answered. If your country has not yet designated a publishing authority, please attach the appropriate designation form⁵⁰.

*Country:	<Country name>
*Name of the ABS-CH publishing authority:	<Text entry>
*Date:	<YYYY-MM-DD>
<i>I hereby confirm that the above information is correct and agree to its inclusion in the ABS Clearing-House.</i>	
*Signature of the ABS-CH publishing authority:	

⁵⁰ The designation form for the publishing authority and national authorized users for the ABS Clearing-House is available for download at: <https://www.cbd.int/abs/common-formats/en/ABSCH-PA-NAU-en.doc>. The ABS national focal point may also complete this process online through the User Management function available on the Dashboard at: <https://absch.cbd.int/register> (log in required).

Item 11. Cooperation with other international organizations, conventions, and initiatives

No decision is expected under this item.

Item 12. Review of effectiveness of structures and processes

The following is taken from recommendation 3/13 of the Subsidiary Body on Implementation.

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing,

A. Experience with concurrent meetings

Recalling decisions XII/27, CP-7/9 and NP-1/12, XIII/26, CP-8/10 and NP-2/12, 14/32, CP-9/8 and NP-3/10,

Having reviewed the experience in holding concurrently meetings of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, using the criteria agreed earlier,

Taking into account the views of Parties and observers that participated in the concurrent meetings held in 2016 and 2018 as synthesized and presented in the notes by the Executive Secretary on the review of experience in holding concurrent meetings of the Conference of the Parties to the Convention and meetings of the Parties to the Protocols,⁵¹

1. *Notes with satisfaction* that the concurrent meetings were overall considered to have allowed for increased integration among the Convention and its Protocols, and improved consultations, coordination and synergies among the respective national focal points;

2. *Notes* that most of the criteria were considered as being met or partially met, and that further improvements in the functioning of the concurrent meetings are desirable, in particular to improve the outcomes and effectiveness of the meetings of the Parties to the Protocols;

3. *Reiterates* the importance of ensuring the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States among them, and countries with economies in transition, in the concurrent meetings, and the importance, in particular, of ensuring adequate participation of representatives in meetings of the Parties to the protocols by making funding available for such participation, and, in this regard, recalls decision 14/37, paragraphs 36 to 46;

4. *Requests* the Executive Secretary, in consultation with the Bureau, to further improve the planning and organization of future concurrent meetings on the basis of the experience gained to date and the views expressed by Parties and observers;

B. Experience with virtual meetings

Recalling decision XII/29, paragraph 2, in which the Executive Secretary was requested to explore ways to increase the efficiency of meetings, including convening meetings through virtual means, and further developments in that regard,

Recognizing the restrictions imposed as a result of the COVID-19 pandemic since March 2020, which rendered in-person meetings impracticable,

5. *Notes* the expeditious adjustments and arrangements made by the Secretariat, and the understanding and flexibility demonstrated by presiding officers and participants, which allowed the convening of a number of meetings and consultations in a virtual setting in response to the limitations caused by the pandemic situation, notwithstanding the inconveniences arising from such a setting, and the limitations that were agreed with regard to decision-making;

⁵¹ See [CBD/SBI/2/16/Add.1](#) and associated information notes ([CBD/SBI/2/INF/1](#) and [INF/2](#)).

[6. *Agrees* that convening of formal meetings in a virtual setting, while important in terms of responding to the extraordinary circumstances caused by the COVID-19 pandemic, does not set a precedent for the future organization of similar meetings under the Convention;]

[7. *Calls upon* Parties and observers to continue to participate in virtual and hybrid meetings that are held and encourages them to enhance capacities [and to make available technical and technological facilities] that are necessary for their representatives to participate in these meetings effectively;]

8. *Requests* the Executive Secretary to [compile] [and analyse] views from Parties, and relevant stakeholders, [and the experience and relevant studies available, especially within the United Nations system], in conducting virtual and hybrid meetings held in 2021 and 2022, [and prepare options for procedures for such meetings,] taking into account the specific challenges faced by delegations with network and connectivity problems, in particular by developing country Parties, as well as indigenous peoples and local communities and observers, and by those delegations from countries where meetings are scheduled at difficult times, [addressing issues about equity, participation and legitimacy]for consideration by the Subsidiary Body on Implementation at its fourth meeting;

9. *Requests* the Subsidiary Body on Implementation to consider the [compilation of views, analysis and options] referred to in paragraph 8 above and to make recommendations to the governing bodies of the Convention and the Protocols for consideration at their next meeting.

[C. Other areas to improve effectiveness

10. *Requests* the Executive Secretary to prepare, in consultation with Parties, partners, stakeholders and relevant external experts, an analysis of options to further improve the effectiveness of meetings under the Convention on Biological Diversity, including, inter alia, options to improve negotiating processes, to better follow-up on previous decisions, to benefit from innovations in decision-making methods and technologies, and to improve the engagement of observers in processes under the Convention on Biological Diversity, and to submit such analysis of options to the Subsidiary Body on Implementation for its consideration at its fourth meeting.]

Item 13. Post-2020 global biodiversity framework

The following draft decision has been reproduced from document CBD/NP/MOP/4/9.

*The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,
Recalling decision NP-3/15,*

Emphasizing the importance of advancing the implementation of the third objective of the Convention and the objective of the Nagoya Protocol in the context of the post-2020 global biodiversity framework in a balanced manner,

1. *Welcomes* decision 15/-- of the Conference of the Parties adopting the post-2020 global biodiversity framework as a flexible global framework for action by all Parties and stakeholders to reach the 2050 Vision for Biodiversity and achieve the three objectives of the Convention as well as the objective of the Nagoya Protocol;

2. *Endorses* the post-2020 global biodiversity framework, as contained in the annex to decision 15/-- of the Conference of the Parties;

3. *Takes note* of the following decisions of the Conference of the Parties:

*[to be completed]*⁵²

4. *Invites* Parties to expand their efforts to effectively implement the Protocol to contribute to the achievement of the post-2020 global biodiversity framework, in particular Goal C and Target 13 which relate to access and benefit-sharing;

5. *Invites* Parties, and *encourages* other Governments, to make use of the approach to planning, monitoring, reporting and review under the Convention to enhance the implementation of the Nagoya Protocol and the integration of access and benefit-sharing in revised or updated national biodiversity strategies and action plans.

⁵² The list of relevant COP decisions will be determined by the MOP in the light of the discussions on this matter under the COP.

Item 14. Digital sequence information on genetic resources

The meeting of the Parties to the Nagoya Protocol will consider this item jointly with the Conference of the Parties to the Convention on the basis of the outcomes of the fifth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework.

Item 15. Specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol

The following is taken from recommendation 3/16 of the Subsidiary Body on Implementation.

[The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing,

Recalling Article 4 of the Nagoya Protocol and decision NP-3/14,

[1. Takes note of the indicative criteria for specialized international access and benefit-sharing instruments in the context of Article 4[, paragraph 4,] of the Nagoya Protocol, contained in the annex to the present decision, noting that they are intended to contribute to strengthening coordination and mutual supportiveness between the Nagoya Protocol and other international access and benefit-sharing instruments, without creating a hierarchy among them;]

2. Invites Parties, and other Governments to take into account, consistent with Article 4[, paragraph 4,] of the Nagoya Protocol, each of the indicative criteria in developing and/or applying access and benefit-sharing measures and/or in endorsing international instruments that include provisions on access and benefit-sharing;

3. Invites relevant international organizations and intergovernmental processes to take into account the indicative criteria in their efforts to develop or [when agreeing on] [implement] specialized international access and benefit-sharing instruments;

4. Requests Parties to include information in their national reports and, as appropriate, through the Access and Benefit-sharing Clearing House, and invites other Governments and relevant international organizations to share information on any steps that they have taken towards the development and/or implementation of specialized international access and benefit-sharing instruments that are [consistent with] [mutually supportive of] the objectives of the Convention and the Protocol, including information on the specific genetic resource[s and/or specific uses] [including traditional knowledge associated with genetic resources] covered by and for the purpose of the specialized instrument;

[5. Decides that the meeting of the Parties to the Nagoya Protocol shall act as the authority to assess, determine, review or terminate the status of instruments as specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol based on the criteria provided in the annex to the present draft decision and that the Parties to Nagoya Protocol can approach the meeting of the Parties for determination or termination of the status of instruments;]

[6. Requests the Executive Secretary to receive and submit instruments from Parties to the Nagoya Protocol for such consideration by the meeting of the Parties as mentioned in paragraph 5, four months before the meeting of the Parties, starting from the fifth meeting;]

7. Decides to review the present decision in the context of the assessment and review process as provided for in Article 31 of the Protocol, taking into account relevant developments and with a view to taking any steps necessary to promote coherence in the international regime on access and benefit-sharing.

Annex

INDICATIVE CRITERIA FOR SPECIALIZED INTERNATIONAL ACCESS AND BENEFIT-SHARING INSTRUMENTS IN THE CONTEXT OF ARTICLE 4, PARAGRAPH 4, OF THE NAGOYA PROTOCOL ON ACCESS TO GENETIC RESOURCES AND THE FAIR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THEIR UTILIZATION

1. These indicative criteria are reference points or elements to consider as guidance when developing or implementing specialized international access and benefit-sharing instruments. They are intended to contribute to strengthening coordination and mutual supportiveness between the Nagoya Protocol and other international access and benefit-sharing instruments, without creating a hierarchy among them.

2. *Intergovernmentally or internationally agreed* — The instrument is agreed [or adopted] through an intergovernmental process and/or is [explicitly] endorsed by States [and/or Governments][through a decision of a governing body of an international organization]. [The instrument may be binding or non-binding.]
3. *Specialized* — The instrument:
 - (a) Applies to a specific set of genetic resources and/or traditional knowledge associated with genetic resources which would otherwise fall under the scope of the Nagoya Protocol;
 - (b) Applies to specific uses of genetic resources and/or traditional knowledge associated with genetic resources, or to specific purposes, which require a differentiated and hence specialized approach.
4. *Mutually supportive* — The instrument is consistent with and supportive of, and does not run counter to, the objectives of the Convention on Biological Diversity and the Nagoya Protocol, including with respect to:
 - (a) Consistency with biodiversity conservation and sustainable use objectives;
 - (b) Fairness and equity in the sharing of benefits;
 - (c) Legal certainty with respect to access to genetic resources or traditional knowledge associated with genetic resources, including[, as appropriate,] the application of prior informed consent, and to [the fair and equitable sharing of benefits][benefit-sharing];
 - (d) Full and effective participation of indigenous peoples and local communities concerned;
 - (e) Contribution to sustainable development, as reflected in internationally agreed goals;
 - (f) Other general principles of law, including good faith, effectiveness and legitimate expectations.]

Item 16. Global multilateral benefit-sharing mechanism (Article 10)

The following is taken from recommendation 3/17 of the Subsidiary Body on Implementation.

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

[[[Recalling the sovereign rights of States over their natural resources and that the authority to determine access to genetic resources rests with the national Governments and is subject to national legislation, as recognized in Article 15, paragraph 1, of the Convention,

Recalling also the objective of the Nagoya Protocol,]

[Alt. Recalling Article 15 of the Convention and the objective of the Nagoya Protocol,]

Recalling further the recognition, as specified in the preamble to the Nagoya Protocol, of the requirement for an innovative solution to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent,

Recalling Article 11 of the Nagoya Protocol, which requires Parties to endeavour to cooperate, as appropriate, in instances where the same genetic resources are found in transboundary situations and where the same traditional knowledge associated with genetic resources are shared by one or more indigenous peoples and local communities in several Parties, with a view to implementing the Protocol,

Emphasizing the need for all Parties to reinforce the effective implementation of the Nagoya Protocol to make it fully operational,

[Determined to enhance access and benefit-sharing provisions and systems in order to contribute to [create] an ambitious and transformative resource mobilization strategy for the post-2020 global biodiversity framework,]

[Further determined to create a practical system to ensure fair and equitable sharing of the benefits arising from the use of digital sequence information on genetic resources and associated traditional knowledge,]]

1. *Takes note of the submissions of views and information and the peer-reviewed study commissioned by the Executive Secretary to identify specific cases of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent;⁵³*

[2. Also notes possible weaknesses in multilateral systems;]

Option 1

[3. Considers the cases identified in the submissions as well as the peer reviewed study [instructive] on the need for a global multilateral benefit-sharing mechanism and [in revealing potential] the limitations [or challenges] of the bilateral approach under the Nagoya Protocol, in particular regarding efficiency, practicability, feasibility and effectiveness [and decides to proceed to explore potential modalities of a global multilateral benefit-sharing mechanism];]

Option 2

[3. Considers the cases identified in the submissions as well as the peer reviewed study provide information on cases, which, however, do not justify the need for a global multilateral benefit-sharing mechanism under Article 10 of the Nagoya Protocol;

3 bis. Considers also that the process has generated views on the potential limitations or challenges of the bilateral approach under the Nagoya Protocol, in particular regarding efficiency,

⁵³ CBD/SBI/3/15/Add.1.

practicability, feasibility and effectiveness, that merit further discussion [under the Nagoya Protocol][taking into account Articles 4(4), 11, and discussions at other related fora][, this limitation could be addressed through a multilateral approach;]

[4. *Considers further* that an evaluation of these potential limitations or challenges based on concrete cases will be needed to explore the underlying causes, [including questions on the scope of the Nagoya Protocol.] the lack of capacity to implement the bilateral approach, or any other factor, and to explore how these limitations and challenges could be addressed, including through transboundary cooperation as well as with a multilateral approach;]

[4 *alt.* *Considers further* that an evaluation of potential modalities for a multilateral approach to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent, as well as for transboundary cooperation that is needed to address the potential limitations or challenges based on concrete cases;]

[5. *Invites* Parties, other Governments, indigenous peoples and local communities, relevant stakeholders and organizations to submit to the Executive Secretary views and information on [possible modalities of a multilateral benefit-sharing mechanism, including options for modes of participation, sharing of benefits and governance as well as options for cooperation to address instances described in Article 11 of the Nagoya Protocol][potential limitations or challenges of the bilateral approach based on concrete cases, on potential underlying causes, and on how these limitations and challenges could be addressed, including through transboundary cooperation as well as with a multilateral approach;]

[6. *Decides* to establish an ad hoc technical expert group, with the terms of reference set out in the annex to the present decision;]

[6 *alt.* *Decides*, in the exercise of their sovereign rights over genetic resources, to establish a multilateral benefit-sharing mechanism, to operate as follows:

(a) Each developed country Party shall, in accordance with Articles 20 and 15.7 of the Convention, take legislative, administrative or policy measures, as appropriate, to ensure that 1 per cent of the retail price of all commercial income resulting from all utilization of genetic resources, traditional knowledge associated with genetic resources or digital sequence information on genetic resources is shared through the multilateral benefit-sharing mechanism to support the conservation and sustainable use of biological diversity, unless such benefits are otherwise being shared on mutually agreed terms established under the bilateral system;

(b) All monetary benefits shared under the multilateral benefit-sharing mechanism shall be deposited in a global biodiversity fund operated by the Global Environment Facility, as the financial mechanism of the Convention, and this global fund shall also be open for voluntary contributions from all sources;

(c) The global biodiversity fund shall be used, in an open, competitive, project-based manner, to support on the ground activities aimed at the conservation of biological diversity and the sustainable use of its components, in line with the ecosystem-based approach, carried out by indigenous peoples, local communities and others, in pursuit of spending priorities identified from time to time by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services through scientific assessments;]

[7. *Requests* the Subsidiary Body on Implementation to consider the report of the ad hoc technical expert group referred to in paragraph 6 above and make recommendations to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, for consideration at its fifth meeting;]

[8. *Requests* the Executive Secretary to facilitate the work of the ad hoc technical expert group referred to in paragraph 6 by, among other things:

(a) Preparing a synthesis of the views and information referred to in paragraph 5 above;

- (b) Establishing an online forum to consider the synthesis of the views and information referred to above;
- (c) Preparing a summary report on the outcomes of the online forum and submitting it to the ad hoc technical expert group.]

[8 *alt. Requests* the Executive Secretary, in consultation with all Parties and the Global Environment Facility, to prepare options for national legislative, administrative or policy measures to implement the multilateral benefit-sharing system and to report back to the Conference of the Parties at its sixteenth meeting.]

[*Annex*

TERMS OF REFERENCE OF THE AD HOC TECHNICAL EXPERT GROUP

1. The Ad Hoc Technical Expert Group shall [consider possible modalities of a multilateral benefit-sharing mechanism of Article 10 of the Nagoya Protocol][evaluate potential limitations or challenges of the bilateral approach to access and benefit-sharing, including their underlying causes and how these limitations and challenges could be addressed, including through transboundary cooperation as well as with a multilateral approach,] taking into account the synthesis of views and information and the outcomes of the online forum;
 2. The Ad Hoc Technical Expert Group shall also identify options for modes of participation in the mechanism, sharing of benefits and governance as well as options for cooperation to address instances described in Article 11 of the Nagoya Protocol;]
 3. The Ad Hoc Technical Expert Group shall:
 - (a) Meet, subject to the availability of financial resources, at least once prior to the fourth meeting of the Subsidiary Body on Implementation;
 - (b) Include experts selected on the basis of their expertise on the issues under consideration, and participants representing indigenous peoples and local communities, and ensure equitable regional representation;
 - (c) Submit its outcomes to the Subsidiary Body on Implementation for consideration at its fourth meeting.
 4. The Ad Hoc Technical Expert Group will be convened in accordance with the procedure specified in paragraph 4, section C, of the annex to decision XIII/25, on the modus operandi of the Subsidiary Body on Implementation, which also applies, *mutatis mutandis*, to processes under the Nagoya Protocol. The procedure for avoiding or managing conflicts of interest in expert groups set out in the annex to decision 14/33 shall apply to the Ad Hoc Technical Expert Group.]]
-