



THE NAGOYA PROTOCOL

On the road to implementation

Decisions adopted by the 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 at its First Meeting

**Pyeongchang, Republic of Korea
13 to 17 October 2014**



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THE NAGOYA PROTOCOL

On the road to implementation

Foreword

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 was adopted on 29 October 2010 in Nagoya, Japan. It entered into force on 12 October 2014, which enabled the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) to be held concurrently with the twelfth meeting of the Conference of the Parties to the Convention in Pyeongchang, Republic of Korea, from 13 to 17 October 2014. This booklet contains the decisions adopted at that meeting.

The entry into force of the Nagoya Protocol also means that the first part of Aichi Target 16 of the Strategic Plan for Biodiversity 2011-2020 has been achieved. Aichi Target 16 provides that, by 2015, the Nagoya Protocol is in force and operational, consistent with national legislation. Now begins the hard work of implementing the Protocol and making it operational. The decisions adopted by the Parties to the Protocol at their first meeting have set us on the road to implementation.

One of the key tools for operationalizing the Protocol is the Access and Benefit-sharing (ABS) Clearing-House. In decision NP-1/2, the Parties recognized the crucial role of the ABS Clearing-House in enabling information-sharing and supporting legal certainty, clarity and transparency in the implementation of the Nagoya Protocol. They adopted the modalities of operation of the ABS Clearing-House and established an informal advisory committee to assist the Executive Secretary with the implementation of the ABS Clearing-House.

A major outcome of COP-MOP 1 was the adoption in decision NP-1/4 of the cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Protocol and to address cases of non-compliance. Among other things, the decision established a Compliance Committee consisting of 15 members nominated by Parties as well as two representatives of indigenous and local communities who serve as observers.

Means to support implementation include capacity-building and awareness-raising. Article 22 of the Nagoya Protocol provides that Parties shall cooperate in the capacity-building, capacity development and strengthening of human resources and institutional capacities to effectively implement the Protocol in developing country Parties and Parties with economies in transition. In decision NP-1/8, the Parties adopted a strategic framework for capacity-building and development to support the effective implementation of the Protocol. By this decision, Parties, other Governments, indigenous and local communities and relevant organizations are invited to develop and implement capacity-building and development activities consistent with the strategic framework. An informal advisory committee was established to provide the Executive Secretary with advice on matters related to the assessment of the effectiveness of the strategic framework.

Article 21 of the Nagoya Protocol provides that each Party shall take measures to raise awareness of the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues. In decision NP-1/9, the Parties adopted an awareness-raising strategy for the Nagoya Protocol which is aimed at providing a systematic and coherent approach to assist Parties in the implementation of Article 21.

Also in relation to capacity-building, the Parties developed guidance for the financial mechanism, which was transmitted to the Global Environment Facility via decision XII/30 of the Conference of the Parties to the Convention.

In addition, decision NP-1/7 supports integrating resource mobilization for the implementation of the Protocol into the work on resource mobilization under the Convention. Parties are encouraged to include consideration of resource mobilization for the Protocol as part of their planning process towards the implementation of the Protocol, particularly by integrating such considerations into their national biodiversity strategies and action plans. The Secretariat is requested to include consideration of resource mobilization for the Protocol in its activities supporting Parties in the implementation of the Strategy for Resource Mobilization, including development of guidance tools and training materials to assist Parties in the mobilization of financial, technical and human resources for the implementation of the Protocol.

In decision NP-1/10, the Parties agreed to advance discussions on the need for and modalities of a global multilateral benefit-sharing mechanism in the context of Article 10 of the Protocol. They invited the submission of views on a number of topics relevant to Article 10 of the Protocol and requested the Executive Secretary to commission a study. The Parties also agreed to convene an expert meeting to review a synthesis of the views submitted and the study with a view to reaching a common understanding on the areas requiring further examination. The outcome of this work is to be submitted for consideration by COP-MOP 2.

In relation to Articles 19 and 20 of the Protocol, on “model contractual clauses” and “codes of conduct, guidelines and best practices and/or standards”, respectively, the Parties adopted decision NP-1/5, in which they encouraged tools developed under Articles 19 and 20 of the Protocol to be submitted to the Access and Benefit-Sharing Clearing-House. They also encouraged the updating of tools relevant to Articles 19 and 20 that were developed prior to the Protocol. The Parties also decided to take stock of the use of tools relevant to Articles 19 and 20 as well as the customary laws, community protocols and procedures of indigenous and local communities four years following the entry into force of the Protocol and in conjunction with the first assessment and review of the Protocol.

In decision NP-1/3, the Parties adopted guidelines and the format for the interim national reports on the measures they have taken to implement the Protocol. The decision also provides that the interim national reports are due 12 months prior to COP-MOP 3. Also on the theme of implementation and operationalization of the

Protocol, the Parties agreed that the Subsidiary Body on Implementation established by the Parties to the Convention would also serve the Protocol.

In summary, the progress made at this first meeting of the Parties to the Protocol created a sound foundation to support the effective implementation of the Protocol. The challenge now is to translate the words into actions that support not just access to genetic resources and the sharing of benefits arising from their utilization but also the conservation and sustainable use of biological diversity.

- **Decisions adopted by the 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 at its First Meeting**

NP-1/1. Rules of procedure for meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

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

Noting that, according to Article 26, paragraph 5, of the Protocol, the rules of procedure for meetings of the Conference of the Parties to the Convention shall be applied, mutatis mutandis, under the Protocol, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to the Protocol,

Decides by consensus that:

(a) When rule 21 of the rules of procedure for meetings of the Conference of the Parties to the Convention is applied to meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol, this rule shall be supplemented, in accordance with Article 26, paragraph 3, of the Protocol, by the following paragraph:

“Where a member of the Bureau of the Conference of the Parties to the Convention representing a Party to the Convention but, at that time, not a Party to the Protocol, is substituted by a member elected by and from among the Parties to the Protocol, the term of office of the substitute member shall expire at the same time as the term of office of the member of the Bureau he or she substitutes.”

(b) When the rules of procedure for meetings of the Conference of the Parties to the Convention are amended by the Conference of the Parties to the Convention, those amendments shall apply, mutatis mutandis, to meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to the Protocol.

NP-1/2. 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,

Emphasizing the crucial role that the Access and Benefit-sharing Clearing-House has in enabling information-sharing, and supporting legal certainty, clarity and transparency in the implementation of the Nagoya Protocol, in particular for accessing genetic resources and traditional knowledge associated with genetic resources, monitoring the utilization of genetic resources and facilitating compliance,

Noting the role of the Access and Benefit-sharing Clearing-House in supporting the exchange of information to assist Parties in building and developing capacity for implementing the Nagoya Protocol,

Recalling Article 14, paragraph 2, of the Nagoya Protocol, which specifies the type of information that each Party shall make available to the Access and Benefit-sharing Clearing-House, and *also recalling* Article 24, which encourages non-Parties to contribute appropriate information to the Access and Benefit-sharing Clearing-House,

Also recalling Article 12, paragraph 2, of the Nagoya Protocol, which provides that Parties, with the effective participation of the indigenous and local communities concerned, shall establish mechanisms to inform potential users of traditional knowledge associated with genetic resources about their obligations, including measures as made available through the Access and Benefit-sharing Clearing-House for access to and fair and equitable sharing of benefits arising from the utilization of such knowledge,

Acknowledging the importance of enabling the active participation of indigenous and local communities in the Access and Benefit-sharing Clearing-House for the exchange of information related to traditional knowledge associated with genetic resources, where applicable,

Expressing appreciation for the technical guidance provided by the informal advisory committee with respect to the resolution of technical issues arising during the pilot phase of the Access and Benefit-sharing Clearing-House,

1. *Welcomes* the progress made by the Executive Secretary and the experience gained during the implementation of the pilot phase and capacity-building activities for the Access and Benefit-sharing Clearing-House, and *notes* that further efforts are required by the Executive Secretary and Parties to progress on outstanding issues and learn from the experience in the use of the Access and Benefit-sharing Clearing-House and implementation of the Protocol;

2. *Decides* to establish an informal advisory committee in order to assist the Executive Secretary with the implementation of the Access and Benefit-sharing

Clearing-House and to provide technical guidance with respect to the resolution of technical and practical issues arising from the ongoing development of the Access and Benefit-sharing Clearing-House. The informal advisory committee shall be composed of 15 experts, primarily from Parties, and selected on the basis of nominations provided by Parties taking into account regional balance, relevant experience and engagement in the Access and Benefit-sharing Clearing-House;

3. *Decides* that the informal advisory committee will hold at least one meeting in the coming intersessional period, as well as informal online discussions as needed, and address technical issues related to feedback received, including issues related to the internationally recognized certificate of compliance and checkpoint communiqué, and report on the outcomes of its work to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

4. *Adopts* the modalities of operation of the Access and Benefit-sharing Clearing-House annexed to the present decision;

5. *Requests* the Executive Secretary to further refine the modalities of operation, 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 the consideration by the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

6. *Decides* to consider the intervals to review the implementation and operation of the Access and Benefit-sharing Clearing-House at the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

7. *Requests* the Executive Secretary to implement the Access and Benefit-sharing Clearing-House, in line with available resources, and in accordance with the modalities of operation and feedback received, in particular that of Parties;

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 Access and Benefit-sharing Clearing-House designated by the publishing authority;

9. *Urges* 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;

10. *Invites* 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 Access and Benefit-sharing Clearing-House;

11. *Invites* 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;

12. *Requests* the Executive Secretary to promote the use of the Access and Benefit-sharing Clearing-House for supporting capacity-building for the implementation of the Protocol;

13. *Also requests* the Executive Secretary to prepare a report on progress on the implementation and operation of the Access and Benefit-sharing Clearing-House and to make available information on operational costs, including funding and additional resource requirements, as well as on collaboration with relevant instruments and organizations for the exchange of relevant data, for consideration by the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

Annex

**MODALITIES OF OPERATION OF THE ACCESS AND
BENEFIT-SHARING CLEARING-HOUSE**

A. *Administration of the Access and Benefit-sharing Clearing-House by the Secretariat*

1. The Secretariat shall continue to implement and administer the Access and Benefit-sharing (ABS) Clearing-House, in accordance with Article 14 and other relevant provisions of the Nagoya Protocol, guided by the principles of inclusiveness, transparency and equity, as an Internet-based central portal and central database, with, inter alia, the following functions:

(a) Allow the submission of information in a simple, user-friendly, efficient, secure, flexible and functional manner;

(b) Provide access to information in an accessible, user-friendly, searchable and understandable manner, clearly indicating when records have been submitted by a Party or a non-Party, in order to ensure legal certainty, clarity and transparency;

(c) Design the ABS Clearing-House to be interoperable and facilitate the exchange of information with other databases and systems, in particular Parties' databases, as well as databases of other instruments and organizations;

(d) Ensure the security of the database and its contents;

(e) Provide common formats for submitting information to the ABS Clearing-House, as appropriate, while distinguishing between mandatory and optional information without prejudice to the protection of confidential information;

(f) Review existing and develop further common formats and user roles, as necessary, while ensuring coherence and interoperability with entries submitted using existing common formats;

(g) Make the ABS Clearing-House operational in the six official languages of the United Nations;

(h) Make use, where appropriate, of controlled vocabularies which shall be translated into the official United Nations languages, to facilitate registration and retrieval of information, and to facilitate the ability to search for records in all languages;

(i) Make use of metadata about each record (i.e., descriptive identifiers such as name, date, author, etc.) to facilitate the registration and retrieval of information;

(j) Allow for a mechanism to amend or update information while preserving legal certainty, clarity and transparency, particularly in the case of a permit or its equivalent that constitutes an internationally recognized certificate of compliance. In such instances, the original permit or its equivalent constituting an internationally recognized certificate of compliance is to be retained in archived form and its status will be reflected in the record;

(k) Make use of unique identifiers generated through the ABS Clearing-House to search and retrieve information on internationally recognized certificates of compliance;

(l) Offer, upon request, an offline mechanism for Parties to register national information into the ABS Clearing-house, as well as to facilitate offline access to information held in the ABS Clearing-House;

(m) Provide timely technical assistance, on demand, to Parties for the registering and retrieving information as well as, as appropriate, to non-Parties, indigenous and local communities and other stakeholders;

(n) Offer a mechanism to provide feedback and carry out targeted surveys on the implementation and operation of the ABS Clearing-House;

(o) Facilitate the exchange of other information pursuant to the decisions taken by the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(p) Perform other functions as requested by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

2. In carrying out the functions listed in the above paragraph, the Secretariat shall seek assistance from the informal advisory committee, constituted and coordinated by the Executive Secretary in a transparent manner, for technical and practical guidance

with respect to the resolution of issues arising from the ongoing development of the ABS Clearing-House.

3. The ABS Clearing-House shall provide for the possibility of retrieval of information for the purpose of reporting on its activities as well as allowing Parties to refer to information relevant for their compliance with their obligation under Article 29 of the Nagoya Protocol, including:

(a) The number, regional distribution and type of records made available through the ABS Clearing-House, including the number of permits or their equivalent constituting internationally recognized certificates of compliance, as well as, the availability of information in the six official languages of the United Nations;

(b) Measurement and analytics based on the external use of the ABS Clearing-House, including the number of visitors, to help understand website performance and effectiveness.

B. Role of Parties and non-Parties with respect to the exchange of information through the ABS Clearing-House

4. When interacting with the ABS Clearing-House, Parties and non-Parties shall:

(a) Provide metadata which describes the primary data (e.g. the elements describing the content of a legislative measure chosen from a controlled vocabulary) to the ABS Clearing-House in an official language of the United Nations, while recognizing that the primary data, being the substantive content of the ABS Clearing-House (e.g. a legislative measure), may be submitted to the ABS Clearing-House in the original language, including those of indigenous and local communities;

(b) Endeavour to provide courtesy translations of the primary data submitted to the ABS Clearing-House in one of the official languages of the United Nations;

(c) Where applicable, enable the active participation of indigenous and local communities for the exchange of information related to traditional knowledge associated with genetic resources;

(d) Not include in their submissions confidential data, since all information published in the ABS Clearing-House is publicly available. Through the act of publishing information, the publishing authority confirms that the information published is not confidential.

5. 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. 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;

(b) Ensuring that the information made available on the ABS Clearing-House is complete, non-confidential, relevant and up-to-date.

6. The publishing authority can designate one or more national authorized users as needed. The function of national authorized users shall be to assist the publishing authorities in the preparation of draft national records.

NP-1/3. Monitoring and reporting (Article 29)

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

1. *Agrees* to the guidelines and format for submission of the interim national report on the implementation of the Nagoya Protocol as contained in annex to the present decision;

2. *Requests* the Executive Secretary to make the guidelines and the format for the interim national report available through the Access and Benefit-sharing Clearing-House, taking into account the need to avoid duplication in the submission of information already made available through the ABS Clearing-House, and to include the option of submitting information offline in the appropriate format;

3. *Invites* 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;

4. *Requests* Parties to submit an interim national report on the implementation of their obligations under the Nagoya Protocol, and *welcomes* submissions of relevant information by non-Parties:

(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.

5. *Requests* the Executive Secretary to assist Parties for which online submission of the interim national report through the Access and Benefit-sharing Clearing-House is technically not feasible in submitting their reports offline and to make them available on the Access and Benefit-sharing Clearing-House;

6. *Also requests* the Executive Secretary to consolidate information contained in the interim national reports of Parties received and information published in the Access and Benefit-sharing Clearing-House for the consideration of the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, as a contribution to the assessment and review of the effectiveness of the Protocol by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, pursuant to Article 31, as well as to make submissions by non-Parties available for the information of the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol;

7. *Decides* to consider the intervals for reporting at its third meeting and to keep the format of the national report under review, based on feedback received from Parties and the experience gained;

8. *Requests* the Executive Secretary, and *invites* 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.

Annex I

GUIDELINES FOR THE INTERIM NATIONAL REPORT ON THE IMPLEMENTATION OF THE NAGOYA PROTOCOL

The following format for the preparation of the interim national report on implementation of the Nagoya Protocol on Access and Benefit-sharing called for under Article 29 of the Protocol is a series of questions based on those provisions of the Protocol that establish obligations for the Parties to the Protocol. These questions are identified as mandatory and are marked with an asterisk.

In addition, some questions are not strictly based on the provisions of the Protocol and are identified as voluntary. They are included in the reporting format to contribute to the assessment and review of the effectiveness of the Protocol in the context of Article 31 and to identify challenges and difficulties in implementing the Protocol, and of decisions adopted by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP).

The interim national report can be a useful tool for both Parties and non-Parties to assess the level of implementation of the Nagoya Protocol, as well as gaps and needs in terms of capacity, and will assist the COP-MOP in reviewing, on a regular basis, the implementation of the Nagoya Protocol and to make, within its mandate, the decisions necessary to promote its effective implementation in accordance with Article 26, paragraph 4.

Information submitted through the interim national report could also serve to share experiences, challenges and solutions among countries in relation to the implementation of the Nagoya Protocol. In this regard, the interim national report can be a valuable tool for building and developing capacity to implement the Protocol and for designing capacity-building activities more effectively. The format is intended to minimize the reporting burden on countries and therefore questions are simple in nature (usually yes or no questions). Generally, these questions are followed by text entries where countries are encouraged to provide details on the measures taken as well as to report on difficulties and challenges to implement particular provisions of the Protocol and to provide further information on the issue by linking to existing Access and Benefit-sharing Clearing-House (ABS Clearing-House) records, websites or

uploading documents. This is an opportunity to identify good practices and constraints in implementation of the Nagoya Protocol.

In order to avoid duplication in the submission of information and to make the best use of the information already made available through the ABS Clearing-House, countries would be given the possibility of linking existing national and reference ABS Clearing-House records published by the publishing authority to the different sections of the interim national report if they wish to do so, or else the Secretariat when consolidating information for consideration of the COP-MOP, in addition to the information contained in the interim national report will also include relevant information already published in the ABS Clearing-House.

Although there is no set limit on length of text, in order to assist with the review and synthesis of the information in the reports, respondents are invited to ensure that answers are as relevant and as succinct as possible.

Countries are invited to submit any other information in the section provided at the end of the reporting format. The Executive Secretary welcomes any comments on the adequacy of the questions and difficulties in completing the questions, and any further recommendations on how these reporting guidelines could be improved.

It is recommended that Parties involve all relevant stakeholders in the preparation of the report in order to ensure a participatory and transparent approach to its development.

Countries should use the online version of the format, unless technically not feasible, and to submit the report through the ABS Clearing-House while ensuring that the national information on the ABS Clearing-House is up-to-date.

Only if not technically feasible, Parties should resort to offline submissions to the ABS Clearing-House. Offline submissions should use the protected form, as provided for download on the ABS Clearing-House in MS Word format. It is recommended that countries send the report via email to the Secretariat (secretariat@cbd.int), and include a scanned copy of the last page signed by the ABS Clearing-House publishing authority. Subsequently, the Executive Secretary will assist Parties in making their report available on the ABS Clearing-House.

Annex II
**INTERIM NATIONAL REPORT ON THE IMPLEMENTATION
 OF THE NAGOYA PROTOCOL**

Country	
1. *Country:	<Country name>
General information	
2. *Contact person:	<clearing-house record number> <i>Please enter the CBD clearing-house record number containing this information or, if not registered, attach a "Contact details" common format.¹</i>

Institutional structures for the implementation of the Protocol	
3. *Has your country made the information available to the ABS Clearing-House as provided in Article 14.2?	<input type="checkbox"/> Yes <i>If selected, please only fill in the respective summary of the main difficulties and challenges for questions 4 to 7.</i> OR <input type="checkbox"/> No <i>Please provide a summary of the main difficulties and challenges encountered and answer all the following questions.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
4. * Has your country taken legislative, administrative and policy measures on ABS?	<input type="checkbox"/> Yes <i>If selected, please provide further information.</i> <Text entry> OR <input type="checkbox"/> No <i>Please provide a summary of the main difficulties and challenges encountered in setting up these measures.</i>
5. *Has your country designated a national focal point as provided in Article 13?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Please provide a summary of the main difficulties and challenges encountered for designating a national focal point.</i> <Text entry> <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>

¹ All ABS Clearing-House common formats are available at <http://absch.cbd.int>.

<p>6. *Has your country designated one or more competent national authorities as provided in Article 13?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for designating one or more competent national authority.</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>7. *Has your country made available to the ABS Clearing-House permits or their equivalent issued at the time of access as evidence of the decision to grant prior informed consent (PIC) and of the establishment of mutually agreed terms (MAT)?</p>	<p><input type="checkbox"/> Not applicable, since no access requirements are in place OR <input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for making this information available.</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>8. Has your country made available to the ABS Clearing-House permits or their equivalent for the constitution of an internationally recognized certificate of compliance in accordance with Article 17.2?</p>	<p><input type="checkbox"/> Not applicable, since no access requirements are in place OR <input type="checkbox"/> Yes OR <input type="checkbox"/> Noo</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>9. *Has your country designated one or more checkpoints as provided in Article 17?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for designating one or more checkpoints:</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

10. Additional information:	<p><i>Please provide a summary of the main difficulties and challenges</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>
Legislative, administrative or policy measures on access and benefit-sharing (ABS measures)	
Access to genetic resources (Article 6)	
11. * Is access to genetic resources subject to PIC as provided in Article 6.1?	<p><input type="checkbox"/> Yes <i>If selected, please fill sections 12 to 17 below.</i></p> <p>OR</p> <p><input type="checkbox"/> No <i>If selected, please provide further information including indicating if there is any other system in place in relation to access to genetic resources.</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
12. * Does your country have fair and non-arbitrary rules and procedures on accessing genetic resources as provided in Article 6.3 (b)?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
13. * Does your country provide information on how to apply for PIC as provided in Article 6.3(c)?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
14. *Does your country provide for a clear and transparent written decision by a competent national authority as provided in Article 6.3 (d)?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
15. *Does your country provide for the issuance at the time of access of a permit or its equivalent as provided in Article 6.3 (e)?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>

16. Please provide the number of permits or their equivalents made available through the ABS-Clearing-House since the entry into force of the Protocol for your country.	<p><number value> <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
17. *Does your country have rules and procedures for requiring and establishing MAT as provided in Article 6.3 (g)?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
18. Benefits received since entry into force of the Protocol for your country from the utilization of:	<p><input type="checkbox"/> Genetic resources <input type="checkbox"/> Monetary benefits: <Text entry> <input type="checkbox"/> Non-monetary benefits: <Text entry> <input type="checkbox"/> Traditional knowledge associated with genetic resources <input type="checkbox"/> Monetary benefits: <Text entry> <input type="checkbox"/> Non-monetary benefits: <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
19. Additional information:	<p><i>Please provide a summary of the main difficulties and challenges <Text entry></i> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i> <i>and/or <URL and website name></i> <i>and/or <Attachment></i></p>
Fair and equitable benefit-sharing (Article 5)	
20. *Has your country taken legislative, administrative or policy measures to implement Article 5.1 that provides that benefits arising from the utilization of genetic resources as well as subsequent applications and commercialization are shared with the Party providing such resources that is the country of origin of such resources or a Party that has acquired the genetic resources in accordance with the Convention as provided in Article 5.3?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

<p>21. *Has your country taken legislative, administrative or policy measures with the aim of ensuring that the benefits from the utilization of genetic resources held by indigenous and local communities, in accordance with domestic legislation regarding the established rights of these indigenous and local communities over these genetic resources, are shared with the indigenous and local communities concerned as provided in Article 5.2?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>22. *Has your country taken legislative, administrative or policy measures in order that benefits arising from the utilization of traditional knowledge associated with genetic resources are shared with indigenous and local communities holding such knowledge as provided in Article 5.5?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>23. Additional information:</p>	<p><i>Please provide a summary of the main difficulties and challenges for putting measures in place: <Text entry></i></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i> <i>and/or <URL and website name></i> <i>and/or <Attachment></i></p>

Compliance with domestic legislation or regulatory requirements on ABS (Article 15 and Article 16) and monitoring the utilization of genetic resources (Article 17)	
<p>24. *Has your country taken appropriate, effective and proportionate legislative, administrative or policy measures to provide that genetic resources utilized within your jurisdiction have been accessed in accordance with PIC and that MAT have been established as required by the domestic ABS legislation or regulatory requirements of the other Party as provided in Article 15.1?</p>	<p><input type="checkbox"/> Yes</p> <p><i>If selected, please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 15.2?</i></p> <p><input type="checkbox"/> Yes OR No</p> <p><i>Please provide further information on the measures taken, including when they entered into force.</i></p> <p><Text entry></p> <p><i>Please provide further information on cases of non-compliance</i></p> <p><Text entry></p> <p>Have there been specific cases in which your country cooperated with other Parties in cases of alleged violation of ABS measures as provided in Article 15.3?</p> <p><input type="checkbox"/> Yes OR No</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>25. *Has your country taken appropriate, effective and proportionate legislative, administrative or policy measures to provide that traditional knowledge associated with genetic resources utilized within your jurisdiction has been accessed in accordance with PIC or approval and involvement of indigenous and local communities and that MAT have been established as required by the domestic ABS legislation or regulatory requirements of the other Party where such indigenous and local communities are located as provided in Article 16.1?</p>	<p><input type="checkbox"/> Yes</p> <p><i>If selected, please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 16.2?</i></p> <p><input type="checkbox"/> Yes OR No</p> <p>Has your country cooperated in specific cases of alleged violation of ABS measures as provided in Article 16.3?</p> <p><input type="checkbox"/> Yes OR No</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

<p>26. *Does your country require users of genetic resources to provide information related to PIC, to the source of the genetic resource, to the establishment of MAT and/or utilization of genetic resources at a designated checkpoint, as appropriate, as provided in Article 17.1 (a)(i) and (ii)?</p>	<p><input type="checkbox"/> Yes</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p><i>If selected, has your country taken measures to address situations of non-compliance?</i></p> <p><input type="checkbox"/> Yes</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>27. *Has your country provided the information referred to in Article 17.1 (a) (i) to relevant national authorities, to the Party providing PIC and to the ABS Clearing-House as provided in Article 17.1 (a) (iii)?</p>	<p><input type="checkbox"/> Yes</p> <p><i>If selected, has your country made use of the checkpoint communique?</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No OR <input type="checkbox"/> Other</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p><i>Please provide a summary of the main difficulties and challenges: <Text entry></i></p> <p><i>Number of checkpoint communiqués available in the ABS Clearing-House, if applicable <number value></i></p> <p><i>and/or <URL and website name></i></p> <p><i>and/or <Attachment></i></p>
<p>28. *Has your country taken measures to encourage users and providers to include provisions in MAT to share information on the implementation of such terms as provided in Article 17.1(b)?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>29. *Is your country encouraging the use of cost-effective communication tools and systems as provided in Article 17.1 (c)?</p>	<p><input type="checkbox"/> Yes</p> <p><i>Please provide further information on how your country is encouraging the use of cost-effective communication tools and systems.</i></p> <p><Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

30. Additional information:	<p><i>Please provide a summary of the main difficulties and challenges for putting measures in place.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>
Compliance with mutually agreed terms (Article 18)	
31. *Is your country encouraging the inclusion of provisions in MAT to cover dispute resolution as provided in Article 18.1 (a) (b) and (c)?	<p><input type="checkbox"/> Not applicable, since no access requirements are in place OR</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
32. *Does your country ensure that opportunity to seek recourse is available under your legal systems in cases of disputes arising from MAT as provided in Article 18.2?	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
33. *Has your country taken measures regarding the following points as provided in Article 18.3?	<p>Access to justice?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p>AND</p> <p>Utilization of mechanisms regarding mutual recognition and enforcement of foreign judgements and arbitral awards?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
34. Additional information:	<p><i>Please provide a summary of the main difficulties and challenges.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>

Special considerations (Article 8)	
35. *In the development and implementation of ABS legislation or regulatory requirements has your country:	<p>Created conditions to promote and encourage research which contributes to the conservation and sustainable use of biodiversity including through simplified measures on access for non-commercial research purposes, taking into account the need to address a change of intent for such research as provided in Article 8(a)?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p>AND</p> <p>Paid due regard to cases of present or imminent emergencies that threaten or damage human, animal or plant health as provided in Article 8(b)?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p>AND</p> <p>Taken into consideration the need for expeditious access to genetic resources and expeditious fair and equitable sharing of benefits arising out of the use of such genetic resources, including access to affordable treatments by those in need, especially, in developing countries as provided in Article 8(b)?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p>Considered the importance of genetic resources for food and agriculture and their special role for food security as provided in Article 8 (c)?</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
36. Additional information:	<p><i>Please provide a summary of the main difficulties and challenges for putting measures in place.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number> <i>and/or</i> <URL and website name> <i>and/or</i> <Attachment></p>

Provisions related to indigenous and local communities (Articles 6, 7 and 12)	
<p>37. *Does your country have indigenous and local communities?</p>	<p><input type="checkbox"/> Yes <i>If selected, please proceed with the following questions in this section.</i></p> <p>OR</p> <p><input type="checkbox"/> No <i>If selected, please skip this section.</i></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>38. *Do indigenous and local communities have the established right to grant access to genetic resources according to your domestic law? (Article 6.2)</p>	<p><input type="checkbox"/> No OR <input type="checkbox"/> Yes</p> <p><i>Please provide further information and reference to the domestic law establishing rights of indigenous and local communities to grant access to genetic resources.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> <p>Does your country have measures in place with the aim of ensuring that the prior informed consent or approval and involvement of indigenous and local communities is obtained as provided in Article 6.2? <input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Please provide further information: <Text entry></i></p> <p>Has your country set out criteria and/or process for obtaining prior informed consent or approval and involvement of indigenous and local communities for access to genetic resources in Article 6.3(f)? <input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Please provide further information: <Text entry></i></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

<p>39. *In accordance with domestic law has your country taken measures with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous and local communities within your country is accessed with the PIC or approval and involvement of these indigenous and local communities and that MAT have been established as provided in Article 7?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>40. *In implementing the Protocol and in accordance with your domestic law, is your country taking into consideration indigenous and local communities' customary laws, community protocols and procedures with respect to traditional knowledge associated with genetic resources as provided in Article 12.1?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>41. *Has your country established mechanisms to inform potential users of traditional knowledge associated with genetic resources about their obligations as provided in Article 12.2?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

<p>42. *Is your country supporting the development by indigenous and local communities of the following tools as provided in Article 12.3?</p>	<p><input type="checkbox"/> Community protocols</p> <p><i>Please provide further information on how your country is supporting the development of community protocols.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> <p>AND</p> <p><input type="checkbox"/> Minimum requirements for mutually agreed terms</p> <p><i>Please provide further information on how your country is supporting the development of minimum requirements mutually agreed terms.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> <p>AND</p> <p><input type="checkbox"/> Model contractual clauses</p> <p><i>Please provide further information on how your country is supporting the development of model contractual clauses.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>43. *Has your country endeavoured not to restrict the customary use and exchange of genetic resources and associated traditional knowledge within and among indigenous and local communities as provided in Article 12.4?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>44. Additional information:</p>	<p><i>Please provide a summary of the main difficulties and challenges for putting measures in place in relation to traditional knowledge associated with genetic resources: <Text entry></i></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> <p><i>and/or <URL and website name></i></p> <p><i>and/or <Attachment></i></p>
<p>Contribution to conservation and sustainable use (Article 9)</p>	
<p>45. *Is your country encouraging users and providers to direct benefits arising from the utilization of genetic resources towards the conservation of biological diversity and sustainable use of its components as provided in Article 9?</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

46. Please indicate how the implementation of the Nagoya Protocol has contributed to conservation and sustainable use of biodiversity in your country:	<Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
47. Additional information:	<i>Please provide a summary of the main difficulties and challenges:</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i> <i>and/or <URL and website name></i> <i>and/or <Attachment></i>
Transboundary cooperation (Article 11)	
48. *Is your country endeavouring to cooperate, with the involvement of indigenous and local communities concerned, with a view to implementing the Protocol in instances where the same genetic resources are found <i>in situ</i> within the territory of more than one Party as provided in Article 11.1?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No If your country has indigenous and local communities, please provide further detail their involvement. <Text entry> <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
49. *Is your country endeavouring to cooperate with a view to implementing the Protocol in instances where the same traditional knowledge associated with genetic resources is shared by one or more indigenous and local communities in several Parties as provided in Article 11.2?	<input type="checkbox"/> Not applicable, since there are no indigenous and local communities in my country OR <input type="checkbox"/> Yes OR No <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
50. Additional information:	<i>Please provide a summary of the main difficulties and challenges:</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i> <i>and/or <URL and website name></i> <i>and/or <Attachment></i>

Model contractual clauses, codes of conduct, guidelines and best practices and/or standards (Article 19 and 20)	
51. *Is your country encouraging the development, update and use of model contractual clauses for MAT as provided in Article 19?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
52. *Is your country encouraging the development, update and use of codes of conduct, guidelines and best practices or standards as provided in Article 20?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>
53. Additional information:	<i>Please provide a summary of the main difficulties and challenges: <Text entry></i> <i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i> and/or <URL and website name> and/or <Attachment>
Awareness-raising and capacity (Article 21 and 22)	
54. *Has your country taken measures to raise awareness of the importance of genetic resources and traditional knowledge associated with genetic resources and related access and benefit-sharing issues as provided in Article 21?	<input type="checkbox"/> Yes <i>If selected, has your country taken measures to implement the awareness-raising strategy for the Nagoya Protocol on ABS?²</i> <input type="checkbox"/> Yes <i>Please provide a summary of the measures taken.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i> OR <input type="checkbox"/> No OR <input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i>

² Adopted as decision NP-1/9.

<p>55. *Has your country taken measures to build and develop capacity and strengthening of human resources and institutional capacities to effectively implement the Protocol as provided in Article 22?</p>	<p><input type="checkbox"/> Yes</p> <p><i>If selected, has your country taken measures to implement the strategic framework for capacity-building and development to support effective implementation of the Nagoya Protocol on ABS?³</i></p> <p><input type="checkbox"/> Yes</p> <p><i>Please provide a summary of the measures taken.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>56. Has your country received external support for building and developing capacity for the implementation of the Nagoya Protocol?⁴</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i></p>
<p>57. Has your country provided external support for building and developing capacity for the implementation of the Nagoya Protocol?⁵</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i></p>
<p>58. Additional information:</p>	<p><i>Please provide a summary of the main difficulties and challenges.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information: <clearing-house record number></i> and/or <URL and website name> and/or <Attachment></p>

³ Adopted as decision NP-1/8.

⁴ The collection of this information could be useful for the evaluation of the effectiveness of the Nagoya Protocol under Article 31 on assessment and review, as well as for measuring progress and identifying difficulties and challenges in implementing the Protocol.

⁵ The collection of this information could be useful for the evaluation of the effectiveness of the Nagoya Protocol under Article 31 on assessment and review, as well as for measuring progress and identifying difficulties and challenges in implementing the Protocol.

Technology transfer, collaboration and cooperation (Article 23)	
<p>59. *Is your country collaborating and cooperating in technical and scientific research and development programmes as a means to achieve the objective of the Protocol as provided in Article 23?</p>	<p><input type="checkbox"/> Yes <i>Please provide a summary of the measures taken.</i> <Text entry></p> <p>OR</p> <p><input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
Optional additional information	
<p>60. Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol.</p>	<p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>
<p>61. Has your country established a mechanism for budgetary allocations of funds for the implementation of the Nagoya Protocol?</p>	<p><input type="checkbox"/> Yes <i>Please provide further information.</i> <Text entry></p> <p>OR</p> <p><input type="checkbox"/> No <i>Please provide a summary of the main difficulties and challenges encountered.</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p>

<p>62. Has your country made financial resources available to other Parties or received financial resources from other Parties or financial institutions for the purposes of implementation of the Protocol as provided in Article 25?</p>	<p><input type="checkbox"/> Yes, financial resources have been made available <i>Please provide further information:</i> <Text entry></p> <p>OR</p> <p><input type="checkbox"/> Yes, financial resources have been received</p> <p><input type="checkbox"/> From other Parties <i>Please provide further information:</i> <Text entry></p> <p><input type="checkbox"/> From financial institutions</p> <p><input type="checkbox"/> From the Global Environmental Facility</p> <p><input type="checkbox"/> From the Nagoya Protocol Implementation Fund</p> <p><input type="checkbox"/> From other sources <i>Please provide further information:</i> <Text entry></p> <p>OR</p> <p><input type="checkbox"/> No <i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
<p>63. Does your country have specific staff to administer functions directly related to the implementation of the Nagoya Protocol?⁶</p>	<p><input type="checkbox"/> Yes <i>If selected, please indicate how many:</i></p> <p><input type="checkbox"/> One</p> <p><input type="checkbox"/> Less than 5</p> <p><input type="checkbox"/> Less than 10</p> <p><input type="checkbox"/> 10 or more</p> <p>OR</p> <p><input type="checkbox"/> No <i>Please provide a summary of the main difficulties and challenges encountered.</i> <Text entry></p> <p><i>Use the text entry to provide further information.</i> <Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p>
<p>64. Any other relevant information:⁷</p>	<p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> <p><i>and/or</i> <URL and website name></p> <p><i>and/or</i> <Attachment></p>
<p>65. Notes:⁸</p>	<p><Text entry></p>

⁶ The collection of this information could be useful for the evaluation of the effectiveness of the Protocol under Article 31 on assessment and review as well as for measuring progress and identifying difficulties and challenges in implementing the Protocol.

⁷ Please use this field to provide any other relevant information that may not have been addressed elsewhere in the report.

⁸ The field "Notes" is for personal reference and can be seen only when the record is being edited.

Comments in the reporting format	
66. Please provide any comment that you may have regarding the format of this report:	<Text entry>
Record Validation (offline submission only)	
*Country:	<Country name>
*Name of the ABS-CH clearing authority:	<Text entry>
*Date:	<YYYY-MM-DD>
<i>I hereby confirm that the above information is correct and agree to its inclusion in the ABS Clearing-House.</i>	
*Signature of the ABS-CH clearing authority:	
<p>Submission addresses: This form should be should be completed and sent <i>by email</i> to secretariat@cbd.int <i>or alternatively by</i> Fax at +1 514 288-6588; or Postal mail to: Secretariat of the Convention on Biological Diversity 413 rue Saint-Jacques, Suite 800 Montréal, Québec, H2Y 1N9 Canada</p>	

NP-1/4. Cooperative procedures and institutional mechanisms to promote compliance with the Nagoya Protocol and to address cases of non-compliance

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

Recalling Article 30 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization,

Recognizing the importance of establishing cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Protocol and to address cases of non-compliance,

1. *Decides* to adopt cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and to address cases of non-compliance as set out in the annex to this decision and to establish the Compliance Committee referred to therein;

2. *Requests* the Executive Secretary to arrange for at least one meeting of the Compliance Committee to be held before the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, including for the purpose of:

(a) Developing rules of procedure referred to in paragraph 8 of section B of the procedures and mechanisms on compliance with the provisions of the Nagoya Protocol;

(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;

(c) Submitting recommendations to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on the outcomes of its deliberations pursuant to sub-paragraph (b) above.

3. *Invites* 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.

*Annex***COOPERATIVE PROCEDURES AND INSTITUTIONAL MECHANISMS TO PROMOTE COMPLIANCE WITH THE PROVISIONS OF THE NAGOYA PROTOCOL AND TO ADDRESS CASES OF NON-COMPLIANCE**

The following procedures and mechanisms are developed in accordance with Article 30 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (the Protocol).

A. Objectives, nature and underlying principles

1. The objective of the compliance procedures and mechanisms is to promote compliance with the provisions of the Protocol and to address cases of non-compliance. These procedures and mechanisms shall include provisions to offer advice or assistance, where appropriate. They shall be separate from, and without prejudice to, the dispute settlement procedures and mechanisms under Article 27 of the Convention on Biological Diversity (the Convention).
2. The compliance procedures and mechanisms shall be non-adversarial, cooperative, simple, expeditious, advisory, facilitative, flexible and cost-effective in nature.
3. The operation of the compliance procedures and mechanisms shall be guided by the principles of fairness, due process, rule of law, non-discrimination, transparency, accountability, predictability, good faith and effectiveness. It shall pay particular attention to the special needs of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, and take into full consideration the difficulties they face in the implementation of the Protocol.

B. Institutional mechanisms

1. A Compliance Committee, hereinafter referred to as “the Committee”, is hereby established pursuant to Article 30 of the Protocol to carry out the functions specified herein.
2. The Committee shall consist of 15 members nominated by Parties, on the basis of three members endorsed by each of the five regional groups of the United Nations. Nominees could include representatives of indigenous and local communities. In addition, two representatives of indigenous and local communities, at least one from a developing country, nominated by indigenous and local communities, shall serve as observers and shall be entitled to participate in the deliberations of the Committee except in the taking of decisions. In individual cases where only Parties are involved and the issue does not relate to the interests of indigenous and local communities and where the Party concerned chooses the deliberation to be closed to observers, the two indigenous and local communities observers shall not participate in the deliberations. Nominees shall be elected by the Conference of the Parties serving as the meeting of the Parties to the Protocol.

3. Each regional group of the United Nations should provide one alternate member to be nominated by Parties and elected by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol to replace a member who resigns or is unable to complete his/her term of office. The indigenous and local communities should also provide one alternate observer to be elected by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol to replace an indigenous and local communities observer who resigns or is unable to complete his/her term of office.
4. Members of the Committee as well as the representatives of indigenous and local communities shall have recognized competence, including technical, legal or scientific expertise in the fields covered by the Protocol, such as genetic resources and traditional knowledge associated with genetic resources, and serve objectively, in the best interests of the Protocol and in their individual expert capacity.
5. Members shall be elected by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for a period of four years, this being a full term. At its first meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol shall elect five members, one from each region, for half a term, and ten members, two from each region, for a full term. Each time thereafter, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol shall elect, for a full term, new members to replace those whose term has expired. Members shall not serve for more than two consecutive terms.
6. The two representatives of indigenous and local communities shall be elected by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for a term of four years. The representatives shall not serve for more than two consecutive terms.
7. The Committee shall meet at least once in each intersessional period and may, as necessary and subject to the availability of financial resources, hold additional meetings. In determining the dates of the meetings, due consideration should be given to the meetings schedule of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and other relevant bodies under the Protocol, and cost-effective scheduling. Meetings should be held at least three months before the meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.
8. The Committee shall develop and submit its rules of procedure, including those on confidentiality and conflict of interest, to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for its consideration and approval.
9. The Committee shall elect its Chair and a Vice-Chair, who will rotate among the five regional groups of the United Nations.
10. Two thirds of the members of the Committee shall constitute a quorum.

11. The Committee shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, any decision shall, as a last resort, be taken by a three-quarters majority of the members present and voting or by eight members, whichever is greater. The report of any meeting of the Committee at which consensus is not reached shall reflect the views of all the Committee members. The report shall be made public once adopted.

12. The meetings of the Committee shall be open, unless the Committee decides otherwise. When the Committee is dealing with individual cases of Parties whose compliance is under consideration, the meetings of the Committee shall be open to Parties and closed to the public, unless the Party concerned agrees otherwise.

13. “The Party concerned” means the Party in respect of which an issue has been raised under section D.

14. The Secretariat shall service the meetings of the Committee and perform any additional functions assigned to it under these procedures.

C. Functions of the Committee

1. The Committee shall, with a view to promoting compliance with the provisions of the Protocol and addressing cases of non-compliance, perform the functions under these procedures and any other functions assigned to it by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

2. In performing its functions, the Committee may consult with the compliance committees of other agreements in order to share experience on compliance issues and options for their resolution.

3. The Committee shall submit its reports, including recommendations with regard to the discharge of its functions, to the next meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for consideration and appropriate action.

D. Procedures

1. The Committee shall receive any submissions relating to issues of compliance and non-compliance with the provisions of the Protocol from:

- (a) Any Party with respect to itself;
- (b) Any Party with respect to another Party;
- (c) The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

2. Any submission is to be addressed in writing to the Committee through the Secretariat and set out:

- (a) The matter of concern;
- (b) The relevant provisions of the Protocol; and
- (c) Information substantiating the matter of concern.

3. The Secretariat shall forward any submission under paragraph 1 (a) above to the Committee within 30 calendar days of receipt.

4. The Secretariat shall forward any other submission under paragraph 1 to the Party concerned within 30 calendar days of receipt.

5. When the Party concerned has received a submission it should respond and provide relevant information within 60 calendar days from the date of receipt of the submission, unless the Party requests an extension. Such extension may be granted, by the Chair of the Committee, for a period of up to 90 calendar days.

6. Once the Secretariat has received a response and any information from the Party concerned or from other sources, it shall transmit the submission, the response and such information to the Committee. In the case where the Secretariat has not received any response or information from the Party concerned within the initial or extended period as referred to in paragraph 5 above, the Secretariat shall forward the submission to the Committee forthwith.

7. The Committee may decide not to consider any submission made pursuant to paragraph 1 (b) above that is *de minimis* or manifestly ill-founded.

8. The Party concerned and, upon invitation, the Party that made the submission, may participate in the consideration of the submission by the Committee, but shall not take part in the elaboration and adoption of the recommendations of the Committee. The Committee shall make available the draft recommendations to the Party concerned, which shall be given an opportunity to comment. Any such comment is to be forwarded with the report of the Committee to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

9. The Committee may examine a situation where a Party fails to submit its national report pursuant to Article 29, or where information indicates that the Party concerned is faced with difficulties complying with its obligations under the Protocol. Such information may be received:

- (a) Through a national report or from the Access and Benefit-sharing Clearing-House;

- (b) From the Secretariat based on:
- (i) Information on the completeness or accuracy of a Party's national report;
 - (ii) Information on the completeness or accuracy of the information submitted by a Party to the Access and Benefit-sharing Clearing-House; or
 - (iii) Other information related to compliance with Article 12(1) of the Protocol;

provided by a directly affected indigenous or local community, related to provisions of the Protocol.

The Secretariat shall review information received from indigenous and local communities against the information received from the Party concerned. It will only transmit issues to the Committee that have not been resolved. The Committee shall proceed in accordance with paragraphs 4 to 7 above.

10. In addition to the procedures under this section, the Committee may examine systemic issues of general non-compliance that come to its attention.

E. Information for and consultation by the Committee after the triggering of the procedures

1. The Committee may seek, receive and consider information from relevant sources, including from affected indigenous and local communities. The reliability of the information should be ensured.
2. The Committee may seek advice from independent experts, including, in particular where indigenous and local communities are directly affected, from an indigenous and local community expert.
3. The Committee may undertake, upon invitation of the Party concerned, information gathering in the territory of that Party.

F. Measures to promote compliance and address cases of non-compliance

1. In considering the measures specified below, the Committee shall take into account:
 - (a) The capacity of the Party concerned to comply;
 - (b) The special needs of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition; and

- (c) Such factors as the cause, type, degree and frequency of non-compliance.
2. The Committee, with a view to promoting compliance and addressing cases of non-compliance, may:
- (a) Offer advice or facilitate assistance to the Party concerned, as appropriate;
 - (b) Request or assist, as appropriate, the Party concerned to develop a compliance action plan to be submitted identifying appropriate steps, an agreed timeframe and indicators to assess satisfactory implementation;
 - (c) Invite the Party concerned to submit progress reports on its efforts to comply with its obligations under the Protocol;
3. The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, upon the recommendations of the Committee, may also, with a view to promoting compliance and addressing cases of non-compliance:
- (a) Take any of the measures set out in paragraphs 2 (a)-(c) above;
 - (b) Facilitate, as appropriate, access to financial and technical assistance, technology transfer, training and other capacity-building measures;
 - (c) Issue a written caution, statement of concern or a declaration of non-compliance to the Party concerned;
 - (d) Decide on any other measure, as appropriate, in accordance with Article 26, paragraph 4 of the Protocol and the applicable rules of international law, bearing in mind the need for serious measures in cases of grave or repeated non-compliance.

G. Review of procedures and mechanisms

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol shall undertake the review of the effectiveness of these procedures and mechanisms under the assessment and review provided for in Article 31 of the Protocol and take appropriate action.

NP-1/5. Model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards (Articles 19 and 20)

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

Taking into account relevant ongoing work of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions, on Tasks 7, 10, 12 and 15, concerning standards and guidelines,

Also taking into account, as appropriate, the existing sectoral and cross-sectoral model contractual clauses, voluntary codes of conducts, guidelines and best practices and/or standards related to access and benefit-sharing developed by Parties, relevant international organizations and indigenous and local communities,

Recognizing the need for the Executive Secretary to engage, as appropriate, with relevant international processes, relevant to Articles 19 and 20 of the Nagoya Protocol,

1. *Encourages* 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 Access and Benefit-sharing Clearing-House;

2. *Also encourages* 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;

3. *Decides* to take stock of the use of sectoral and cross-sectoral model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards, indigenous and local communities' customary laws, community protocols and procedures, in accordance with Articles 12, 19 and 20, in relation to access and benefit-sharing four years following the entry into force of the Protocol and in conjunction with the first assessment and review of the Nagoya Protocol.

NP-1/6. Matters related to the financial mechanism

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

I. Operational arrangements between the Convention and the Council of the Global Environment Facility with respect to the Nagoya Protocol

1. *Takes note* of the memorandum of understanding between the Conference of the Parties to the Convention and the Council of the Global Environment Facility adopted in decision III/8 and *confirms* that the operational arrangements outlined in the memorandum of understanding shall apply, mutatis mutandis, to the Protocol, in particular paragraph 4.3 on the periodic review of the effectiveness of the financial mechanism and paragraph 5.1 on the determination of funding requirements;

2. *Requests* the Executive Secretary to submit the chapter on access and benefit-sharing of the report of the Council of the Global Environment Facility to the Conference of the Parties to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, in time for its consideration and appropriate action;

3. *Recommends* that the Conference of the Parties invite representatives of the Global Environment Facility to attend, and make official statements to, the ordinary sessions of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol with a view to reporting on the implementation of the guidance to the Global Environment Facility with respect to access and benefit-sharing;

4. *Also recommends* that the Conference of the Parties encourage the secretariats of the Convention and the Global Environment Facility to exchange information and consult on a regular basis prior to meetings of the Council of the Global Environment Facility and meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol with a view to facilitating the effectiveness of the financial mechanism in assisting Parties in implementing the Protocol;

II. Guidance to the financial mechanism

A. Policy and strategy

5. *Takes note* of the consolidated guidance to the financial mechanism related to policy and strategy adopted in decision X/24, and *invites* the Conference of the Parties to review and, as appropriate, revise this guidance to take into account new developments, such as the entry into force of the Nagoya Protocol;

B. Programme priorities and eligibility criteria

6. *Recommends* that the Conference of the Parties consider integrating the following guidance on programme priorities with respect to access and benefit-sharing into its overall guidance to the financial mechanism;

“The Conference of the Parties,

A. Programme priorities

1. *Requests* the Global Environment Facility:

- (a) To support activities contained in the guidance that the Conference of the Parties provided to the GEF in its decision XI/5, annex, appendix 1;
- (b) To make financial resources available, with a view to assisting eligible Parties in preparing their national reports;
- (c) To support activities related to implementing the awareness-raising strategy for early action on Article 21 of the Protocol.

B. Eligibility criteria

2. *Decides* that all developing countries, in particular the least developed and small island developing States, as well as countries with economies in transition, which are Parties to the Nagoya Protocol, are eligible for funding by the Global Environment Facility in accordance with its mandate;

3. *Adopts* the following transitional clause in the eligibility criteria for funding under the financial mechanism of the Protocol:

‘Developing countries, in particular the least developed countries and small island developing States among them, and countries with economies in transition that are Parties to the Convention and provide a clear political commitment towards becoming Parties to the Protocol, shall also be eligible for funding by the Global Environment Facility for up to four years after the Nagoya Protocol has entered into force for the development of national measures and institutional capabilities in order to enable them to become a Party. Evidence of such political commitment, accompanied by indicative activities and expected milestones, shall take the form of a written assurance to the Executive Secretary that the country intends to become a Party to the Nagoya Protocol on completion of the activities to be funded.’

III. Sixth replenishment of the Global Environment Facility

7. Welcomes the sixth replenishment of the Global Environment Facility Trust Fund (GEF-6) and expresses its appreciation to the countries that contributed to the sixth replenishment;

8. Also welcomes the GEF-6 Biodiversity Focal Area Strategy, which includes Programme 8 on Implementing the Nagoya Protocol on Access and Benefit-Sharing, and takes note of the indicative programming targets for the various Biodiversity Focal Area objectives and programmes contained in document GEF/C.46/07/Rev.01;

9. Urges 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);

10. Encourages 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;

11. Requests the Global Environment Facility and its agencies to give due consideration to multi-focal area projects under the “integrated approach pilots” and other biodiversity focal area programmes that include access and benefit-sharing related activities;

12. Further urges Parties and invites 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.

NP-1/7. Resource mobilization for the implementation of the Nagoya Protocol

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

Recalling Article 25, paragraph 1, of the Protocol, which requires that the Parties take into account the provisions of Article 20 of the Convention in considering financial resources for the implementation of the Nagoya Protocol,

Reaffirming the commitment of Parties to meet the obligations set out in the provisions of Article 20 of the Convention,

Recognizing that the strategy for resource mobilization in support of the achievement of the three objectives of the Convention encompasses resource mobilization for the implementation of the Nagoya Protocol,

Emphasizing that any biodiversity financing mechanisms⁹ are supplementary to and do not replace the financial mechanism established under the provisions of Article 21 of the Convention and Article 25 of the Nagoya Protocol,

1. *Welcomes* the decision¹⁰ by the Conference of the Parties to include consideration of resource mobilization for the Nagoya Protocol in the implementation of the strategy for resource mobilization in support of the achievement of the three objectives of the Convention and in the achievement of the targets for resource mobilization;

2. *Encourages* 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;

3. *Also encourages* 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;

4. *Further encourages* 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

⁹ The term "biodiversity financing mechanisms" refers to "new and innovative financial mechanisms" under Goal 4 of the strategy for resource mobilization, adopted by the Conference of the Parties at its ninth meeting (decision IX/11). New and innovative financial mechanisms are supplementary to and do not replace the Financial Mechanism established under the provisions of Article 21 of the Convention (see preamble to decision X/3)

¹⁰ Decision XI/4, paragraph 12.

implementation of the Nagoya Protocol and to include support to the implementation of the Protocol as a priority area for funding;

5. *Encourages* 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;

6. *Also encourages* Parties to mainstream implementation of the Nagoya Protocol in their development cooperation plans and priorities and in the national biodiversity strategies and action plans;

7. *Further encourages* Parties and relevant organizations to raise awareness, particularly that of high-level policy and decision makers, the business sector, and the relevant funding agencies, of 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 supporting the mobilization of resources for the Protocol;

8. *Invites* 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;

9. *Requests* the Executive Secretary to prepare a synthesis of the information received regarding experiences related to the mobilization of resources to support the implementation of the Protocol and to provide an overview of the status and trends in funding for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its next meeting;

10. *Also requests* the Executive Secretary to prepare a document on possible relevant sources of international funding to support the efforts by Parties to mobilize additional international financial resources for the implementation of the Protocol;

11. *Further requests* the Executive Secretary, in collaboration with relevant organizations, to develop guidance tools and training materials to assist Parties in the mobilization of financial, technical and human resources for the implementation of the Nagoya Protocol within the context of the strategy for resource mobilization in support of the achievement of the three objectives of the Convention.

NP-1/8. Measures to assist in capacity-building and capacity development (Article 22)

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

Recalling Article 22 of the Nagoya Protocol, which requires Parties to cooperate in the capacity-building, capacity development and strengthening of human resources and institutional capacities to implement effectively the Nagoya Protocol in developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition,

Underscoring the critical importance of capacity-building and development to the effective implementation of the Nagoya Protocol,

Taking note of the views and domestic needs and priorities of Parties and indigenous and local communities contained in documents UNEP/CBD/ICNP/2/10 and UNEP/CBD/ICNP/2/INF/7,

Recognizing the wealth of experiences and lessons learned as well as the instruments and methodologies that have been developed under various access and benefit-sharing capacity development initiatives, such as those led by the Secretariat and those carried out by numerous partners and organizations with support of the Global Environment Facility and other donors, including, inter alia, the ABS Capacity Development Initiative that has expanded from Africa to other regions,

Welcoming the invitation of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture to establish and maintain cooperation with the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol and *recalling* the need to ensure that measures to assist in capacity-building under the two instruments are consistent and mutually supportive,

Noting the need for sufficient financial resources for capacity-building and development activities to support the implementation of the Nagoya Protocol,

Welcoming the financial support provided so far by various donors for capacity-building and development activities in support of the ratification and implementation of the Nagoya Protocol,

Recognizing the need for a strategic and coordinated approach to capacity-building and development to support the effective implementation of the Nagoya Protocol,

Underlining the importance of broad stakeholder involvement, country ownership and political commitment to ensure the sustainability of capacity-building and development initiatives,

Recalling Article 14, paragraph 1, of the Nagoya Protocol that the Access and Benefit-sharing Clearing-House is part of the clearing-house mechanism,

1. *Adopts* the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol, contained in annex I to this decision;
2. *Decides* to establish an informal advisory committee to provide advice to the Executive Secretary, until the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, on matters related to the assessment of the effectiveness of the strategic framework in accordance with the terms of reference contained in annex II, in view of the evaluation foreseen for 2020 and referred to in paragraph 10 (f) below;
3. *Invites* Parties, other Governments, indigenous and local communities and relevant organizations to develop and implement capacity-building and development activities consistent with the strategic framework;
4. *Also invites* 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;
5. *Further invites* 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;
6. *Encourages* 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;
7. *Encourages* 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;
8. *Notes* the cooperative efforts of the Executive Secretary with other partners in promoting capacity-building and facilitating the exchange of views and experiences on the mutual supportiveness and harmonious implementation of the Nagoya Protocol and other international instruments relevant to the Protocol;

9. *Calls on 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;

10. *Requests* the Executive Secretary:

(a) To promote and facilitate, in collaboration with relevant organizations, coordination and cooperation in the implementation of the strategic framework by, inter alia, providing relevant tools and information through the Access and Benefit-sharing Clearing-House;

(b) To ensure that information on capacity-building and development needs, opportunities and activities can be submitted to and accessed from all platforms under the Convention so that access and benefit-sharing capacity development activities are integrated into the global capacity development activities under the Convention;

(c) To compile information on existing tools that assist Parties and indigenous and local communities, in particular women within those communities, to assess their capacity-building and development needs and priorities and to make the resulting information available through the Access and Benefit-sharing Clearing-House, and to report to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on the need for the development of new tools;

(d) To compile information on the capacity-building and development needs and priorities identified by Parties and indigenous and local communities and make it available to relevant organizations;

(e) To prepare updates on the status of implementation of the strategic framework and its contribution to the Strategic Plan for Biodiversity 2011-2020 for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its regular meetings, with the first update made available at the second meeting, taking into account the information submitted to the Access and Benefit-sharing Clearing-House by Parties, other Governments, indigenous and local communities and relevant organizations;

(f) To prepare an evaluation of the strategic framework in 2019 and submit the evaluation report for consideration by the meeting of the Parties to the Nagoya Protocol in 2020 to facilitate the review and possible revision of the strategic framework in conjunction with the review of the Strategic Plan for Biodiversity 2011-2020.

*Annex I***STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING AND DEVELOPMENT TO SUPPORT THE EFFECTIVE IMPLEMENTATION OF THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT-SHARING****EXECUTIVE SUMMARY**

This strategic framework seeks to foster a strategic, coherent and coordinated approach to capacity-building and development for the effective implementation of the Nagoya Protocol. It provides guidance on the key areas and measures requiring capacity-building and development and includes a set of practical activities to build and develop the capacities of Parties, indigenous and local communities and relevant stakeholders to enable them to undertake strategic measures in the short, medium and long term to contribute to the effective implementation of the Protocol.

The strategic framework is designed to serve as a reference document to guide the policies and actions of Parties, relevant organizations and donors in relation to capacity-building and development for implementation of the Protocol and includes practical capacity-building and development activities.

The strategic framework covers five key areas for capacity-building and development:

1. Capacity to implement, and to comply with the obligations of, the Protocol;
2. Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing;
3. Capacity to negotiate mutually agreed terms;
4. Capacity of indigenous and local communities and relevant stakeholders, including the business sector and the research community, in relation to the implementation of the Protocol;
5. Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources.

The strategic framework focuses on capacity-building and development for strategic measures that Parties may need to undertake in the short and medium-term (i.e., within the first six years until 2020), and in the long-term (beyond 2020) to build the foundation for effective implementation of the Protocol. The measures, summarized in the table contained in Appendix I, provide an indicative sequence of actions (road map) organized under three indicative timeframes.

The strategic framework is intended to assist and guide Parties, regional and international organizations, research and academic institutions, indigenous and local

communities and other relevant stakeholders to build and develop capacity through projects and programmes to be implemented at the national, subregional, regional and international levels, taking into account specific needs and priorities of countries.

The framework includes mechanisms to facilitate coordination and cooperation between and among Parties and relevant organizations on capacity-building and development for the effective implementation of the Protocol with a view to fostering synergies, mutual supportiveness, experience-sharing and lesson-learning and efficient utilization of available resources and expertise.

A comprehensive evaluation of the strategic framework will be carried out in 2020. The evaluation report will be used by the Conference of the Parties serving as the meeting of the Parties to the Protocol to review and revise, as appropriate, the strategic framework in conjunction with the review of the Strategic Plan for Biodiversity 2011-2020.

1. INTRODUCTION

1.1 BACKGROUND

1. Article 22 of the Protocol requires Parties to cooperate in capacity-building, capacity development and strengthening of human resources and institutional capacities to effectively implement the Protocol in developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, including through existing global, regional, subregional and national institutions and organizations. Parties are also required to facilitate the involvement of indigenous and local communities and relevant stakeholders, including non-governmental organizations and the private sector.

2. Currently, most developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition lack the necessary capacities to effectively implement the Protocol. For example, many do not yet have in place functional domestic legislative, administrative or policy measures on access and benefit-sharing and have not yet set up the institutional arrangements to support implementation of the Protocol at the national level. Many of them also lack experts in the area of access and benefit-sharing and related issues. As well, key stakeholders – including government officials, indigenous and local communities, the private sector and the public – are not fully aware of the provisions of the Protocol.

3. This strategic framework has been developed to facilitate cooperation among Parties, donors and other actors on capacity-building and development for the effective implementation of the Protocol and foster a strategic, coherent and coordinated approach to capacity-building and development. It delineates the general focus and strategic direction for building and developing core capacities at the individual,

institutional and systemic levels that would underpin the implementation of the Protocol over the next decade.

4. This document is a result of a broad consultative process, which was initiated after the first meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol (the Intergovernmental Committee) held in June 2011 in Montreal. In its recommendation 1/2, the Intergovernmental Committee called for the development of a strategic framework for capacity-building and development on the basis of the domestic needs and priorities and the elements identified by Parties and indigenous and local communities. Subsequently the Executive Secretary prepared a synthesis of the views and information received. The synthesis was considered by the second meeting of the Intergovernmental Committee, which was held in July 2012 in New Delhi.¹¹

5. On the basis of the recommendation by the second meeting of the Intergovernmental Committee, the Conference of the Parties requested the Executive Secretary to organize an expert meeting to develop a draft strategic framework, taking into account the above-mentioned synthesis of views and information received, the wealth of experiences and lessons learned from existing access and benefit-sharing related capacity-building and development initiatives and access and benefit-sharing related bilateral cooperation, as well as the views expressed at the second meeting of the Intergovernmental Committee.¹²

6. The expert meeting, held from 3 to 5 June 2013 in Montreal, developed the draft strategic framework on the basis of the above information. The expert meeting also took into account outcomes from the workshops on capacity-building on access and benefit-sharing, which were organized by the Secretariat of the Convention on Biological Diversity and the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture in 2011 and 2012.¹³ The draft strategic framework was considered by the Intergovernmental Committee at its third meeting, in February 2014 in the Republic of Korea, and was adopted by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its first meeting.

7. The strategic framework is a flexible and living document. It is intended to be used and adapted by Parties according to the different situations and contexts and will be updated on the basis of emerging experiences and lessons learned.

1.2 CURRENT SITUATION, PREVIOUS EXPERIENCES AND LESSONS LEARNED

8. There is wide variation among countries with regard to the current status of implementation of access and benefit-sharing measures, the existing human resources and institutional capacities and the capacity needs and priorities. In response to

¹¹ The synthesis was issued as UNEP/CBD/ICNP/2/10.

¹² Decision XI/1 D, paragraph 4 and annex III.

¹³ The reports of these workshops (UNEP/CBD/ICNP/2/INF/1 and UNEP/CBD/ICNP/2/INF/9) are available at <http://www.cbd.int/icnp2/documents>.

the questionnaire sent out by the Secretariat in October 2011, a number of Parties expressed the need for capacity to develop national access and benefit-sharing measures and institutional arrangements, participate in the Access and Benefit-Sharing (ABS) Clearing-House, conduct valuation of genetic resources and associated traditional knowledge, address transboundary situations and national capacity for bioprospecting. The representatives of indigenous and local communities expressed the need to develop their capacity to participate in decision-making and policy development processes, to understand the provisions of the Protocol, to negotiate favourable access and benefit-sharing agreements and to develop inventories and monitor their genetic resources and traditional knowledge associated with genetic resources.

9. Many countries also lack clear and harmonized institutional arrangements and rules governing access and benefit-sharing, including procedures for obtaining prior informed consent and establishing mutually agreed terms. They also lack expertise to effectively carry out access and benefit-sharing regulatory functions and the capacity to collect, manage and share information on access and benefit-sharing. Moreover, the level of awareness of the Protocol and its provisions is very low in most countries. Key stakeholders, including government officials, indigenous and local communities, the private sector and the public are not aware of the requirements under the Protocol. There is also a need for capacity-building and development in all Parties for monitoring the utilization of genetic resources, including through checkpoints.

10. Prior to the adoption of the Protocol, a number of tools and initiatives were developed to assist Parties in implementing Article 15 of the Convention on Biological Diversity. For example, the Action Plan on Capacity-building for Access and Benefit-sharing was adopted by the Conference of the Parties in 2004 to facilitate and support the development and strengthening of capacities of individuals, institutions and communities for the effective implementation of the provisions of the Convention relating to access to genetic resources and benefit-sharing. The Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilization, adopted in 2002, also assisted Parties, inter alia, to develop national regimes and contractual arrangements for access and benefit-sharing.¹⁴

11. Furthermore, various capacity-building and development initiatives have been implemented over the last few years.¹⁵ Many of those initiatives have provided training to individuals through face-to-face training seminars and workshops. Few have provided technical support for institutional capacity development and strengthening of capacity at the systemic level. Some initiatives have also developed virtual learning tools, including e-learning modules on access and benefit-sharing and some are supporting on-the-job training and exchange programmes. To date, however, there are very few academic institutions offering formal degree or diploma programmes in access and benefit-sharing.

¹⁴ The Action Plan and the Bonn Guidelines are available at <http://www.cbd.int/abs/action-plan-capacity> and <http://www.cbd.int/abs/bonn/default.shtml>.

¹⁵ Examples of past and ongoing initiatives can be accessed at <http://www.cbd.int/abs/capacity-building.shtml>.

12. Some of the lessons learned from past and ongoing access and benefit-sharing capacity-building and development initiatives include the following:

(a) Addressing access and benefit-sharing capacity needs requires a programmatic approach;

(b) Capacity-building and development on access and benefit-sharing should target and involve a wide range of stakeholder groups;

(c) It is important that all parties involved in capacity-building and development have a clear understanding of the content and the implications of the Protocol;

(d) Regional and subregional initiatives have been effective in building and developing capacities of countries that have similar needs and situations.¹⁶ They allow countries to pool resources and share expertise available in the region; and

(e) Capacity-building and development requires adequate and consistent support over a relatively long period of time in order to secure effective and lasting results.

13. The development of this strategic framework has taken into account the current situation, the needs and priorities identified and the experiences and lessons learned from previous capacity-building initiatives.

1.3 GUIDING PRINCIPLES AND APPROACHES

14. Implementation of capacity-building and development policies, activities, projects and other initiatives in support of the implementation of the Protocol should be guided by principles and approaches based on experiences and lessons learned from previous and current initiatives. In general, capacity-building and development initiatives should:

(a) Be demand-driven, based on the needs and priorities identified through national self-assessments;

(b) Ensure national ownership and leadership;

(c) Build on experiences and lessons learned from past and ongoing access and benefit-sharing capacity-building initiatives;

(d) Emphasize the role of bilateral and multilateral cooperation;

¹⁶ Examples the ABS Capacity-Building Initiative and the ABS initiatives by the Association of Southeast Asian Nations (ASEAN), International Centre for Integrated Mountain Development (ICIMOD), Secretariat of the Pacific Regional Environment Programme (SPREP) and the Caribbean Community (CARICOM).

- (e) Ensure full involvement of indigenous and local communities and relevant stakeholders, including women, in capacity-building and development initiatives;
- (f) Recognize the usefulness and cost-effectiveness of subregional and regional approaches to capacity-building and development, particularly where countries have common capacity needs;
- (g) Integrate capacity-building into wider sustainable development efforts;
- (h) Adopt a learning-by-doing approach;
- (i) Foster development of sustainable capacities to enable Parties to comply with the requirements of the Protocol;
- (j) Consider the views and experiences of different stakeholders involved in access and benefit-sharing.

15. The above guiding principles will help to inform the Parties' capacity-building efforts to ensure that they are developed in accordance with the strategic framework and foster a more streamlined and consistent approach.

2. PURPOSE AND OBJECTIVES

16. The purpose of this strategic framework is to foster a systematic, coherent and coordinated approach to capacity-building and development for the effective implementation of the Protocol in accordance with Article 22. It also seeks to catalyse and guide the development, implementation, monitoring and evaluation of capacity-building and development initiatives on access and benefit-sharing. It provides a framework that Parties, indigenous and local communities and other relevant stakeholders can use to, inter alia, identify their capacity needs and priorities through national self-assessment; design and implement national capacity-building and development strategies, projects and programmes; and monitor and evaluate their capacity-building and development initiatives.

17. Furthermore, the strategic framework provides a mechanism that could enable Parties, relevant organizations, donors and partners involved in capacity development to cooperate and leverage opportunities and resources through strategic partnerships and synchronized initiatives. It would also foster coordination and dialogue among countries and relevant stakeholders and promote sustainability of capacity-building and development initiatives.

18. The strategic framework is to serve as a reference document to guide the policies and actions of Parties, relevant organizations and donors in relation to capacity-building and development for implementation of the Protocol and includes specific practical activities to assist developing country Parties and Parties with economies in transition

to build and develop their capacities to undertake measures to facilitate the effective implementation of the Protocol.

19. The strategic framework covers the following key areas:

- (a) Capacity to implement, and to comply with the obligations of, the Protocol;
- (b) Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing;
- (c) Capacity to negotiate mutually agreed terms;
- (d) Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources.

20. In addition, the capacity needs and priorities of indigenous and local communities and relevant stakeholders, including the business sector and the research community, in relation to the implementation of the Protocol are addressed by the strategic framework.

21. Accordingly, the objectives of strategic framework are:

- (a) To build and develop the capacity for enabling the ratification of, or accession to, the Protocol;
- (b) To build and strengthen the capacity of Parties to develop, implement and enforce domestic legislative, administrative or policy measures to support implementation of the Protocol;
- (c) To support Parties in raising-awareness of the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues;
- (d) To enhance the capacity of Parties to negotiate mutually agreed terms, including through training and through development of model contractual clauses;
- (e) To assist Parties in promoting compliance with domestic access and benefit-sharing legislation and regulatory requirements and mutually agreed terms;
- (f) To increase the capacity of Parties to monitor the utilization of genetic resources, including the establishment of checkpoints;
- (g) To enable Parties to develop the endogenous research capabilities to add value to their own genetic resources;

(h) To build and develop the capacity of indigenous and local communities and relevant stakeholders, including the business sector and the research community, to effectively participate in the implementation of the Protocol;

(i) To enable Parties to effectively participate in the ABS Clearing-House and use the best available communication tools and Internet-based systems for access and benefit-sharing activities;

(j) To promote coordination and mutual supportiveness of capacity-building and development initiatives for implementation of the Protocol and other international instruments on access and benefit-sharing.

3. STRATEGIC MEASURES REQUIRING CAPACITY-BUILDING AND DEVELOPMENT

22. The strategic framework focuses on capacity-building and development for strategic measures that Parties may need to undertake in the short and medium-term (i.e. within the first six years until 2020), and in the long-term (beyond 2020) in order to lay a strong foundation for the effective implementation of the Protocol and provide leverage for future capacity-building and development efforts. The proposed measures under each of the key areas are summarized in a table contained in **appendix I**.

23. The measures in the table are organized in an indicative order of priority/sequence according to their temporal importance in supporting the implementation of the Protocol and are based on the information that was submitted to the Secretariat by Parties, indigenous and local communities and relevant stakeholders in 2011. It is recognized that the specific priorities vary from Party to Party depending on the situation of each Party, including its national development priorities and budgetary limitations and level of advancement with respect to access and benefit-sharing.

4. IMPLEMENTATION OF THE STRATEGIC FRAMEWORK

4.1 PRACTICAL ACTIVITIES TO IMPLEMENT THE STRATEGIC FRAMEWORK

24. The strategic framework may be implemented through practical capacity-building and development activities carried out at the national, subregional, regional and international levels. An indicative list of activities is presented in **appendix II**. The proposed activities are intended to contribute to building and developing the capacity to implement the strategic measures outlined in **appendix I**.

25. The mechanisms for implementing this strategic framework would vary from country to country and from region to region depending on the measures requiring capacity-building and development. In accordance with the information received from Parties in response to the questionnaire sent out in 2011, the main delivery

mechanisms include targeted education and training programmes, conferences and workshops, legal and technical assistance, development of guidance and reference materials, online discussion forums, scientific and technical cooperation, and funding support (including research grants). Other mechanisms include train-the-trainers and learning-by-doing approaches, on-the-job training, multi-stakeholder policy dialogue, study tours and exchange visits and institutional support.

26. The implementation of the strategic framework promotes various approaches to capacity-building, including participatory bottom-up and national, subregional and regional approaches and opportunities.

4.2 ROLES AND RESPONSIBILITIES

27. The strategic framework is intended to assist and guide Parties, regional and international organizations, research and academic institutions, indigenous and local communities and other relevant stakeholders to build and develop capacity through national, subregional and, regional projects and programmes, taking into account the specific needs and priorities of the respective Parties or regions for the implementation of the Protocol. The Secretariat of the Convention on Biological Diversity is to promote and coordinate the implementation of the strategic framework by, inter alia, collecting and providing information through the ABS Clearing-House. It would facilitate activities at the regional and international levels, including the following:

- (a) Informing capacity-building providers about existing capacity-building initiatives and about areas where there are capacity-building gaps;
- (b) Organizing train-the-trainers courses and workshops;
- (c) Identifying and mapping institutions and expertise available at various levels that could assist in the implementation of the strategic framework;
- (d) Developing training materials and disseminating them through the ABS Clearing-House;
- (e) Setting up online expert networks on access and benefit-sharing capacity-building and development; and
- (f) Facilitating communication and exchange of experiences among Parties and relevant organizations, including through the ABS Clearing-House.

28. The Conference of the Parties serving as the meeting of the Parties to the Protocol will be responsible for monitoring the progress made in the implementation of the strategic framework and providing further guidance, if necessary.

4.3 RESOURCES FOR IMPLEMENTATION

29. The main sources of funding for the capacity-building and development activities proposed in this strategic framework include, but are not limited to, the following:

(a) The Global Environment Facility (GEF) is an important source of funding for implementing this strategic framework.¹⁷ Parties are encouraged to give priority to access and benefit-sharing projects when distributing their country allocation for biodiversity under the System for Transparent Allocation of Resources (STAR);

(b) Bilateral and multilateral development assistance is another potential source of funding for access and benefit-sharing capacity-building and development activities. Parties are encouraged to develop project proposals in line with this framework and submit them to potential donors. Partners are invited to assist Parties in formulating good project proposals. Parties are encouraged to integrate access and benefit-sharing capacity-building and development activities in their national development plans, which often guide the discussions with development cooperation agencies;

(c) Technical cooperation with regional and international partners: Parties are encouraged to establish strategic partnerships with various organizations, regional bodies or centres of excellence and, as appropriate, with the private sector with a view to pooling human and technical resources and widening opportunities for mobilizing financial resources from various sources;

(d) New and additional funding: Parties are encouraged to pursue innovative ways of mobilizing resources at the national level to support access and benefit-sharing capacity-building and development activities. These might include resource recovery mechanisms, access application fees, fundraising through voluntary contributions, support from foundations, and, as appropriate, public-private partnerships. Parties are also encouraged to direct some of the resources generated from the implementation of the Protocol towards capacity-building and development;

(e) National budgets: Parties are encouraged to include in their national budgets adequate provisions to support access and benefit-sharing capacity-building and development activities.

30. The effective implementation of the strategic framework requires availability of adequate financial resources disbursed in a predictable and timely manner. Parties are encouraged to diversify domestic and external funding sources and/or employ different means of mobilizing new and additional resources.

4.4 SUSTAINABILITY OF CAPACITY-BUILDING

¹⁷ The measures and activities outlined in this strategic framework are covered in the programme priorities contained in the guidance that the Conference of the Parties provided to the GEF in its decision XI/5, paragraphs 21-23 and Appendix I.

AND DEVELOPMENT INITIATIVES

31. Parties and relevant organizations are encouraged to establish measures to secure the long-term sustainability of the capacity-building and development initiatives undertaken in line with this strategic framework. For example, Parties and relevant organizations are encouraged to involve key stakeholders, including high-level policy- and decision makers, politicians, relevant authorities, indigenous and local communities and relevant stakeholders, including the business sector and the research community, in the design and implementation of those initiatives in order to build ownership and political commitment.

32. Parties are also encouraged to integrate access and benefit-sharing considerations in their national development plans, strategies and sectoral policies and plans, according to their national circumstances and priorities. Furthermore, activities implemented as part of individual projects (such as training workshops or courses) should be, as much as possible, incorporated into the regular programmes of relevant existing institutions, such as local universities or research institutions, to ensure their sustainability at the end of the projects.

33. Moreover, capacity-building and development projects should include components to develop sufficient levels of institutional capacity that would help sustain the project activities and results after the projects are completed. In addition, Parties are encouraged to devise strategies to diversify the training of staff and to minimize the rate of turnover of personnel trained, in order not to compromise future implementation of the Protocol.

5. COORDINATION AND COOPERATION

5.1 MECHANISMS FOR COORDINATION

34. The Protocol requires Parties to provide information on national, regional and international capacity-building and development initiatives to the ABS Clearing-House, with a view to promoting synergy and coordination on capacity-building and development for access and benefit-sharing.¹⁸ In addition, coordination would be facilitated through the following mechanisms:

(a) Coordination meetings of government agencies, donors and relevant organizations involved in access and benefit-sharing capacity-building;

(b) Online discussion forums and networks.

35. The objectives of these coordination mechanisms are to:

(a) Promote cooperation and synergies in the implementation of the strategic framework;

¹⁸ Article 22, paragraph 6, of the Protocol.

(b) Enhance efficiency in access and benefit-sharing capacity-building and development activities by avoiding duplication at different levels and across different sectors;

(c) Facilitate the sharing of experiences and best practices on access and benefit-sharing capacity-building and development;

(d) Promote mutual supportiveness of capacity-building and development initiatives for implementation of the Protocol and of other international instruments on access and benefit-sharing.

36. Coordination should take place at the international, regional, subregional and national levels. Regional and subregional meetings and existing institutional structures may be used to coordinate access and benefit-sharing capacity initiatives. The national focal points are encouraged to oversee coordination at the national level.

5.2 COOPERATION AMONG PARTIES AND RELEVANT ORGANIZATIONS

37. Parties are encouraged to establish or use existing mechanisms to facilitate cooperation between and among Parties and relevant organizations on capacity-building and development for the implementation of the Protocol. Cooperation will help Parties and stakeholders complement each other's efforts and provide opportunities for pooling and maximizing available resources and expertise.

38. Initially, it is recommended that the main focus be placed on promoting or strengthening cooperation among Parties at the subregional and regional levels, building upon existing initiatives and using existing bodies¹⁹ and mechanisms/programmes, such as the South-South cooperation programme under the Convention on Biological Diversity and the South-South Cooperation Exchange Mechanism under the United Nations Environment Programme.

39. The Secretariat will also initiate cooperation with key partners to ensure mutual supportiveness in their capacity development efforts.

40. Areas of cooperation may include the following:

(a) Development of joint capacity-building and development initiatives;

(b) Establishment of exchange programmes between countries;

¹⁹ Existing regional bodies and institutions that may be used include: the African Union Commission (AUC), Central African Forest Commission (COMIFAC); South Asian Association for Regional Cooperation (SAARC); Economic Cooperation Organization (ECO); Association of Southeast Asian Nations (ASEAN); International Centre for Integrated Mountain Development (ICIMOD); Gulf Cooperation Council; Arab League; Secretariat of the Pacific Regional Environment Programme (SPREP) and the Caribbean Community (CARICOM).

(c) Organization of joint meetings, conferences, workshops and trainings to promote dialogue and mutual understanding of access and benefit-sharing issues;

(d) Joint educational programmes on access and benefit-sharing, including internships or short-term courses;

(e) Scientific and technical cooperation, including technology transfer, information and experience exchange, and funding support of local programmes and projects;

(f) Establishment of regional databases, websites and discussion forums to facilitate information exchange.

41. The Secretariat will conduct periodic assessments and mapping of institutions and organizations (both governmental and non-governmental) involved in capacity-building and development in access and benefit-sharing. Relevant institutions are invited and encouraged to establish regional or subregional networks or learning communities on capacity-building and development for implementation of the Protocol in the respective regions or subregions.

6. MONITORING AND REVIEW

42. The Conference of the Parties serving as the meeting of the Parties to the Protocol will monitor the implementation of this strategic framework. Parties, indigenous and local communities and relevant organizations are invited to provide to the ABS Clearing-House information on capacity-building and development initiatives, including the results of those initiatives, using a common format developed by the Secretariat.

43. The Secretariat will prepare reports on the status of implementation of the strategic framework for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its regular meetings. The reports will highlight the main activities accomplished, the key results achieved and the challenges encountered. The report will provide a general sense of the overall progress made at different levels and identify the gaps and areas that might require additional intervention. The meeting of the Parties to the Protocol will review the progress made and provide guidance on measures for improvement.

44. An evaluation of the strategic framework will be carried out in 2020. The evaluation report will be used by the Conference of the Parties serving as the meeting of the Parties to the Protocol to review, and revise as appropriate, the strategic framework in conjunction with the review of the Strategic Plan for Biodiversity 2011-2020.

Appendix I

OVERVIEW OF MEASURES REQUIRING CAPACITY-BUILDING AND DEVELOPMENT IN ORDER TO EFFECTIVELY IMPLEMENT THE PROTOCOL BASED ON THE NEEDS AND PRIORITIES EXPRESSED BY PARTIES AND INDIGENOUS AND LOCAL COMMUNITIES

Indicative timeframe ²⁰	Key Area 1: Capacity to implement, and to comply with the obligations of, the Protocol	Key Area 2: Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing (ABS)
Short-term	<ul style="list-style-type: none"> - Enabling ratification of, or accession to, the Protocol - Raising-awareness of the importance of genetic resources (GR) and traditional knowledge associated with genetic resources (TK), and related ABS issues - Mapping of relevant actors, including other relevant international instruments on ABS, and existing expertise for the implementation of the Protocol. - Mobilizing new and innovative financial resources to implement the Protocol - Establishing mechanisms for domestic interagency coordination - Employing the best available communication tools and Internet-based systems for ABS activities including providing information to the ABS Clearing-House - Developing mechanisms to implement, and comply with the obligations of, the Protocol 	<ul style="list-style-type: none"> - Developing a policy framework on ABS. - Taking stock of existing domestic ABS measures to identify gaps in light of the obligations of the Protocol. - Setting-up new or amending existing ABS legislative, administrative or policy measures with a view to implementing the Protocol - Developing regional model legislation - Establishing institutional arrangements and administrative systems for ABS - Developing procedures for granting or refusing to grant prior informed consent (PIC)
Medium-term	<ul style="list-style-type: none"> - Developing mechanisms to monitor the utilization of genetic resources, including through designation of checkpoints. - Reporting on measures taken to implement the Protocol - Developing mechanisms for promoting mutual supportiveness with other relevant international instruments 	<ul style="list-style-type: none"> - Promoting compliance with domestic legislation or regulatory requirements on ABS
Long-term	<ul style="list-style-type: none"> - Promoting compliance with mutually agreed terms - Enhancing the contribution of ABS activities to the conservation of biological diversity and the sustainable use of its components - Developing measures regarding access to justice in relation to ABS cases - Addressing transboundary issues 	

²⁰ The indicative timeframe relates to the period within which implementation of the identified measures may be initiated. Short-term covers the period 2014-2017; medium-term covers 2018-2020; and long-term covers the period beyond 2020.

Key Area 3: Capacity to negotiate mutually agreed terms (MAT)	Key Area 4: Capacity needs and priorities of indigenous and local communities (ILCs) and relevant stakeholders, including the business sector and the research community	Key Area 5: Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources (GR)
<ul style="list-style-type: none"> - Promoting equity and fairness in negotiation of MAT, including through training in relevant legal, scientific and technical skills. - Developing model sectoral and cross-sectoral contractual clauses (to provide guidance in the negotiation of MAT) - Developing and implementing pilot ABS agreements - Promoting better understanding of business models in relation to the utilization of genetic resources - Developing capacity to enhance transparency about the utilization of GR and TK in accordance with the Nagoya Protocol after they have left the provider country, as appropriate 	<ul style="list-style-type: none"> - Participating in legal, policy and decision-making processes - Developing minimum requirements, as appropriate, for MAT to secure the fair and equitable sharing of benefits arising from the utilization of TK - Developing community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge - Developing model contractual clauses for benefit-sharing arising from the utilization of TK - Enhancing the capacity of ILCs, in particular women within those communities, in relation to access to genetic resources and/or TK 	<ul style="list-style-type: none"> - Developing and using methods for valuation of GRs and associated TK
<ul style="list-style-type: none"> - Developing capacity to negotiate MAT 	<ul style="list-style-type: none"> - Developing capacity to negotiate MAT - Increasing understanding of the obligations of the Parties under the Protocol - Enhancing the capacity of relevant stakeholders in relation to ABS 	<ul style="list-style-type: none"> - Facilitating transfer of technology and developing infrastructure for research, and building technical capacity to make such technology transfer sustainable
	<ul style="list-style-type: none"> - Managing TK associated with genetic resources 	<ul style="list-style-type: none"> - Undertaking research and taxonomic studies related to conservation of biological diversity and sustainable use of its components and bioprospecting, - Developing genetic resources databases

Appendix II
**PRACTICAL CAPACITY-BUILDING AND DEVELOPMENT
 ACTIVITIES TO SUPPORT THE EFFECTIVE
 IMPLEMENTATION OF THE NAGOYA PROTOCOL**

Key Area 1: Capacity to implement, and comply with the obligations of, the Protocol

Strategic measure	Indicative capacity-building and development activities
1.1 Enabling ratification of, or accession to, the Protocol	<ul style="list-style-type: none"> · Development of a manual on the ratification of, or accession to, the Protocol including templates for briefing documents for high government officials based on experiences of countries that have already ratified the Protocol. · Organization of workshops for government officials on the provisions of the Protocol. · Provision of funding support and technical assistance/resource persons for organization of stakeholder consultation workshops on the provisions of the Protocol. · Organization of training for ABS National Focal Points on the management of multi-stakeholder processes in the ABS issues.
1.2 Raising awareness of the importance of GR and TK, and related ABS issues	<ul style="list-style-type: none"> · Development of toolkits to guide Parties and other stakeholders on how to design and conduct awareness-raising activities on the Protocol. · Organization of workshops for government officials and other stakeholders relevant for ABS implementation on how to communicate ABS issues. · Organization of workshops for journalists and other media and communication experts on the importance of GR and TK, and related ABS issues. · Development of guidelines on how to integrate ABS issues into post-secondary school curricula and informal education programmes. · Design and organization of short courses on ABS in universities and other academic institutions.
1.3 Mapping of relevant actors, including other relevant international instruments on ABS, and existing expertise for the implementation of the Protocol	<ul style="list-style-type: none"> · Development of explanatory material on ABS stakeholder mapping and analysis. · Development of templates to assist Parties in taking stock of existing expertise on ABS. · Organization of training in stakeholder identification and analysis skills for government officials in charge of ABS. · Provision of technical assistance for establishment of mechanisms to facilitate networking among various actors.
1.4 Mobilizing new and innovative financial resources to implement the Protocol	<ul style="list-style-type: none"> · Organization of training of government officials in resource mobilization skills (e.g. project development, fundraising and resource recovery). · Provision of technical assistance for the development of national resource mobilization strategies.
1.5 Establishing mechanisms for domestic interagency coordination	<ul style="list-style-type: none"> · Documentation of case studies on best practices and lessons learned on interagency coordination from existing bodies involved in ABS issues. · Provision of technical assistance for the establishment of mechanisms to facilitate domestic interaction among agencies, including for assessment of options and sustainability.

Strategic measure	Indicative capacity-building and development activities
1.6 Employing the best available communication tools and Internet-based systems for ABS activities including providing information to the ABS Clearing-House	<ul style="list-style-type: none"> · Provision of technical assistance and training in the use of the best available communication tools and Internet-based systems for ABS activities. · Development or adaptation of communication tools, such as webinars, social media and e-learning, for dissemination of existing information material on ABS. · Development of suitable information-sharing platforms linked to the ABS Clearing-House. · Development of e-learning modules and hands-on training on the use of the ABS Clearing-House and the clearing-house mechanism.
1.7 Developing mechanisms to monitor the utilization of genetic resources, including the designation of checkpoints	<ul style="list-style-type: none"> · Development of guidelines for the establishment and the strengthening of checkpoints in-country, including roles and functioning of checkpoints. · Organization of trainings of government officials responsible for managing checkpoints.
1.8 Reporting on measures taken to implement the Protocol	<ul style="list-style-type: none"> · Provision of technical and financial assistance to prepare national reports.

Key Area 2: Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing

Strategic measure	Indicative capacity-building and development activities
2.1 Developing a domestic policy framework on ABS	<ul style="list-style-type: none"> · Provision of technical assistance for analysis of existing ABS-related policies for the identification of gaps. · Provision of technical assistance for developing policy frameworks on ABS. · Development of tools (for example guidelines, and case studies,) to facilitate integration of ABS considerations into sectoral and cross-sectoral policies and plans.
2.2 Taking stock of existing domestic measures to identify gaps in light of the obligations of the Protocol	<ul style="list-style-type: none"> · Provision of technical assistance for taking stock of existing measures relevant to the implementation of the Protocol. · Development of guidelines on how to coordinate relevant national ABS policies, laws and regulations to ensure consistency and legal clarity.
2.3 Setting-up new or amending existing ABS legislative, administrative or policy measures with a view to implementing the Protocol	<ul style="list-style-type: none"> · Provision of technical and legal assistance for reviewing, updating and/or developing domestic ABS legislative, administrative or policy measures, including, as appropriate, provisions on customary use and community protocols and exchange of genetic resources and TK. · Development of guidelines on drafting or, revising ABS legislative, administrative or policy measures. · Organization of trainings (for example workshops, courses and e-learning modules) in drafting of ABS legislative, administrative or policy measures. · Provision of technical assistance for the establishment of mechanisms for conducting stakeholder consultations on the development of ABS legislative, administrative or policy measures.

Strategic measure	Indicative capacity-building and development activities
2.4 Developing regional model legislation	<ul style="list-style-type: none"> · Provision of technical and legal assistance to existing regional institutions, where appropriate, to draft model regional legislation and regulations that can be adapted to the national situations. · Provision of technical assistance to regional organizations for the development of guidelines to support coherent implementation of the Protocol at the national level.
2.5 Establishing institutional arrangements and administrative systems for ABS	<ul style="list-style-type: none"> · Facilitating the establishment of institutional arrangements and coordination mechanisms for implementing ABS legislative, administrative or policy measures, through working with national institutions to enhance synergies. · Organization of trainings for government officials in the implementation of ABS legislative, administrative or policy measures. · Facilitating sharing of knowledge and expertise on ABS measures through on-job-training and peer-to-peer exchange programmes, regional and subregional learning communities and networks. · Provision of technical assistance for the development of administrative procedures for implementing the ABS measures. · Development of guidelines for differentiating requests for access to genetic resources for commercial and non-commercial use. · Development of guidelines for establishment of simplified measures on access to genetic resources for non-commercial research purposes. · Development of guidelines for holistic and integrated approaches for ABS and particularly for strengthening the role of indigenous and local communities.
2.6 Developing procedures for granting or refusing to grant prior informed consent (PIC)	<ul style="list-style-type: none"> · Development of explanatory notes on the different components of PIC. · Development of guidelines on granting PIC, including formats. · Organization of trainings and orientation programmes on granting PIC.
2.7 Promoting compliance with domestic legislation or regulatory requirements on ABS	<ul style="list-style-type: none"> · Provision of technical assistance to raise awareness of national ABS legislative, policy and administrative measures. · Documentation and dissemination of case studies on good practices in enforcing and promoting compliance with ABS measures. · Organization of trainings for border control personnel on biodiversity and ABS issues.

Key Area 3: Capacity to negotiate mutually agreed terms

Strategic measure	Indicative capacity-building and development activities
3.1 Promoting equity and fairness in negotiation of MAT, including through training in relevant legal, scientific and technical skills	<ul style="list-style-type: none"> · Development of explanatory notes on the different components of MAT and relevant actors. · Organization of trainings and orientation programmes on negotiation of MAT, including modules on technical and legal aspects. · Orientation programme on IPR-related issues of MATs. · Development of an operational manual on MAT, covering, inter alia, how to negotiate MAT and the roles and responsibilities of relevant actors. · Development of a review paper on legal frameworks linked to MAT process. · Development of toolkit on MAT and organization of trainings and orientation programmes using the toolkit. · Development of guidance on including provisions in MAT to share information on the implementation of MAT, including through reporting requirements. · Development of a manual on dispute settlement and organization of orientation programmes for legal experts and others in this regard. · Organization of training programmes for national focal points and stakeholders on issues related monitoring and compliance with MAT.
3.2 Developing model sectoral and cross-sectoral contractual clauses	<ul style="list-style-type: none"> · Development of legal training on contract law for non-lawyers. · Development of model contractual clauses and contracts, including for different sectors. · Organization of trainings on how to use the model contracts.
3.3 Developing and implementing pilot ABS agreements	<ul style="list-style-type: none"> · Documentation of case studies on ABS agreements, including examples of beneficiaries, monetary and non-monetary benefits, modalities of benefit-sharing and the use of benefits.
3.4 Promoting better understanding of business models in relation to the utilization of genetic resources	<ul style="list-style-type: none"> · Development of a manual on business models in relation to the utilization of genetic resources for various sectors. · Organization of trainings in business models in relation to the utilization of genetic resources for various sectors. · Development of modules on bioprospecting and bioresource-based enterprise development.

Key Area 4: Capacity of indigenous and local communities and relevant stakeholders, including business sector and the research community, in relation to the implementation of the Nagoya Protocol

Strategic measure	Indicative capacity-building and development activities
4.1 Participating in legal, policy and decision-making processes	<ul style="list-style-type: none"> · Organization of training of ILCs, including women within those communities, on the provisions of the Protocol and how it will work, including the understanding of legal, policy and decision-making processes on ABS issues, acknowledging the value of their TK. · Provision of technical assistance and trainings to enable indigenous and local communities and relevant stakeholders to participate in the development of ABS measures. · Organization of trainings for other relevant stakeholders, including the business sector and the research community, on the implementation of the Protocol.

Strategic measure	Indicative capacity-building and development activities
4.2 Developing minimum requirements, as appropriate for MAT to secure the fair and equitable sharing of benefits arising from the utilization of TK	<ul style="list-style-type: none"> · Development of minimum requirements, as appropriate, for mutually agreed terms to secure the fair and equitable sharing of benefits arising from the utilization of TK, with the participation and involvement of ILCs · Development of 'train the trainer' workshops for ILCs and other relevant stakeholders including the business sector and the research community, on how to use minimum requirements, as appropriate, for MAT in order to secure the fair and equitable sharing of benefits arising from the utilization of TK.
4.3 Developing community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge	<ul style="list-style-type: none"> · Development of 'train the trainer' workshops, including the production of materials for ILCs on how to develop community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge. · Development of e-learning modules and other tools on how to develop community protocols in relation to access to TK and the fair and equitable sharing of benefits arising from the utilization of that knowledge.
4.4 Developing model contractual clauses for benefit-sharing arising from the utilization of TK	<ul style="list-style-type: none"> · Development of 'train the trainer' modules for developing and using contractual clauses and ABS agreements for benefit-sharing arising from the utilization of TK. · Development of practical guidance tools on model contractual clauses on TK.
4.5 Enhancing the capacity of ILCs, in particular women within those communities, in relation to access to genetic resources and/or TK	<ul style="list-style-type: none"> · Translation of relevant materials into local languages. · Provision of technical assistance for establishment of help desks for indigenous and local communities and relevant stakeholders. · Provision of technical assistance for establishment and implementation of peer-to-peer learning programmes, including mentorship and on-the-job training programmes. · Orientation and training programmes to enable ILCs to realize the potential of TK through its documentation, protection and use.
4.6 Negotiating favourable MAT	<ul style="list-style-type: none"> · Development of templates and guidelines to facilitate capacity needs self-assessments for MAT. · Organization of training workshops/ courses for ILCs and other relevant stakeholders, including the business sector and the research community, on negotiation of mutually agreed terms. · Development of tailored e-learning modules for ILCs and other relevant stakeholders, including the business sector and the research community, on negotiation of MAT/ ABS agreements.
4.7 Increasing understanding of the obligations of Parties under the Protocol with regard to TK and ILCs	<ul style="list-style-type: none"> · Organization of seminars and workshops on the obligations of Parties under the Protocol with regard to TK and ILCs. · Development of guidelines on how to establish mechanisms to facilitate coordination across government departments/agencies and local authorities governing ABS with regard to TK and ILCs. · Documentation and dissemination of case studies on good practices with regard to TK and ILCs relating to ABS in order to enable practitioners to learn and build on the experience of others. · Supporting the establishment of online learning platforms to facilitate self-directed learning on ABS provisions.

Key Area 5: Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources

Strategic measure	Indicative capacity-building and development activities
5.1 Developing and using methods for valuation of genetic resources and associated traditional knowledge	<ul style="list-style-type: none"> · Development of methodologies for assessing the potential commercial value of specific genetic resources and TK building on good practices in the context of ABS. · Facilitating the development of inter-linkages with other initiatives/ methodologies/instruments for valorizing genetic resources and TK, for example through knowledge exchange. · Documentation and dissemination of case studies on good practices and lessons learned to develop understanding of the value chain through analysing business models. · Supporting multi-stakeholder approaches to integrate the potential value of genetic resources and TK into decision-making processes for example through, the development of guidelines on how to establish mechanisms to facilitate coordination across government departments/agencies and local authorities governing ABS.
5.2 Facilitating transfer of technology and developing infrastructure for research and building technical capacity to make such technology transfer sustainable	<ul style="list-style-type: none"> · Provision of technical assistance for joint research and scientific cooperation (e.g. peer-to-peer learning programmes), including transfer and development of technology. · Provision of support (e.g. train the trainer workshops, mentorships and on the job training) to establish facilities in developing countries in order to train researchers and maintain existing skills, including on TK. · Provision of technical assistance to develop research capabilities of domestic institutions and universities to add value to genetic resources. · Supporting collaborative approaches to technical and scientific research and development programmes.
5.3 Undertaking research and taxonomic studies related to conservation of biological diversity and sustainable use of its components and bioprospecting	<ul style="list-style-type: none"> · Providing technical assistance to support the development or strengthening of genetic resources databases. · Organization of trainings on bioprospecting and value-addition for genetic resources for ILCs, small and medium enterprises and private sector. · Organization of trainings on research and taxonomic studies related to conservation of biological diversity and sustainable use of its components. · Building capacity to undertake research and development of genetic resources to the commercialization stage.

*Annex II***TERMS OF REFERENCE OF THE INFORMAL ADVISORY
COMMITTEE ON CAPACITY-BUILDING FOR THE
IMPLEMENTATION OF THE NAGOYA PROTOCOL****I. MANDATE**

1. The mandate of the informal advisory committee on capacity-building is to provide advice to the Executive Secretary on matters of relevance to the assessment of the effectiveness of the strategic framework for capacity-building and development to support the effective implementation of the Nagoya Protocol. Its specific tasks include providing advice regarding:

(a) Stocktaking of the capacity-building and development initiatives being implemented by Parties and various organizations with a view to identifying gaps in the implementation of the strategic framework;

(b) The need for the development of new tools, guidelines and training materials, including e-learning modules, to facilitate capacity-building and development initiatives of Parties, other governments, indigenous and local communities and other stakeholders;

(c) Facilitation of coordination, synergy, coherence and complementarity among capacity-building and development activities, taking into account information on capacity-building and development needs and activities available in the ABS Clearing-House and from other sources;

(d) Facilitation for matching the capacity-building and development needs identified by Parties with potential opportunities and resources to support the implementation of the strategic framework.

II. COMPOSITION

2. The informal advisory committee will comprise fifteen experts selected by the Executive Secretary on the basis of nominations by Parties with due regard to equitable geographic representation and gender balance and shall include representatives of indigenous and local communities and relevant organizations.

3. The informal advisory committee may also draw on existing expertise and liaise with relevant international, regional and national organizations, as appropriate, in the execution of its mandate.

III. OPERATIONAL PROCEDURES

4. Subject to the availability of financial resources, the informal advisory committee will meet as needed to ensure timely provision of advice, and will, wherever possible, meet back-to-back with other relevant meetings.
5. Where possible, the Secretariat will use available means of electronic communication to reduce the requirement for face-to-face meetings.

NP-1/9. Measures to raise awareness of the importance of genetic resources and associated traditional knowledge (Article 21)

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

Adopts the awareness-raising strategy for the Nagoya Protocol as set out in the annex to the present decision.

Annex

**AWARENESS-RAISING STRATEGY FOR THE NAGOYA
PROTOCOL ON ACCESS AND BENEFIT-SHARING**

Introduction

1. Communication, education and public awareness are central to an effective implementation of the Nagoya Protocol. Therefore, effective implementation of Article 21 of the Nagoya Protocol plays a critical role for the overall success of the Protocol.
2. The wide range of activities, initiatives and tools for awareness-raising with respect to access and benefit-sharing (ABS) that have been developed to date, were created in the absence of an overall communications framework and a lack of predictable and long-term funding for communications activities. This has contributed to a general lack of awareness on ABS.
3. The awareness-raising strategy aims at providing a systematic and coherent approach to assist Parties in the implementation of Article 21. It recognizes the need to link activities related to Article 21 to other capacity-development activities under the Nagoya Protocol, under the programme of work for Communication, Education and Public Awareness (CEPA), and other outreach initiatives of the Convention on Biological Diversity, such as the United Nations Decade on Biodiversity.
4. It is important that awareness-raising activities respond to the specific needs and contexts of each Party; therefore, the awareness-raising strategy should be country-driven. However, in order to assist Parties in the implementation of the strategy, the Secretariat would carry-out a series of supporting actions such as the creation of a toolkit containing methodologies, templates and descriptive materials to support the development of national awareness-raising strategies and associated materials and tools. All products developed under the strategy, by the Secretariat and Parties, should be disseminated through the clearing-house mechanism under the Convention on Biological Diversity, which includes the Access and Benefit-sharing Clearing-House.
5. While target groups may vary depending on the country, raising awareness among users of genetic resources is a priority for the effective implementation of the

Protocol. It is also important that the full and effective participation of indigenous and local communities be facilitated in national and regional awareness-raising activities.

6. A number of awareness-raising tools on ABS have already been developed by Parties and other organizations. In the interest of cost effectiveness, in implementing the strategy, Parties are encouraged, where appropriate, to make use of these tools in the elaboration of their national awareness raising strategies and development of awareness-raising materials.

7. The Access and Benefit-sharing Clearing-House will be an important mechanism to support the implementation of Article 21, ensuring not only that the awareness-raising strategy, products and tools are available to all stakeholders, but also facilitating the sharing of lessons learned among Parties facing similar situations and the sharing of experiences in communicating ABS issues. Finally, it would be needed to fulfil the suggested activities in Article 21, notably activities in paragraphs (d), (e), and (f).

8. The following paragraphs elaborate a strategy for awareness-raising to support Parties in the development of national, regional and subregional awareness-raising strategies. The strategy is also outlined in tables at the end of the document. The strategy is structured around four priority activities, which build upon each other. The final activity, the evaluation and assessment step, is assumed to set the conditions and priorities for subsequent iterations of the strategy. 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 Conference of the Parties serving as the meeting of the Parties to the Protocol, as appropriate.

Priority activity 1. Communications situation analysis and the development of needs-based awareness-raising strategies at the national, regional and subregional levels

9. Article 21 indicates that Parties are to increase awareness of the importance of genetic resources and the traditional knowledge associated with genetic resources and related access and benefit-sharing issues. Awareness raising measures are further important and necessary for the effective implementation of and compliance with the Protocol and all three objectives of the Convention. Operationalizing these overall principles into an awareness-raising strategy would require the elaboration by Parties of the more specific communications goals to be accomplished, taking into account the specific guidelines outlined in the article.

10. The development of effective awareness-raising strategies by Parties should be based upon an analysis of the state of communication on access and benefit-sharing issues. Such an analysis should include the following elements:

(a) Evaluating the communication goals required to support implementation of the Protocol and in particular for Parties to raise awareness of the importance of

genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues, in accordance with Article 21;

(b) Conducting awareness surveys which identify the target groups, their level of awareness, and actions required by these groups, with a view to support the implementation of the Protocol;

(c) Carrying out an audit of existing information and training materials which lists and reviews the effectiveness of existing communication products;

(d) Creating a roster of technical and communication experts, who could be called upon for assistance in implementing the national, regional or subregional strategies.

11. Under this priority activity, the Secretariat will propose a structure to assist Parties in creating their national, regional or subregional awareness-raising strategies, including carrying out a communications situation analysis that address the above elements. The analysis should seek to provide guidance on the kind of messages and awareness-raising materials to be developed. Guidelines and recommendations on each of the above steps will be elaborated by the Secretariat using, wherever appropriate, existing programmes, tools, structures and materials within either the Secretariat (particularly CEPA) or other relevant international organizations, in order to strengthen coherence, enhance efficiency and limit costs. These will be posted on the Access and Benefit-sharing Clearing-House. Parties would then be invited to replicate or adapt this methodology, as appropriate.

12. A variety of actors representing different interests, each with different priorities will be involved with the implementation of the Nagoya Protocol, including, inter alia, Governments, research institutions, industry, the education and training sector, and representatives of the media, as well as indigenous and local communities. Therefore, Parties should identify and prioritize key target groups and carry out an awareness survey that establishes their current level of awareness. From this survey, Parties can then determine the actions by these groups that would facilitate full and effective implementation of the Protocol, as well as the communication channels and messages that can help to encourage these actions. This communications situation analysis will assist in the creation of their awareness-raising strategies. As noted earlier, particular efforts should be made to ensure awareness-raising for users of genetic resources. Further, any evaluation of the role of indigenous and local communities in this process should be done as an integrated approach to overall communication goals.

13. In addition to the awareness survey, Parties would be invited to carry out an audit of appropriate existing awareness raising products and initiatives and evaluate the extent to which these tools can contribute to achieving communication goals. The audit should take into account the tools and initiatives of partners in different government ministries, non-governmental organizations, business and research communities, as well as indigenous and local communities.

14. Finally, Parties are encouraged to create rosters of experts that include communication professionals with expertise in ABS, and technical and legal experts that can act as subject matter experts for the creation of awareness-raising materials.

15. The different components outlined above, such as the communication goals, the survey of attitudes and awareness, the audit of existing materials and the roster of experts, should be used to create national, regional or subregional awareness-raising strategies. The resulting strategies will be particular to each Party, but it is suggested that each include:

- (a) A situation analysis and report on key target groups;
- (b) Key messages for awareness-raising activities;
- (c) Awareness-raising activities;
- (d) Timelines;
- (e) Resource requirements;
- (f) An evaluation framework.

16. Further, it is suggested that any strategy at the national, regional or subregional level include provisions for communication activities, capacity-development or training, whether this is within target groups, or within a group of communications professionals or trainers. Parties would be invited to disseminate the final result of all these activities to the Access and Benefit-sharing Clearing-House.

Priority activity 2. Creation of toolkit and awareness-raising materials

17. This priority activity focuses on the creation of awareness-raising and training materials which could be used as a means to transmit key messages to different target groups during outreach activities. These materials would be the primary tools for Parties to launch their awareness-raising campaigns and to develop capacity on access and benefit-sharing issues in accordance with the principles outlined in Article 21. Furthermore, training and direction, including training of trainers, on ways to use the materials and how to deliver the key messages to target groups may be required to ensure that the capacities of the target audiences are improved.

18. To assist in the implementation of this activity, the Secretariat will create a toolkit that contains methodologies, templates and other descriptive materials on how Parties and stakeholders can develop innovative awareness-raising and training materials. The development of the toolkit will, where appropriate, take into account relevant existing tools within the Convention on Biological Diversity, such as the CEPA toolkit (<http://www.cbd.int/cepa/toolkit/2008/doc/CBD-Toolkit-Complete.pdf>) and materials from other relevant international organizations, but will be specifically tailored to the needs of ABS communication. The toolkit will be produced in print

and multimedia form, compatible with its deployment as an eLearning resource. The toolkit will be created as an Open Educational Resource (OER).²¹

19. Parties will be invited to use the toolkit to develop different awareness-raising materials, adapted to their particular needs, and in support of the strategy created under priority activity 1 to raise awareness and transmit messages to target groups. In creating the materials, the input of key stakeholders, such as those identified under priority activity 1 and indigenous and local communities, should be taken into account to ensure that they would be effective in raising awareness.

20. The selection of the best mix of information products for communicating with a specific target group will be largely determined according to the research and assessments conducted in the first priority activity. Print materials, such as brochures and fact sheets, may be suitable in some contexts, while other multimedia materials and approaches, such as radio and short films, may be more effective in others.

21. In the context of this priority activity, Parties may also wish to develop materials for use within formal education.

22. Parties will be invited to provide copies of the materials developed to the Access and Benefit-sharing Clearing-House, for further dissemination and sharing among other Parties and stakeholders.

Priority activity 3. Train communicators and engage target groups

23. This priority activity has two primary objectives: to train a group of ABS communication experts to implement the national awareness-raising strategy and then to carry out activities to engage with target groups in order to raise awareness.

24. In support of this activity, the Secretariat will provide guidelines on the way to conduct a training workshop for ABS communicators. In the ABS toolkit mentioned above, the Secretariat will provide guidelines on the ways that awareness-raising and training materials may be disseminated and used in support of an awareness-raising strategy.

25. As a first step in this priority activity, it is suggested that a series of workshops be held to train communications experts using the training materials developed in priority activity 2. This would prepare the group of communications experts to, in turn, reach out effectively to key target groups and deliver the key messages contained within the awareness-raising materials created. These trained communicators could then organize workshops and other events for the key target groups identified in the strategy.

21 Open Educational Resources (OER) are teaching and learning materials that are freely available online for everyone to use. Examples of OER are: full courses, course modules, syllabi, lectures, homework assignments, quizzes, lab and classroom activities, pedagogical materials, games, simulations, and many more resources contained in digital media collections from around the world. <http://openeducationalresources.pbworks.com/w/page/24836860/What%20are%20Open%20Educational%20Resources>

26. The awareness-raising materials created under priority activity 2 will be disseminated to target groups in a variety of ways, but an important part of any awareness-raising strategy will be the convening of events, workshops and other forums, where communication activities can take place. The kind of activities which could be organized should be determined by the target groups with which communication is intended. Examples of such activities are: an information breakfast session, a round table for representatives of a particular user group, a training session for representatives of the media, or an academic conference on ABS measures for the research community.

27. The events would be an opportunity to involve a variety of stakeholders to discuss national circumstances related to the implementation of the Nagoya Protocol. For example, as outlined in Article 21 (i), the events could include specific communication activities related to awareness-raising of community protocols and procedures of indigenous and local communities. The events could also be an opportunity to brief representatives of the media on ABS-related issues.

28. It is expected that workshops would be organized primarily at the national level. In certain cases, subregional or regional workshops may also add value to the implementation of the awareness-raising strategies and therefore their organization would be a suitable contribution to this activity. To achieve the most effective and efficient use of resources, the organization of such workshops will take place on the basis of capacity needs assessments by the Parties. In analysing those needs, existing global, regional or subregional mechanisms, processes and tools should be fully taken into account. The Secretariat may be involved in these workshops, subject to the availability of resources.

29. For all activities, evaluation and feedback mechanisms similar to the assessments carried out in priority activity 1 should be included to provide data for priority activity 4 below.

30. Parties and stakeholders will be invited to post the results of the events on the Clearing-House, including photos of the proceedings, presentations and summaries of the findings.

Priority activity 4. Evaluation and feedback

31. It is important to note that as Parties design their strategies, for each priority activity, data and information should be collected for use in an evaluation exercise. Priority activity 1 represents the assembly of baseline data on awareness, against which changes in awareness and behaviour need to be measured. The effectiveness and reception of the awareness-raising materials developed under priority activity 2 should also be measured. Finally, the suitability and learning that has taken place during the workshops and other events under priority activity 3 should also be assessed.

32. Using this data, Parties are invited to assess the effectiveness of their activities, workshops and awareness-raising materials. Parties will then be invited to repeat the survey instruments used to establish their national strategies and analyse the feedback

received from participants to the awareness-raising activities with a view to changing and fine-tuning their strategies as needed. Parties should collect the same data that was assembled under priority activity 1, and compare them with the baseline results.

33. The results of the evaluation and analyses should then be disseminated through the Access and Benefit-sharing Clearing-House.

Resource requirements

34. As Party needs will be varied, so, too, will the resource requirements for the implementation of national awareness-raising strategies. Sustainable funding plans should be established to ensure that sufficient resources are available for the strategies in the long-run. Developing country Parties may require external support, including through the GEF, in order to implement their national awareness raising strategies.

35. In order to assist Parties in the development and implementation of national, regional and subregional awareness-raising strategies, as recommended under the priority activities, the Secretariat will also require financial and human resources. Secretariat support to priority activities 1, 3 and 4 will be limited to staff time. The Secretariat's contribution to priority activity 2 will require financial support for the development of the toolkit.

TABLE. OUTLINE OF AN AWARENESS-RAISING STRATEGY FOR THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT-SHARING

<p>Priority activity 1. Communications situation analysis and the development of needs-based awareness-raising strategies at the national, regional and subregional levels</p>
<p style="text-align: center;">1.1. Operational objectives</p> <ul style="list-style-type: none"> - Conduct analysis of communications goals, target groups and existing awareness-raising materials. - For target groups, identify desired outcomes of communications efforts. - Evaluate effectiveness of existing tools, messages and activities. - Provide indicative costs for implementation of different activities.
<p style="text-align: center;">1.2. Expected Outcomes</p> <ul style="list-style-type: none"> - List of target groups and level of awareness. - List of desired communication goals. - Gap analysis of tools and identification of required products. - Evaluation of possible costs needed.
<p style="text-align: center;">1.3. Indicators</p> <ul style="list-style-type: none"> - Level of awareness among key target groups. - List of existing awareness-raising materials and their use. - List of communication and technical experts.
<p style="text-align: center;">1.4. Role of the Secretariat</p> <ul style="list-style-type: none"> - Provide template for the development of national awareness-raising strategies. - Provide guidelines on survey methodologies. - Make available existing awareness-raising materials on ABS. - Make available awareness-raising strategies on the Access and Benefit-sharing Clearing-House and report developments to the Conference of the Parties serving as the meeting of the Parties to the Protocol, as appropriate.
<p style="text-align: center;">1.5. Activities</p> <ul style="list-style-type: none"> - Create national, regional and subregional awareness-raising strategies, including timetables, activities, evaluation tools and identification of target groups. Include all resource requirements. - Determine key target groups and desired behaviour changes. - Carry-out surveys to determine level of awareness of key target groups. - Conduct audit of awareness-raising products and materials, including evaluation of the effectiveness of each. - Create a list of communication, and legal and technical experts on ABS. - Submit national awareness-raising strategy to the Access and Benefit-sharing Clearing-House.
<p style="text-align: center;">1.6. Actors</p> <ul style="list-style-type: none"> - Parties, including relevant government ministries. - Public opinion research organizations. - Representatives of the media.

Priority activity 2. Creation of toolkit and awareness-raising materials
2.1. Operational objectives
<ul style="list-style-type: none"> - Create awareness-raising and training materials to support national, regional and subregional ABS awareness-raising strategies. - Create toolkit for use in training of ABS communicators.
2.2. Expected outcomes
<ul style="list-style-type: none"> - Awareness-raising and training materials and other information products that support national, regional and subregional awareness-raising strategies are created, including, inter alia, brochures, booklets, fact sheets, materials for use in formal education, videos, radio spots, audio recordings, websites, flash and PowerPoint presentations.
2.3. Indicators
<ul style="list-style-type: none"> - Catalogue of awareness-raising materials created. - Level of usage of awareness-raising materials.
2.4. Role of the Secretariat
<ul style="list-style-type: none"> - Create ABS awareness-raising toolkit with templates, guidelines and example methodologies for training and communication activities. Translate into United Nations languages and disseminate in print and online. - Make available ABS communications materials developed by Parties and other stakeholders on the Clearing-House.
2.5. Activities
<ul style="list-style-type: none"> - Create ABS awareness-raising and training materials using toolkit and its resources. - Distribute materials at national and regional levels through established communication channels. - Submit materials to Access and Benefit-sharing Clearing-House.
2.6. Actors
<ul style="list-style-type: none"> - Parties through relevant government ministries and, as appropriate, relevant stakeholders such as indigenous and local communities. - Experts in communication, including representatives of the media. - Training agencies. - Educators.

Priority activity 3. Train communicators and engage target groups
3.1. Operational objectives
<ul style="list-style-type: none"> - Train a group of ABS communication experts to deliver key messages to target groups - Engage with target groups in order to raise awareness.
3.2. Expected outcomes
<ul style="list-style-type: none"> - A group of trainers and communicators on ABS issues is established, to participate in awareness-raising activities. - Activities are held to implement the strategy. - The level of awareness of target groups is increased.
3.3. Indicators
<ul style="list-style-type: none"> - Number of communicators trained. - Feedback from trainees. - Number of activities held. - Number of participants in activities. - Feedback from participants on the effectiveness of the events and awareness-raising materials. - Increases in awareness among target groups. - Level of usage of awareness-raising materials.
3.4. Role of the Secretariat
<ul style="list-style-type: none"> - Provide guidelines on workshop structure and forms. - Provide indicative list of outreach activities. - When requested, participate in ABS awareness-raising activities at subregional and regional levels, subject to the availability of resources.
3.5. Activities
<ul style="list-style-type: none"> - Hold ABS communication training workshops with the participation of ABS communicators and others who will deliver communication activities to target groups. - Hold awareness-raising activities for target groups. - Distribute and disseminate awareness-raising and training materials. - For all activities, conduct feedback and evaluation exercises and record this data for priority activity 4. - Submit reports of activities to the Access and Benefit-sharing Clearing-House.
3.6. Actors
<ul style="list-style-type: none"> - Parties, and, as appropriate, relevant stakeholders such as indigenous and local communities. - Communications professionals, including representatives of the media. - Target groups identified in the awareness-raising strategy such as users of genetic resources.

Priority activity 4. Evaluation and feedback
<p style="text-align: center;">4.1. Operational objectives</p> <ul style="list-style-type: none"> - Evaluate effectiveness of awareness-raising activities against baseline data collected in priority activity 1. - Adjust national awareness-raising strategy, as appropriate, based on feedback.
<p style="text-align: center;">4.2. Expected outcomes</p> <ul style="list-style-type: none"> - Parties will understand the results of their activities and the effectiveness of their strategies. - Parties will have the information required to adjust and alter their strategies as needed.
<p style="text-align: center;">4.3. Indicators</p> <ul style="list-style-type: none"> - Level and type of participation in awareness-raising activities from priority activity 3. - Change in level of awareness among key target groups. - List of new awareness-raising materials and their use. - Detailed feedback from participants in activities.
<p style="text-align: center;">4.4. Role of the Secretariat</p> <ul style="list-style-type: none"> - Make available information provided by Parties on evaluations and feedback to the Access and Benefit-sharing Clearing-House.
<p style="text-align: center;">4.5. Activities</p> <ul style="list-style-type: none"> - Resurvey target groups to determine any changes in level of awareness. - Re-audit awareness-raising materials to determine effectiveness of new and existing materials under the new strategy. - Review list of communication and legal and technical experts on ABS issues. - Evaluate effectiveness of ABS awareness-raising activities using data collected under each priority activity. - Revise and adjust the national awareness-raising strategy according to this analysis. - Submit results of all analyses to the Access and Benefit-sharing Clearing-House.
<p style="text-align: center;">4.6. Actors</p> <ul style="list-style-type: none"> - Parties. - Public opinion research organizations.

NP-1/10. The need for and modalities of a global multilateral benefit-sharing mechanism (Article 10)

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

Noting the importance of having further discussions to reach a common understanding on the need for and modalities of a global multilateral benefit-sharing mechanism,

1. *Invites* Parties, other Governments, international organizations, indigenous and local communities, and relevant stakeholders to submit to the Executive Secretary views on: (a) situations which may support the need for a global multilateral benefit-sharing mechanism that are not covered under the bilateral approach; (b) possible modalities for a global multilateral benefit-sharing mechanism as well as information regarding the implications of different scenarios on these modalities; and (c) the areas requiring further consideration, as identified in paragraph 23 of the report of the Expert Meeting on Article 10 of the Nagoya Protocol.²² Such views may include, where available, reflections on any experiences gained working towards the implementation of the Nagoya Protocol;

2. *Requests* the Executive Secretary:

(a) To prepare a synthesis of the views submitted in accordance with paragraph 1 above;

(b) To commission a study, subject to the availability of funds, on: (i) the experiences gained with the development and implementation of the Nagoya Protocol and other multilateral mechanisms; and (ii) the potential relevance of ongoing work undertaken by other processes, including case studies in relation to *ex situ* and *in situ* genetic resources, traditional knowledge associated with genetic resources, and transboundary situations;

(c) To convene, subject to the availability of funds, a meeting of a regionally balanced expert group to review the synthesis of views and the study referred to in subparagraphs (a) and (b) above, with a view to reaching a common understanding on the areas requiring further examination, as identified in paragraph 23 of the report of the Expert Meeting, as referred to in paragraph 1 above, and submit the outcomes of its work for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its second meeting.

22 UNEP/CBD/ICNP/3/5.

NP-1/11. Improving the efficiency of structures and processes under the Convention and the Protocols: Subsidiary Body on Implementation

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

Recalling Article 26, paragraph 4, of the Nagoya Protocol, which elaborates the measures that the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol is expected to undertake for the purpose of keeping under review the implementation of the Protocol,

Recalling also Article 27 of the Nagoya Protocol, which stipulates that any subsidiary body established by or under the Convention may serve the Protocol, including upon a decision by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, and in which case the meeting of the Parties to the Protocol is required to specify the tasks the subsidiary body is to undertake,

Recognizing the benefits of integrated approaches to the review and support of the implementation of the Convention and its Protocols,

Recognizing also the importance of the full and effective participation of all Parties, especially developing country Parties, in particular least developed countries and small island developing States, and Parties with economies in transition in the meetings of the Subsidiary Body on Implementation,

1. *Decides* to designate the Subsidiary Body on Implementation, established by the Conference of the Parties to the Convention at its twelfth meeting, to also serve the Nagoya Protocol;
2. *Agrees* that the terms of reference of the Subsidiary Body on Implementation as adopted by the Conference of the Parties to the Convention at its twelfth meeting, should apply, *mutatis mutandis*, to the functions of the Subsidiary Body when serving the Nagoya Protocol;
3. *Notes* that when the Subsidiary Body on Implementation exercises its functions with regard to matters concerning the Nagoya Protocol, decisions should be taken only by Parties to the Nagoya Protocol as provided in paragraph 2 of Article 27 of the Protocol.

NP-1/12. Improving the efficiency of structures and processes under the Convention and the Protocols: concurrent meetings of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Protocols

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

Recalling Article 26, paragraph 6, of the Nagoya Protocol, which specifies that subsequent ordinary meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol should be held concurrently with ordinary meetings of the Conference of the Parties to the Convention unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,

Recognizing that planning for the organization of concurrent meetings of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Protocols is an iterative process,

Recognizing also the need for ensuring the availability of financial resources to support the participation of representatives of 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 with a view to maintaining legitimacy and transparency,

Taking note of the decision of the Conference of the Parties at its the twelfth meeting and, the decision of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its seventh meeting on the organization of concurrent meetings,

1. *Decides* to hold its future ordinary meetings concurrent with the meetings of the Conference of the Parties to the Convention and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety within a two-week period;

2. *Requests* the Executive Secretary to prepare the organization of work of the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol in accordance with the process outlined in decision XII/27 of the Conference of the Parties;

3. *Calls 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 encourages other Governments and donors to also contribute to that end;

4. *Decides* to review, at its third and fourth meetings, the experience with the concurrent organization of meetings in accordance with the process outlined in decision XII/27 of the Conference of the Parties.

NP-1/13. Programme budget for the biennium following the entry into force of the Nagoya Protocol

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

1. *Decides* that the financial rules and regulations and the decisions related to the administration of the budget, adopted by the Conference of the Parties to the Convention, be applied *mutatis mutandis* to the Nagoya Protocol;

2. *Decides* to set up the following trust funds for the Nagoya Protocol for a period of three years, beginning 1 January 2015 and ending 31 December 2017, and requests the Executive Director of the United Nations Environment Programme to seek the approval of the United Nations Environment Assembly for their establishment:

(a) Trust Fund for the core programme budget for the Nagoya Protocol (BYP²³ Trust Fund);

(b) Special Voluntary Trust Fund (BEP Trust Fund) for Additional Voluntary Contributions in Support of Approved Activities;

3. *Approves* a core programme budget (BYP) of US\$ 290,200 for the year 2015 and of US\$ 985,500 for the year 2016, for the purposes set out in table 1 below;

4. *Approves* the Secretariat staffing as set out in table 2 below;

5. *Decides* to adopt the Nagoya Protocol scale of assessment for the apportionment of the distinct costs among Parties to the Protocol for 2015 and 2016 set out in table 4 below and authorizes the Executive Secretary, in keeping with the financial rules, to adjust the list of Parties on receipt of notification from the depositary that a State has deposited an instrument of ratification, acceptance, approval or accession;

6. *Authorizes* the Executive Secretary, on an exceptional basis, to amend the 2016 scale to include all Parties for which the Protocol enters into force on or before 31 December 2015;

7. *Decides also*, in the light of the recommendation of the Office of Internal Oversight Services (OIOS) in its report on the Secretariat of the Convention on Biological Diversity, to establish a working capital reserve for the core budget (BYP Trust Fund) that will build up to 7.5 per cent of approved biennial expenditure, including programme support costs by the 31 December 2016;

²³ The "BYP" and "BEP" Trust Fund designations used in the present document are subject to change by the Trustee and are used here purely for the convenience of delegations attending the meeting.

8. *Decides further* that the *pro rata* contributions of Parties for whom the Nagoya Protocol enters into force after 1 January 2015 will be used in the first instance to build the required working capital reserve and in this regard *welcomes* paragraph 10 of decision XII/32 of the Conference of the Parties;

9. *Authorizes* the Executive Secretary to enter into commitments up to the level of the approved budget, drawing on available cash resources;

10. *Also authorizes* the Executive Secretary to transfer resources among the programmes between each of the main appropriation lines set out in table 1 below up to an aggregate of 15 per cent of the total programme budget, provided that a further limitation of up to a maximum of 25 per cent of each such appropriation line shall apply;

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;

12. *Takes note* of the funding estimates in table 3 for activities under the Protocol to be financed from the Special Voluntary Trust Fund (BEP) for Additional Voluntary Contributions in Support of Approved Activities for the biennium 2015-2016, as specified by the Executive Secretary;

13. *Urges* Parties and *invites* 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;

14. *Takes note* of decision XII/32 making available funds from the merged Special Voluntary Trust Funds (BZ and BI) to also facilitate the participation of Parties in meetings related to the Nagoya Protocol and agrees, in view of the decision to hold the ordinary meetings of the Convention on Biological Diversity and its Protocols concurrently, to use these funds to facilitate the participation of developing country Parties, in particular the least developed countries and small island developing States, as well as Parties with economies in transition;

15. *Reaffirms* the importance of full and effective participation of the developing country Parties, in particular the least developed countries and small island developing States, as well as Parties with economies in transition, in the meetings of the Convention and its Protocols and, in this context, *requests* the Executive Secretary to take into account the relevant decisions of the Conference of the Parties and the meetings of the Parties to its Protocols on concurrent meetings

and improving the efficiencies of the structures and processes of the Convention and its Protocols;²⁴

16. *Requests* the Secretariat to remind Parties of the need to contribute to the Special Voluntary Trust Fund (BZ) at least six months prior to the ordinary meetings of the Convention and its Protocols;

17. *Requests* the Executive Secretary to prepare and submit a programme budget for the distinct costs of Secretariat services and the work programme of the Protocol for the biennium 2017-2018 to the Conference of the Parties serving as the meeting of the Parties to the Protocol at its second meeting, based on two alternatives:

(a) Making an assessment of the required rate of growth for the programme budget (BYP Trust Fund);

(b) Maintaining the programme budget (BYP Trust Fund) at the 2015-2016 level in nominal terms and adding the costs of the posts paid for from voluntary contributions in 2015-2016;

18. *Requests* the Executive Secretary to include, in the scenarios, proposals on a *pro rata* division between the Convention and its two Protocols of the shared operative costs following discussions on the implementation of the Functional Review of the Secretariat;

19. *Also requests* the Executive Secretary to report on income and budget performance, unspent balances and the status of surplus as well as any adjustments made to the Protocol budget for the biennium 2015-2016 and to provide to the Conference of the Parties serving as the meeting of the Parties to the Protocol all financial information regarding the budget for the Convention on Biological Diversity at the same time as it is provided to Parties to the Convention.

24 Decisions XII/27 and XII/29, BS-VII/9 and NP-1/12.

Table 1. Biennium budget of the Trust Fund (BYP) for the Nagoya Protocol on Access and Benefit-Sharing 2015-2016

		2015	2016	TOTAL
Descriptions of expenditures		<i>(Thousands of United States dollars)</i>		
I	Staff costs*	171.8	428.2	600.0
	Bureau meetings	35.0	35.0	70.0
	Compliance Committee Meetings	0.0	30.0	30.0
	Clearing-House Informal Advisory Group Meetings	30.0	30.0	60.0
	Second meeting of the Parties (COP-MOP-2)	0.0	328.9	328.9
	ABS Clearing-House Translation Costs	20.0	20.0	40.0
	Sub-total	256.8	872.1	1,128.9
II	Programme support cost (13%)	33.4	113.4	146.8
	TOTAL BUDGET (I + II)	290.2	985.5	1,275.7
III	Working Capital Reserve**	0.0		0.0
	TOTAL BUDGET (II + III)	290.2	985.5	1,275.7

* Additionally 1P-3 and 1P-2 ABS-CH posts paid for from voluntary funds in 2015; 1 P-3 Monitoring and Reporting post paid from voluntary funds in 2015. 1 P-3 ABS-CH post paid for from voluntary funds in 2016; Differential costs for upgrade of P-2 post to P-3 for Monitoring and Reporting paid from voluntary funds in 2015-2016.

** Working capital reserve set at zero.

**Table 2. Secretariat staffing requirements for the Nagoya Protocol on
Access and Benefit-Sharing 2015-2016**

	2015	2016
A. Professional Category		
P - 3	1	2
P - 2	0	1
Total Professional Category	1	3
B. Total General Service Category	0	0
TOTAL (A + B)	1	3

Table 3. Special Voluntary Trust Fund (BEP) for Additional Voluntary Contributions in Support of Approved Activities of the Nagoya Protocol for the 2015-2016 biennium
(Thousands of United States dollars)

<i>I. Description</i>	<i>2015-2016</i>
1. MEETINGS/WORKSHOPS	
Nagoya Protocol on Access and Benefit-sharing	
Expert Meetings on Article 10 ¹	60
Informal Advisory Committee on Capacity-building for the Nagoya Protocol	120
Coordination meeting on capacity-building for the Nagoya Protocol	60
Expert meetings on the ABS CH (2)	120
Regional and subregional capacity-building workshops (6)	480
2. STAFF²⁻⁵	
Programme Officer (P-3) ABS-CH	347
Associate Programme Officer (P2) ABS-CH	124
Programme Officer (P-3) Monitoring and Reporting	220.5
3. TRAVEL COSTS	
Nagoya Protocol	30
4. RESOURCE PERSONS	
<i>Short-term Staff/Temporary Assistance</i>	
Nagoya Protocol	30
<i>Consultants/Sub-Contracts</i>	
Nagoya Protocol ¹	120
5. PUBLICATIONS/REPORT PREPARATION/PRINTING	
Nagoya Protocol	160
<i>Sub-total I</i>	1,871.5
<i>II. Programme support costs (13 per cent)</i>	243.3
TOTAL COST (I + II)	2,114.8

1 Funds pledged by Norway for Expert meeting and Study on Article 10.

2 Funding pledged by the European Union for 1 P-3 post in 2015-2016 and 1/2 P-2 post in 2015 on the ABS-CH.

3 Funding pledged by Switzerland for 1/2 P-2 post in 2015 on the ABS-CH.

4 Funding pledged in 2015 by Norway (1/2) and the European Union (1/2) for cost of P-2 post for Monitoring and Reporting.

5 Funding pledged by the European Union (2015-2016) for upgrade of post on Monitoring and Reporting from P-2 to P-3.

Table 4. Indicative Contributions to the Trust Fund for the Nagoya Protocol on Access and Benefit Sharing for the biennium 2015-2016*

<i>Parties</i>	<i>UN scale of assessments 2015 (percentage)</i>	<i>Scale with 22% ceiling, no LDC paying more than 0.01% (per cent)</i>	<i>Contributions per 1 Jan. 2015 (US\$)</i>	<i>UN scale of assessments 2015 (percentage)</i>	<i>Scale with 22% ceiling, no LDC paying more than 0.01% (per cent)</i>	<i>Contributions as per 1 Jan. 2016^a (US\$)</i>	<i>Total contributions 2015-2016 (US\$)</i>
Albania	0.010	0.103	300	0.010	0.103	1,018	1,318
Belarus	0.056	0.579	1,680	0.056	0.579	5,703	7,383
Benin	0.003	0.010	29	0.003	0.010	99	128
Bhutan	0.001	0.010	30	0.001	0.010	102	132
Botswana	0.017	0.176	510	0.017	0.176	1,731	2,241
Burkina Faso	0.003	0.010	29	0.003	0.010	99	128
Burundi	0.001	0.010	30	0.001	0.010	102	132
Comoros	0.001	0.010	30	0.001	0.010	102	132
Cote d'Ivoire	0.011	0.114	330	0.011	0.114	1,120	1,450
Denmark	0.675	6.977	20,245	0.675	6.976	68,747	88,993
Egypt	0.134	1.385	4,019	0.134	1.385	13,648	17,667
Ethiopia	0.010	0.010	29	0.010	0.010	99	128
European Union		2.500	7,255		2.500	24,638	31,892
Fiji	0.003	0.031	90	0.003	0.031	306	396
Gabon	0.020	0.207	600	0.020	0.207	2,037	2,637
Gambia	0.001	0.010	30	0.001	0.010	102	132
Guatemala	0.027	0.279	810	0.027	0.279	2,750	3,560
Guinea ^b			0	0.001	0.010	102	102
Guinea-Bissau	0.001	0.010	30	0.001	0.010	102	132
Guyana	0.001	0.010	30	0.001	0.010	102	132
Honduras	0.008	0.083	240	0.008	0.083	815	1,055
Hungary	0.266	2.749	7,978	0.266	2.749	27,092	35,070
India	0.666	6.884	19,975	0.666	6.883	67,831	87,806
Indonesia	0.346	3.576	10,378	0.346	3.576	35,239	45,617
Jordan	0.022	0.227	660	0.022	0.227	2,241	2,901
Kenya	0.013	0.134	390	0.013	0.134	1,324	1,714
Lao People's Democratic Republic	0.002	0.010	29	0.002	0.010	99	128
Madagascar	0.003	0.010	29	0.003	0.010	99	128
Malawi	0.002	0.010	29	0.002	0.010	99	128
Mauritius	0.013	0.134	390	0.013	0.134	1,324	1,714
Mexico	1.842	19.039	55,248	1.842	19.036	187,604	242,851
Micronesia (Federated States of)	0.001	0.010	30	0.001	0.010	102	132

<i>Parties</i>	<i>UN scale of assessments 2015 (percentage)</i>	<i>Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)</i>	<i>Contributions per 1 Jan. 2015 (US\$)</i>	<i>UN scale of assessments 2015 (percentage)</i>	<i>Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)</i>	<i>Contributions as per 1 Jan. 2016^a (US\$)</i>	<i>Total contributions 2015-2016 (US\$)</i>
Mongolia	0.003	0.031	90	0.003	0.031	306	396
Mozambique	0.003	0.010	29	0.003	0.010	99	128
Myanmar	0.010	0.010	29	0.010	0.010	99	128
Namibia	0.010	0.103	300	0.010	0.103	1,018	1,318
Niger	0.002	0.010	29	0.002	0.010	99	128
Norway	0.851	8.796	25,524	0.851	8.795	86,673	112,197
Panama	0.026	0.269	780	0.026	0.269	2,648	3,428
Peru	0.117	1.209	3,509	0.117	1.209	11,916	15,425
Rwanda	0.002	0.010	29	0.002	0.010	99	128
Samoa	0.001	0.010	30	0.001	0.010	102	132
Seychelles	0.001	0.010	30	0.001	0.010	102	132
South Africa	0.372	3.845	11,157	0.372	3.844	37,887	49,045
Spain	2.973	22.000	63,840	2.973	22.000	216,813	280,653
Sudan	0.010	0.010	29	0.010	0.010	99	128
Switzerland	1.047	10.822	31,403	1.047	10.820	106,635	138,038
Syrian Arab Republic	0.036	0.372	1,080	0.036	0.372	3,667	4,746
Tajikistan	0.003	0.031	90	0.003	0.031	306	396
Uganda	0.006	0.010	29	0.006	0.010	99	128
United Arab Emirates	0.595	6.150	17,846	0.595	6.149	60,600	78,446
Uruguay	0.052	0.537	1,560	0.052	0.537	5,296	6,856
Vanuatu	0.001	0.010	30	0.001	0.010	102	132
Viet Nam	0.042	0.434	1,260	0.042	0.434	4,278	5,537
TOTAL	10.322	100.000	290,184	10.323	100.000	985,512	1,275,696

* Contributions from new Parties joining in 2015 will be used to build the Working Capital Reserve of the Trust Fund.

^a A new scale will be issued for 2016 contributions in October 2015 reflecting new Parties as at 1 January 2016.

^b Guinea will be invoiced in 2015 on a pro-rata basis.

