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3 March 2015

NOTIFICATION

Decisions of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization: direct actions by Parties and other Governments and planned activities for the next biennium

Madam/Sir,

I have the pleasure to inform you that the final report of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (COP-MOP) held in Pyeongchang, Republic of Korea, from 13 to 17 October 2014 (document UNEP/CBD/NP/COP-MOP/1/10) is now available on the website of the Secretariat at: <http://www.cbd.int/npmop1/doc/>.

Furthermore, the purpose of this notification is to: (i) bring to your attention the relevant parts of the decisions adopted at the first meeting of the COP-MOP that request direct actions by Parties and other Governments over the next biennium; and (ii) provide information on planned activities for the biennium 2015-2016 in light of the decisions adopted at the first meeting of the COP-MOP.

1. Actions to be undertaken by Parties to the Nagoya Protocol and other Governments

A number of decisions adopted at COP-MOP call for direct action by Parties and non-Parties to the Nagoya Protocol, as part of the work programme. Please find attached herewith a summary list of these requests and decisions for your consideration.

In particular, I wish to draw your attention to those decisions of the COP-MOP which relate to the designation of relevant authorities and to the functioning of the Access and Benefit-sharing Clearing-House (ABS Clearing-House):

- (i) Decision NP-1/2, paragraph 8, calls upon Parties and invites non-Parties to designate a national focal point, one or more competent national authorities, one publishing authority nominated by the national focal point on access and benefit-sharing and, if needed, one or more national authorized users for the ABS Clearing-House designated by the publishing authority;
- (ii) Decision NP-1/2, paragraph 9, urges Parties to make available to the ABS Clearing-House all mandatory information in accordance with the Nagoya Protocol and to provide feedback to the Executive Secretary on the implementation and operation of the ABS Clearing-House.

Enclosures

To: ABS National Focal Points
CBD National Focal Points (where ABS focal points have not yet been designated)



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Designation of national focal points on access and benefit-sharing (ABS NFP)

Further to the entry into force of the Nagoya Protocol and in line with its Article 13, official liaison with the Secretariat will be the responsibility of the ABS NFP.

Both Parties and non-Parties to the Nagoya Protocol are kindly requested to inform the Secretariat of their designated national focal point on ABS **at their earliest convenience and no later than 1 April 2015**. For future liaison with the Secretariat, ABS focal points will replace current ICNP focal points.

In the event that the ICNP focal point is to become the ABS national focal point for your country, the Secretariat kindly requests being notified by official letter no later than 1 April 2015.

Designation of the national focal point on access and benefit-sharing, containing their name and contact details, should be submitted through an official letter addressed to the Executive Secretary by fax to +1 514 288 6588 or by e-mail as a scanned attachment to secretariat@cbd.int.

Information on competent national authority/ies

Article 13, paragraph 4, of the Protocol requires each Party to designate one or more competent national authorities on access and benefit-sharing. States that are not yet Parties to the Protocol are also invited to designate one or more competent national authorities (decision NP-1/2, para. 8).

Information on competent national authority/ies is to be made available to the ABS Clearing-House by completing the appropriate common format available through the registering information section of the ABS Clearing-House (<https://absch.cbd.int/>). Please note that the designation of a publishing authority is the first step necessary to make information available to the ABS Clearing-House as described below.

Designation of publishing authorities for the ABS Clearing-House

The modalities of operation for the ABS Clearing-House provide that the national focal point on access and benefit-sharing shall communicate to the Secretariat the designation of the publishing authority for the ABS Clearing-House (decision NP-1/2, Annex, paragraph 4). The functions of the publishing authority shall include the following: (a) authorizing the publication of all national records registered in the ABS Clearing-House and preparing draft records, as appropriate; and (b) ensuring that the information made available on the ABS Clearing-House is complete, non-confidential, relevant and up-to-date. The duties of the national focal point for access and benefit-sharing could also be expanded to incorporate the role of the publishing authority.

Countries that have not yet designated their publishing authority are kindly requested to do so at their earliest convenience and provide the Secretariat with the relevant information using the following common format: <http://www.cbd.int/abs/doc/commonformats/ABSCH-PA-NAU.doc>. The designation of the publishing authority by the national focal point on access and benefit-sharing should be submitted to the Executive Secretary by fax to +1 514 288 6588 or by e-mail as a scanned attachment to secretariat@cbd.int. Upon receipt of the necessary information and after the Secretariat has done the necessary arrangements, the publishing authority will receive an e-mail confirming that they can start publishing information in the ABS Clearing-House.

Designation of national authorized users for the ABS Clearing-House

The modalities of operation of the ABS Clearing-House provide that publishing authorities can designate one or more national authorized users as needed (NP-1/2, paragraph 6). The function of national authorized users shall be to assist the publishing authority in the preparation of draft national records.

The designation of national authorized users can be done at the time of designation of the publishing authority and through the same common format mentioned above or at any time by the national focal point on access and benefit-sharing or the publishing authority. These designations may be sent to the Executive Secretary by fax to +1 514 288 6588 or by e-mail as an attachment to secretariat@cbd.int and must contain the complete contact details and the appropriate endorsements.

Participation in the ABS Clearing-House

Decision NP-1/2, paragraph 9, urges Parties to make available to the ABS Clearing-House all mandatory information in accordance with the Nagoya Protocol as soon as possible and to continue providing feedback to the Executive Secretary on the implementation and operation of the ABS Clearing-House.

In addition, paragraph 10 of the same decision invites non-Parties, international organizations, indigenous and local communities, and relevant stakeholders to provide relevant information to the ABS Clearing-House and to provide feedback to the Executive Secretary on its implementation and operation.

As requested by the Intergovernmental Committee for the Nagoya Protocol at its third meeting (recommendation 3/4, para. 5), the Secretariat has made available the information on access and benefit-sharing measures and competent national authorities previously hosted on the website of the Convention on Biological Diversity in the ABS Clearing-House as draft records. Publishing authorities of Parties and other Governments are kindly invited to review and publish the draft records in order to ensure that national records in the ABS Clearing-House are complete and up-to-date.

I would also like to take this opportunity to inform you that the Secretariat is currently conducting telephone surveys with a view to receiving feedback for making the submission of and access to information through the ABS Clearing-House, simple, user-friendly and adapted to user needs and national circumstances. The survey also serves to assess the capacity needs of users to contribute to the ABS Clearing-House and arrange on-demand technical assistance, trainings and follow-up, as appropriate.

For any questions or assistance regarding the ABS Clearing-House, providing feedback or to participate in the survey, please contact the ABS Clearing-House Help Desk at absch@cbd.int.

2. Inter-sessional activities for the biennium 2015-2016

The COP-MOP also decided on the following intersessional activities in support of the implementation of the Nagoya Protocol:

- (a) An informal advisory committee for the ABS Clearing-House was established by decision NP-1/2, paragraph 2. Two meetings of the informal advisory committee are foreseen for the next biennium as well as online discussions in accordance with decision NP-1/2, paragraph 3 (tentative dates: October 2015 and June 2016);
- (b) One meeting of the Compliance Committee in accordance with decision NP-1/4, paragraph 2 (tentative date: April 2016);
- (c) An expert meeting on the need for and modalities of a global multilateral benefit-sharing mechanism (Article 10) in accordance with decision NP-1/10, paragraph 2(c) (tentative date: February 2016);
- (d) An informal advisory committee on capacity-building for the implementation of the Nagoya Protocol was established by decision NP-1/8, paragraph 2. Two meetings of the informal advisory committee are foreseen, subject to the availability of funds (tentative dates: September 2015 and June 2016).

Further details on these activities will be provided in due course.

I thank you for your continued cooperation and support to the Nagoya Protocol.

Please accept, Madam/Sir, the assurances of my highest consideration.

Bráulio Ferreira de Souza Dias
Executive Secretary

**SUMMARY OF REQUESTS FOR ACTION AND SUBMISSION OF INFORMATION TO THE SECRETARIAT
AS DERIVED FROM THE DECISIONS ADOPTED AT COP-MOP 1 OF THE NAGOYA PROTOCOL**

Decision	Requested action/information
DECISION NP-1/2. The Access and Benefit-Sharing Clearing-House and information-sharing (Article 14)	
NP-1/2	8. <i>Calls</i> upon Parties and <i>invites</i> non-Parties to designate a national focal point, one or more competent national authorities, one publishing authority nominated by the national focal point on access and benefit-sharing and, if needed, one or more national authorized users for the Access and Benefit-sharing Clearing-House designated by the publishing authority;
NP-1/2	9. <i>Urges</i> Parties to make available to the Access and Benefit-sharing Clearing-House all mandatory information in accordance with the Nagoya Protocol as soon as possible and to continue providing feedback to the Executive Secretary on the implementation and operation of the Access and Benefit-sharing Clearing-House;
NP-1/2	10. <i>Invites</i> non-Parties, international organizations, indigenous and local communities, and relevant stakeholders to provide relevant information to the Access and Benefit-sharing Clearing-House and to provide feedback to the Executive Secretary on the implementation and operation of the Clearing-House;
NP-1/2	11. <i>Invites</i> Parties, and 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;
DECISION NP-1/3. Monitoring and reporting (Article 29)	
NP-1/3	3. <i>Invites</i> Parties and non-Parties to provide feedback to the guidelines and the format for submission of the interim national report, taking into account further experiences gained in the implementation of the Nagoya Protocol;
NP-1/3	4. <i>Requests</i> Parties to submit an interim national report on the implementation of their obligations under the Nagoya Protocol, and <i>welcomes</i> submissions of relevant information by non-Parties: <ul style="list-style-type: none"> (a) In an official language of the United Nations; (b) Through the Access and Benefit-sharing Clearing-House; (c) Twelve months prior to the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;
NP-1/3	8. <i>Requests</i> the Executive Secretary, and <i>invites</i> Parties, non-Parties, and relevant organizations to make use of and to also take into account the interim national reports when carrying out capacity-building and development activities to support the implementation of the Nagoya Protocol, and to support capacity-building and development activities for submitting the interim national report.

DECISION NP-1/4. Cooperative Procedures and Institutional Mechanisms to Promote Compliance with the Nagoya Protocol and to Address Cases of Non-Compliance	
NP-1/4	<p>3. <i>Invites</i> Parties, other Governments, international organizations, indigenous and local communities, and relevant stakeholders to submit views to the Executive Secretary on matters raised in paragraph 2(b)* above in order to assist the work of the Compliance Committee in its consideration of this matter.</p> <p>* Paragraph 2(b) of the same decision:</p> <p>2 (b). Identifying and considering the need for and modalities of support, including possibly through a flexible mechanism to provide advice or assistance to Parties, in particular developing country Parties, and, where appropriate and applicable, indigenous and local communities to address challenges related to compliance with the provisions of the Nagoya Protocol, with a view to making effective use of the compliance mechanism</p>
DECISION NP-1/5. Model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards (Articles 19 and 20)	
NP-1/5	1. <i>Encourages</i> Parties, other Governments, international organizations, indigenous and local communities and relevant stakeholders to submit tools developed under Articles 19 and 20 of the Nagoya Protocol to the ABS Clearing-House;
NP-1/5	2. <i>Also encourages</i> Parties, other Parties to the Convention, other Governments, international organizations, indigenous and local communities and relevant stakeholders to update tools relevant to Articles 19 and 20 of the Nagoya Protocol that were developed prior to the Nagoya Protocol;
DECISION NP-1/6. Matters Related to the Financial Mechanism	
NP-1/6	9. <i>Urges</i> eligible Parties to prioritize access and benefit-sharing projects during the programming of their GEF-6 national allocations under the System for Transparent Allocation of Resources (STAR);
NP-1/6	10. <i>Encourages</i> Parties to incorporate access and benefit-sharing activities into multi-focal-area projects, including the proposed “integrated approach pilots”, as well as projects to be developed under the other biodiversity focal area programmes, including Programmes 1, 2, 7 and 9;
NP-1/6	8. <i>Further urges</i> Parties and <i>invites</i> other Governments to integrate and prioritize, as appropriate, access and benefit-sharing within their national biodiversity strategies and action plans and national development plans and programmes.
DECISION NP-1/7. Resource Mobilization for the Implementation of the Nagoya Protocol	
NP-1/7	2. <i>Encourages</i> Parties to include the consideration of resource mobilization, including funding needs, gaps and priorities, as part of their planning processes towards the implementation of the Protocol, particularly by integrating such considerations into their national biodiversity strategies and action plans;
NP-1/7	3. <i>Encourages also</i> Parties to direct domestic resources, in accordance with national circumstances, as well as resources generated through biodiversity financing mechanisms, towards the implementation of the objective of the Nagoya Protocol. In that context, Parties may also consider, in accordance with their national legislation, policies, priorities and programmes, how to integrate resources generated through the successful implementation of access and benefit-sharing agreements into such efforts;

NP-1/7	4. <i>Further encourages</i> Parties, other Governments, relevant organizations, the private sector and financial institutions to provide, in accordance with their capabilities, financial resources, including through biodiversity financing mechanisms, for the implementation of the Nagoya Protocol and to include support to the implementation of the Protocol as a priority area for funding
NP-1/7	5. <i>Encourages</i> Parties to take appropriate measures within the governing bodies of relevant multilateral financial institutions and development organizations to ensure that due priority and attention is given to the effective allocation of predictable resources for the implementation of the Nagoya Protocol;
NP-1/7	6. <i>Further encourages</i> Parties to mainstream implementation of the Nagoya Protocol in their development cooperation plans and priorities and in the national biodiversity strategies and action plans
NP-1/7	7. <i>Encourages</i> Parties and relevant organizations to raise awareness, particularly of high-level policy and decision makers, the business sector, and the relevant funding agencies, to the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues, in accordance with Article 21 of the Nagoya Protocol, with a view to support the mobilization of resources for the Protocol
NP-1/7	8. <i>Invites</i> Parties, in the context of their obligations under Article 29 of the Nagoya Protocol, and relevant organizations to submit information to the Executive Secretary on their experiences related to the mobilization of resources in support of the implementation of the Protocol, as well as on the status of funds mobilized
DECISION NP-1/8. Measures to Assist in Capacity-Building and Capacity Development	
NP-1/8	3. <i>Invites</i> Parties, other Governments, indigenous and local communities and relevant organizations to develop and implement capacity-building and development activities consistent with the strategic framework
NP-1/8	4. <i>Also invites</i> Parties, other Governments, international organizations, regional development banks, other financial institutions and the private sector, as appropriate, to provide financial resources to support the implementation of the strategic framework
NP-1/8	5. <i>Further invites</i> Parties, other Governments, indigenous and local communities, relevant organizations, and the private sector, as appropriate, to provide to the Access and Benefit-sharing Clearing-House information on their capacity-building and development initiatives, including emerging best practices and lessons learned, and opportunities relevant to the implementation of the strategic framework
NP-1/8	6. <i>Encourages</i> Parties and indigenous and local communities to make available through the Access and Benefit-sharing Clearing-House information regarding their capacity-building and development needs and priorities, including non-market-based approaches, identified through national capacity self-assessments; and to incorporate them in their national strategies and action plans with respect to the implementation of the Convention
NP-1/8	7. <i>Encourages</i> relevant organizations to assist developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition to implement the strategic framework and contribute to the implementation of the Strategic Plan for Biodiversity 2011-2020, in particular the achievement of Aichi Biodiversity Target 16
NP-1/8	9. <i>Calls on</i> Parties that are also Parties to other international instruments relevant to the Protocol to ensure that measures taken to assist in capacity-building are consistent and mutually supportive

DECISION NP-1/9. Measures to Raise Awareness of the Importance of Genetic Resources and Associated Traditional Knowledge (Article 21)	
NP-1/9	<p><i>(Annex)</i></p> <p>8. Parties are encouraged to implement one iteration of the strategy during the biennium after entry into force. Parties would then be invited to report on progress in the implementation of the strategy to the Clearing-House and the COP-MOP, as appropriate.</p>
DECISION NP-1/10. The Need for and Modalities of a Global Multilateral Benefit-Sharing Mechanism (Article 10)	
NP-1/10	<p>1. <i>Invites</i> Parties, other Governments, international organizations, indigenous and local communities, and relevant stakeholders to submit to the Executive Secretary views on: (i) situations which may support the need for a global multilateral benefit-sharing mechanism that are not covered under the bilateral approach; (ii) possible modalities for a global multilateral benefit-sharing mechanism as well as information regarding the implications of different scenarios on these modalities; and (iii) the areas requiring further consideration, as identified in paragraph 23 of the report of the Expert Meeting on Article 10 of the Nagoya Protocol (UNEP/CBD/ICNP/3/5). Such views may include, where available, reflections on any experiences gained working towards the implementation of the Nagoya Protocol.</p>
DECISION NP-1/12. Improving the Efficiency of Structures and Processes under the Convention and the Protocols – Concurrent Meetings	
NP-1/12	<p>3. <i>Calls</i> upon developed country Parties to increase their contributions to the relevant voluntary trust funds to ensure the full and effective participation of representatives from developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, as well as representatives of indigenous and local communities, in the concurrent meetings and <i>encourages</i> other Governments and donors to also contribute to that end.</p>
DECISION NP-1/13. Programme budget for the biennium following the entry into force of the Nagoya Protocol	
NP-1/13	<p>11. Invites all Parties to the Protocol to note that contributions to the core programme budget (BYP) are due on 1 January of the year in which these contributions have been budgeted for, and to pay them promptly, and urges Parties in a position to do so to pay by 1 December of the year 2014 for the calendar year 2015 and by 1 November 2015 for the calendar year 2016, the contributions set out in table 4, as adjusted in accordance with paragraph 6, and, in this regard, requests that Parties be notified of the amount of their contributions for 2016 by 15 October 2015;</p>
NP-1/13	<p>13. <i>Urges</i> Parties and <i>invites</i> all States not Parties to the Protocol, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the trust fund for the Protocol (BEP) to enable the Secretariat to implement approved activities in a timely manner</p>