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COMPLIANCE COMMITTEE UNDER THE NAGOYA PROTOCOL Third meeting Online, 21-23 April 2020 Item 5 of the provisional agenda*

REVIEW OF THE FORMAT FOR PARTIES TO REPORT ON THE IMPLEMENTATION OF THE OBLIGATIONS UNDER THE PROTOCOL

Note by the Executive Secretary

INTRODUCTION

- 1. Article 29 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) requires each Party to monitor the implementation of its obligations under the Protocol and to report to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on measures that it has taken to implement the Protocol.
- 2. In decision NP-1/3, the Conference of the Parties serving as the meeting of the Parties to the Protocol agreed on the format and guidelines for submission of an interim national report on the implementation of the Protocol and requested Parties to the Protocol to submit the report 12 months prior to the third meeting of the Parties to the Protocol. The Parties also welcomed submissions of relevant information by non-Parties.
- 3. At its third meeting, the Conference of the Parties serving as the meeting of the Parties to the Protocol considered, among other things, the way forward regarding intervals for the submission of the report and the review of the reporting format. It decided to revisit the issue of intervals for reporting at its sixth meeting, taking into account the alignment of national reports under the Convention and its Protocols and the post-2020 global biodiversity framework (see decision NP-3/4, para. 9).
- 4. In decision NP-3/4, paragraph 8, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol requested the Executive Secretary to review the reporting format for its consideration at its fourth meeting, taking into account comments received, input from the Compliance Committee, the framework of indicators contained in decision NP-3/1, the post-2020 global biodiversity framework and the alignment of national reports under the Convention and its Protocols, while bearing in mind the need for continuity in the format in order to measure progress in implementation.
- 5. As indicated in paragraph 24 of the report on its second meeting (CBD/ABS/CC/2/4), the Compliance Committee noted that some Parties seemed to have found some questions in the reporting format unclear or had interpreted questions differently. The Committee agreed that this should be taken into account in the development of the next reporting format. The Committee also agreed that it could provide an input to the development of the reporting format for the next reporting cycle to assist in that regard. Accordingly, Conference of the Parties serving as the meeting of the Parties to the Nagoya

^{*} CBD/NP/CC/3/1.

Protocol, at its third meeting, requested the Compliance Committee to provide an input to the review of the reporting format for the next reporting cycle (decision NP-3/4, para. 7).

6. The present document outlines, in Section I, the criteria used to review the format for reporting on the implementation of the obligations under the Protocol. The proposed reporting format, as reviewed on the basis of the criteria outlined in section I below, is contained in the annex to the present document. Section II provides suggestions for consideration by the Committee.

I. CRITERIA FOR REVIEW OF THE REPORTING FORMAT

- 7. The following considerations were taken into account in the review of the reporting format for the next reporting cycle (2023):
- (a) Comments received by Parties and non-Parties on the format: Question 65 of the interim national report invited comments on the reporting format. A total of 42 countries answered this question, and 20 of them reported not having experienced difficulties with the format or indicated that it was clear or easy to understand. The reporting format has been reviewed in the light of comments received by countries as follows:
 - (i) Some countries were of the view that certain questions were repetitive (e.g. questions 7, 8 and 16 relating to permits and certificates), not sufficiently clear or could be improved (e.g. question 3 on publication of information in the Access and Benefit-sharing Clearing-House);
 - (ii) Some countries suggested that there could be more choices given on the types of possible standardized responses (i.e. yes/no answers);
 - (iii) Some countries pointed out technical issues and improvements related to the online submission of the interim national report, such as "save drafts automatically" or "improve how reference records or contacts are linked in the responses";
 - (iv) Some countries thought that the format would benefit from enhanced and expanded guidance or explanatory notes;
 - (v) Some countries provided specific suggestions that have been taken into account in the revision of the format (e.g. addition of "non-applicable" as a possible response to question 47);
- (b) The framework of indicators adopted in decision NP-3/1 in the context of assessment and review under Article 31 of the Protocol. The framework of indicators serves as a basis for measuring, in the second assessment and review and thereafter, progress in achieving the objective of the Protocol. However, there were instances in which no conclusive information could be drawn from the responses to the interim national report, and, therefore, a new text was suggested for those indicators. The reporting format has been reviewed to collect information on the indicators adopted in decision NP-3/1 and all the questions are now mandatory;
- (c) Results of the analysis of information contained in the interim national reports. ¹ The analysis of information allowed a better understanding of how the reporting format had been used by Parties, the type of answers provided and the issues on which countries had difficulties understanding the questions or on which there were different interpretations of the provisions contained in the Protocol. To address those issues, the following changes have been incorporated in the format:
 - (i) More nuanced responses were added to "yes/no" questions, including the possibility of reflecting partial positive answers, and the situations in which draft measures or plans to take measures are being prepared (e.g. question 9 as an example of standard predetermined responses);
 - (ii) Some pre-determined responses have been included on the basis of the manner in which the information submitted was used in the analysis (e.g. question 3 on ABS measures). In

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¹ See CBD/SBI/2/INF/3.

- that regard, more detailed pre-determined responses have been provided for the section on institutional structures for implementing the Protocol (questions 3 to 6);
- (iii) Some questions in the reporting format were unclear or countries had interpreted questions differently (such as those related to Article 5 and Article 17). As many of these questions reflect the Protocol text, the range of possible answers is aimed at providing more clarity and/or reflecting a difference in interpretation;
- (iv) In addition to collecting information on challenges and difficulties in implementing the Protocol, a new voluntary field has been included at the end of each section to allow countries to reflect on lessons learned and what worked well (e.g. question 15);
- (d) Improve the relationship between existing ABS Clearing-House records and the report. Some countries suggested that question 3 on publication of information in the ABS Clearing-House could be clarified. The revised format no longer has a standalone question on publication of information, but a follow-up question has been introduced under each question that relates to national information to be published in the ABS Clearing-House. In this regard, an automatic list of all existing national records under one category will be displayed (e.g. all ABS measures published for a country) and countries will be asked to update the information, as appropriate, before publishing this report. In addition, the format includes follow-up questions for countries to self-assess the level of implementation of their information-sharing obligations (e.g. question 3). The format adopted for the interim national report provided for the possibility of including a link to an existing Access and Benefit-sharing Clearing-House record at the end of every question and as part of "additional information" at the end of each section. With a view to simplifying the format and avoiding repetition, the revised format provides the possibility of linking to one or multiple records only at the end of each section;
- (e) The need for continuity in the format to measure progress. It should be borne in mind that the review of the format of the report will need to take into account the need for continuity in its questions to allow for the collection of information that could be comparable overtime to measure progress. In addition, the reporting format needs to be revised to take into account the post-2020 global biodiversity framework and the alignment of national reports under the Convention and its Protocols;
- (f) The need to collect information in the light of the post-2020 global biodiversity framework. If national reports on implementation of the Nagoya Protocol are to serve the purpose of collecting the necessary information to assess progress on the future post-2020 global biodiversity framework, the format may need to be revised once the framework has been agreed. For instance, questions related to measuring progress on monetary and non-monetary benefits received may need to be revised (e.g. questions 14 and 37). The review of the format may also take into account the needs for collecting information on implementation of Article 22 of the Protocol on capacity and any strategy or framework established to help implementation by Parties as part of the post-2020 global biodiversity framework;
- Convention and its Protocols regarding a common approach to the format of the national reports under the Convention and its Protocols and a gradual integration of the reporting facilities available in the clearing-house mechanism, the Biosafety Clearing-House and the Access and Benefit-sharing Clearing-House. The Subsidiary Body on Implementation will consider this issue at its third meeting and make a recommendation to the Conference of the Parties to the Convention, and to the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols, as appropriate. The review of the format may also need to take into account the approaches for monitoring, reporting and review that may be adopted as part of the post-2020 global biodiversity framework.

II. SUGGESTIONS FOR THE CONSIDERATION OF THE COMMITTEE

8. In the light of the information in section I above on the criteria used for reviewing the reporting format, the Committee may wish to provide input to the revised proposed reporting format, including the guidelines for submission, contained as an annex to the present document.

CBD/NP/CC/3/4 Page 4

9. The Committee may wish to request the Executive Secretary to further revise the format, as appropriate, in order to take into account the post-2020 global biodiversity framework, including information that may be available as regards capacity-building areas to support implementation of the Protocol, and the alignment of national reports under the Convention and its Protocols.

Annex

GUIDELINES FOR THE FIRST NATIONAL REPORT ON THE IMPLEMENTATION OF THE NAGOYA PROTOCOL

The following format for the preparation of the national report on implementation of the Nagoya Protocol on Access and Benefit-sharing, called for under Article 29 of the Protocol, is a series of questions based on those provisions of the Protocol that establish obligations for the Parties to the Protocol. These questions are identified as mandatory and are marked with an asterisk.

In addition, some questions are not strictly based on the provisions of the Protocol and are identified as voluntary. They are included in the reporting format to contribute to the assessment and review of the effectiveness of the Protocol in the context of Article 31 and to identify challenges and difficulties in implementing the Protocol, and of decisions adopted by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

The national report can be a useful tool for both Parties and non-Parties to assess the level of implementation of the Nagoya Protocol at the national level, as well as gaps and needs in terms of capacity, and will assist the Conference of the Parties serving as the meeting of the Parties to the Protocol in reviewing, on a regular basis, the implementation of the Nagoya Protocol and in taking, within its mandate, the decisions necessary to promote its effective implementation in accordance with Article 26, paragraph 4.

Information submitted through the national report could also serve to share experiences, lessons learned and solutions among countries in relation to the implementation of the Nagoya Protocol. In this regard, the national report can be a valuable tool for building and developing the capacity to implement the Protocol and for designing capacity-building activities more effectively.

The format is intended to minimize the reporting burden on countries and therefore questions include pre-determined responses to assess the level of implementation of the different obligations under the Protocol. Generally, these questions are followed by text entries where countries are encouraged to further explain the response given to a question.

In order to avoid duplication in the submission of information and to make the best use of the information already made available through the Access and Benefit-sharing Clearing-House, the Secretariat will automatically list all national records submitted under a given category (e.g. ABS measures or institutional structures) and provide an opportunity for countries to update their national records before publishing the report. In addition, countries have the possibility of linking existing national records and reference Access and Benefit-sharing Clearing-House records to the different sections of the interim national report if they wish to do so.

Although there is no set limit on length of text, in order to assist with the review and synthesis of the information in the reports, respondents are encouraged to ensure that answers are as relevant and as succinct as possible.

Countries are invited to submit any other information in the section provided at the end of the reporting format. The Executive Secretary welcomes any comments on the adequacy of the questions and difficulties in completing the questions, and any further recommendations on how these reporting guidelines could be improved.

It is recommended that Parties involve all relevant stakeholders in the preparation of the report in order to ensure a participatory and transparent approach to its development.

Countries are encouraged to use the online version of the format, unless technically not feasible, and to submit the report through the Access and Benefit-sharing Clearing-House.

Only if online submission is not technically feasible should Parties resort to offline submissions to the Access and Benefit-sharing Clearing-House. Offline submissions should use the protected form, as provided in the Clearing-House for download in MS Word format. It is recommended that countries send the report via email to the Secretariat (secretariat@cbd.int) and include a scanned copy of the last page, which should be

signed by the publishing authority for the Access and Benefit-sharing Clearing-House. Subsequently, the Executive Secretary will assist Parties in making their report available on the Clearing-House.

First national report on the implementation of the Nagoya Protocol

Country		
1. *Country:	<country name=""></country>	
General information		
2. *Contact person:	<clearing-house number="" record=""></clearing-house>	
	Please enter the CBD clearing-house record number containing this information or, if not registered, attach a "Contact details" common format. ²	
Institutional structures for the implementation of the Protocol		
3. * Has your country established	☐Yes, ABS measures have been established	
legislative, administrative and policy measures on ABS?	☐ Completed – All ABS measures have been established (no new measures planned)	
	☐ Improving - Some ABS measures have been established and currently revising existing or developing new ABS measures	
	Partially - Some ABS measures have been established and new ABS measures are planned (not started)	
	☐ No, ABS measures have not been established	
	☐ In progress - currently developing ABS measures	
	☐ Planning to develop ABS measures (not started)	
	☐ Not planning to develop ABS measures	
	Please provide more information about your answer and a summary of the main difficulties and challenges encountered: <text entry=""></text>	
	LIf yes is selected	
	Information-sharing (ABS measures):	
	The following information on ABS measures has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as appropriate, before publishing this report.	
	<automatic clearing-house="" list="" of="" records=""></automatic>	
	Have you published all available ABS measures in your country on the ABS Clearing-House?	
	Yes, all information has been published on the ABS Clearing-House	
	☐ Completed – all available information has been	

² All ABS Clearing-House common formats are available at http://absch.cbd.int.

		published and is up-to-date and correct
		☐ Improving - all available information has been published but needs to be updated or improved
		Partially - Some information has been published and additional information is available but has not been published yet
		No, information has not been published on the ABS Clearing-House
		☐ Planning to publish information (not started)
		☐ Not planning to publish any information
		Please provide more information about your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
4.	*Has your country designated a	☐ Yes OR ☐ No
	national focal point as provided in Article 13?	Please provide more information on your answer and a summary of the main difficulties and challenges encountered:
		<text entry=""></text>
		L _{If} yes is selected
		Information-sharing (NFP):
		The following information on national focal points has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as appropriate, before publishing this report.
		<automatic clearing-house="" list="" of="" records=""></automatic>
		Have you published all available information on National Focal Points in your country on the ABS Clearing-House?
		Yes, all information has been published on the ABS Clearing-House
		Completed – all available information has been published and is up-to-date and correct
		☐ Improving - all available information has been published but needs to be updated
		Partially - Some information has been published and additional information is available but has not been published yet
		No, information has not been published on the ABS Clearing-House
		☐ Planning to publish information (not started)
		☐ Not planning to publish any information
		Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
5.	*Has your country designated one	Yes, one or more CNAs have been designated
	or more competent national authorities (CNA) as provided in	Completed – All CNAs have been designated (no new CNAs

Article 13?	planned)
	☐ Improving - Some CNAs have been designated and work underway to designate additional CNAs
	Partially - Some CNAs have been designated and new CNAs are planned (not started)
	☐ No, one or more CNAs have not been designated
	☐ In progress – work underway to designate CNAs
	☐ Planning to designate CNAs (not started)
	☐ Not planning to designate CNAs
	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
	LIf yes is selected
	Information-sharing (CNAs):
	The following information on competent national authorities has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as appropriate, before publishing this report.
	<automatic clearing-house="" list="" of="" records=""></automatic>
	Have you published all available information on competent national authorities in your country on the ABS Clearing-House?
	Yes, all information has been published on the ABS Clearing-House
	Completed – all available information has been published and is up-to-date and correct
	☐ Improving - all available information has been published but needs to be updated
	Partially - Some information has been published and additional information is available but has not been published yet
	☐ No, information has not been made available on the ABS Clearing-House
	☐ Planning to publish information (not started)
	☐ Not planning to publish any information
	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
6. *Has your country designated one	Yes, one or more checkpoints have been designated
or more checkpoints as provided in Article 17?	☐ Completed – All checkpoints have been designated (no new checkpoints planned)
	☐ Improving - Some checkpoints have been designated and work underway to designate additional checkpoints
	Partially - Some checkpoints have been designated and new checkpoints are planned (not started)
	☐ No, checkpoints have not been designated
	☐ In progress – work underway to designate one or more

	checkpoints
	☐ Planning to designate checkpoints (not started)
	☐ Not planning to designate checkpoints
	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
	LIf yes is selected
	Information-sharing (checkpoints):
	The following information on checkpoints has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as appropriate, before publishing this report.
	<automatic clearing-house="" list="" of="" records=""></automatic>
	Have you published all available information on checkpoints in your country in the ABS Clearing-House?
	Yes, all information has been published on the ABS Clearing-House
	Completed – all available information has been published and is up-to-date and correct
	Improving - all available information has been published but needs to be updated
	Partially - Some information has been published and additional information is available but has not been published yet
	☐ No, information has not been published on the ABS Clearing-House
	Planning to publish information available (not started)
	☐ Not planning to publish any information
	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
7. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""></text>
	Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""></clearing-house>
	and/or <url and="" name="" website=""></url>
	and/or <attachment></attachment>

Legislative, administrative or policy measures on access and benefit-sharing (ABS measures)	
Access to genetic resources (Article 6)	
8. * Is access to genetic resources subject to prior informed consent (PIC) as provided in Article 6.1?	☐ Yes L If selected, please proceed with the following questions in this section. No ☐ There is PIC but not in the context of ABS ☐ But in a draft or planning ☐ Not planning ☐ Not planning LIf selected, please skip this section. Please further explain your response. <text entry=""></text>
9. * Does your country have fair and non-arbitrary rules and procedures on accessing genetic resources as provided in Article 6.3 (b)?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response.³ <text entry=""></text>
10. * Does your country provide information on how to apply for PIC as provided in Article 6.3(c)?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Have you published this information on the ABS Clearing-House through the ABS procedures common format?4 ☐ Yes OR ☐ No Please further explain your response 5 < Text entry>
11. *Does your country provide for a clear and transparent written decision by a competent national authority as provided in Article 6.3 (d)?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent

³ This could include, for instance, information on procedures and rules for accessing genetic resources and explain how these are fair and non-arbitrary, or information on progress done to implement this provision of the Protocol.

⁴ This information can be made available through the ABS procedures common format. More information at: https://absch.cbd.int/about/guides/PRO.

⁵ This could include, for instance, information on how the process to apply for PIC is communicated or provided to potential users or on progress done to implement this provision of the Protocol.

	□ N.
	□ No
	☐ But in a draft or planning
	☐ Not planning
	Please further explain your response. ⁶ <text entry=""></text>
12. *Does your country provide for the	Yes
issuance of a permit or its equivalent at the time of access as provided in	Yes (fully implemented)
Article 6.3 (e)?	☐ To some extent
	□ No
	☐ But in a draft or planning
	☐ Not planning
	LIf yes is selected,
	Has your country issued permits or their equivalents at the time of access?
	☐ Yes OR ☐ No
	LIf yes selected,
	Please provide the number of permits or their equivalents issued since the entry into force of the Protocol for your country. <text entry=""></text>
	Information-sharing (internationally recognized certificate of compliance):
	The following information on internationally recognized certificates of compliance has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as appropriate, before publishing this report.
	<automatic clearing-house="" list="" of="" records=""></automatic>
	Have you published all available information on permits as internationally recognized certificates of compliance in your country in the ABS Clearing-House?
	Yes, all information has been published on the ABS Clearing-House
	☐ Completed – all available information has been published and is up-to-date and correct
	☐ Improving - all available information has been published but needs to be updated
	Partially - Some information has been published and additional information is available but has not been published yet
	☐ No, information has not been published on the ABS Clearing-House
	☐ Planning to publish information (not started)
	☐ Not planning to publish any information

⁶ This could include, for instance, information on the type of written decision provided (e.g. environmental licences, contracts, resolutions access and export permits), or on the process to grant PIC and/or MAT or progress done to implement this provision of the Protocol.

	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
13. *Does your country have rules and procedures for requiring and establishing MAT as provided in Article 6.3 (g)?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response ⁷ <text entry=""></text>
14. *Has your country received benefits received since entry into force of the Protocol from the utilization of genetic resources?	☐ Yes, my country received monetary benefits ☐ Yes, my country received non-monetary benefits ☐ No LIf yes selected, Please provide amount of monetary benefits received from granting access to genetic resources for their utilization since entry into force of the Protocol <text entry=""> Please further explain your response <text entry=""></text></text>
15. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""> Please provide a summary of the main difficulties and challenges <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""> and/or <attachment></attachment></url></clearing-house></text></text>
Fair and equitable benefit-sharing (Article	5)
16. *Article 5.3 provides that each Party shall take legislative, administrative or policy measures to implement Article 5.1. Article 5.1 provides that benefits arising from the utilization of genetic resources, as well as subsequent applications and commercialization, are shared with the Party providing such resources. Does your country have measures in place to implement Article 5.3?	☐ Yes ☐ My country has measures requiring benefit-sharing for access to genetic resources within my country; and//or ☐ My country has measures to ensure that benefits from genetic resources utilized in my country are shared with the provider country ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning ☐ Please further explain your response <text entry=""></text>

⁷ This could include, for instance, information on the measures dealing with this aspect, the process for establishing mutually agreed terms, or on the progress done to implement this provision of the Protocol.

17. *Article 5.2 provides that each Party shall take legislative, administrative or policy measures, with the aim of ensuring that the benefits from the utilization of genetic resources held by indigenous peoples and local communities, in accordance with domestic legislation regarding the established rights of these indigenous peoples and local communities over these genetic resources, are shared with the indigenous peoples and local communities concerned. Does your country have measures in place to implement Article 5.2?	☐ Yes ☐ My country has measures requiring benefit-sharing for access to genetic resources held by indigenous peoples and local communities within my country; and//or ☐ My country has measures to ensure that benefits from genetic resources utilized in my country are shared with the indigenous peoples and local communities ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning Please further explain your response <text entry=""> ☐ Yes</text>
administrative or policy measures in order that benefits arising from the utilization of traditional knowledge associated with genetic resources are shared with indigenous peoples and local communities holding such knowledge as provided in Article 5.5?	 ☐ My country has measures requiring benefit-sharing for traditional knowledge associated with genetic resources held by indigenous peoples and local communities within my country; and/or ☐ My country has measures to ensure that benefits from traditional knowledge associated with genetic resources utilized in my country are shared with the indigenous peoples and local communities ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning ☐ Please further explain your response < Text entry>
19. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""> Please provide a summary of the main difficulties and challenges for putting measures in place: <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""> and/or <attachment></attachment></url></clearing-house></text></text>
Compliance with domestic legislation or monitoring the utilization of genetic resou	regulatory requirements on ABS (Article 15 and Article 16) and rees (Article 17)
20. *Article 15.1 provides that each Party shall take appropriate, effective and proportionate legislative, administrative or policy measures to provide that genetic resources utilized within your jurisdiction have been accessed in accordance with PIC and that MAT have been established as	☐ Yes ☐ My country has measures to ensure compliance with my own ABS legislation or regulatory requirements, and/or ☐ My country has measures to ensure compliance with the ABS legislation or regulatory requirements of another Party ☐ To some extent

required by the domestic ABS	□No
legislation or regulatory requirements of the other Party.	☐ But in a draft or planning
Does your country have measures in place to implement Article 15.1?	☐ Not planning
	LIf yes selected,
	Please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 15.2?
	☐ Yes OR ☐ No
	LIf yes selected
	Please provide further information on the measures taken, including when they entered into force.
	<text entry=""></text>
	Have there been specific cases in which your country cooperated with other Parties in cases of alleged violation of ABS measures as provided in Article 15.3?
	☐ Yes OR ☐ No
	└If yes selected
	Please provide further information on cases of non- compliance <text entry=""></text>
	Please further explain your response <text entry=""></text>
21. *Article 16.1 provides that each Party shall take appropriate, effective and proportionate legislative, administrative or policy measures to provide that traditional knowledge associated with genetic resources utilized within their jurisdiction has been accessed in accordance with PIC or approval and involvement of	☐ Yes ☐ My country has measures to ensure compliance with my own ABS legislation or regulatory requirements; and/or ☐ My country has measures to ensure compliance with the ABS legislation or regulatory requirements of another Party ☐ To some extent ☐ No
indigenous peoples and local communities and that MAT have been established as required by the domestic ABS legislation or regulatory requirements of the other Party where such indigenous peoples and local communities are located. Does your country have in place to implement Article 16.1?	□ But in a draft or planning □ Not planning □ L If yes selected Please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 16.2? □ Yes OR □ No Has your country cooperated in specific cases of alleged
communities and that MAT have been established as required by the domestic ABS legislation or regulatory requirements of the other Party where such indigenous peoples and local communities are located. Does your country have in place to	□ But in a draft or planning □ Not planning □ If yes selected Please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 16.2? □ Yes OR □ No Has your country cooperated in specific cases of alleged violation of ABS measures as provided in Article 16.3?
communities and that MAT have been established as required by the domestic ABS legislation or regulatory requirements of the other Party where such indigenous peoples and local communities are located. Does your country have in place to	□ But in a draft or planning □ Not planning □ L If yes selected Please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 16.2? □ Yes OR □ No Has your country cooperated in specific cases of alleged

	Please further explain your response <text entry=""></text>
22. *Does your country require users of genetic resources to provide information related to PIC, to the source of the genetic resource, to the establishment of MAT and/or utilization of genetic resources at a designated checkpoint as provided in Article 17.1 (a)(i) and (ii))?	☐ Yes ☐ Users are required to provide relevant information at the designated checkpoint/s in my country ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning ☐ Very selected, has your country taken measures to address situations of non-compliance with such requirement? ☐ Yes OR ☐ No
	Please further explain your response <text entry=""></text>
23. *Has your country provided the information referred to in Article 17.1 (a)(i) to relevant national authorities, to the Party providing PIC and to the ABS Clearing-House as provided in Article 17.1 (a)(iii)?	 ☐ Yes ☐ My country has provided the information collected or received at designated checkpoint/s to all these authorities. ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning Please further explain your response <text entry=""></text> LIf yes selected, Information-sharing (checkpoint communiques): The following information on checkpoint communiques has been made available to the ABS Clearing-House at the time of publishing the report. Please update the information, as
	appropriate, before publishing this report. <automatic clearing-house="" list="" of="" records=""></automatic>
	Have you published all available information collected or received at designated checkpoint/s in your country in the ABS Clearing-House?
	Yes, all information has been published on the ABS Clearing-House
	☐ Completed – all available information has been published and is up-to-date and correct
	☐ Improving - all available information has been published but needs to be updated
	Partially - Some information has been published and additional information is available but has not been published yet
	☐ No, information has not been published on the ABS Clearing-House

	_
	Planning to publish information (not started)
	☐ Not planning to publish any information
	Please provide more information on your answer and a summary of the main difficulties and challenges encountered. <text entry=""></text>
24. *Has your country taken measures to	Yes
encourage users and providers to	Yes (fully implemented)
include provisions in MAT to share information on the implementation of	To some extent
such terms as provided in	□ No
Article 17.1(b)?	☐ But in a draft or planning
	Not planning
	Please further explain your response_ <text entry=""></text>
	Tieuse juriner expluin your response_\text\text\text\text\text\text\text\te
25. *Is your country encouraging the use	Yes
of cost-effective communication tools and systems as provided in Article	Yes (fully implemented)
17.1 (c)?	☐ To some extent
	□ No
	☐ But in a draft or planning
	☐ Not planning
	Please further explain your response ⁸ < Text entry>
26. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""></text>
	Please provide a summary of the main difficulties and challenges for putting measures in place: <text entry=""></text>
	Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""></clearing-house>
	and/or <url and="" name="" website=""></url>
	and/or <attachment></attachment>
Compliance with mutually agreed terms (Article 18) ⁹
27. *Is your country encouraging the	☐ Not applicable, since no access requirements are in place
inclusion of provisions in MAT to cover dispute resolution as provided	Yes
in Article 18.1 (a) (b) and (c)?	Yes (fully implemented)
	☐ To some extent
	□ No
	☐ But in a draft or planning
	☐ Not planning
	1

⁸ This could include, for instance, information on how your country is encouraging the use of cost-effective communication tools and systems or on progress done to implement this provision of the Protocol.

⁹ When filling this section, Parties are encouraged to coordinate at national level to draw from the expertise of other institutions dealing with contractual law, private international law or domestic measures related to access to justice. (key finding para 22 NP-3/1)

	Please further explain your response_ <text entry=""></text>
28. *Does your country ensure that opportunity to seek recourse is available under your legal systems in cases of disputes arising from MAT as provided in Article 18.2?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
29. *Has your country taken measures regarding the access to justice as provided in Article 18.3?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
30. *Has your country taken measures regarding utilization of mechanisms regarding mutual recognition and enforcement of foreign judgements and arbitral awards as provided in Article 18.3?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
31. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""> Please provide a summary of the main difficulties and challenges. <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""> and/or <attachment></attachment></url></clearing-house></text></text>
Special considerations (Article 8)	
32. *In the development and implementation of ABS legislation or regulatory requirements has your country:	Created conditions to promote and encourage research which contributes to the conservation and sustainable use of biodiversity including through simplified measures on access for non-commercial research purposes, taking into account the need to address a change of intent for such research as provided in Article 8(a)? Not applicable, since no access requirements are in place Yes

Yes (fully implemented)
☐ To some extent
□ No
☐ But in a draft or planning
☐ Not planning
Please further explain your response_ <text entry=""></text>
AND
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)?
Yes
Yes (fully implemented)
☐ To some extent
□ No
☐ But in a draft or planning
☐ Not planning
Please further explain your response_ <text entry=""></text>
AND
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, including access to affordable treatments by those in need, especially, in developing countries as provided in Article 8(b)?
Yes
Yes (fully implemented)
☐ To some extent
□ No
☐ But in a draft or planning
☐ Not planning
Please further explain your response_ <text entry=""></text>
AND
Considered the importance of genetic resources for food and agriculture and their special role for food security as provided in Article 8 (c)?
Yes
Yes (fully implemented)
☐ To some extent
□ No
☐ But in a draft or planning
☐ Not planning
Please further explain your response_ <text entry=""></text>

mation: Please provide a summary of what worked well, and lessons learned <text entry=""></text>
Please provide a summary of the main difficulties and challenges for putting measures in place.
<text entry=""></text>
Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""></clearing-house>
and/or <url and="" name="" website=""></url>
and/or <attachment></attachment>
and/or <url and="" name="" website=""></url>

Provisions related to indigenous peoples and local communities (Articles 6, 7 and 12)	
34. *Does your country have indigenous peoples and local communities?	☐ Yes ☐ My country has indigenous peoples ☐ My country has local communities ☐ My country has indigenous peoples and local communities ☐ Lif selected, please proceed with the following questions in this section. ☐ No ☐ If selected, please skip this section. Please further explain your response_ <text entry=""></text>

35. *Do indigenous peoples and local communities have the established right to grant access to genetic resources according to your domestic law? (Article 6.2)	Yes (fully implemented) To some extent No But in a draft or planning If yes selected, Please provide further information and reference to the domestic law establishing rights of indigenous peoples and local communities to grant access to genetic resources. ≺Text entry> Does your country have measures in place with the aim of ensuring that the prior informed consent or approval and involvement of indigenous peoples and local communities is obtained as provided in Article 6.2? Yes OR No Has your country set out criteria and/or process for obtaining prior informed consent or approval and involvement of indigenous peoples and local communities for access to genetic resources in Article 6.3(f)? Yes OR No
36. *Article 7 provides that in accordance with domestic law, each Party shall take measures with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous peoples and local communities within your country is accessed with the PIC or approval and involvement of these indigenous peoples and local communities and that MAT have been established. Has your country taken measures as provided in Article 7?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning Please further explain your response_ <text entry=""></text>
37. *Has your country received benefits since entry into force of the Protocol from the utilization of traditional knowledge associated with genetic resources?	☐ Yes, my country received monetary benefits ☐ Yes, my country received non-monetary benefits ☐ No ☐ If yes selected, ☐ Please provide amount of monetary benefits received from granting access to traditional knowledge associated with genetic resources for their utilization since entry into force of the Protocol <text entry=""> Please further explain your response_<text entry=""></text></text>

38. *In implementing the Protocol and in accordance with your domestic law, is your country taking into consideration indigenous peoples and local communities' customary laws, community protocols and procedures with respect to traditional knowledge associated with genetic resources as provided in Article 12.1?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
39. *Has your country established mechanisms to inform potential users of traditional knowledge associated with genetic resources about their obligations as provided in Article 12.2?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
40. *Is your country supporting the development by indigenous peoples and local communities of community protocols, minimum requirements for mutually agreed terms and model contractual clauses as provided in Article 12.3?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning Please further explain your response 10_< Text entry>
41. *Has your country endeavoured not to restrict the customary use and exchange of genetic resources and associated traditional knowledge within and among indigenous peoples and local communities as provided in Article 12.4?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning Please further explain your response_ <text entry=""></text>

 $^{^{10}}$ This could include further information on how your country is supporting the development by indigenous peoples and local communities of community protocols, minimum requirements for mutually agreed terms and/or model contractual clauses.

1 484 = 2	
42. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""></text>
	Please provide a summary of the main difficulties and challenges for putting measures in place in relation to traditional knowledge associated with genetic resources: <text entry=""></text>
	Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""></clearing-house>
	and/or <url and="" name="" website=""></url>
	and/or <attachment></attachment>
Contribution to conservation and sustaina	Able use (Article 9)
43. *Is your country encouraging users and providers to direct benefits arising from the utilization of genetic resources towards the conservation of biological diversity and sustainable use of its components as provided in Article 9?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>
44. *Has implementation of the Nagoya Protocol contributed to conservation and sustainable use of biodiversity in your country?	☐ Yes ☐ To some extent ☐ No Please further explain your response 11 < Text entry>
45. Additional information:	Please provide a summary of the main difficulties and challenges: <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""> and/or <attachment></attachment></url></clearing-house></text>
Transboundary cooperation (Article 11)	
46. *Is your country endeavouring to cooperate, with the involvement of indigenous peoples and local communities concerned, with a view to implementing the Protocol in instances where the same genetic resources are found <i>in situ</i> within the territory of more than one Party as	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning

☐ Not planning

¹¹ This could include examples and information on how the implementation of the Nagoya Protocol has contributed to conservation and sustainable use of biodiversity.

provided in Article 11.1?	Please further explain your response 12 < Text entry>
47. *Is your country endeavouri cooperate with a view to implementing the Protocol i instances where the same traknowledge associated with gresources is shared by one o indigenous peoples and loca communities in several Partiprovided in Article 11.2?	communities in my country ditional genetic ar more I
48. Additional information:	Please provide a summary of what worked well, and lessons learned <text entry=""> Please provide a summary of the main difficulties and challenges: <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""> and/or <attachment></attachment></url></clearing-house></text></text>
Model contractual clauses, code	s of conduct, guidelines and best practices and/or standards (Article 19 and 20)
49. *Is your country encouragin actors to develop, update an model contractual clauses for provided in Article 19?	g other d use of Ves (fully implemented)
49. *Is your country encouragin actors to develop, update an model contractual clauses for	g other duse of r MAT as Yes (fully implemented) To some extent No But in a draft or planning Not planning Please further explain your response_ <text entry=""> g other duse of and best Yes (fully implemented)</text>

¹² This could include information on details of the involvement of indigenous peoples and local communities, if applicable.

13 Ibid.

	Please provide a summary of the main difficulties and challenges: <text entry=""></text>
	Please enter the clearing-house record number containing relevant information: <clearing-house number="" record=""></clearing-house>
	and/or <url and="" name="" website=""></url>
	and/or <attachment></attachment>
Awareness-raising and capacity (Article 2	1 and 22)
52. *Has your country taken measures to raise awareness of the importance of genetic resources and traditional knowledge associated with genetic resources and related access and benefit-sharing issues as provided in Article 21?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning ☐ Lif yes selected, has your country taken measures to implement the awareness-raising strategy for the Nagoya Protocol on ABS? ¹⁴
	Please further explain your response < Text entry>
53. *Has your country taken measures to build and develop capacity and strengthening of human resources and institutional capacities to effectively implement the Protocol as provided in Article 22?	Yes Yes (fully implemented) To some extent No But in a draft or planning Not planning Not planning Not planning Yes selected, has your country taken measures to implement the strategic framework for capacity-building and development to support effective implementation of the Nagoya Protocol on ABS? Yes OR No Please further explain your response_< Text entry>
54. Has your country received external support for building and developing capacity for the implementation of the Nagoya Protocol? ¹⁶	☐ Yes OR ☐ No Please further explain your response_ <text entry=""></text>

¹⁴ Adopted as decision NP-1/9.

¹⁵ Adopted as decision NP-1/8.

¹⁶ The collection of this information could be useful for the evaluation of the effectiveness of the Nagoya Protocol under Article 31 on assessment and review, as well as for measuring progress and identifying difficulties and challenges in implementing the Protocol.

 55. Has your country provided external support for building and developing capacity for the implementation of the Nagoya Protocol?¹⁷ 56. Additional information: 	☐ Yes OR ☐ No Please further explain your response_ <text entry=""> Please provide a summary of what worked well, and lessons learned <text entry=""> Please provide a summary of the main difficulties and challenges. <text entry=""> Please enter the clearing-house record number containing relevant</text></text></text>	
	<pre>information: <clearing-house number="" record=""> and/or <url and="" name="" website=""></url></clearing-house></pre>	
	and/or <attachment></attachment>	
Technology transfer, collaboration and c	ooperation (Article 23)	
57. *Is your country collaborating and cooperating in technical and scientific research and development programmes as a means to achieve the objective of the Protocol as provided in Article 23?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Not planning Please further explain your response_ <text entry=""></text>	
Optional additional information	Optional additional information	
58. Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol.	<pre><text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""></clearing-house></text></pre>	
59. Has your country established a mechanism for budgetary allocations of funds for the implementation of the Nagoya Protocol?	☐ Yes ☐ Yes (fully implemented) ☐ To some extent ☐ No ☐ But in a draft or planning ☐ Not planning ☐ Please further explain your response_ <text entry=""></text>	
60. Has your country made financial resources available to other Parties or received financial resources from other Parties or financial institutions for the purposes of implementation of the Protocol as provided in	☐ Yes, financial resources have been made available ☐ Yes, financial resources have been received ☐ From other Parties ☐ Please provide further information: <text entry=""></text>	

¹⁷ Ibid.

Article 25?	From financial institutions
	From the Global Environmental Facility
	From the Nagoya Protocol Implementation Fund
	From other sources
	LPlease provide further information: <text entry=""></text>
	No
	Please. further explain your response_ <text entry=""></text>
	Fledse. Juriner explain your response_ <lext endy=""></lext>
61. Please provide information on experiences related to the mobilization of resources in support of the implementation of the Protocol.	<text entry=""></text>
62. Please provide information on the status of funds mobilized in support of the implementation of the Protocol.	<text entry=""></text>
63. Does your country have full-time staff working to administer functions directly related to the implementation of the Nagoya Protocol? 64. Any other relevant information: 18	☐ Yes If selected, please indicate how many: ☐ One ☐ Less than three ☐ Between 3 and 5 ☐ Between 5 and 10 ☐ 10 or more ☐ No Please further explain your response_ <text entry=""> <text entry=""> Please enter the clearing-house record number containing relevant information <clearing-house number="" record=""> and/or <url and="" name="" website=""></url></clearing-house></text></text>
	and/or <attachment></attachment>
65. Notes: ¹⁹	<text entry=""></text>
Comments in the reporting format	
66. Please provide any comment that you may have regarding the format of this report:	<text entry=""></text>

¹⁸ Please use this field to provide any other relevant information that may not have been addressed elsewhere in the report.

¹⁹ The field "Notes" is for personal reference and can be seen only when the record is being edited.

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