



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
Fifth meeting**

Cali, Colombia, 21 October–1 November 2024

Item 9 of the provisional agenda*

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

Progress in the operation of the Access and Benefit-sharing Clearing-House

Note by the Secretariat

I. Introduction

1. The Access and Benefit-sharing Clearing-House (ABS Clearing-House) was established under Article 14 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, as part of the clearing-house mechanism under Article 18 of the Convention. It is aimed at enabling the sharing of information related to access and benefit-sharing and the implementation of the Protocol.¹
2. In its decision [NP-4/4](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol requested that the Executive Secretary continue to develop and administer the ABS Clearing-House following the goals and priorities for the further implementation and administration of the Clearing-House as found in the annex to decision [NP-3/3](#), in accordance with the modalities of operation and feedback received, in particular that of Parties and the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House.
3. The Informal Advisory Committee was established by the Conference of the Parties serving as the meeting of the Parties to the Protocol to assist the Executive Secretary with the implementation of the ABS Clearing-House and to provide technical guidance with respect to the resolution of technical and practical issues arising from the ongoing development of the Clearing-House. The Committee held its fifth meeting in Montreal, Canada, from 13 to 15 February 2024. The report of the meeting has been made available as document [CBD/NP/ABSCH-IAC/2024/1/4](#).
4. Section II of the present document contains a report on progress made in the development and operation of the ABS Clearing-House for the period from December 2022 to September 2024, unless otherwise stated. Section III contains a list of priorities for the further development and

* CBD/NP/MOP/5/1.

¹ The ABS Clearing-House is accessible at <http://absch.cbd.int>.

administration of the Clearing-House by the Secretariat, while section IV contains a draft decision for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

II. Report on progress

5. The present section provides an overview of progress made in the development and operation of the ABS Clearing-House since the adoption of decision NP-4/4, following the indicative goals and priorities for its further implementation, as requested in paragraph 7 of the decision. Further details on progress made and work done by the Secretariat in relation to the implementation and administration of the Clearing-House are provided in documents [CBD/NP/ABSCH-IAC/2024/1/2](#) and [CBD/NP/ABSCH-IAC/2024/1/3](#).

A. Goal 1. Population and increased use of the Access and Benefit-sharing Clearing-House

6. As shown in the table below, the number of national records² in the ABS Clearing-House continued to increase over the reporting period, as did the percentage of Parties publishing information on the Clearing-House. However, as at September 2024, only about half of the Parties to the Protocol had published their national information on competent national authorities and legislative, administrative or policy measures.

7. Similarly, as at September 2024, only 15 per cent of Parties had published information on ABS procedures. This low percentage may result from the fact that, while the information is valuable, its publication is voluntary. In addition, the format is geared towards clarifying procedures related to access which, like certificates, only apply to countries that regulate access.

² National records referred to here are the key records to operationalize the Protocol described in paragraph 1 (iii) of Article 17 of the Protocol and paragraph 4 of decision NP-4/4. Information on national focal points that is not submitted through the Clearing-House but through official letters to the Secretariat has not been included.

Table

Number of national records published on the Access and Benefit-sharing Clearing-House at two years' intervals since the entry into force of the Protocol (corresponding approximately to every meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol)

	<i>September 2016 (78 Parties)</i>		<i>September 2018 (107 Parties)</i>		<i>September 2020 (126 Parties)</i>		<i>September 2022 (138 Parties)</i>		<i>September 2024 (141 Parties)</i>	
	<i>No. of records</i>	<i>Parties publishing records (percentage)</i>	<i>No. of records</i>	<i>Parties publishing records (percentage)</i>	<i>No. of records</i>	<i>Parties publishing records (percentage)</i>	<i>No. of records</i>	<i>Parties publishing records (percentage)</i>	<i>No. of records</i>	<i>Parties publishing records (percentage)</i>
CNA	45	36	77	46	58 ^c	27	78	42	141	52
MSR	70	27	219	46	279	55	322	52	373	50
PRO ^a	n/a	n/a	n/a	n/a	13	9	21	12	29	16 ^c
CP	21	12	52	22	58 ^b	19	73	25	84	28
IRCC	38	5	219	11	1 854	20	4 193	18	5 278	20
CPC	–	–	3	3	33	5	72	5	20 ^d	9

Abbreviations: CNA, competent national authority; CP, checkpoint; CPC, checkpoint communiqué; IRCC, internationally recognized certificate of compliance; MSR, legislative, administrative or policy measures; PRO, access and benefit-sharing procedure.

^a The online submission form for access and benefit-sharing procedures was made available on the ABS Clearing-House from December 2018 only.

^b In 2018, the Secretariat carried out a process to validate and verify with Parties information on competent national authorities, resulting in a decrease in the number of published competent national authorities compared with the previous reporting period.

^c The table does not distinguish between the Parties that regulate access and those Parties that do not. Consequently, the percentage of Parties publishing access and benefit-sharing procedures and internationally recognized certificates of compliance may not be accurately reflected. A more accurate reflection may be to consider only the Parties that would be expected to provide this type of information, and not all Parties, when determining the percentage of Parties contributing access and benefit-sharing procedures and certificates. Question 8 of the interim national report can provide some insight into the number of Parties that regulate access to genetic resources. It shows that 56 per cent of Parties indicated that access was governed by prior informed consent, as required under Article 6, paragraph 1, of the Protocol. As a result, for the current reporting period, if we estimate that 56 per cent of the total 141 Parties regulate access, the approximate number of Parties that are expected to publish at least one access and benefit-sharing procedure record would be closer to 28 per cent, rather than the 16 per cent indicated in the table.

^d Similar to footnote c above, if we consider only the Parties regulating access when looking at the internationally recognized certificates of compliance published over the past two years, we find that the number of Parties that are expected to publish at least one certificate is actually closer to 38 per cent, rather than 20 per cent indicated in the table.

8. An analysis was carried out on the 84 checkpoint records published on the ABS Clearing-House to try to understand how the responsibilities described in those records compared with the checkpoint functions related to the monitoring of the utilization of genetic resources, as described in Article 17 of the Protocol. The results of the analysis were, however, not conclusive, and it was difficult to understand how the checkpoints related to the provisions of Article 17. Some records described the responsibility of a checkpoint as that of monitoring the utilization of a country's genetic resources outside that country, which may indicate a misunderstanding of the functions of checkpoints under the Protocol. Many checkpoints were also not described in sufficient detail to understand at what point along the value chain they were gathering information from users or how they functioned in relation to Article 17. Last, only 13 of the 84 checkpoints had gathered information that was published in a checkpoint communiqué.

9. An analysis of the internationally recognized certificates of compliance revealed that the information on the user of the genetic resources was kept confidential in 30 per cent of records. However, when user information was available, the analysis also showed that 58 per cent of the certificates were "internal", meaning that the user and the provider of the resources were from the same country. Of those internal certificates, most users came from the following 10 countries: India (69 per cent), France (19 per cent), Argentina (4 per cent), Kenya (3 per cent), Peru (1 per cent), South Africa (1 per cent), Guyana (0.4 per cent), Panama (0.4 per cent), Mexico (0.2 per cent) and Uruguay (0.2 per cent).

10. With regard to certificates, where the user and provider were from different countries, most users came from the following 10 countries: Germany (22 per cent), United States of America (15 per cent), Ireland (11 per cent), United Kingdom of Great Britain and Northern Ireland (11 per cent), France (9 per cent), India (8 per cent), Belgium (5 per cent), Japan (4 per cent), Switzerland (4 per cent) and Austria (3 per cent); whereas most providers came from the following 10 countries: France (39 per cent), India (17 per cent), Viet Nam (6 per cent), Panama (6 per cent), Lao People's Democratic Republic (5 per cent), Guyana (5 per cent), Benin (4 per cent), Peru (4 per cent), Belarus (3 per cent) and South Africa (3 per cent).

11. While only 28 Parties have published at least one certificate, a staggering 83 per cent of all published certificates came from just two Parties: India (3,536 certificates) and France (820 certificates).

12. Checkpoint communiqués published on the ABS Clearing-House reflected a similar trend, with only 8 per cent of the 141 Parties that had published at least one checkpoint communiqué. However, the majority of those records (75 per cent) were published by just two Parties: Germany (78) and France (77).

13. The low percentage of Parties publishing key information may be attributed to the fact that the creation of this information normally only occurs after the effective operationalization of the Protocol, and some countries have yet to establish a comprehensive access and benefit-sharing legal framework and the relevant institutional arrangements. Further information on challenges to making information available to the ABS Clearing-House and implementing and operationalizing the Protocol is provided in paragraph 20.

14. In terms of the use of the ABS Clearing-House, the website received on average approximately 3,400 visitors per month over the reporting period. Most visitors had IP addresses originating from one of the following 10 countries, in decreasing order: United States of America, Germany, Japan, France, United Kingdom, Brazil, Republic of Korea, Netherlands (Kingdom of the), Canada and India.

15. In addition, the ABS Clearing-House regularly disseminated information on the records published to approximately 360 registered users of the website who had accounts and had subscribed to receive email alerts.

1. Outreach, technical support and capacity-building

16. The Secretariat continued to provide proactive outreach and on-demand technical support, in particular to Parties, to increase the quantity, quality and use of the information in the ABS Clearing-House, following the same approach as what had been done in the past. Those efforts consisted of:

- (a) Welcoming new national focal points and publishing authorities and providing them with information about national information-sharing obligations;
- (b) Providing on-demand online training and technical support;
- (c) Monitoring national implementation and the amount of relevant national information available but not yet published on the ABS Clearing-House;³
- (d) Proactively following up on the publication of available national information not yet published.

17. In addition, to address more effectively common questions from all users of the ABS Clearing-House, the Secretariat conducted a series of 10 online question-and-answer webinars.⁴ The Secretariat also carried out five regional webinars in various languages (English, French, Portuguese and Spanish). In addition, the Secretariat organized more than 12 on-demand training online sessions with access and benefit-sharing national focal points and country representatives from individual Parties.

18. In addition to its online activities, the Secretariat will also organize a global capacity-building workshop on operationalizing access and benefit-sharing national frameworks under the Nagoya Protocol in Bonn, Germany, from 30 September to 3 October 2024, where more than 70 participants from over 43 countries are expected. The objective of the workshop is to facilitate the operationalization of national access and benefit-sharing legal frameworks. The workshop is organized in collaboration with partners, including the Access and Benefit-sharing Capacity Development Initiative, German Nagoya Protocol HuB, One World Analytics and the Union for Ethical Biobanking. The workshop will be hosted by the German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection and is financially supported by the Government of Japan through its Japan Biodiversity Fund, the Government of Denmark, the Government of Germany and the Access and Benefit-sharing Capacity Development Initiative.

19. The global workshop will serve to promote and catalyse action to operationalize the Protocol and improve and increase information management and sharing, in particular for records related to key indicators for monitoring progress towards Goal C and Target 13 of the Kunming-Montreal Global Biodiversity Framework, such as internationally recognized certificates of compliance and checkpoint communiqués. The workshop will be focused on three key areas: improving user-friendly access and benefit-sharing procedures; access and benefit-sharing information management systems; and monitoring the utilization of genetic resources and compliance.⁵

20. A number of common challenges related to making information available on the ABS Clearing-House reported by participants during the various activities carried out by the Secretariat are summarized below:

- (a) Some countries are reluctant to publish existing access and benefit-sharing measures on the ABS Clearing-House while they are in the process of updating or developing new measures;

³ To provide an update of progress made on the implementation of the Nagoya Protocol and the publication of information in the Access and Benefit-sharing Clearing-House, the Secretariat compiled data available in the Clearing-House, the interim national reports, national biodiversity strategies and action plans and the sixth national reports on the implementation of the Convention. Given that the previous reporting deadline for the Protocol was November 2017 and that there are no recent official sources of information on its implementation, the present document also contains information collected by the Secretariat through its work on outreach and engagement with Parties to promote compliance with their information-sharing obligations under the Protocol.

⁴ The webinar recordings are available at absch.cbd.int/en/kb/tags/abs/ABSCH-Q-A-Webinar-Recordings/651d828cfa0e531e22cd7d3.

⁵ The documents and the report of the workshop will be made available at www.cbd.int/meetings/NP-CB-WS-2024-01.

(b) Some access and benefit-sharing national focal points and publishing authorities are faced with demanding and equally urgent national priorities that result in decision-making bottlenecks affecting the ability to publish available information on the ABS Clearing-House. This is the case in particular for publishing information on certificates, especially when permits are not stored in an organized electronic format;

(c) While some Parties have access and benefit-sharing legislative, administrative or policy measures in place, they do not yet have straightforward and reliable operating procedures for handling requests for access, making it more difficult for users to get access to genetic resources;

(d) Some Parties issuing access and benefit-sharing permits lack the capacity and resources to set up organized systems for storing, managing and monitoring permits and related access and benefit-sharing information;

(e) Some Parties lack a comprehensive understanding of how the system under the Protocol works to monitor the utilization of genetic resources and associated traditional knowledge and the role of certificates, checkpoints and checkpoint communiqués;

(f) Some Parties are unsure about what to do with the information provided in the checkpoint communiqués;

(g) Some users of genetic resources and associated traditional knowledge find it difficult to know with certainty whether a country is regulating access to their genetic resources according to Article 6 and whether the access and benefit-sharing measures published on the ABS Clearing-House are complete or subject to change;

(h) Many users highlighted that making access and benefit-sharing measures and procedures available on the ABS Clearing-House, as well as additional awareness-raising activities related to compliance, would be helpful to understand both the foreign and domestic access and benefit-sharing obligations that users need to comply with.

21. The aforementioned challenges and the feedback received during the various activities carried out during the reporting period have been constructive in informing the design of capacity-building activities of the Secretariat, as well as the work proposed in section III below, on the priorities for further development and administration of the ABS Clearing-House.

2. Interoperability and collaboration

22. With support from the European Union, the Secretariat has been working on a project to improve the ABS Clearing-House interoperability mechanism. Related work is focused on improving the Clearing-House documentation and support available to Parties and other relevant organizations that have developed, or are in the process of developing, databases and systems to facilitate the automated and efficient publication of key national information on the Clearing-House to advance the implementation of the Protocol and to measure progress towards achieving Goal C and Target 13 of the Framework.

23. The Secretariat continues to engage in discussions to explore collaboration, with a view to facilitating interoperability and information-sharing to support implementation, in particular with the Global Information System of the International Treaty on Plant Genetic Resources for Food and Agriculture, the United Nations Development Programme and the United Nations Information Portal on Multilateral Environmental Agreements.

B. Goal 2. Translation and functionality for operationalizing the Access and Benefit-sharing Clearing-House in the six official languages of the United Nations

24. Translation of the ABS Clearing-House, as well as the other websites and clearing houses of the Convention that rely on the same translation system, is an ongoing and high-priority task, and the Secretariat is constantly working on improving and streamlining the process.

25. Currently, approximately 95 per cent of the ABS Clearing-House web pages have been made available in the six official languages of the United Nations. In addition, a mechanism has been implemented to simplify the translation of the announcements and the help and documentation information found in the Clearing-House knowledge base.

C. Goal 3. Maintenance and improvement of functionality

26. Owing to internal information technology capacity limitations, the Secretariat has prioritized development efforts related to bug fixes, general maintenance, infrastructure improvements⁶ and the preparation for the submission of the first national report on the implementation of the Protocol through the ABS Clearing-House.

27. The submission format for the first national report has been made available on the ABS Clearing-House, in all official languages of the United Nations.⁷

D. Goal 4. Integration with the clearing-house mechanism

28. The Secretariat continues to support the implementation of the web strategy of the Secretariat and the project to bring together the three main clearing houses of the Convention (Clearing-House for the Convention, ABS Clearing-House and Biosafety Clearing-House) under the same platform. A single platform for the three clearing houses is expected to reduce maintenance costs and increase efficiency, coherence and consistency in terms of design and functionality, while maintaining the necessary unique features of each.

III. Priorities for further development and administration

29. The Informal Advisory Committee to the Access and Benefit-sharing Clearing-House met in February 2024 to provide advice on a number of technical and practical issues raised by Parties and users of genetic resources and associated traditional knowledge, as summarized below:

(a) Need for greater certainty on whether or not a country regulates access to its genetic resources and associated traditional knowledge and for greater clarity on rules and procedures for users in relation to foreign and domestic access and benefit-sharing obligations;

(b) Need for greater clarity on the responsibilities of competent national authorities, the role and functions of the checkpoints and the information provided in checkpoint communiqués;

(c) Need for promoting the publication of internationally recognized certificates of compliance and checkpoint communiqués;

(d) Need for greater flexibility in designating publishing authorities;

(e) Need for greater clarity on access to traditional knowledge associated with genetic resources and increased consideration for the needs and concerns of indigenous peoples and local communities, in line with Articles 6, 7 and 12 of the Protocol;

(f) Integration with the clearing-house mechanism of the Convention and ABS Clearing-House information on the Bioland platform.

30. During its fifth meeting, the Informal Advisory Committee revised the list of goals and priorities for further work, based on the outcomes of its discussions. The revised list can be found in annex I to document [CBD/NP/ABSCH-IAC/2024/1/4](https://absch.cbd.int/en/kb/tags/absch-help/First-National-Report-on-the-Implementation-of-the-Nagoya-Protocol/66199bba4defc2994ae886d7).

31. Following its meeting, the Informal Advisory Committee continued to provide feedback through an online forum on how to revise the existing record submission formats on the basis of a proposal from the Secretariat that took into account the outcomes of the meeting. The final

⁶ For example, by upgrading outdated software, improving development, monitoring and administration tools, and improving caching and website performance.

⁷ See <https://absch.cbd.int/en/kb/tags/absch-help/First-National-Report-on-the-Implementation-of-the-Nagoya-Protocol/66199bba4defc2994ae886d7>.

recommendations included changes to improve the ABS Clearing-House by expanding the access and benefit-sharing keywords related to access, benefit-sharing and compliance (commonly referred to as the “ABCs of ABS”) that describe national records to promote standardization, searchability, and clarity on responsibilities and requirements.

32. The changes included:

- (a) Improvement to the access and benefit-sharing procedures submission format to allow Parties to better describe procedures and obligations related to both access and compliance;
- (b) Improvement to the competent national authority submission format to better describe responsibilities related to access and compliance;
- (c) Improvement to the checkpoint submission format by adding a question to identify the stage along the value chain (from research to commercialization) monitored by the checkpoint;
- (d) Improvement to the access and benefit-sharing measures submission format to simplify how key elements of the measures are linked to the updated keywords;
- (e) Improvement to the internationally recognized certificate of compliance submission format to include non-mandatory questions on the country where utilization is to take place, as well as the general types of benefit-sharing agreed on in the mutually agreed terms;
- (f) Introduction of a new format that gives countries the option to provide additional key information on the country profile page as to whether the country has decided to regulate access or not and the progress and completeness of the country’s access and benefit-sharing legal framework;
- (g) Improvement to the search and display of information related to the changes above;
- (h) Addition of a functionality to allow the national focal point to designate additional publishing authorities for a specific record type (for example, a specific publishing authority assigned to the publication of certificates only, or the first national report only);

33. The aforementioned changes fall under paragraphs (b) and (e) of goal 3 of the revised list of goals and priorities for further work contained in annex I to document CBD/NP/ABSCH-IAC/2024/1/4.

34. It should be noted that, while some of those changes may imply additional effort from some countries to update their records on the ABS Clearing-House, the Secretariat will do its utmost to minimize the burden on Parties to update their records.

IV. Draft decision

35. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol may wish to consider the following draft decision for adoption:

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

Recalling paragraph 3 of decision [NP-3/3](#) of 29 November 2018, in which Parties that had not yet done so were urged to publish all mandatory information available at the national level on the Access and Benefit-sharing Clearing-House in accordance with the obligations in paragraph 2 of Article 14 of the Protocol, as soon as possible, considering that the publication of mandatory information in the Clearing-House was essential for the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization,⁸

⁸ United Nations, *Treaty Series*, vol. 3008, No. 30619.

Recalling also paragraph 4 of decision NP-3/3, in which Parties were urged to provide information on their national access and benefit-sharing procedures through the voluntary common format on procedures, as available in the Access and Benefit-sharing Clearing-House,

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

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

2. *Expresses* appreciation for the technical guidance provided by the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House;

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

4. *Notes with concern* that many Parties have not yet published on the Access and Benefit-sharing Clearing-House all mandatory information available at the national level, as required under paragraph 2 of Article 14 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, and notes in particular the low number of Parties publishing information on internationally recognized certificates of compliance and checkpoint communiqués;

5. *Urges* Parties, and invites other Governments, to publish all available national information on the Access and Benefit-sharing Clearing-House in accordance with the provisions of the Nagoya Protocol and the decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

6. *Invites* Parties, other Governments and, as appropriate, relevant organizations, in coordination with the Executive Secretary, to include in relevant capacity-building and development plans and projects activities that contribute to fulfilling the information-sharing obligations under the Nagoya Protocol and the management and efficient publication of relevant national information on the Access and Benefit-sharing Clearing-House;

7. *Invites* Parties, non-Parties, relevant international organizations, regional development banks and other financial institutions, as appropriate, to support the capacity-building and development plans, projects and activities referred to in paragraph 6 above;

8. *Requests* the Executive Secretary:

(a) To continue to develop and administer the Access and Benefit-sharing Clearing-House, in accordance with its modalities of operation, and taking into account any feedback received, in particular from Parties and the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House, including the goals and priorities for the further development and administration of the Clearing-House by the Secretariat;⁹

(b) To hold a meeting of the Informal Advisory Committee in the intersessional period before the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the

⁹ [CBD/NP/ABSCH-IAC/2024/1/4, annex I.](#)

Protocol and, as needed, informal online discussions and report on the outcomes of the Committee's work at the sixth meeting.
