



Convention on Biological Diversity

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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

Sixth meeting

Yerevan, 19–30 October 2026

Items 5 to 12, 14 and 15 of the provisional agenda*

Report of the Compliance Committee

**Administration of the Nagoya Protocol and budget for the
trust funds**

Monitoring and reporting

**Assessment and review of the effectiveness
of the Nagoya Protocol**

Enhancing the implementation of the Nagoya Protocol

Financial mechanism and resources

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

Global multilateral benefit-sharing mechanism

**Review of the effectiveness of processes under the
Convention on Biological Diversity and its Protocols**

Digital sequence information on genetic resources

Compilation of draft decisions for the sixth meeting 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

Introduction

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 on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization. The compilation comprises the draft decisions contained in the various recommendations from the sixth and seventh meetings of the Subsidiary Body on Implementation, as well as additional elements developed by the Executive Secretary in the light of, inter alia, previous decisions of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol or recommendations of its subsidiary bodies. The mandates for such additional elements are provided in the documents prepared under each relevant agenda item of the present meeting. Items for which no draft decision is envisaged or has been prepared are also indicated in the compilation, with an explanatory note, for the sake of providing an exhaustive list of items.

* [CBD/NP/MOP/6/1](#).

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Items 1 to 4

No draft decisions are envisaged under items 1 to 4, owing to the nature of those items. The actions required on the part of the Conference of the Parties serving as the meeting of the Parties to the Protocol for those items are reflected in the annotated provisional agenda.¹

¹ [CBD/NP/MOP/6/1](#).

Item 5

Report of the Compliance Committee

The following draft decision has been reproduced from document [CBD/NP/MOP/6/3](#) (annex I, sect. I, para. 1).

Compliance

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

1. *Welcomes* the progress made by Parties in the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity;²
2. *Recognizes* that further work is needed to advance the implementation of the Protocol;
3. *Expresses concern* that:
 - (a) Twenty-six per cent of Parties have not yet designated one or more competent national authorities and 54 per cent of Parties have not yet designated one or more checkpoints, indicating significant gaps in the institutional and monitoring architecture of the Protocol;³
 - (b) Nearly 50 per cent of Parties indicated that they had information that had not yet been published on the Access and Benefit-sharing Clearing-House, pointing to a gap in fulfilling the requirements under Article 14 of the Protocol;⁴
4. *Urges* Parties that have not yet done so to establish legislative, administrative and policy measures and institutional arrangements for implementing the Protocol, publish as soon as possible all available information required under Article 14 of the Protocol through the Clearing-House and keep such information updated as required;
5. *Requests* that Parties collaborate fully when requested to provide information related to their compliance with obligations under the Protocol;
6. *Welcomes* the contribution of the Compliance Committee under the Nagoya Protocol to the second assessment and review of the effectiveness of the Protocol.

² United Nations, *Treaty Series*, vol. 3008, No. 30619.

³ See [CBD/SBI/7/7/Add.1](#).

⁴ *Ibid.*

Item 6

Administration of the Nagoya Protocol and budget for the trust funds

Elements of the following draft decision have been adapted from document [CBD/NP/MOP/6/5](#). Paragraphs 5 and 6 have been adapted from paragraph 6 of recommendation [6/9](#) of the Subsidiary Body on Implementation.

Administration of the Nagoya Protocol and budget for the trust funds

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, Recalling decision [NP-5/12](#) of 6 December 2024,

Having considered the information contained in documents prepared by the Secretariat of the Convention on Biological Diversity⁵ related to the item on the administration of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization⁶ and budget for the trust funds on the agenda of its sixth meeting,⁷

Recognizing the efforts of the Secretariat to strengthen the long-term and strategic alignment of its functions and structure through its external in-depth functional review, and noting the associated staffing and resource gap for the Secretariat to be fully operational in line with the core mandates of the Convention and its Protocols, as well as priorities determined by the Conference of the Parties to the Convention and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, in particular the provision of support for the implementation of the Kunming-Montreal Global Biodiversity Framework,⁸

Welcoming with appreciation the financial contributions from developed country Parties to the special voluntary trust funds to facilitate the participation of Parties and indigenous peoples and local communities in the processes of the Convention and its Protocols,

Recognizing the fiscal constraints on Parties, and noting with concern that the participation of developing country Parties, in particular the least developed countries and the small island developing States among them, and Parties with economies in transition in meetings held under the Convention and its Protocols has been adversely affected by the lack of predictable and sustainable funding,

1. *Decides to adopt an integrated programme of work and budget for the Convention on Biological Diversity, the Cartagena Protocol on Biosafety⁹ and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization for the biennium 2027–2028;*

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 to 15 to 13 for the biennium 2027–2028;*

3. *Approves a core programme budget for the General Trust Fund for the Nagoya Protocol of XX United States dollars for 2027 and XX dollars for 2028, representing 13 per cent of the integrated budget of XX dollars for 2027 and XX dollars for 2028 for the Convention and its Protocols, for the purposes listed in tables xx and xx below;*

⁵ United Nations, *Treaty Series*, vol. 1760, No. 30619.

⁶ *Ibid.*, vol. 3008, No. 30619.

⁷ [CBD/NP/MOP/6/4](#), [CBD/NP/MOP/6/5](#) and CBD/NP/MOP/6/5/Add.1.

⁸ Decision [15/4](#), annex.

⁹ United Nations, *Treaty Series*, vol. 2226, No. 30619.

4. *Adopts* the scale of assessments for the apportionment of expenses for 2027 and 2028, in accordance with the scale of assessments of the United Nations,¹⁰ as contained in the annex to the present decision;¹¹

5. *Takes note* of the executive summary of the report on the external in-depth functional review of the Secretariat¹² and the progress report on the functional review;¹³

6. *Decides* to apply paragraphs 4, 5 and 7 to 36 of decision 17/-- of the Conference of the Parties to the Convention on the administration of the Convention and budget for the trust funds, *mutatis mutandis*.

[Placeholder for the tables mentioned in paragraph 3]

¹⁰ As contained in General Assembly resolution 79/249.

¹¹ See [CBD/NP/MOP/6/5](#), annex, table 3. The scale of assessment will be integrated into the decision after a single scale of contributions for the Convention and its Protocols has been adopted.

¹² [CBD/SBI/6/10](#), annex.

¹³ [CBD/COP/17/4/Add.4](#).

Item 7

Monitoring and reporting

The following draft decision has been reproduced from document [CBD/NP/MOP/6/6](#).

Monitoring and reporting

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

1. *Welcomes* the first national reports on the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization¹⁴ that have been submitted;
2. *Urges* Parties that have not yet submitted their first national reports to do so as soon as possible;
3. *Expresses* its appreciation to the Global Environment Facility and the United Nations Environment Programme for the support provided to eligible Parties in the preparation and submission of their first national reports, and acknowledges the administrative challenges associated with the project development process and the resulting significant delay in the distribution of funds;
4. *Commends* the efforts made by the Secretariat of the Convention on Biological Diversity¹⁵ to assist Parties in submitting their first national reports;
5. *Urges* Parties to monitor the implementation of their obligations under the Nagoya Protocol, in compliance with its Article 29, with respect to facilitating the preparation and timely submission of their second national reports, and explore opportunities for mobilizing resources in support of those activities;
6. *Notes* that the second national reports will be due by 30 June 2029;
7. *Requests* the Executive Secretary to prepare the format for the second national report, taking into account the comments provided by Parties in the first national reports, while maintaining continuity in the questions in order to facilitate the measurement of progress against the reference points in the framework of indicators set out in annex II to decision [NP-3/1 A](#) of 25 November 2018, and to submit the format for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its seventh meeting.

¹⁴ United Nations, *Treaty Series*, vol. 3008, No. 30619.

¹⁵ *Ibid.*, vol. 1760, No. 30619.

Item 8

Assessment and review of the effectiveness of the Nagoya Protocol

The following draft decision has been reproduced from recommendation [7/6 A](#) of the Subsidiary Body on Implementation.

Assessment and review of the effectiveness of the Nagoya Protocol

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

1. *Welcomes* the input to the second assessment and review of the effectiveness of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization¹⁶ provided by the Compliance Committee under the Nagoya Protocol and the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol, in the form of key findings and messages and indicative actions that could be taken at the national, regional and global levels to enhance the implementation of the Protocol;¹⁷
2. *Also welcomes* the scoping study on the possible reasons and underlying root causes for the challenges to effective implementation and compliance, and on possible ways to enhance implementation;¹⁸
3. *Further welcomes* the updated indicator data produced further to the framework of indicators provided in annex II to decision [NP-3/1 A](#) of 25 November 2018;¹⁹
4. *Takes note* of the outcomes of the second assessment and review, in the form of key findings and messages and indicative actions that could be taken at the national level to enhance the implementation of the Nagoya Protocol,²⁰ and of related decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol;²¹
5. *Welcomes* the progress made by Parties in the implementation of the Nagoya Protocol, and recognizes that further work is needed to support the effective implementation of the Protocol, as identified in the key findings and messages and indicative actions, and to make access and benefit-sharing systems fully operational and effective to achieve the objective of the Protocol;
6. *Invites* Parties, other Governments, indigenous peoples and local communities and relevant stakeholders and organizations, including, as appropriate, the regional and subregional technical and scientific cooperation support centres, to take into account the outcomes of the second assessment and review in their efforts to support the effective implementation of the Nagoya Protocol;
7. *Underlines* that all Parties need to fulfil their obligations under the Nagoya Protocol;
8. *Urges* Parties that have not yet done so to take the steps necessary to ensure the full and effective implementation of the Nagoya Protocol and achieve its objective;
9. *Invites* Parties to take into account the indicative actions referred to in paragraph 4 above in their efforts to implement the Nagoya Protocol, as appropriate and in accordance with national circumstances and priorities;

¹⁶ United Nations, *Treaty Series*, vol. 3008, No. 30619.

¹⁷ See [CBD/NP/MOP/6/3](#) and [CBD/NP/CB-IAC/2026/1/4](#), respectively.

¹⁸ [CBD/SBI/7/INF/3/Rev.1](#).

¹⁹ See [CBD/SBI/7/7/Add.1](#).

²⁰ [CBD/SBI/7/7](#), annexes I and II, respectively.

²¹ See decisions NP-6/-- on enhancing the implementation of the Nagoya Protocol and NP-6/-- on the financial mechanism and resources.

10. *Encourages* Parties that have not yet done so:

(a) To develop and publish through the Access and Benefit-sharing Clearing-House clear and streamlined step-by-step access and benefit-sharing procedures, as appropriate and in accordance with national legislation and circumstances, that include: clear information on their scope of application, responsible authorities, the documentation required thereunder, procedural steps and any existing exemptions; and standardized templates, forms and checklists for commercial and non-commercial users;

[(b) To develop user measures, including guidelines, as appropriate and in accordance with national measures, and to publish them through the Access and Benefit-sharing Clearing-House;]

(c) To create conditions to promote and encourage research that contributes to the conservation and sustainable use of biological diversity, including through simplified measures on access for non-commercial research purposes, taking into account the need to address a change of intent for such research, in accordance with Article 8 (a) of the Nagoya Protocol;

(d) To establish and progressively implement, with a view to fully operationalizing, their checkpoints and to publish information collected or received by the checkpoints through the Access and Benefit-sharing Clearing-House, without prejudice to the protection of confidential information and in accordance with Articles 15 to 18 of the Nagoya Protocol;

11. *Invites* Parties, as applicable, and in accordance with domestic law:

(a) To ensure the full and effective participation of indigenous peoples and local communities, including women and youth among them, in access and benefit-sharing processes, including by facilitating the development by indigenous peoples and local communities of community protocols and procedures for access and benefit-sharing, in accordance with Article 12 of the Nagoya Protocol;

(b) To make such protocols and procedures available through the Access and Benefit-sharing Clearing-House as part of the national records, [if the indigenous peoples and local communities concerned so agree and] without prejudice to the protection of confidential information;

12. *Invites* relevant organizations to support indigenous peoples and local communities, including women and youth among them, through their national focal points, in developing community protocols and procedures, in accordance with domestic law and in line with the programme of work on Article 8(j) and other provisions of the Convention on Biological Diversity²² related to indigenous peoples and local communities to 2030 adopted by the Conference of the Parties to the Convention in decision [16/4](#) of 30 October 2024;

[13. *Urges* Parties to use existing tools developed in accordance with Articles 19 and 20 of the Nagoya Protocol and made available through the Access and Benefit-sharing Clearing-House;]

14. *Invites* Parties to continue to engage indigenous peoples and local communities, user organizations and relevant stakeholders in access and benefit-sharing processes, in accordance with national circumstances, and encourages user organizations and networks to continue to facilitate user compliance with access and benefit-sharing requirements, including by [making use of such tools developed in accordance with][developing such tools as those provided in] Articles 19 and 20 of the Nagoya Protocol [and made available through the Access and Benefit-sharing Clearing-House] and [by continuing to develop the tools and make them][by making the tools] available through the Access and Benefit-sharing Clearing-House;

15. *Encourages* Parties and relevant regional organizations to engage actively in processes that could support the development of regional approaches to access and benefit-sharing and enhance transboundary cooperation in accordance with Article 11 of the Nagoya Protocol;

²² United Nations, *Treaty Series*, vol. 1760, No. 30619.

16. *Requests* the Executive Secretary to disseminate and promote the outcomes of the second assessment and review among Parties, other Governments, indigenous peoples and local communities, and relevant stakeholders and organizations, including the technical and scientific cooperation support centres;

17. *Decides* that, given the limited practical experience with the compliance procedures and mechanisms²³ and the fact that they are still being explored as a tool for supporting Parties in complying with their obligations under the Nagoya Protocol, it is premature to revise them at the present time, without prejudice to any future review based on sufficient practical experience, and notes that the limited number of cases brought to the attention of the Compliance Committee does not in itself constitute evidence of compliance with the Protocol;

[18. *Requests* the Executive Secretary to propose indicators of sufficient practical experience that would trigger reconsideration of the compliance procedures and mechanisms at a future meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;]

[19. *Also requests* the Executive Secretary to assess, in coordination with the Compliance Committee, the reasons for which the compliance procedures and mechanisms under the Nagoya Protocol have not been triggered through submissions, including whether Parties and relevant stakeholders are sufficiently aware of and are able to access and use the procedures, and to identify any procedural, institutional or practical barriers and options to address them;]

[20. *Decides* to establish a Party-driven intersessional process to advance the development of the modalities of the global multilateral benefit-sharing mechanism under Article 10 of the Nagoya Protocol, building on the work already undertaken pursuant to decision [XI/1 B](#) of 19 October 2012 of the Conference of the Parties and decisions [NP-1/10](#) of 17 October 2014, [NP-2/10](#) of 17 December 2016, [NP-3/13](#) of 29 November 2018, [NP-4/10](#) of 19 December 2022 and [NP-5/7](#) of 25 October 2024 of the Conference of the Parties serving as the meeting of the Parties to the Protocol and taking into account the relevant findings of the second assessment and review of the effectiveness of the Protocol;

21. *Requests* the Executive Secretary, subject to the availability of resources, to convene as part of the intersessional process referred to in paragraph 20 above an open-ended intersessional meeting of Parties with the participation of indigenous peoples and local communities and relevant stakeholders, in order to develop specific elements of the modalities of the global multilateral benefit-sharing mechanism under Article 10 of the Nagoya Protocol, building on the work undertaken pursuant to the decisions referred to in paragraph 20 above, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its seventh meeting;]

22. *Also requests* the Executive Secretary to propose a methodology, in consultation with Parties, for conducting the third assessment and review of the effectiveness of the Nagoya Protocol, taking into account:

- (a) The outcomes and lessons learned from the second assessment and review;
- (b) The need to collect and analyse information that would enable an assessment of the level of operationalization of access and benefit-sharing systems and their effectiveness in achieving the objective of the Nagoya Protocol, while avoiding additional reporting burdens;
- (c) Input from the Compliance Committee under the Nagoya Protocol and the Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol;
- [(d) The need to assess progress towards operationalization of Article 10 of the Nagoya Protocol and the experience of the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including a global

²³ Decision [NP-1/4](#), annex.

fund, now known as the Cali Fund, established under decision [15/9](#) of 19 December 2022 of the Conference of the Parties;]

[(e) The need to review and, as appropriate, revise the framework of indicators contained in annex II to decision [NP-3/1 A](#), taking into account the outcomes of the second assessment and review and submissions from Parties, with a view to incorporating indicators for use in measuring the operationalization of access and benefit-sharing systems and the outcomes achieved in terms of benefits shared, in addition to the existence of legislative, administrative and policy measures;]

23. *Requests* the Subsidiary Body on Implementation to consider the proposed methodology referred to in paragraph 22 above at a meeting held before the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya 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 seventh meeting;

[24. *Requests* the Executive Secretary to compile, on the basis of the second assessment and review and information available through the Access and Benefit-sharing Clearing-House, information on provisions of the Nagoya Protocol for which limited or no implementation experience has been reported, including with respect to genetic resources occurring in transboundary situations, and to make that information available for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol.]

Item 9

Enhancing the implementation of the Nagoya Protocol

The following draft decision has been reproduced from recommendation [7/6 B](#) of the Subsidiary Body on Implementation.

Enhancing the implementation of the Nagoya Protocol

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

I

Capacity-building and development and awareness-raising

1. *Recalls* its decision [NP-5/3](#) of 1 November 2024, by which it adopted the capacity-building and development action plan for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization,²⁴ and its decision [NP-1/9](#) of 17 October 2014, by which it adopted the awareness-raising strategy for the Protocol;

2. *Encourages* Parties, other Governments and relevant stakeholders and organizations, including the regional and subregional technical and scientific cooperation support centres, in a position to do so, taking into account national circumstances, priorities, capabilities and legislation:

(a) To enhance their efforts to build long-term capacity for implementing the Nagoya Protocol, in accordance with its Article 22 and the capacity-building and development action plan for the Protocol;

(b) To take into account the key findings and messages of the second assessment and review of the effectiveness of the Nagoya Protocol, which include areas where Parties require further support, and the indicative actions that could be taken at the national level to enhance the implementation of the Protocol;²⁵

(c) To strengthen the capacities of national authorities to implement the Nagoya Protocol and domestic access and benefit-sharing measures, including the capacity for undertaking the following in an efficient and effective manner: managing processes for granting access, providing timely responses to requests for information by users of genetic resources, negotiating mutually agreed terms and ensuring compliance in accordance with Articles [10,] 15, 16, 17 and 18 of the Protocol;

(d) To promote the exchange of experiences, best practices, success stories and lessons learned in the implementation of the Nagoya Protocol among a wide range of actors involved in access and benefit-sharing processes, and develop guidance, in particular on the areas identified in the key findings and messages;

(e) To promote the development of regional and global initiatives to facilitate the exchange of experiences and lessons learned among different actors, including indigenous peoples and local communities;

(f) To establish or strengthen mechanisms that facilitate partnerships between users and providers of genetic resources and holders of associated traditional knowledge;

(g) To document and share through the Access and Benefit-sharing Clearing-House lessons learned, best practices and capacity-building and development resources for the implementation of the Nagoya Protocol;

²⁴ United Nations, *Treaty Series*, vol. 3008, No. 30619.

²⁵ See [CBD/SBI/7/7](#), annexes I and II.

(h) To support work on information systems that facilitate access and benefit-sharing and compliance with the Nagoya Protocol and to make those systems interoperable with the Access and Benefit-sharing Clearing-House, as appropriate;

(i) To support the publication and use of information in the Access and Benefit-sharing Clearing-House by indigenous peoples and local communities, for example by incorporating training on the Clearing-House into relevant capacity-building and development activities, as appropriate;

3. *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant stakeholders and organizations, including, as appropriate, the technical and scientific cooperation support centres, to strengthen communication efforts, subject to the availability of resources and national priorities, including through campaigns targeted at different access and benefit-sharing actors, and to consider:

(a) Promoting the third objective of the Convention on Biological Diversity,²⁶ that is, the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, so that it is recognized and perceived as a strategy for valorizing biodiversity, supporting its conservation and sustainable use and creating opportunities for sustainable development, in line with the key findings and messages;

(b) Continuing the implementation of the awareness-raising strategy for the Nagoya Protocol;

(c) Using existing tools, such as the communication, education and public awareness toolkit,²⁷ including considerations for access and benefit-sharing;

4. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To contribute to and promote the communication efforts of the actors referred to in paragraph 3 above by producing targeted communication materials that highlight success stories and best practices and disseminating such information, including through the Access and Benefit-sharing Clearing-House;

(b) To facilitate and promote the exchanges referred to in subparagraphs 2 (d) and (e) above on the areas identified in the key findings and messages, including through the holding of regional workshops;

(c) To promote the integration of access and benefit-sharing in regional or subregional capacity-building and development initiatives, existing cooperation frameworks and the work of relevant regional and subregional institutions, including the technical and scientific cooperation support centres, and to support, through those centres, the establishment and operationalization of checkpoints under Article 17 of the Nagoya Protocol;

[(d) To promote cooperation, collaboration and synergy among the secretariats of relevant multilateral environmental agreements addressing access and benefit-sharing, such as the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction;]²⁸

II

Access and Benefit-sharing Clearing-House and information-sharing

5. *Emphasizes* the key role of the Access and Benefit-sharing Clearing-House in supporting the effective implementation of the Nagoya Protocol;

²⁶ United Nations, *Treaty Series*, vol. 1760, No. 30619.

²⁷ www.cbd.int/abs/doc/cepa-toolkit-en.pdf.

²⁸ A/CONF.232/2023/4.

6. *Underscores* that it is important for Parties to publish all available mandatory information through the Access and Benefit-sharing Clearing-House and to ensure that such information is kept up to date in order to enhance the effectiveness of the Nagoya Protocol;

7. *Requests* Parties to provide up-to-date, accurate and practical information on access and benefit-sharing procedures and national model contractual clauses in the Access and Benefit-sharing Clearing-House, in line with Article 14 of the Nagoya Protocol;

8. *Notes with concern* that many Parties have not yet published all available mandatory information through the Access and Benefit-sharing Clearing-House, and urges those Parties to publish such information, as required under Article 14 of the Nagoya Protocol, as soon as possible, and to keep it up to date;

9. *Encourages* Parties to make use of the interoperability of the Access and Benefit-sharing Clearing-House with relevant national information systems to facilitate the publication of information related to internationally recognized certificates of compliance and checkpoint communiqués;

10. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To further develop the Access and Benefit-sharing Clearing-House, and to encourage the publication and use of information through the Clearing-House, in accordance with its modalities of operation, and taking into account:

(i) Feedback received, in particular from Parties and the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House, including on goals and priorities for the administration and further development of the Clearing-House by the Secretariat;²⁹

(ii) Relevant information from the second assessment and review;

(b) To hold a meeting of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House before the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and, as needed, informal online discussions, and to report on the outcomes of the Committee's work at the seventh meeting;

III

The Nagoya Protocol in the context of the Kunming-Montreal Global Biodiversity Framework

11. *Recalls* its decision [NP-5/6](#) of 25 October 2024;

12. *Encourages* Parties to provide in their second national reports on the implementation of the Nagoya Protocol complete and disaggregated information on benefits received, including, as appropriate, the details of monetary and non-monetary benefits received from the utilization of genetic resources and associated traditional knowledge, the recipients of the benefits, including indigenous peoples and local communities, and the proportion of benefits directed towards the conservation and sustainable use of biodiversity, in accordance with national legislation and without prejudice to the protection of confidential information;

13. *Notes* that the outcomes of the second assessment and review are complemented by decision 17/-- of the Conference of the Parties to the Convention on the global review of collective progress in the implementation of the Kunming-Montreal Global Biodiversity Framework,³⁰ in particular with regard to its Goal C and Target 13.

²⁹ See [CBD/NP/ABSCH-IAC/6/3](#).

³⁰ Decision [15/4](#), annex.

Item 10

Financial mechanism and resources

The following draft decision comes from recommendation [7/6 C](#) of the Subsidiary Body on Implementation and document [CBD/NP/MOP/6/8](#). The preamble and paragraphs 1 to 4, 10, 11, 13 and 14 come from document [CBD/NP/MOP/6/8](#), while paragraphs 5 to 9, 12 and 15 come from recommendation [7/6 C](#). The element of a draft decision on the financial mechanism recommended by the Compliance Committee under the Nagoya Protocol, as contained in section III of document [CBD/NP/MOP/6/3](#), is reflected in paragraph 8.

Financial mechanism and resources

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

Recalling Article 25 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization,³¹

Having considered the information on the Nagoya Protocol in the report of the Council of the Global Environment Facility for the seventeenth meeting of the Conference of the Parties to the Convention on Biological Diversity,^{32,33}

1. *Welcomes* the report of the Council of the Global Environment Facility for the seventeenth meeting of the Conference of the Parties to the Convention on Biological Diversity;

2. *Also welcomes* the ninth replenishment of the Global Environment Facility Trust Fund and its programming directions and the support thereby made available to Parties for the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization, and expresses its appreciation to the countries that contributed to the replenishment;

3. *Welcomes with appreciation* the measures taken by the Global Environment Facility to enhance the financial mechanism with respect to the Nagoya Protocol;

4. *Notes with appreciation* that the programming directions for the ninth replenishment period of the Global Environment Facility Trust Fund reflect all elements of the four-year outcome-oriented framework of biodiversity programme priorities of the Convention on Biological Diversity and its Protocols adopted by the Conference of the Parties at its sixteenth meeting³⁴ and thus demonstrate an effective response to the guidance provided by the Conference of the Parties;

5. *Recalls* its decisions [NP-4/8](#) of 10 December 2022 and [NP-5/2](#) of 1 November 2024;

[6. *Urges* developed country Parties and other Parties that voluntarily assume the obligations of developed country Parties to provide new and additional, adequate, predictable and timely financial resources to developing country Parties, in particular the least developed countries and the small island developing States among them, and Parties with economies in transition for the implementation of the Nagoya Protocol, in accordance with Article 25 of the Protocol and Article 20 of the Convention;]

³¹ United Nations, *Treaty Series*, vol. 3008, No. 30619.

³² *Ibid.*, vol. 1760, No. 30619.

³³ [CBD/COP/17/5/Add.1](#).

³⁴ Decision [16/33](#), annex I.

7. *Invites* Parties, international organizations, regional development banks, other programmes and initiatives, and the private sector:

(a) To provide additional financial resources, as appropriate and, where relevant, in line with their respective mandates, to support the implementation of the Nagoya Protocol;

(b) To take into account the key findings and messages of the second assessment and review of the effectiveness of the Nagoya Protocol, which include areas where Parties require further support, and the indicative actions that could be taken at the national level to enhance the implementation of the Protocol;³⁵

8. *Recommends* that, in adopting its guidance to the Global Environment Facility, the Conference of the Parties to the Convention request the Facility:

(a) To continue to assist developing country Parties, in particular the least developed countries and the small island developing States among them, and Parties with economies in transition in implementing the Nagoya Protocol, taking into account the outcomes of the second assessment and review, including the support for the establishment and operationalization of checkpoints and the publication of checkpoint information through the Access and Benefit-sharing Clearing-House, encourage the use of global and regional projects and make funds available to that end;

(b) To make funds available in a timely manner to support eligible Parties in the preparation and submission of their second national reports on the implementation of the Nagoya Protocol, with a view to ensuring that resources are made available well in advance of the expected reporting deadline, without creating additional reporting requirements;

[(c) To consider establishing, within its biodiversity focal area, a dedicated funding window on access and benefit-sharing, including for the implementation of the Nagoya Protocol, with adequate and predictable resources, taking into account the national priorities and needs of eligible Parties and without reducing the availability of resources for other national biodiversity priorities;]

9. *Underlines* that it is important for eligible Parties to submit their letters of endorsement for the Global Environment Facility project to support the preparation of the second national reports in a timely manner, and recommends that implementing agencies involved in the project take steps to minimize administrative, procedural and operational delays in order to facilitate the expeditious disbursement of funding;

10. *Recognizes* the importance of ensuring the timely availability of financial resources for the preparation of national reports under the Nagoya Protocol;

11. *Encourages* efforts to facilitate early project development and implementation arrangements to support the preparation and submission of second national reports under the Nagoya Protocol;

12. *Requests* the Executive Secretary:

(a) To disseminate information on existing financial resources and funding opportunities to Parties and indigenous peoples and local communities, women and youth for the implementation of the Nagoya Protocol;

(b) To take into account the outcomes of the second assessment and review, including the needs of developing country Parties, in particular the least developed countries and the small island developing States among them, and Parties with economies in transition, when preparing the documentation related to the four-year outcome-oriented framework of programme priorities for the tenth replenishment period of the Global Environment Facility Trust Fund that will be submitted for

³⁵ [CBD/SBI/7/7](#), annexes I and II.

consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its seventh meeting;

13. *Recommends* that the Conference of the Parties to the Convention give full consideration to the Nagoya Protocol in the terms of reference to be adopted for the seventh quadrennial review of the effectiveness of the financial mechanism under the Convention;

14. *Invites* Parties to the Nagoya Protocol to contribute to and participate in the seventh quadrennial review of the effectiveness of the financial mechanism;

[15. *Invites* the Conference of the Parties to the Convention to ensure that, when it adopts the integrated programme of work and budget for the biennium 2027–2028, the core functions of the Secretariat related to the Nagoya Protocol, including the Access and Benefit-sharing Clearing-House and the compliance mechanism, are provided for in the core programme budget.]

Item 11

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

The following draft decision has been reproduced from recommendation [6/7](#) of the Subsidiary Body on Implementation.

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

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

[Recalling paragraph 4 of Article 4 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization,³⁶

Recognizing the need to enhance legal clarity, equity and coherence in the implementation of paragraph 4 of Article 4 of the Nagoya Protocol and to avoid duplication and fragmentation across access and benefit-sharing regimes,

Affirming the importance of maintaining mutual supportiveness among international instruments, in accordance with paragraph 3 of Article 4 of the Nagoya Protocol, and of respecting the sovereign rights of Parties,

Recalling Article 10 of the Nagoya Protocol,]

[1. *Takes note* of the synthesis of submissions received pursuant to decision [NP-5/8](#) of 25 October 2024, as contained in document [CBD/SBI/6/8](#), which provides a basis for further consideration of the process for recognizing specialized international access and benefit-sharing instruments under paragraph 4 of Article 4 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization;

2. *Also takes note* of the options proposed in section I of annex I to the present decision as potential pathways to address the process for recognizing a specialized international access and benefit-sharing instrument under paragraph 4 of Article 4 of the Nagoya Protocol;]

3. *Invites* Parties, other Governments, indigenous peoples and local communities, relevant stakeholders and international organizations and processes to submit views on the options and indicative criteria, including additional proposals, for specialized international access and benefit-sharing instruments, as set out in sections I and II of annex I to the present decision, respectively;

4. *Decides* to establish an informal group³⁷ to advance work [on paragraph 4 of Article 4,] through [a][an online and] fully inclusive process open to all Parties, indigenous peoples and local communities, relevant international organizations and stakeholders, to inform the Subsidiary Body on Implementation at its eighth meeting [and to conclude the agenda item on specialized international access and benefit-sharing instruments in the context of Article 4, paragraph 4, of the Nagoya Protocol at the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol];

5. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To compile a synthesis of the views referred to in paragraph 3 above, for consideration by the Informal Group;

³⁶ United Nations, *Treaty Series*, vol. 3008, No. 30619.

³⁷ The term “informal group” is a placeholder until the Parties decide what to name the group. Options suggested at the sixth meeting of the Subsidiary Body on Implementation include “open-ended informal advisory group” and “discussion forum”.

(b) To assist the Co-Chairs of the Informal Group in organizing and conducting the [online] meetings of the Group and the preparation of their report;

[6. *Recommends* the inclusion of “cooperation with other international organizations and the governing bodies and secretariats of international instruments” as a standing item in the agendas for future meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, to monitor developments relevant to paragraph 4 of Article 4 of the Protocol and promote mutual supportiveness.]

Annex I

[Proposed options for determining the status of or recognizing specialized international access and benefit sharing instruments]

I. Options for recognizing specialized international access and benefit-sharing instruments

Option A

Recognition by 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

1. The objective of option A is to establish a formal, Party-led mechanism for recognizing specialized international access and benefit-sharing instruments through the Conference of the Parties serving as the meeting of the Parties of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization³⁸ on the basis of the indicative criteria set forth in section II. The option may include the following elements:

- (a) Indicative criteria agreed by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (see sect. II);
- (b) The submission of dossiers by Parties;
- (c) Inclusive consultations with stakeholders;
- (d) A time-limited recognition subject to periodic review;
- (e) A dispute-resolution mechanism;
- (f) A registry in the Access and Benefit-sharing Clearing-House.

Option B

Approach based on initial coordination without formal recognition

2. The objective of option B is to promote structured coordination and mutual supportiveness without formal recognition. The option is defined by the following elements:

- (a) Structured cooperation with other international organizations;
- (b) Information exchange and transparency;
- (c) National reporting on practices related to specialized international access and benefit-sharing instruments;
- (d) Assessments based on the Nagoya Protocol;
- (e) Review processes;
- (f) No formal recognition or accreditation step.

³⁸ United Nations, *Treaty Series*, vol. 3008, No. 30619.

Option C**Hybrid “deference and docket” model³⁹**

3. The objective of option C is to combine self-declarations by the governing bodies and secretariats of specialized international access and benefit-sharing instruments that would be recorded by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol with a minimal review. The option is defined by the following elements:

- (a) Primary self-declarations by the governing bodies or secretariats of specialized international access and benefit-sharing instruments;
- (b) The recording or noting of self-declarations by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;
- (c) Use of voluntary criteria by the governing bodies or secretariats of specialized international access and benefit-sharing instruments to determine the status of those instruments in relation to paragraph 4 of Article 4 of the Protocol;
- (d) Rolling intersessional listings;
- (e) The creation of a registry in the Access and Benefit-sharing Clearing-House;
- (f) A cross-regime help desk for Parties and stakeholders.

II. Proposed indicative criteria for determining the status of or recognizing specialized international access and benefit-sharing instruments (applicable to options I.A and I.C)

4. Indicative criteria for recognition include:
- (a) A legal basis provided through intergovernmental adoption or endorsement;
 - (b) A specialization in scope and purpose;
 - (c) The alignment with the objectives of the Convention on Biological Diversity⁴⁰ and the Nagoya Protocol;
 - (d) Fair and equitable benefit-sharing mechanisms;
 - (e) The effective participation of indigenous peoples and local communities;
 - (f) Transparency, monitoring and accountability provisions;
 - (g) The promotion of mutual supportiveness and the avoidance of duplication.]

Annex II**Terms of reference of the Informal Group to Advance Work on Paragraph 4 of Article 4 of the Nagoya Protocol**

1. The Informal Group to Advance Work on Paragraph 4 of Article 4 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization⁴¹ shall consider:

- (a) The synthesis of views referred to in paragraph 5 (a) of the present decision, with a view to identifying areas of divergence and convergence;

³⁹ A hybrid “deference and docket” model refers to a strategic governance approach that blends Party-led discretion (deference) with a structured, transparent process (docket) that can be used for reviewing and recognizing specialized international access and benefit-sharing instruments under paragraph 4 of Article 4 of the Nagoya Protocol.

⁴⁰ United Nations, *Treaty Series*, vol. 1760, No. 30619.

⁴¹ *Ibid.*, vol. 3008, No. 30619.

(b) The information described in the first national reports on the implementation of the Nagoya Protocol and the second assessment and review of the Protocol.

2. The Informal Group shall meet up to three times over the intersessional period, [online and] in a manner that will accommodate different time zones. Each meeting is expected to last approximately three hours. The working language will be English.

3. The Informal Group shall be guided by two co-chairs. One co-chair shall be from a developed country and one from a developing country. The Co-Chairs are XXX and XXX.⁴²

4. The Co-Chairs will prepare a report on the following elements, among others:

(a) Legal and institutional implications of options for implementing paragraph 4 of Article 4 of the Protocol;

(b) Draft indicative criteria for specialized international access and benefit-sharing instruments.

5. Other Governments, observers and experts from Parties and relevant organizations may be invited to participate in meetings of the Informal Group, or parts thereof, at the discretion of the Co-Chairs.

⁴² It is expected that the co-chairs will be selected at the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

Item 12

Global multilateral benefit-sharing mechanism

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol is expected to develop a decision on agenda item 12 in session, taking into account information contained in document [CBD/NP/MOP/6/10](#).

Item 13**Cooperation with international organizations,
bodies established under other conventions, and initiatives**

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol is expected to take note of the information contained in document [CBD/NP/MOP/6/11](#). No decision is expected under agenda item 13.

Item 14

Review of the effectiveness of processes under the Convention on Biological Diversity and its Protocols

The following draft decision has been reproduced from recommendation [6/8](#) of the Subsidiary Body on Implementation.

Options for further improving the effectiveness of meetings under the Convention and its Protocols

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

Recognizing the need to ensure [the inclusiveness, transparency and equity][the integrity] of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization⁴³ while pursuing efficiencies and, where appropriate, the integration of processes with the Convention on Biological Diversity⁴⁴ and the Cartagena Protocol on Biosafety,⁴⁵

Reaffirming the important role of technology in supporting the efficiency and effectiveness of meetings, without prejudice to decision-making by consensus,

- 1. Takes note of decision 17/-- of the Conference of the Parties to the Convention on Biological Diversity;*
- 2. Welcomes the progress made with the decision-tracking tool developed further to decision [XII/28](#) of 17 October 2014 of the Conference of the Parties to the Convention, as described in document [CBD/SBI/6/INF/11](#);*
- 3. Decides that the decisions 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 should be included in the decision-tracking tool;*
- 4. Requests the Executive Secretary to take the necessary steps in that regard, beginning with decisions of its fourth and fifth meetings;*
- 5. Recalls its decision [NP-1/12](#) of 14 October 2014, by which it decided to hold its ordinary meetings concurrently with the meetings of the Conference of the Parties to the Convention and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety within a two-week period;*
- [6. Reiterates its call upon [developed country] Parties[, and other Parties in a position to do so,] [to increase their contributions][to contribute] to the relevant voluntary trust fund to ensure the full and effective participation of representatives of developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition in the concurrent meetings, and to increase their contribution to the Special Voluntary Trust Fund for Facilitating the Participation of Indigenous Peoples and Local Communities;]*
- 7. Notes that chairs of groups considering matters under the Nagoya Protocol are to be selected from among the Parties to the Protocol.*

⁴³ United Nations, *Treaty Series*, vol. 3008, No. 30619.

⁴⁴ *Ibid.*, vol. 1760, No. 30619.

⁴⁵ *Ibid.*, vol. 2226, No. 30619.

Item 15

Digital sequence information on genetic resources

The present agenda item will be considered in conjunction with item 11 of the seventeenth meeting of the Conference of the Parties to the Convention (see document CBD/COP/17/2, item 11).

Items 16 to 18

No draft decisions are envisaged under items 18 to 20, owing to the nature of those items. The actions required on the part of the Conference of the Parties serving as the meeting of the Parties to the Protocol under those items are reflected in the annotated provisional agenda.
