



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

Item 13 of the provisional agenda*

**Enhancing the implementation of the Nagoya Protocol
in the context of the Kunming-Montreal Global
Biodiversity Framework**

Enhancing the implementation of the Nagoya Protocol in the context of the Kunming Montreal Global Biodiversity Framework**

Note by the Secretariat

I. Introduction

1. In December 2022, the Conference of the Parties to the Convention adopted the Kunming-Montreal Global Biodiversity Framework by its decision 15/4, as well as a series of related decisions. as stated in section C of the Framework, the goals and targets of the Framework are intended to contribute in a balanced manner to the three objectives of the Convention, and that the Framework is to be implemented in accordance with these objectives, with the provisions of the Convention, and with the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit-sharing, as applicable.
2. Goal C and Target 13¹ of the Framework address access and benefit-sharing from the utilization of genetic resources, digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources. They also refer to access and benefit-sharing in accordance with internationally agreed access and benefit-sharing instruments, which include the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.
3. In its decision [NP-4/5](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol endorsed decision 15/4 and took note of the related decisions.
4. This document contains a summary of progress made by Parties, relevant to the Nagoya Protocol, in implementing the Framework (sect. II) and progress made under the Convention related to the mechanisms for planning, monitoring, reporting and review and the monitoring framework

* CBD/NP/MOP/5/1.

** The present document is being issued without formal editing.

¹ For more information on Target 13 see the quick guide available at: www.cbd.int/gbf/targets/13.

and linkages to the Protocol (sect. III). Some suggested recommendations are also provided (sect. IV).

5. Consideration of the agenda item complements other agenda items that are related to the Framework, in particular, item 7 on financial mechanism and resources, item 8 on capacity-building and development awareness-raising, and item 14 on digital sequence information on genetic resources.

II. Progress in setting national targets and revising and updating national biodiversity strategies and action plans

6. In decision 15/6, the Conference of the Parties to the Convention requested Parties to revise and update their national biodiversity strategies and action plans aligned with the Framework and its goals and targets, and to submit them by its sixteenth meeting (para. 6). Parties not in a position to do so by that time are requested to submit their national targets as a stand-alone submission by the sixteenth meeting, in advance of submission of their full national biodiversity strategies and action plans (para. 7).

7. Fifty-five countries submitted national targets by 1 August 2024, through the online system.² The online system allows tagging each national target to one or more targets or goals of the Framework. Forty-one Parties and five non-Parties submitted 94 targets with a link to Target 13. While most (65 per cent) Parties mapped a single national target to Target 13, the average number of national targets mapped with the global target was two.

8. A total of 40 countries submitted 45 targets clearly aiming to address Target 13 and referring to putting in place access and benefit-sharing measures. In addition, eight countries submitted nine targets aiming to address Goal C or referring to benefit-sharing in a general manner.

9. Of the 45 targets meant to address Target 13:

(a) Most refer to taking effective legal, policy and administrative measures at all levels, as appropriate, to ensure the fair and equitable sharing of benefits that arise from the utilization of genetic resources;

(b) Around half cover measures for traditional knowledge associated with genetic resources or digital sequence information on genetic resources;

(c) Around half address capacity-building measures for genetic resources, traditional knowledge associated with genetic resources and digital sequence information on genetic resource; and

(d) One third include a reference to the fact that benefit-sharing is in accordance with international access and benefit-sharing instruments. When explicitly referencing a specific access and benefit-sharing instrument, the Nagoya Protocol is often mentioned. Four countries mentioned work related to the International Treaty of Plant Genetic Resources for Food and Agriculture, one country mentioned 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, one country mentioned work related to the Cartagena Protocol on Biosafety and another

² By notification [2024-062](#) of 28 June 2024, Parties were informed that targets and national biodiversity strategies and action plans submitted by 1 August 2024 so they could be reflected in the global analysis of the information provided by Parties on national targets and national biodiversity strategies and action plans to assess the contribution towards the Framework. A note by the Secretariat will be made available to the fifth meeting of the Subsidiary Body on Implementation, summarizing progress on setting national targets and updating national biodiversity strategies and action plans. An analysis of information contained in strategies and plans and an analysis of the national targets will be provided as addenda to that document (documents CBD/SBI/5/2/Add.1 and CBD/SBI/5/2/Add.2, respectively). The analysis addresses 49 countries that provided submission in one of the official languages of the United Nations. The global analysis will also be considered by the sixteenth meeting of the Conference of the Parties.

work related to the World Intellectual Property Organization Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge.

10. In addition to the targets referred to above, some other national targets address other targets of the Framework but they are also partially linked to some of the elements of Target 13 or their achievement can contribute to progress on Target 13. Such targets address, for example:

(a) Taking legal, administrative or policy measures to encourage and enable business to report on compliance with access and benefit-sharing regulations and measures, as applicable (Target 15);

(b) Strengthening biosafety and the distribution the benefits of biotechnology as set out in Article 19 of the Convention (Target 17);

(c) Strengthening capacity-building and development, access to and transfer of technology, and promote development of and access to innovation and technical and scientific cooperation (Target 20);

(d) Ensuring that knowledge is available for biodiversity management, strengthening communication and awareness-raising, and traditional knowledge, innovations, practices and technologies of indigenous peoples and local communities should only be accessed with their free, prior and informed consent (Target 21);

(e) Ensuring participation in decision-making, and access to justice and information related to biodiversity by indigenous peoples and local communities (Target 22).

11. Other targets (15 targets by seven countries) with links to Target 13 address Targets 4, 5, 9 and 23 of the Framework.

12. However, it can also be noted that for many countries it is difficult to assess whether all the elements of Target 13³ are being addressed with the information provided.

13. As further explain in the next section, the headline indicators for Goal C and Target 13 aim to measure progress on monetary and non-monetary benefit-sharing received. To be able to report benefits received at the national level, Parties will need to put in place tools that facilitate the collection, compilation and reporting of information, as appropriate. The capacity and financial needs and actions needed to report on progress in achieving Goal C of the Framework can also be incorporated in the revision of national biodiversity strategies and action plans.

14. Pursuant to the request by the Conference of the Parties in paragraph 6 of its decision 15/6, 20 Parties have submitted revised or updated national biodiversity strategies and action plans aligning with the Framework.⁴

15. Several initiatives are supporting the national biodiversity strategies and action plans revision process namely, the [NBSAP Accelerator Partnership Project](#) and the [GBF Early Action Support Project](#). In addition, regional and subregional dialogues⁵ organized by the Secretariat aimed at facilitating the sharing of experiences and mutual learning. Relevant information on access and benefit-sharing and national biodiversity strategies and action plans, including guidance and resources can also be found on the Convention's website.⁶

16. The regional and subregional dialogues included a component on the integration of the Protocols and relevant multilateral environmental agreements into national biodiversity strategies and action plans. A summary of lessons learned, and the insights gained from the regional dialogues

³ See quick guide: www.cbd.int/gbf/targets/13.

⁴ See annex I to document CBD/SBI/5/2.

⁵ An overview of past and upcoming dialogues is available at www.cbd.int/nbsap.

⁶ More information on access and benefit-sharing and national biodiversity strategies and action plans is available at www.cbd.int/abs/gbf.shtml#tab=6.

will be considered by the fifth meeting of the Subsidiary Body on Implementation.⁷ The dialogues identified a number of challenges in achieving integration⁸ while recognizing that integrating the Protocols into the national biodiversity strategy and action plan may increase the availability of resources and their use efficiency for the implementation of the Protocols.

17. Goal C and Target 13 provide an opportunity, through the revision and update of the national biodiversity strategies and action plans, to evaluate the progress made in the implementation of the Nagoya Protocol and assess how the effectiveness of the access and benefit-sharing system could be improved. The process of revision of the strategies and plans also gives the opportunity to countries, together with indigenous peoples and local communities and relevant stakeholders, to take stock of the implementation of access and benefit-sharing across different instruments and promote synergies in implementation.⁹

18. Coordination between the access and benefit-sharing national focal points and the authorities in charge of the revision or update of national biodiversity strategies and action plans is essential in order to achieve balanced implementation of the three objectives of the Convention in the Kunming-Framework, and in line with whole-of-government and whole-of-society approach as called for in section C of the Framework.

19. As part of the process, the needs of the Nagoya Protocol should be considered in the development of national finance plans and capacity-building and development plans supporting national biodiversity strategies and action plans.

III. Enhanced multidimensional approach to planning, monitoring, reporting and review and monitoring for the Kunming-Montreal Global Biodiversity Framework and indicators

20. In its decision [15/6](#), the Conference of the Parties adopted an enhanced multidimensional approach to planning, monitoring, reporting and review of the Kunming-Montreal Global Biodiversity Framework and identified further work required to develop or finalize elements of the approach. Those elements included the concrete procedures for the global review of collective progress in the implementation. In its decision [NP-4/5](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol invited Parties and encouraged other Governments to make use of the approach to planning, monitoring, reporting and review under the Convention to enhance the implementation of the Protocol and the integration of access and benefit-sharing in revised or updated national biodiversity strategies and action plans. Links can be drawn between the global review of collective progress in the implementation and the assessment and review of effectiveness under the Protocol and the national reports on the implementation of the Protocol due to be considered at seventeenth meeting of the Conference of the Parties and the sixth meeting of the meeting of the Parties to the Protocol, respectively.

21. By its decision [15/5](#), the Conference of the Parties to the Convention adopted the monitoring framework for the Kunming-Montreal Global Biodiversity Framework. In its decision [NP-4/3](#), the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, noting the desirability of developing nationally and globally relevant indicators for access and benefit-sharing

⁷ Document [CBD/SBI/5/2/Add.3](#).

⁸ Namely: (a) The high level of coordination required for development and implementation of targets and actions involving different government departments acting as focal points for the Protocols and relevant multilateral environmental agreements; (b) Insufficient human, technical, technological and financial resources needed for implementation, considering the diversity and magnitude of issues to be addressed in the different agreements; and (c) Each Protocol and multilateral environmental agreements have its own process and actors at the national level with different implementation requirements and thus it may be difficult to convince other processes and actors of the value of integration. Planning processes for the implementation of different instruments may not be undertaken in parallel, therefore countries are encouraged to link these interrelated processes.

⁹ More information and relevant resources can be found at a dedicated [webpage](#).

in the context of the Framework, took note of the monitoring framework and welcomed the process outlined in decision 15/5.

22. In order to operationalize the monitoring framework, the Conference of the Parties established the Ad Hoc Technical Expert Group on Indicators for the Kunming-Montreal Global Biodiversity Framework to provide technical advice on the remaining and unresolved issues identified in its terms of reference¹⁰ to the Subsidiary Body on Scientific, Technical and Technological Advice. The Conference of the Parties will be invited to consider a draft decision arising from recommendation [26/1](#) of the Subsidiary Body.

23. The following provides a summary of the groups of indicators relevant for measuring progress on Goal C and Target 13, and the status of their development. Relevant information and resources on access and benefit-sharing indicators can also be found on the Convention's website.¹¹

A. **Headline indicators**

24. The headline indicators¹² are outcome-oriented indicators which all Parties are expected to use to report progress. The headline indicators for Goal C and Target 13 as recommended by the Subsidiary Body on Scientific, Technical and Technological Advice in its recommendation [26/1](#) are: C.1 (monetary benefits received in accordance with applicable internationally agreed Access and Benefit-sharing instruments); and C2 (non-monetary benefits arising from applicable international Access and Benefit-sharing instruments).

25. In response to the request of the Subsidiary Body on Scientific, Technical and Technological Advice in its recommendation 26/1, the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources, in its recommendation 2/1, recommended the inclusion in the monitoring framework for the Kunming-Montreal Global Biodiversity Framework of a disaggregation by relevant access and benefit-sharing instruments of the headline indicators for Goal C and Target 13 on monetary and non-monetary benefit-sharing.

26. Under the Convention and the Nagoya Protocol, there are no requirements for Parties to monitor and report on the benefits received based on mutually agreed terms, and therefore no agreed-on approaches currently exist to monitoring and quantifying monetary or non-monetary benefits arising from the utilization of genetic resources and traditional knowledge associated with genetic resources globally.

27. To address this gap and to support the work of the Ad Hoc Technical Expert Group on Indicators work, and with the generous support of the Government of the United Kingdom of Great Britain and Northern Ireland, the Secretariat commissioned the Leibniz Institute DSMZ-German Collection of Microorganisms and Cell Cultures to carry out a background study on access and benefit-sharing indicators. The study was made available to the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting¹³ and the Secretariat, together with the Leibniz Institute (DSMZ) organized webinars and side events to disseminate the proposed methodology.¹⁴

¹⁰ [Decision 15/5](#), annex II.

¹¹ See www.cbd.int/abs/gbf.shtml#tab=5.

¹² Headline indicators are high-level mandatory indicators which capture the overall scope of the goals and targets of the Kunming-Montreal Global Biodiversity Framework to be used for planning and tracking progress and have been included as part of the template for national reports under the Convention.

¹³ The study on "Access and Benefit-sharing Indicators as they relate to Target 13 and Goal C of the Kunming-Montreal Global Biodiversity Framework" is available in English, French and Spanish at the following link: <https://absch.cbd.int/en/database/ABSCH-VLR-SCBD-267150-4>.

¹⁴ Links to webinar and resources can be found at: www.cbd.int/abs/gbf.shtml.

28. The conclusions from the study were incorporated in the metadata sheets developed by the Expert Group,¹⁵ which describe each indicator and also explain its proposed methodology and potential disaggregation:¹⁶

(a) Headline indicator C.1 - it is proposed that Parties to the Convention and the Nagoya Protocol that have regulated access to their genetic resources and require monetary benefit-sharing will include in their national reports under the Convention the amount, in United States dollars, of the monetary benefits received at the national level during the reporting period;

(b) For headline indicator C.2 - it is proposed that Parties to the Convention and the Nagoya Protocol that regulate access to genetic resources or associated traditional knowledge, as appropriate, would need to report on non-monetary benefits received.¹⁷ Reporting would be on the following types of non-monetary benefits:

- (i) Number of research and development results arising from access and benefit-sharing instruments (globally aggregated and subsequently pre-populated into national reports);
- (ii) Number of joint scientific publications arising from access and benefit-sharing instruments with authors from the provider country, where appropriate (globally aggregated and subsequently pre-populated into national reports);
- (iii) Number of scientific publications relevant to conservation, sustainable use, food security, and public health arising from access and benefit-sharing instruments (globally aggregated and subsequently pre-populated into national reports);
- (iv) Number of technology transfer events arising from access and benefit-sharing instruments (nationally collected);
- (v) Number of projects contributing to sustainable development arising from access and benefit-sharing instruments (nationally collected);
- (vi) Indicators related to capacity-building and development as part of the non-monetary benefits arising from access and benefit-sharing instruments (TBD).

29. In document CBD/COP/16/INF/3, which includes the methodological guidance for the indicators of the monitoring framework, it is proposed that the compilation of information for the globally collected types of non-monetary benefits would use, subject to the availability of funds, the initial methodology and prototype databases developed by the Leibniz Institute DSMZ within the Examining Trends in Non-Monetary Benefit-Sharing project (funded by the German Federal Agency of Nature Conservation).¹⁸ The information collected globally would be disaggregated to the national level and made available for countries to report on in their national reports.¹⁹

30. The collection of information on monetary and non-monetary benefits at the national level is not without its challenges. To be able to report on indicators measured at the national level, it is necessary that Parties implement tools that facilitate the collection, compilation and reporting of information. The study and methodological guidance identify recommendations that could help Parties to collect information on benefits received, in accordance with their national circumstance. These include developing a national repository for storing and managing information for granting access and benefit-sharing agreements and monitoring benefit-sharing, establishing a centralized

¹⁵ All metadata sheets are available at: <https://gbf-indicators.org/>.

¹⁶ These were made available for the information of the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-sixth meeting and an updated version of the document will be available for the information by the Conference of the Parties as document CBD/COP/16/INF/3.

¹⁷ To avoid counting the same benefit twice, only Parties providing genetic resources and receiving a share of benefits would report.

¹⁸ More information on the project is available at www.dsmz.de/research/science-policy/projects.

¹⁹ For more information on the global methodology see Chapter 4 of the Study on Access and Benefit-sharing Indicators for the Kunming-Montreal Global Biodiversity Framework.

system for the reception of monetary benefits, requiring users to report to a single centralized national authority for benefits even if they are shared with multiple beneficiaries, and using standard language in the mutually agreed terms and in non-disclosure agreements that explicitly allow the recipient of the confidential information to report on benefits received at the aggregate level.

31. The recommendations above could also help strengthen national access and benefit-sharing systems. Understanding the benefits received can help countries measuring the effectiveness of their access and benefit-sharing system and inform decision-making at the national level.

B. Binary indicators

32. The binary indicators²⁰ are process oriented, and they provide a count of the number of countries having undertaken specified activities necessary to achieve the desired outcome. The global indicator derived from binary reporting for Goal C and Target 13 for consideration by the Conference of the Parties²¹ is: “Number of countries that have taken effective legal, policy, administrative and capacity-building measures at all levels, as appropriate, to ensure the fair and equitable sharing of benefits from the utilization of genetic resources and from digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources.”²² A number of related questions with standardized binary responses are also to be considered by the Conference of the Parties.

33. In response to the request of the Subsidiary Body on Scientific, Technical and Technological Advice in its recommendation 26/1, the Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources, in its recommendation 2/1, recommended the inclusion in the monitoring framework the following question as a placeholder for the binary indicator as it relates to digital sequence information on genetic resources: “Does your country have administrative, policy or legislative measures pursuant to decision 16/-- on the operationalization of the multilateral mechanism?”.

C. Component and complementary indicators

34. The component and complementary indicators²³ for Goal C and Target 13 mostly relate to the internationally recognized certificate of compliance, transfers of crop material from the Multilateral System of the International Treaty on Plant Genetic Resources for Food and Agriculture received, and the checkpoint communiqué as it is understood that these provide an indication of potential benefits to be shared.²⁴

III. Suggested draft decision

35. In the light of the information above, 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,

Recalling its decisions NP-4/3 of 10 December 2022 and NP-4/5 of 19 December 2022,

Also recalling that the goals and targets of the Kunming-Montreal Global Biodiversity Framework²⁵ are integrated and intended to contribute in a balanced manner to the three objectives of the Convention on Biological Diversity,²⁶

²⁰ Binary indicators are mandatory indicators collated from binary “yes/no” responses to predetermined questions that are to be included in national reports submitted under the Convention.

²¹ See [recommendation 26/1](#), annex II. Methodological details are provided in document CBD/COP/16/INF/3.

²² See [recommendation 26/1](#), annex II.

²³ Component indicators are optional indicators, which together with the headline indicators, would cover all components of the goals and targets while complementary indicators are optional and would be used for thematic or in-depth analysis.

²⁴ See [recommendation 26/1](#), annex I, for the latest version of the complementary and component indicators.

²⁵ Decision 15/4, annex.

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

1. *Takes note* of decision 16/-- of the Conference of the Parties to the Convention on progress on the revision or updating by Parties of national biodiversity strategies and action plans, including national targets, in alignment with the Kunming-Montreal Global Biodiversity Framework, and welcomes progress made by Parties and other Governments on submitting national targets towards achieving Target 13 and Goal C of the Framework;

2. *Also takes note* of decision 16/-- of the Conference of the Parties to the Convention on the enhanced multidimensional approach to planning, monitoring, reporting and review, decision 16/-- on the monitoring framework for the Kunming-Montreal Global Biodiversity Framework, which includes indicators for Goal C and Target 13 of the Framework, and the relevant proposed methodologies contained in document CBD/COP/16/INF/3;

3. *Invites* Parties, and encourages other Governments, to:

(a) Address all elements of Goal C and of Target 13 of the Framework when developing national targets and revising or updating national biodiversity strategies and action plans;²⁷

(b) Put in place, in accordance with national circumstances and priorities, the mechanisms and tools necessary for the collection of national information on monetary and non-monetary benefits received to be able to report on progress in achieving Goal C of the Framework;

(c) Include the capacity and financial needs for collecting national information on monetary and non-monetary benefits received and implementing the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization,²⁸ as appropriate, in the updating or revision of national biodiversity strategies and action plans and of associated national finance, capacity-building and development plans;

4. *Invites* Parties, and encourages other Governments and relevant organizations, to:

(a) Enhance the integration of the Nagoya Protocol into and the participation of the relevant national authorities in the mechanisms for planning, monitoring, reporting and review referred to in decisions 16/-- and 16/--;²⁹

(b) Support the development of the mechanisms and tools referred to in paragraph 3 (b) above and the continuation and enhancement of the methodology to collect global information on certain types of non-monetary benefit-sharing for national disaggregation.

²⁷ See www.cbd.int/gbf/targets/13 for guidance notes prepared by the Secretariat for Target 13.

²⁸ United Nations, *Treaty Series*, vol. 3008, No. 30619.

²⁹ The decisions are the same as those mentioned in operative paragraph 2. The numbers will be added once they are adopted.