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2 December 2015

NOTIFICATION

Assessment of Progress in achieving Aichi Biodiversity Target 16 on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization

Madam/Sir,

As we are fast approaching the end of 2015, I would like to take this opportunity to express my sincere appreciation for your invaluable contribution to the achievement of Aichi Biodiversity Target 16, which provides that “by 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation.”

The ratification of the Nagoya Protocol by your Government has been instrumental to the entry into force of the Nagoya Protocol in October 2014 and in achieving the first part of Aichi Biodiversity Target 16. With the entry into force of the Protocol, our attention is now focussed towards achieving the second part of Aichi Biodiversity Target 16, in order to ensure that the Nagoya Protocol becomes operational as soon as possible, consistent with national legislation.

The Nagoya Protocol, to be operational, requires effective implementation at the national level. Parties to the Protocol need to:

- (a) Revise legislative, administrative or policy measures on access and benefit-sharing (ABS) already in place or develop new measures in order to meet the obligations set out under the Protocol;
- (b) Establish relevant institutional structures, including the designation of a national focal point on access and benefit-sharing, one or more competent national authorities, and one or more checkpoints; and
- (c) Make relevant information available to the ABS Clearing-House.

In this regard, I wish to draw your attention to some key steps to be taken by Parties in order to implement the Nagoya Protocol and make relevant information available on the ABS Clearing-House, as further described in the attached. The Secretariat will be pleased to assist you in this process.

In addition, with a view to assisting the Secretariat in following developments at the national level, I wish to invite you to make information on the following available to the Secretariat:

- (a) Progress towards the establishment of institutional structures, including the designation of one or more competent national authorities, and checkpoints;

To : ABS National Focal Points of Parties to the Nagoya Protocol (CBD National Focal Points of Parties where ABS National Focal Points have not yet been designated)



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- (b) Progress towards the adoption, development or revision of legislative, administrative or policy measures on access and benefit-sharing; and
- (c) Any other steps taken towards the implementation of the Protocol.

In preparation for the Subsidiary Body on Implementation to be held from 2 to 6 May 2016, in Montreal, Canada, the Secretariat will prepare a report on progress towards the implementation of Aichi Biodiversity Target 16. **Information made available by 22 January 2016 at the latest will be reflected in this report.** Please note that information should be sent through an official letter addressed to the Executive Secretary by e-mail to secretariat@cbd.int.

Thank you for your kind cooperation.

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

Braulio Ferreira de Souza Dias
Executive Secretary

Enclosure

KEY STEPS TOWARDS THE IMPLEMENTATION OF THE NAGOYA PROTOCOL

In taking steps towards the implementation of the Nagoya Protocol, Parties are reminded of some key obligations contained in Articles 13 and 14 of the Protocol:

(a) Article 13 of the Protocol, requires each Party to the Protocol to designate a national focal point and one or more competent national authorities and to transmit their contact information to the Secretariat no later than the date of entry into force of the Protocol for the country; and

(b) Article 14 requires Parties to make available to the ABS Clearing-House: (i) legislative, administrative and policy measures on access and benefit-sharing; (ii) information on the national focal point and competent national authority or authorities; and (iii) permits or their equivalent issued at the time of access as evidence of the decision to grant prior informed consent and of the establishment of mutually agreed terms.

The following describes the preliminary steps that a Party needs to take in order to meet these obligations, and make the Protocol operational, as soon as possible.

1. How to designate a national focal point on access and benefit-sharing

Each Party needs to designate a national focal point on access and benefit-sharing to carry out the functions set out in Article 13 of the Protocol, which include liaising with the Secretariat.

Designation of the national focal point on access and benefit-sharing, including 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.

2. How to make information on the competent national authority(ies) and other information available on the ABS Clearing-House.

Each Party is required to designate one or more competent national authorities on access and benefit-sharing. Information on the competent national authority(ies) designated by a Party, as well as other information relevant to the implementation of the Protocol, is to be made available directly by each Party to the ABS Clearing-House.

However, in order to make information available on the ABS Clearing-House, Parties first need to nominate a publishing authority who will register the information in the ABS Clearing-House and ensure that all information made available is complete, non-confidential, relevant and up-to-date.

How to designate the publishing authority for the ABS Clearing-House and national authorized users

The national focal point on access and benefit-sharing is to communicate to the Secretariat the designation of the publishing authority for the ABS Clearing-House. The designation should be submitted to the Executive Secretary using the following form: <http://www.cbd.int/abs/doc/commonformats/ABSCH-PA-NAU.doc>

In addition, publishing authorities can designate one or more national authorized users, as needed, to assist 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 form 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.

How to make information available to the ABS Clearing-House

Upon receipt of the designation of the publishing authority and after the Secretariat has made the necessary arrangements, the publishing authority will receive an e-mail confirming that they can start publishing information on the ABS Clearing-House.

The publishing authority can, then, make the information on competent national authorities and other relevant information on access and benefit-sharing available on the ABS Clearing-House, by completing the appropriate forms found in the submit information section of the ABS Clearing-House (<https://absch.cbd.int/>).

The Secretariat can support Parties through various mechanisms to ensure that they can contribute effectively to the ABS Clearing-House, and fulfil their obligations under the Nagoya Protocol. More information is available on the help section of the ABS Clearing-House (<https://absch.cbd.int/help>) under Frequently Asked Questions. For any questions or assistance regarding the ABS Clearing-House please contact us at absch@cbd.int.