



**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

Second meeting
Cancun, Mexico, 4-17 December 2016
Agenda item 6

**DECISION ADOPTED BY THE PARTIES TO THE NAGOYA PROTOCOL ON ACCESS AND
BENEFIT-SHARING**

**2/2. The Access and Benefit-sharing Clearing-House and information-
sharing (Article 14)**

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

1. *Welcomes* the progress made by the Executive Secretary in the implementation of the Access and Benefit-sharing Clearing-House and capacity-building activities for the Access and Benefit-sharing Clearing-House;

2. *Takes note* of the indicative goals and priorities for future implementation and administration of the Access and Benefit-sharing Clearing-House for the next biennium,¹ and *stresses* the importance of increasing the relevant content and use of the Access and Benefit-sharing Clearing-House, as well as making it operational in the six official languages of the United Nations;

3. *Requests* the Executive Secretary to follow the goals and priorities referred to in paragraph 2 above when implementing the Access and Benefit-sharing Clearing-House, subject to the availability of resources, and in accordance with the modalities of operation and feedback received, in particular that of Parties, and of the Informal Advisory Committee to the Access and Benefit-sharing Clearing-House;

4. *Takes note* of the progress made on issues related to the internationally recognized certificate of compliance and the checkpoint communiqué, and *recognizes* the need for additional experience regarding how the internationally recognized certificate of compliance and the checkpoint communiqué work in a variety of circumstances, including transboundary or shared genetic resources,

¹ See UNEP/CBD/NP/COP-MOP/2/3, annex II.

traditional knowledge associated with genetic resources, and other issues related to the monitoring of the utilization of genetic resources;

5. *Urges* Parties to make permits or their equivalents available to the Access and Benefit-sharing Clearing-House so that they can constitute internationally recognized certificates of compliance, which serve as evidence that the genetic resource and associated traditional knowledge which they cover have been accessed in accordance with prior informed consent and that mutually agreed terms have been established, thus increasing the use of internationally recognized certificates of compliance in order to facilitate monitoring and compliance and contribute to legal certainty;

6. *Expresses* appreciation for the technical guidance provided by the Informal Advisory Committee with respect to the resolution of technical and practical issues, including those related to the internationally recognized certificate of compliance and checkpoint communiqué, arising from the ongoing development of the Access and Benefit-sharing Clearing-House;

7. *Decides* that the Informal Advisory Committee will hold at least one meeting, and informal online discussions as needed, and report on the outcomes of its work to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its third meeting;

8. *Requests* the Executive Secretary:

(a) To further refine the modalities of operation of the Access and Benefit-sharing Clearing-House taking into account progress made, the advice given by the Informal Advisory Committee, and feedback received on the implementation and operation of the Access and Benefit-sharing Clearing-House, in particular that of Parties, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its third meeting;

(b) To develop, as part of the exercise for refining the modalities referred to in paragraph (a) above, joint modalities of operation for the clearing-house mechanism of the Convention, the Biosafety Clearing-House and the Access and Benefit-sharing Clearing-House, taking into consideration the web strategy,² for consideration by the Conference of the Parties at its fourteenth meeting, the Parties to the Cartagena Protocol on Biosafety at their ninth meeting and the Parties to the Nagoya Protocol at their third meeting with a view to enhancing coherence in the implementation and operation of the common elements of the central clearing-house mechanism, while preserving the specific functionalities of the mechanisms under the Protocols and the Convention;

9. *Decides* to review the implementation and operation of the Access and Benefit-sharing Clearing-House as part of the assessment and review process to evaluate the effectiveness of the Protocol established by Article 31 of the Protocol;

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

11. *Urges* Parties that have not yet done so to publish all mandatory information available at the national level on the Access and Benefit-sharing Clearing-House, in accordance with the obligations in Article 14, paragraph 2, of the Protocol as soon as possible, and to ensure that the information published is complete and relevant and kept up-to-date, with a view to having all existing information available in the Access and Benefit-sharing Clearing-House by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

² Conference of the Parties decision XIII/22, annex.

12. *Encourages* non-Parties, international organizations, indigenous peoples and local communities, and relevant stakeholders to provide the Access and Benefit-sharing Clearing-House with relevant information as soon as possible;

13. *Requests* the Executive Secretary, subject to the availability of resources, to encourage the publication of information and the use of the Access and Benefit-sharing Clearing-House by providing technical support for Parties and non-Parties, as well as indigenous peoples and local communities and relevant stakeholders, as appropriate;

14. *Invites* Parties, non-Parties, international organizations, regional development banks and other financial institutions to provide financial resources for enabling Parties to actively participate in the Access and Benefit-sharing Clearing-House.
