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Compliance Committee under the Nagoya Protocol on Access and Benefit-sharing Fourth meeting

Montreal, Canada, 25–27 March 2024

Item 5 of the provisional agenda*

Methodology for the second assessment and review of the Nagoya Protocol

Development of the methodology for the second assessment and review of the effectiveness of the Nagoya Protocol

Note by the Secretariat

I. Introduction

1. Pursuant to paragraph 3 of decision [NP-3/1](#) B of the Conference of the Parties 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, the Subsidiary Body on Implementation is to consider, at its fourth meeting, the proposed methodology for conducting the second assessment and review of the effectiveness of the Protocol and to make recommendations for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fifth meeting.
2. The Compliance Committee under the Nagoya Protocol provided input on the first assessment and review of the Protocol and it is likely that the Compliance Committee may also be involved in the second assessment and review. Accordingly, the Committee is invited to provide input on the draft proposed methodology for the second assessment and review, to assist with its development.
3. Sections II to V of the present document contain information that will be integrated into the document on the assessment and review of the effectiveness of the Nagoya Protocol to be considered by the Subsidiary Body on Implementation at its fourth meeting.
4. The Compliance Committee is invited to consider the information provided in the present document and provide input, as appropriate, and in particular on section V and on the following issues:
 - (a) Whether the second assessment and review should include the review of the effectiveness of the compliance procedures and mechanisms, in accordance with section G of the annex to decision [NP-1/4](#) (see paras.30 and 31 below);
 - (b) Which of the elements proposed for inclusion in the second assessment and review (see table 3) are of relevance to the Compliance Committee and should therefore be the focus of its input.

* CBD/NP/CC/4/1.

II. Background

5. Under Article 31 of the Nagoya Protocol, the Conference of the Parties serving as the meeting of the Parties to the Protocol is required to undertake, four years after the entry into force of the Protocol and thereafter at intervals determined by the Conference of the Parties serving as the meeting of the Parties, an evaluation of the effectiveness of the Protocol.

6. This issue was first considered by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its second meeting. In its decision [NP-2/4](#), it agreed, among other things, to the elements to be included in the first assessment and review, as listed in the annex to the decision, and to the sources of information to be used for assessing each of those elements. The elements are reproduced below, for ease of reference.

Table 1

Elements and sources of information included in the first assessment and review of the effectiveness of the Nagoya Protocol (decision NP-2/4, annex)

<i>Elements</i>	<i>Sources of information</i>
(a) Extent of implementation of the provisions of the Protocol and related obligations of Parties, including assessment of progress by Parties in establishing institutional structures and access and benefit-sharing (ABS) measures to implement the Protocol	Interim national reports ABS Clearing-House National reports under the Convention on Biological Diversity National biodiversity strategies and action plans Possible targeted survey of focal points and/or users
(b) Establishment of a reference point to measure effectiveness	Interim national reports (questions ^a 13, 15, 16, 18, 24, 35, 46) ABS Clearing-House
(c) Establishment of a reference point on support available for implementation	Interim national reports (questions 56, 57, 61, 62, 63) ABS Clearing-House Information on capacity-building projects and resources
(d) Assessment of effectiveness of Article 18 (extent of implementation)	Interim national reports (questions 31–34)
(e) Assessment of implementation of Article 16 in light of developments in other relevant international organizations, including, inter alia, the World Intellectual Property Organization (WIPO)	Interim national reports (question 25) Reports of, inter alia, the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore
(f) Stocktaking of the use of model contractual clauses, codes of conduct, guidelines, best practices and standards as well as indigenous peoples and local communities' customary laws, community protocols and procedures	Interim national reports (questions 42 and 51–53) ABS Clearing-House Possible targeted survey of focal points and/or users
(g) Review of implementation and operation of the ABS Clearing-House, including number of ABS measures made available; number of countries that have published information on their competent national authorities; number of internationally recognized certificates of compliance that have been constituted and number of checkpoint communiqués published	Interim national reports (question 3) ABS Clearing-House, including information on the use of the help function/dialogue box Reports on meetings of the Informal Advisory Committee on the ABS Clearing-House Possible targeted survey of focal points and/or users

^a Of the format for the interim national report.

7. Interim national reports on the implementation of the Nagoya Protocol and the ABS Clearing-House were the main sources of information for the first assessment and review of the Protocol.

8. In addition, and further to paragraph 3 of decision [NP-2/4](#), ABS national focal points, Convention national focal points, indigenous peoples and local communities and relevant stakeholders were invited to submit information through an online survey on: (a) the use of model contractual clauses, codes of conduct, guidelines, best practices and standards, as well as the customary laws, community protocols and procedures of indigenous peoples and local communities; and (b) the implementation and operation of the ABS Clearing-House.¹

9. The information received was compiled and analysed against each of the elements contained in table 1. The Compliance Committee provided inputs on the draft findings.

10. In its decision NP-2/4, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol also requested the Executive Secretary, *inter alia*: (a) to prepare a framework of indicators as a basis for measuring, in the second assessment and review and thereafter, progress in achieving the objective of the Protocol while taking into account the preparation of elements included in the first assessment (para. 4); and (b) to make available information on experiences from the assessment and review process under the Cartagena Protocol on Biosafety to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its third meeting (para. 3).

11. As requested, at its second meeting, the Subsidiary Body on Implementation considered the analysis and synthesis of information, as well as the draft framework of indicators prepared by the Secretariat, taking into account the inputs from the Compliance Committee, and adopted recommendation [2/2](#).²

12. At its third meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol considered the recommendation from the Subsidiary Body on Implementation and a note by the Executive Secretary containing information on experiences from the assessment and review under the Cartagena Protocol and proposals regarding the intervals for conducting that process.³

13. On that basis, the Conference of the Parties serving as the meeting of the Parties to the Protocol adopted decisions [NP-3/1 A and B](#), which include the following elements:

(a) The outcomes of the first assessment and review (decision [NP-3/1 A](#)), including key findings for each element (decisions [NP-3/1 A and B](#), annex I);

(b) Provisions for the second assessment and review and intervals for subsequent processes (decision [NP-3/1 B](#));

(c) A framework of indicators and reference points to measure progress (decisions [NP-3/1 A and B](#), annex II).

14. With regard to the second assessment and review (decision [NP-3/1 B](#)), the Conference of the Parties serving as the meeting of the Parties to the Protocol requested that:

(a) The Executive Secretary propose a methodology for conducting the second assessment and review of the effectiveness of the Protocol, taking into account the outcomes and lessons learned from the first assessment and review, experiences from the assessment and review under the Cartagena Protocol, and the post-2020 global biodiversity framework (para. 2);

(b) The Subsidiary Body on Implementation consider, at its fourth meeting, the proposed methodology and make recommendations for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fifth meeting (para. 3).

¹ See notification No. 2017-104 of 16 October 2017.

² More information on the results and process followed for the first assessment and review can be found in document [CBD/SBI/2/3](#).

³ [CBD/NP/MOP/3/3](#).

15. To meet the requests mentioned above, the Secretariat has provided in section III of the present document information on past experiences from the assessments and reviews under the Nagoya and Cartagena Protocols, highlighted a relevant timeline and milestones of the Kunming-Montreal Global Biodiversity Framework in section IV, and proposed a methodology for the second assessment and review of the effectiveness of the Nagoya Protocol in section V.

III. Past experiences with assessment and review under the Nagoya and Cartagena Protocols, and lessons learned

16. To assist in the consideration of the assessment and review by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its third meeting, the Secretariat prepared document [CBD/NP/MOP/3/3](#), which included experiences and lessons learned from the assessment and review under the Cartagena Protocol and identified parallels with lessons drawn from the first assessment and review carried out under the Nagoya Protocol.

17. The conclusions and lessons learned contained in that document relating to the reporting format, the online report analyser and indicators to measure progress were incorporated in the new format adopted in decision [NP-4/3](#), in the ABS Clearing-House⁴ and in the framework of indicators adopted in annex II to decisions [NP-3/1 A and B](#).

18. Document CBD/NP/MOP/3/3 also included reflections on the need for the timely submission of national reports, as well as the timely, complete and accurate submission of information on the ABS Clearing-House, given the very short time frame for collecting and analysing information for the assessment and review. Delays in the receipt of national reports can have a significant impact on the results of the analysis.

19. In this regard, it is worth noting the recent experience related to delays in gaining access to funding for supporting the preparation of the fourth national reports under the Cartagena Protocol. The Compliance Committee under the Cartagena Protocol considered the matter at its seventeenth meeting and noted that the approach of collecting as many letters of commitment as possible before submitting projects for approval by the Global Environment Facility had resulted in significant delays in access to funding, in particular for those Parties that had submitted their letters of commitment in a timely manner. The Committee also considered the availability of funding from other sources for the implementation of the Protocol, including for national reporting, and the importance of prioritizing biosafety in national budget allocations.⁵

20. The Compliance Committee made recommendations in that regard to the Conference of the Parties serving as the meeting of the Parties to the Protocol, and those were incorporated into decision [CP-10/9](#), on monitoring and reporting. In the decision, the Conference of the Parties serving as the meeting of the Parties to the Protocol expressed concern about the low number of fourth national reports submitted (para. 2) and the delays in submitting projects to the Global Environment Facility to support eligible Parties in the preparation of their fourth national reports, noting that such funding was not available before the deadline for the submission of fourth national reports, which was one of the factors that might have affected the submission rate (para. 3).

21. The usefulness of having a smaller expert group or body review the analysis prepared by the Secretariat in more detail and provide input to a larger decision-making body, such as the Subsidiary Body on Implementation or the Conference of the Parties serving as the meeting of the Parties to the Protocol, was also highlighted in document CBD/NP/MOP/3/3. For reference, under the Cartagena Protocol, an ad hoc expert group was originally established with that objective, while, for the latest assessment and review, the Compliance Committee and the Liaison Group on the Cartagena Protocol played that role.

⁴ See the national report analyser at <https://absch.cbd.int/en/reports>.

⁵ [CBD/CP/CC/17/6](#), para. 16.

22. For the first assessment and review of the Nagoya Protocol, the Executive Secretary analysed and synthesized a large amount of information from various sources. However, only the Compliance Committee under the Nagoya Protocol had the opportunity to consider some of that information in depth and to provide detailed input to the process. Given that the mandate of the Committee is primarily focused on promoting compliance with the provisions of the Protocol and addressing cases of non-compliance, it may be useful to consider additional mechanisms for further engaging Parties to the Protocol in the analysis of information.

23. Against that background, a mechanism to provide advice to the Executive Secretary on matters related to the implementation of the Nagoya Protocol is proposed in section V. B below.

IV. Relevant timeline and milestones of the Kunming-Montreal Global Biodiversity Framework and national reporting

24. In decision [NP-4/3](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol welcomed decision [15/6](#) of the Conference of the Parties to the Convention and agreed to maintain the synchronized national reporting cycle foreseen in decisions [14/27](#) and [NP-3/4](#) (para. 1). In decision [15/6](#) of the Conference of the Parties to the Convention, Parties were requested to submit their seventh national report by 28 February 2026 and their eighth national report by 30 June 2029. Consequently, the deadline for the submission of the first national report under the Nagoya Protocol is set for 28 February 2026 and that for the second national report for 30 June 2029.

25. In its decision 15/6, the Conference of the Parties to the Convention also decided to conduct, at its seventeenth and nineteenth meetings, a global review of collective progress in the implementation of the Framework, including means of implementation, based on national reports and, as appropriate, other sources of information (para. 16).

Table 2

Relevant timeline and milestones and for reporting and reviewing progress under the Convention and the Nagoya Protocol

<i>Timeline</i>	<i>Milestones</i>	<i>For the Convention</i>	<i>For the Nagoya Protocol</i>
2022	Adoption of the format for reporting	Preliminary draft format (to be revised and adopted at the sixteenth meeting of the Conference of the Parties) adopted with decision 15/6	Decision 15/6 welcomed and synchronized national reporting cycle maintained in decision NP-4/3
2024	Adoption of methodologies for global assessments	Global stocktaking of progress in the implementation of the Kunming-Montreal Global Biodiversity Framework (sixteenth meeting of the Conference of the Parties)	Second assessment and review of the Protocol (fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol)
2026	Submission of national reports	Seventh national report under the Convention (deadline of 28 February 2026)	First national report under the Protocol (deadline of 28 February 2026)
2026	National reports are used as sources of information in stocktaking processes	National reports feed into the global review of collective progress in the implementation of the Framework (seventeenth meeting of the Conference of the Parties)	National reports feed into the second assessment and review of the effectiveness of the Protocol (sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol)

<i>Timeline</i>	<i>Milestones</i>	<i>For the Convention</i>	<i>For the Nagoya Protocol</i>
2026	Adoption of the format for reporting	Seventeenth meeting of the Conference of the Parties	Sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol
2028	Adoption of methodologies for global assessments	Global stocktaking of progress in the implementation of the Framework (eighteenth meeting of the Conference of the Parties)	Third assessment and review of the Protocol (seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol)
2029	Submission of national reports	Eighth national report under the Convention (deadline of 30 June 2029)	Second national report under the Protocol (deadline of 30 June 2029)
2030	National reports are used as sources of information in stocktaking processes	National reports feed into the global review of collective progress in the implementation of the Framework (nineteenth meeting of the Conference of the Parties)	Third assessment and review of the effectiveness of the Protocol (eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol)

26. Given the limited time available between the submission deadline for the first national reports and their analysis to inform the second assessment and review, it is unlikely that reports submitted after the deadline will be considered in the analysis. As the analysis needs to be based on a sufficiently representative number of Parties to produce significant results, the timely availability of funding and submission of the first national report is critical.

V. Proposed methodology for the second assessment and review of the effectiveness of the Nagoya Protocol

27. In decision NP-3/1 B, the Executive Secretary was requested to propose a methodology for conducting the second assessment and review of the effectiveness of the Nagoya Protocol, taking into account the outcomes and lessons learned from the first such process, experiences from the assessment and review under the Cartagena Protocol and the post-2020 global biodiversity framework (para. 2).

28. The present section contains proposed elements and sources of information for the second assessment and review (sect. A), a proposed mechanism for providing advice to the Executive Secretary on issues related to implementation (sect. B) and an overview of the proposed process and timeline (sect. C).

A. Proposed elements and sources of information

29. In paragraphs 16 and 17 of its decision [NP-3/1 A](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol decided to assess all elements relevant to the implementation of the Protocol, including the effectiveness of Article 18 and progress on Articles 10 and 23.

30. Section G of the cooperative procedures and institutional mechanisms to promote compliance with the Protocol⁶ provides that the Conference of the Parties serving as the meeting of the Parties to the Protocol is to undertake the review of the effectiveness of those procedures and mechanisms under the assessment and review provided for in Article 31 of the Protocol, and to take appropriate action.

31. As the Compliance Committee under the Nagoya Protocol has only met four times since the procedures and mechanisms were adopted, it may be premature to review their effectiveness, and the

⁶ Decision [NP-1/4, annex](#).

exercise could be deferred until the next assessment and review of the Protocol. Furthermore, the experience and outcomes from the review of the procedures of the Compliance Committee under the Cartagena Protocol have already been taken into account in the development of the compliance procedures and mechanisms under the Nagoya Protocol.

32. In paragraph 18 (a) of decision [NP-3/1 A](#), the Executive Secretary was requested to carry out a targeted survey of ABS national focal points, competent national authorities and users and providers of genetic resources and/or associated traditional knowledge on challenges related to the implementation of the Nagoya Protocol to provide an additional source of information in future processes for the assessment and review of the effectiveness of the Protocol. In paragraph 20 (c), the Executive Secretary was also requested to seek feedback from all types of users of the ABS Clearing-House on its implementation and operation.

33. Table 3 shows the elements and sources of information used for the first assessment and review, as updated to include the aforementioned requests from decisions adopted at the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and other relevant decisions. The targeted survey and the feedback requested in paragraphs 18 (a) and 20 (c), respectively, of decision [NP-3/1 A](#) have been incorporated as sources of information.

34. The second assessment should also include an assessment of progress against the reference points contained in the framework of indicators, as found in annex II to decisions [NP-3/1 A and B](#) and annexed to the present document, for ease of reference.

Table 3

Proposed elements and sources of information for the second assessment and review of the effectiveness of the Nagoya Protocol

<i>Elements</i>	<i>Sources of information</i>
(a) Extent of implementation of the provisions of the Nagoya Protocol and related obligations of Parties, including assessment of progress by Parties in establishing institutional structures and ABS measures to implement the Protocol	– First national reports – ABS Clearing-House – National reports submitted under the Convention – National biodiversity strategies and action plans – Targeted survey
(b) Assessment of effectiveness	– First national reports (questions 10, 12, 19, 30–32 and 43–47 of the format) – ABS Clearing-House – Targeted survey
(c) Assessment of support available for implementation	– First national reports, (questions 56, 57 and 61–64) – ABS Clearing-House – Information on capacity-building projects and resources
(d) Assessment of effectiveness of Article 18 (extent of implementation)	First national reports (questions 25–28)
(e) Assessment of implementation of Article 16 in the light of developments in other relevant international organizations, including, inter alia, the World Intellectual Property Organization	– First national reports (question 20) – Reports of, inter alia, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization
(f) Stocktaking of the use of model contractual clauses, codes of conduct, guidelines, best practices and standards, as well as indigenous peoples and local communities' customary laws, community protocols and procedures	– First national reports (questions 39 and 52–53) – ABS Clearing-House – Targeted survey

<i>Elements</i>	<i>Sources of information</i>
(g) Review of implementation and operation of the ABS Clearing-House, including number of ABS measures made available; number of countries that have published information on their competent national authorities; number of internationally recognized certificates of compliance that have been constituted and number of checkpoint communiqués published	– First national reports (questions 4, 5, 7, 12, 13 and 21) – ABS Clearing-House – Reports of meetings relevant to the ABS Clearing-House – Targeted survey including all type of users of the ABS Clearing-House – Google analytics
(h) Progress on Article 10, on a global multilateral benefit-sharing mechanism	Relevant reports to the Conference of the Parties serving as the meeting of the Parties to the Protocol
(i) Progress on Article 23, on technology transfer, collaboration and cooperation.	– First national reports (question 59) – Targeted survey

B. Proposed mechanism for providing advice to the Executive Secretary on issues related to implementation

35. At its first meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol established an informal advisory committee on capacity-building for the implementation of the Protocol to provide advice to the Executive Secretary on matters related to the assessment of the effectiveness of the strategic framework for capacity-building and development (decision NP-1/8). The Committee had a time-bound mandate, which was extended by the Conference of the Parties serving as the meeting of the Parties to the Protocol at both its third and fourth meetings. In decision NP-4/7, the terms of reference of the Committee were also updated and its membership expanded to include representatives of the business sector, the research community and youth, in addition to the 15 experts from Parties three representatives of indigenous peoples and local communities and representatives of relevant organizations.

36. The mandate of the Informal Advisory Committee will expire at the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, and a decision needs to be taken on the way forward. At its most recent meeting, in June 2023, the Committee suggested that its mandate be expanded to providing advice on issues more generally related to the implementation of the Protocol, while keeping the current expanded membership.⁷

37. Should the mandate of the Committee be expanded as suggested above, it could include, as necessary, advice on issues related to capacity-building and development, awareness-raising and assessment and review under the Protocol, with flexibility to adapt its tasks as needed.

C. Overview of the proposed process and timeline

38. Table 4 shows an overview of the activities and timeline of the proposed process for conducting the second assessment and review of the effectiveness of the Nagoya Protocol. It illustrates the importance of timely submission of national reports.

Table 4

Overview of activities and estimated timeline for the second assessment and review

⁷ CBD/NP/CB-IAC/2023/1/3, para. 69.

<i>Activities</i>	<i>Estimated timeline</i>
Targeted survey for selected elements	First quarter 2025
Submission of the first national reports under the Nagoya Protocol	By 28 February 2026
Completion of the analysis of all sources of information identified for each of the elements	By 28 March 2026
Consideration of the analysis by the Compliance Committee under the Nagoya Protocol, as appropriate	April or May 2026
Consideration of the analysis by an informal advisory committee on the implementation of the Nagoya Protocol	April or May 2026
Consideration by the Subsidiary Body on Implementation of the analysis, including inputs from the Compliance Committee and an informal advisory committee on implementation	To be determined
Consideration at the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol of the recommendations and findings of the Subsidiary Body on Implementation	Last quarter of 2026

Annex*

Framework of indicators and reference points to measure progress

1. The following table proposes indicators for each of the elements addressed by the first assessment and review. Reference points are included for most of the indicators proposed. These reference points determine a baseline against which progress can be measured in the future for each of the indicators. The indicators proposed are mostly based on existing questions of the interim national report. However, there are instances where no conclusive information could be drawn from the responses to the interim national report, and therefore, a new text is suggested for those indicators. The new or revised indicators are identified in the table.
2. It also includes the source of information used to establish the reference point. For ease of reference, it follows the structure and order of the format of the interim national report and includes reference to the element/s under which the indicator is being considered.
3. The framework is flexible tool that can be adapted as further progress is made with implementation.

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
1. Number of Parties to the CBD that have ratified the Nagoya Protocol		105 (54%)	United Nations Treaty Collection
Institutional structures for the implementation of the Protocol			
2. Number and percentage of Parties with legislative, administrative and policy measures on ABS	(a)	75 (71%)	Q.4 ABS-CH CBD report NBSAP
3. Number of Parties that have published information on legislative, administrative or policy measures on ABS in the ABS Clearing-House	(g)	45 (43%);	ABS-CH
4. Number and percentage of Parties with national focal points on ABS	(a)	103 (98%)	Q.5 ABS-CH
5. Number and percentage of Parties with one or more competent national authorities	(a)	57 (54%)	Q.6 ABS-CH CBD report NBSAP
6. Number and percentage of Parties that have published information on competent national authorities in the ABS Clearing-House	(g)	45 (43%)	ABS-CH
7. <i>New:</i> Number and percentage of Parties that have issued permits or their equivalents	(a)	19 (18%)	NR format requires revision
8. Number and percentage of Parties that have published internationally recognized certificates of compliance (IRCCs) in the ABS Clearing-House	(b) (g)	12 (11%)	Q.7, 8,16 ABS-CH
9. Number of IRCCs available in the ABS Clearing-House	(g)	146	ABS-CH
10. Number and percentage of Parties with one or more checkpoints	(a)	29 (27%)	Q.9 ABS-CH CBD report NBSAP

* The present annex contains the text of annex II to decisions NP-3/1 A and B, which is reproduced for ease of reference.

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
11. Number and percentage of Parties that have published information on checkpoints	(g)	20 (19%)	ABS-CH
12. Number and percentage of Parties that have made information available to the ABS Clearing-House (CNA, checkpoint, ABS measures, IRCC)	(a)(g)	54 (51%)	Q.3 ABS-CH
13. Number and percentage of Parties that have information (CNA, checkpoint, ABS measures, permits) that have not yet been made available to the ABS Clearing-House	(a)(g)	46 (44%)	Q.4, 6, 9 ABS-CH CBD report NBSAP
Legislative, administrative or policy measures on ABS: Access to genetic resources (Article 6)			
14. Number and percentage of Parties requiring prior informed consent for access to genetic resources that provide information on how to apply for prior informed consent as provided in Article 6.3 (c)	(a) (b)	27 (73%)	Q.13
15. Number and percentage of Parties requiring prior informed consent providing for the issuance at the time of access of a permit or its equivalent as provided in Article 6.3 (e)	(a) (b)	32 (86%)	Q.15
16. Number and percentage of Parties requiring prior informed consent for access to genetic resources that have rules and procedures for requiring and establishing mutually agreed terms as provided in Article 6.3 (g)	(a)	28 (76%)	Q.17
17. <i>Revised:</i> Number and percentage of Parties requiring prior informed consent for access to genetic resources for their utilization which received monetary benefits from granting access to genetic resources since entry into force of the Protocol	(b)	Not conclusive data	Q.18 requires revision
18. <i>New:</i> Amount of monetary benefits (in USD) received from granting access to genetic resources for their utilization since entry into force of the Protocol	(b)	Not conclusive data	Q.18 requires revision
19. <i>Revised:</i> Number and percentage of Parties requiring prior informed consent for access to genetic resources that received non-monetary benefits from granting access to genetic resources since entry into force of the Protocol	(b)	Not conclusive data	Q.18 requires revision
20. <i>Revised:</i> Number and percentage of Parties with indigenous peoples and local communities in their country that received monetary benefits from granting access to traditional knowledge associated with genetic resources since entry into force of the Protocol	(b)	Not conclusive data	Q.18 requires revision
21. <i>New:</i> Amount of monetary benefits (in USD) received from granting access to traditional knowledge associated with genetic resources for its utilization since entry into force of the Protocol	(b)	Not conclusive data	Q.18 requires revision
22. <i>Revised:</i> Number and percentage of Parties with indigenous peoples and local communities in their country that received non-monetary benefits from granting access to traditional knowledge associated with genetic resources	(b)	Not conclusive data	Q.18 requires revision

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
Legislative, administrative or policy measures on ABS: Fair and equitable-sharing (Article 5)			
23. Number and percentage of Parties with legislative, administrative or policy measures to implement Article 5.1 (genetic resources)	(a)	46 (44%)	Q.20
24. Number and percentage of Parties with legislative, administrative or policy measures to implement Article 5.2 (genetic resources held by indigenous peoples and local communities)	(a)	42 (40%)	Q.21
25. Number and percentage of Parties with legislative, administrative or policy measures to implement Article 5.5 (traditional knowledge associated with genetic resources)	(a)	41(39%)	Q.22
Legislative, administrative or policy measures on ABS: Compliance with domestic legislation or regulatory requirements on ABS (Article 15 and 16) and monitoring the utilization of genetic resources (Article 17)			
26. Number and percentage of Parties that have taken appropriate, effective and proportionate legislative, administrative or policy measures to implement Article 15.1 (genetic resources)	(b)	36 (34%)	Q.24
27. Number and percentage of Parties that have taken appropriate, effective and proportionate legislative, administrative or policy measures to implement Article 16.1 (traditional knowledge associated with genetic resources)	(e)	33 (31%)	Q.25
28. Number and percentage of Parties that require users of genetic resources to provide the information identified in Article 17.1 (a)(i), as appropriate, at a designated checkpoint	(a)	41 (39%)	Q.26
29. Number and percentage of Parties that provide the information collected or received at a designated checkpoint to relevant national authorities, to the Party providing prior informed consent and to the ABS Clearing-House	(a)	9 (9%)	Q.27
30. Number of checkpoint communiques published in the ABS Clearing-House	(g)	0	ABS-CH
Legislative, administrative or policy measures on ABS: compliance with mutually agreed terms (Article 18)			
31. Number and percentage of Parties that encourage the inclusion of dispute resolution provisions in mutually agreed terms as provided in Article 18.1	(d)	36 (34%)	Q.31
32. Number and percentage of Parties with opportunity to seek recourse available under their legal systems in cases of disputes arising from mutually agreed terms as provided in Article 18.2	(d)	51 (49%)	Q.32
33. Number and percentage of Parties with measures regarding access to justice	(d)	47 (45%)	Q.33
34. Number and percentage of Parties with measures regarding utilization of mechanisms regarding mutual recognition and enforcement of foreign judgements and arbitral awards	(d)	38 (36%)	Q.33
Special considerations (Article 8)			
35. Number and percentage of Parties that created conditions to promote and encourage research which contributes to the conservation and sustainable use of biodiversity as provided in Article 8(a)	(b)	48 (46%)	Q.35

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
36. Number and percentage of Parties that paid due regard to cases of present or imminent emergencies that threaten or damage human, animal or plant health as provided in Article 8(b)	(b)	39 (37%)	Q.35
37. Number and percentage of Parties that have taken into consideration the need for expeditious access to genetic resources and expeditious fair and equitable sharing of benefits arising out of the use of such genetic resources as provided in Article 8(b)	(b)	26 (25%)	Q.35
38. Number and percentage of Parties that have taken into consideration the importance of genetic resources for food and agriculture and their special role for food security as provided in Article 8(c)	(b)	48 (46%)	Q.35
Provisions related to indigenous peoples and local communities (Article 6,7 and 12)			
39. Number and percentage of Parties where indigenous peoples and local communities have the established rights to grant access to genetic resources with measures in place with the aim of ensuring the prior informed consent or approval and involvement of indigenous peoples and local communities as provided in Article 6.2	(a)	23 (47%)	Q.38
40. Number and percentage of Parties with indigenous peoples and local communities in their country that have taken measures with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous peoples and local communities have been accessed with the prior informed consent or approval and involvement of these indigenous peoples and local communities and that mutually agreed terms have been established as provided in Article 7	(a)	21 (43%)	Q.39
41. <i>New:</i> Number of indigenous peoples and local communities' community protocols and procedures developed	(f)	Not conclusive data	Q.42 requires revision Targeted survey
42. Number of indigenous peoples and local communities' customary laws, community protocols and procedures made available in the ABS Clearing-House	(f)(g)	3	ABS-CH
Contribution to conservation and sustainable use (Article 9)			
43. <i>Revised:</i> Number and percentage of Parties that reported that implementation of the Nagoya Protocol has contributed to conservation and sustainable use of biodiversity in their country	(b)	Not conclusive data	Q.46 requires revision
Model contractual clauses, codes of conduct, guidelines, best practices and standards (Articles 19 and 20)			
44. Number of model contractual clauses developed	(f)	29	Q.51, targeted survey
45. Number of codes of conduct, guidelines, best practices and standards developed	(f)	33	Q.52, targeted survey
46. Number and percentage of model contractual clauses made available in the ABS Clearing-House	(f) (g)	17 (59%)	ABS-CH

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
47. Number and percentage of codes of conduct, guidelines, best practices and standards made available in the ABS Clearing-House	(f) (g)	25 (75%)	ABS-CH
Awareness-raising and capacity (Article 21 and 22)			
48. Number and percentage of Parties that received external support for building and developing capacity for the implementation of the Nagoya Protocol since entry into force of the Protocol	(c)	45 (43%)	Q.56
49. Number and percentage of Parties that provided external support for building and developing capacity for the implementation of the Nagoya Protocol since entry into force of the Protocol	(c)	27 (26%)	Q.57
50. Number of capacity-building and development initiatives made available completed or initiated after the adoption of the Nagoya Protocol in 2010 and are providing, or have provided, direct support for country level activities contributing to the ratification and implementation of the Nagoya Protocol	(c)	90	SCBD documents on capacity-building
51. Number of capacity-building and development initiatives made available to the ABS Clearing-House	(c)(g)	57	ABS-CH
52. Number of capacity-building and awareness-raising tools and resources on ABS	(c)	84	SCBD documents on capacity-building
53. Number of capacity-building and awareness-raising tools and resources made available in the ABS Clearing-House	(c)(g)	34	ABS-CH
Technology transfer, collaboration and cooperation			
54. Number and percentage of Parties that have collaborated and cooperated in technical and scientific research and development programmes as a means to achieve the objective of the Protocol as provided in Article 23	(a)	46 (44%)	Q.59
Optional additional information			
55. Number and percentage of Parties that established a mechanism for budgetary allocations of funds for the implementation of the Nagoya Protocol	(c)	24 (23%)	Q.61
56. Number and percentage of Parties that made financial resources available to other Parties	(c)	13 (12%)	Q.62
57. Number and percentage of Parties that received financial resources from other Parties or financial institutions for the purposes of implementation of the Protocol as provided in Article 25	(c)	35 (33%)	Q.62
58. Average number of full time staff working to administer functions directly related to the implementation of the Nagoya Protocol in each Party	(c)	Not conclusive data	Q.63-requires revision
Implementation and operation of the ABS Clearing-House			
59. Number of non-Parties that have published national information (ABS measures, CNAs or checkpoints) in the ABS Clearing-House	(g)	8	ABS-CH

Framework of indicators	Element	Reference point (as of 22 February 2018)	Source
60. The number of visitor to the ABS Clearing-House per year	(g)	18,709 visitors (as of 22 March 2018)	Google analytics
