

Draft common part*Interim national report on the implementation of the Nagoya Protocol*

| Country | |
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| 1. *Country: | Portugal |
| General information | |
| 2. *Contact person: | <p>ABSCH-CON-PT-209038-1</p> <p><i>Please enter the CBD clearing-house record number containing this information or, if not registered, attach a "Contact details" common format.¹</i></p> |

| Institutional structures for the implementation of the Protocol | |
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| 3. *Has your country made the information available to the ABS Clearing-House as provided in Article 14.2? | <p><input checked="" type="checkbox"/> Yes</p> <p><i>↳ If selected, please only fill in the respective summary of the main difficulties and challenges for questions 4 to 7.</i></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p><i>↳ Please provide a summary of the main difficulties and challenges encountered and answer all the following questions.</i></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information</i> ABSCH-MSR-PT-238391-1</p> |
| 4. * Has your country taken legislative, administrative and policy measures on ABS? | <p><input checked="" type="checkbox"/> Yes</p> <p><i>↳ If selected, please provide further information.</i></p> <p>Regulation (EU) 511/2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union;</p> <p>Commission Implementing Regulation (EU) 2015/1866 laying down detailed rules for the implementation of Regulation (EU) 511/2014 as regards register of collections, monitoring user compliance and best practices;</p> |

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

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| | <p>Commission Notice – Guidance document on the scope of application and core obligations of Regulation (EU) 511/2014 (2016/C 313/1)</p> <p>Decree-Law 122/2017 establishing measures for the implementation of Regulation (EU) 511/2014 at the national level.</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>↳ <i>Please provide a summary of the main difficulties and challenges encountered in setting up these measures.</i></p> |
| <p>5. *Has your country designated a national focal point as provided in Article 13?</p> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for designating a national focal point.</i></p> <p>No relevant difficulties nor challenges were encountered for designating a national focal point</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> ABSCH-NFP-PT-210040-2</p> |
| <p>6. *Has your country designated one or more competent national authorities as provided in Article 13?</p> | <p><input checked="" 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></p> <p>No relevant difficulties nor challenges were encountered for designating the national competent authority</p> <p><i>Use the text entry to provide further information.</i></p> <p>No. 1 of article 4 of Decree-Law 122/2017, of 21st September (https://dre.pt/web/guest/pesquisa/-/search/108192977/details/maximized), establishes the Institute for Nature Conservation and Forests as the Portuguese National Competent Authority for the purposes of Regulation (EU) no. 511/2104 and ABS generally.</p> <p>No. 2 of article 4 of Decree-Law 122/2017, of 21st September further determines that the competent bodies of the Autonomous Regions of Azores and Madeira shall designate Competent Regional Authorities. The Institute for Forestry and Nature Conservation, IP-RAM serves as the Competent Regional Authorities in Madeira. As of the date of the submission of the present report the process for the designation of the Competent Regional Authority of the Azores is ongoing.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> ABSCH-CNA-PT-207431-4</p> |
| <p>7. *Has your country made available to the ABS Clearing-House permits or their equivalent issued at the time of</p> | <p><input type="checkbox"/> Not applicable, since no access requirements are in place</p> <p>OR</p> |

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| <p>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"/> Yes OR <input checked="" type="checkbox"/> No</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for making this information available.</i></p> <p>In Portugal, access to genetic resources is only regulated in the Autonomous Region of the Azores (see answers 11-17). As of the date of the submission of the present report the process for the designation of the Competent Regional Authority of the Azores is ongoing. Permits issued at the time of access will be submitted by the Competent Regional Authority of the Azores once it is formally designated.</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>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 requirement are in place OR</p> <p><input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>In Portugal, access to genetic resources is only regulated in the Autonomous Region of the Azores (see answers 11-17). As of the date of the submission of the present report the process for the designation of the Competent Regional Authority of the Azores is ongoing. Permits issued at the time of access will be submitted by the Competent Regional Authority of the Azores once it is formally designated.</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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>Pursuant to Article 7(1) and (2) of Regulation 511/2014 designated competent authorities receive information as provided in Article 17(1) of the Protocol from users within their jurisdiction.</p> <p>In Portugal, the competent national authority designated is: Institute for Nature Conservation and Forests. The Institute for Forestry and Nature Conservation, IP-RAM serves as the Competent Regional Authorities in Madeira. As of the date of the submission of the present report the process for the designation of the Competent Regional Authority of the Azores is ongoing.</p> <p>Checkpoint functions are to be performed either by the competent national authority or by the competent regional authorities on the basis of the geographical location of the submitter (where utilization takes place)</p> <p>More specifically, there are two checkpoints in Portugal, as established at EU level:</p> <p>1st checkpoint: competent authorities designated under Regulation 511/2014, i.e. on the basis of the geographical location of the submitter, the Competent National Authority or the Competent</p> |

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| | <p>Regional Authorities receive due diligence declarations from researchers; all recipients of research funding, where such research involves utilisation of genetic resources and traditional knowledge associated with genetic resources, are requested either by the European Commission or by the Member State as providers of funding, to declare that they exercised due diligence; the template for this declaration is contained in the Commission Implementing Regulation in Annex II;</p> <p>2nd checkpoint: competent authorities designated under Regulation 511/2014, i.e. on the basis of the geographical location of the submitter, the Competent National Authority or the Competent Regional Authorities gather due diligence declarations at the final stage of a product development from all users; the template for this declaration is contained in the Commission Implementing Regulation in Annex III; specific events triggering submission of the declaration are defined in Article 6 of the Commission Implementing Regulation.</p> <p>For both checkpoints, the authorities referred above transfer the information to ABS Clearing House, provided it is not confidential; alternatively, in case crucial information for publishing of checkpoint communiqué (CPC) is indicated as confidential and CPC cannot be published, the authorities contact the competent national authorities of the country providing genetic resources.</p> <p><i>Please provide a summary of the main difficulties and challenges encountered for designating one or more checkpoints:</i></p> <p>The main challenge in defining the checkpoints in the EU was striking a balance between having effective checkpoints covering the full range of relevant ABS activities, while avoiding creating unnecessary administrative burden.</p> <p><i>Please enter the clearing-house record number containing relevant information ABSCH-CP-PT-238681-1</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) | |
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| Access to genetic resources (Article 6) | |
| <p>11. * Is access to genetic resources subject to PIC as provided in Article 6.1?</p> | <p><input checked="" 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></p> <p><Text entry></p> <p><i>Use the text entry to provide further information.</i></p> <p>Portugal is considering whether to establish national PIC/MAT requirements for access to genetic resources in light of the Nagoya Protocol but presently there is no national legislation nor regulatory requirements drawing from the Nagoya Protocol for access to genetic resources in mainland Portugal nor in the Autonomous Region of Madeira. In the Autonomous Regions of Azores, Regional Decree-Law 9/2012/A (https://dre.pt/web/guest/pesquisa/-/search/553632/details/maximized) and Regional Regulatory Decree 20/2012/A (https://dre.pt/web/guest/pesquisa/-/search/191518/details/maximized) establish the legal framework for (i) the access to, the transfer of and the sharing of benefits arising out of the utilization of natural resources. The regime determines that the collection of natural resources for scientific purposes is subject to Prior Informed Consent.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| <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> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Chapter II of Regional Decree-Law 9/2012/A (https://dre.pt/web/guest/pesquisa/-/search/553632/details/maximized) and Chapter I of Regional Regulatory Decree 20/2012/A (https://dre.pt/web/guest/pesquisa/-/search/191518/details/maximized).</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| <p>13. * Does your country provide information on how to apply for PIC as provided in Article 6.3(c)?</p> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>http://www.formstack.com/forms/GRA-Request_Access_Sampling_Scientific_Purposes</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| <p>14. *Does your country provide for a clear and transparent written decision by a competent</p> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> |

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| national authority as provided in Article 6.3 (d)? | <p>Chapter II of Regional Decree-Law 9/2012/A (https://dre.pt/web/guest/pesquisa/-/search/553632/details/maximized) and Chapter I of Regional Regulatory Decree 20/2012/A (https://dre.pt/web/guest/pesquisa/-/search/191518/details/maximized).</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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Chapter II of Regional Decree-Law 9/2012/A (https://dre.pt/web/guest/pesquisa/-/search/553632/details/maximized) and Chapter I of Regional Regulatory Decree 20/2012/A (https://dre.pt/web/guest/pesquisa/-/search/191518/details/maximized).</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>0</p> <p><i>Use the text entry to provide further information.</i></p> <p>See answers 7 and 8.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| 17. *Does your country have rules and procedures for requiring and establishing MAT as provided in Article 6.3 (g)? | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Chapter IV of Regional Decree-Law 9/2012/A (https://dre.pt/web/guest/pesquisa/-/search/553632/details/maximized) and Chapter III of Regional Regulatory Decree 20/2012/A (https://dre.pt/web/guest/pesquisa/-/search/191518/details/maximized)</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| 18. Benefits received since entry into force of the Protocol for your country from the utilization of: | <p><input type="checkbox"/> Genetic resources</p> <p><input type="checkbox"/> Monetary benefits: <Text entry></p> <p><input type="checkbox"/> Non-monetary benefits: <Text entry></p> <p><input type="checkbox"/> Traditional knowledge associated with genetic resources</p> <p><input type="checkbox"/> Monetary benefits: <Text entry></p> <p><input type="checkbox"/> Non-monetary benefits: <Text entry></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> |
| 19. Additional information: | <p><i>Please provide a summary of the main difficulties and challenges</i> <Text entry></p> |

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| | <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> |
| Fair and equitable benefit-sharing (Article 5) | |
| <p>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> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Article 4(1) of EU Regulation 511/2014 provides that “users shall exercise due diligence to ascertain that genetic resources and traditional knowledge associated with genetic resources which they utilise have been accessed in accordance with applicable access and benefit-sharing legislation or regulatory requirements and that benefits are fairly and equitably shared upon mutually agreed terms, in accordance with any applicable legislation or regulatory requirements.”.</p> <p>Article 4(3) of Decree-Law 122/2017, of 21st September further elaborates on this, determining that “Due diligence aims to ensure that... benefits are shared in a fair and equitable way on the basis of mutually agreed terms.”.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> ABSCH-MSR-EU-201808-6 ABSCH-MSR-PT-238391-1</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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Article 4(1) of EU Regulation 511/2014 provides that “users shall exercise due diligence to ascertain that genetic resources and traditional knowledge associated with genetic resources which they utilise have been accessed in accordance with applicable access and benefit-sharing legislation or regulatory requirements and that benefits are fairly and equitably shared upon mutually agreed terms, in accordance with any applicable legislation or regulatory requirements.”.</p> <p>Article 4(3) of Decree-Law 122/2017, of 21st September further elaborates on this, determining that “Due diligence aims to ensure that... benefits are shared in a fair and equitable way on the basis of mutually agreed terms.”.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> ABSCH-MSR-EU-201808-6 ABSCH-MSR-PT-238391-1</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</p> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Article 4(1) of EU Regulation 511/2014 provides that “users shall exercise due diligence to ascertain that genetic resources and traditional knowledge associated with genetic resources which they utilise have been accessed in accordance with applicable access and benefit-sharing legislation or regulatory requirements and that benefits are fairly and equitably shared upon mutually</p> |

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| <p>knowledge as provided in Article 5.5?</p> | <p>agreed terms, in accordance with any applicable legislation or regulatory requirements.”.</p> <p>Article 4(3) of Decree-Law 122/2017, of 21st September further elaborates on this, determining that “Due diligence aims to ensure that... benefits are shared in a fair and equitable way on the basis of mutually agreed terms.”.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> ABSCH-MSR-EU-201808-6 ABSCH-MSR-PT-238391-1</p> |
| <p>23. Additional information:</p> | <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> |
| <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> | |
| <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 checked="" 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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Please provide further information on the measures taken, including when they entered into force.</i></p> <p><i>↳ Regulation (EU) 511/2014 on compliance measures for the users from the Nagoya Protocol on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union; entered into force on 12 October 2014;</i></p> <p><i>↳ Commission Implementing Regulation (EU) 2015/1866 laying down detailed rules for the implementation of Regulation (EU) 511/2014 as regards register of collections, monitoring user compliance and best practices; entered into force on 9 November 2015;</i></p> <p><i>↳ Decree-Law 122/2017 establishing measures for the implementation of Regulation (EU) 511/2014 at the national level, namely the establishment of Competent Authorities and sanctions applicable to infringements to articles 4 and 7 of Regulation (EU) 511/2014.</i></p> <p><i>↳Please provide further information on cases of non-compliance</i></p> <p><i>↳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?</i></p> <p><input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No</p> <p><i>↳Please provide further information.</i></p> |

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| | <p style="text-align: center;"><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</i></p> <p>ABSCH-MSR-EU-201808-6</p> <p>ABSCH-MSR-EU-204508-6</p> <p>ABSCH-MSR-PT-238391-1</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 checked="" type="checkbox"/> Yes</p> <p>↳ <i>If selected</i>, please indicate whether your country has taken measures to address situations of non-compliance with those measures as provided in Article 16.2?</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>The EU ABS Regulation (511/2014) and Commission Implementing Regulation (2015/1866) as well as Decree-Law 122/2017 are applicable to genetic resources and to traditional knowledge associated with the genetic resources; Decree-Law 122/2017 together with the Regulations provide for the legal framework to deal with issues of non-compliance.</p> <p>↳ Has your country cooperated in specific cases of alleged violation of ABS measures as provided in Article 16.3?</p> <p style="text-align: center;"><input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No</p> <p><i>Please provide further information.</i></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</i></p> <p>ABSCH-MSR-EU-201808-6</p> <p>ABSCH-MSR-EU-204508-6</p> <p>ABSCH-MSR-PT-238391-1</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</p> | <p><input checked="" type="checkbox"/> Yes</p> <p>↳ <i>Please provide further information.</i></p> <p>In line with Article 7(1) and (2) of Regulation 511/2014, and with article 8 of Decree-Law 122/2017 users need to provide information as required by Article 17(1) of the Protocol to competent authorities designated in Portugal. Annexes II and III to the Commission Implementing Regulation provide for the list of information requested from reserachers and end-users respectively; this</p> |

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| <p>genetic resources at a designated checkpoint, as appropriate, as provided in Article 17.1 (a)(i) and (ii))?</p> | <p>includes also information related to PIC, the source of genetic resource, to the establishment of MAT and to utilisation of genetic resources.</p> <p><i>↳If selected, has your country taken measures to address situations of non-compliance?</i></p> <p><input checked="" type="checkbox"/> Yes</p> <p>In addition to the above, competent authorities in Portugal are obliged, based on Article 9 of Regulation 511/2014, to perform checks on user compliance in accordance with a periodically revised risk-based plan.</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</i></p> <p>ABSCH-MSR-EU-201808-6</p> <p>ABSCH-MSR-EU-204508-6</p> <p>ABSCH-MSR-PT-238391-1</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 communiques 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>OR</p> <p><input checked="" type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</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 checked="" 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></p> <p><clearing-house record number></p> |

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| <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 checked="" 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>Article 13 of Regulation 511/2014 obliges the Commission and Member States, as appropriate, to promote the development and use of cost-effective communication tools and systems in support of monitoring and tracking the utilisation of genetic resources and traditional knowledge associated with genetic resources by collections and users.</p> <p>Portugal uses the for EU-wide web-based tool DECLARE which enables users of genetic resources to submit the due diligence declarations required by Article 7 of Regulation (EU) No 511/2014 to the relevant competent authorities. DECLARE is also used to transfer non-confidential information from the due diligence declarations to the ABS Clearing House.</p> <p>Decree-law 122/2017 further promotes the use of cost-effective communication tools, namely by establishing that:</p> <ul style="list-style-type: none"> • all communications among the members of the Advisory Group on ABS established by article 5 of Decree-law 122/2017 are to be made by electronic means; • all requests for inclusion of collections in the EU register of collections (art. 5 of Regulation (EU) No 511/2014) are to be made electronically through the National Competent Authority website (http://www.icnf.pt/portal/pn/biodiversidade/ei/dl-122-2017); • all applications for recognition of best practices (art. 8 of Regulation (EU) No 511/2014) are to be made electronically through the National Competent Authority website (http://www.icnf.pt/portal/pn/biodiversidade/ei/dl-122-2017); <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</i></p> <p><clearing-house record number></p> |
| <p>30. Additional information:</p> | <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></p> <p><clearing-house record number></p> <p>and/or http://www.icnf.pt/portal/pn/biodiversidade/ei/dl-122-2017 website of the National Competent Authority (Institute for Nature Conservation and Forests - <i>Instituto da Conservação da Natureza e das Florestas</i>)</p> <p>and/or <Attachment></p> |
| <p>Compliance with mutually agreed terms (Article 18)</p> | |
| <p>31. *Is your country encouraging the inclusion of provisions in MAT to cover dispute resolution</p> | <p><input type="checkbox"/> Not applicable, since no access requirements are in place</p> <p>OR</p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> |

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| <p>as provided in Article 18.1 (a) (b) and (c)?</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> |
| <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> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>Access to justice, including in cases of contractual disputes, is a constitutional right enshrined in article 20, paragraph 1, of the Constitution of the Portuguese Republic (https://dre.pt/web/guest/legislacao-consolidada/-/lc/34520775/view) ensuring that no one is hampered or prevented from exercising or defending their rights on the basis of their social, cultural or economic condition. Law no. 34/2004 of 29 July (https://dre.pt/web/guest/pesquisa/-/search/502394/details/maximized), further develops and materializes the right of access to justice, namely by establishing the regime on access to the law and the courts transposing into national law the Council Directive 2002/8/CE, of 27 January (http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32003L0008&from=PT), to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes.</p> <p><i>Please enter the clearing-house record number containing relevant information</i> <clearing-house record number></p> |
| <p>33. *Has your country taken measures regarding the following points as provided in Article 18.3?</p> | <p>Access to justice?</p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>↳Please provide further information.</i></p> <p>Although no specific measures were taken within the ABS legal framework, access to justice is a constitutional right enshrined in article 20, paragraph 1, of the Constitution of the Portuguese Republic (https://dre.pt/web/guest/legislacao-consolidada/-/lc/34520775/view) ensuring that no one is hampered or prevented from exercising or defending their rights on the basis of their social, cultural or economic condition. Law no. 34/2004 of 29 July (https://dre.pt/web/guest/pesquisa/-/search/502394/details/maximized), further develops and materializes the right access to justice, namely by establishing the regime on access to the law and the courts transposing into national law the Council Directive 2002/8/CE, of 27 January (http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32003L0008&from=PT), to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes.</p> <p>AND</p> <p>Utilization of mechanisms regarding mutual recognition and enforcement of foreign judgements and arbitral awards?</p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>↳Please provide further information.</i></p> <p>Although no specific measures were taken within the ABS legal framework, foreign judgments are enforceable (Article 706 (1) of the Code of Civil</p> |

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| | <p>Procedure https://dre.pt/web/guest/legislacao-consolidada/-/lc/34580575/view?w=2017-06-16), although subject to revision and confirmation in the terms established by the Code of Civil Procedure (Articles 978 to 985 of the Code of Civil Procedure https://dre.pt/web/guest/legislacao-consolidada/-/lc/34580575/view?w=2017-06-16).</p> <p>The right to the recognition of foreign judgments, in particular as regards jurisdiction and enforcement of judgments in civil and commercial matters, also draws from the Brussels Convention, approved by Resolution of the Assembly of the Republic No. 34/91, of 30 October (https://dre.pt/web/guest/pesquisa/-/search/568539/details/maximized), and from Regulation (EC) No 44/2001, of 22 December 2000 (http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:012:0001:0023:en:PDF), replacing the Brussels Convention with regard to EU countries.</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>and/or <URL and website name></p> <p>and/or <Attachment></p> |

| Special considerations (Article 8) | |
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| 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></p> <p><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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ <i>Please provide further information.</i></p> <p>Article 4(8) of Regulation 511/2014, and Article 7 of Decree-law 122/2017 provide for a short temporal derogation from the duties of its Article 4(3) and 4(5) for users acquiring a genetic resource that is determined to be, or is determined as likely to be, the causing pathogen of a present or imminent public health emergency of international concern.</p> |

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| | <p><i>Please enter the clearing-house record number containing relevant information</i></p> <p>ABSCH-MSR-EU-201808-6</p> <p>ABSCH-MSR-PT-238391-1</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></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></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 checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ <i>Please provide further information.</i></p> <p>Recital 12 of Regulation 511/2014 recalls Article 8(c) of the Protocol and explains that the ITPGRFA is a specialised instrument within the meaning of Article 4(4) of the Protocol. The Regulation also recognises that where Parties to the Protocol have decided to use the standard material transfer agreement for plant genetic resources for food and agriculture which are not covered by ITPGRFA, but which are under their control and management and in public domain, submission of due diligence declarations is not required.</p> <p>Article 2 “scope” of Decree-law 122/2017 determines its applicability to users of genetic resources and users of traditional knowledge associated with genetic resources without prejudice to specific applicable legislation, namely Decree-law 118/2002 which established the legal regime on registry, conservation, legal safeguard and transference of autochthonous plant material with actual or potential interest for agriculture, agroforestry and landscape related activities.</p> <p><i>Please enter the clearing-house record number containing relevant information</i></p> <p>ABSCH-MSR-EU-201808-6</p> <p>ABSCH-MSR-PT-238391-1</p> |
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| 36. Additional information: | <p><i>Please provide a summary of the main difficulties and challenges for putting measures in place.</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><i>and/or <URL and website name></i></p> <p><i>and/or <Attachment></i></p> |
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Provisions related to indigenous and local communities (Articles 6, 7 and 12)

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| 37. *Does your country have indigenous and local communities? | <p><input type="checkbox"/> Yes</p> <p><i>↳If selected, please proceed with the following questions in this section.</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p><i>↳If selected, please skip this section.</i></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> |
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| <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 checked="" 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></p> <p><Text entry></p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> <p><i>↳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?</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>↳Please provide further information: <Text entry></i></p> <p><i>↳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)?</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>↳Please provide further information: <Text entry></i></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>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 checked="" 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> |

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| <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 checked="" 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 checked="" 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 checked="" 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> |

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| 44. Additional information: | <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> |
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Contribution to conservation and sustainable use (Article 9)

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| 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><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>In line with Article 13 of Regulation 511/2014, the Commission and the Member States shall encourage users and providers to direct benefits from the utilisation of genetic resources towards the conservation of biological diversity and the sustainable use of its components in accordance with the provisions of the Convention.</p> <p>Article 12 “cooperation and complementary measures“ of Decree-law 122/2017 determines that members of the Advisory Group on ABS (established by article 5 of Decree-law 122/2017) may establish protocols, agreements or other forms of cooperation with entities (e.g. Universities, public laboratories, museums, etc.) utilising genetic resources, among others, (art. 12 e)) in order to encourage users and providers of genetic resources to channel benefits arising out of utilization to the conservation and sustainable use of biodiversity as provided in Article 9 of the Nagoya Protocol.</p> <p><i>Please enter the clearing-house record number containing relevant information</i></p> <p>ABSCH-MSR-PT-238391-1</p> |
| 46. Please indicate how the implementation of the Nagoya Protocol has contributed to conservation and sustainable use of biodiversity in your country: | <p>The implementation of the Nagoya Protocol in Portugal is in an initial stage and therefore there is insufficient experience to provide an assessment in this regard.</p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> |
| 47. Additional information: | <p><i>Please provide a summary of the main difficulties and challenges: <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> |

Transboundary cooperation (Article 11)

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| 48. *Is your country endeavouring to cooperate, with the involvement of indigenous and local communities | <p><input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No</p> |
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| <p>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?</p> | <p>Portugal is the initial stage of implementation of the Nagoya Protocol and until the moment of submission of the present report we were not presented with a practical situation raising concerns on the origin of genetic material.</p> <p><i>If your country has indigenous and local communities, please provide further detail their involvement.</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>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?</p> | <p><input checked="" type="checkbox"/> Not applicable, since there are no indigenous and local communities in my country</p> <p>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 <clearing-house record number></i></p> |
| <p>50. Additional information:</p> | <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 <clearing-house record number></i></p> <p><i>and/or <URL and website name></i></p> <p><i>and/or <Attachment></i></p> |

| Model contractual clauses, codes of conduct, guidelines and best practices and/or standards (Article 19 and 20) | |
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| <p>51. *Is your country encouraging the development, update and use of model contractual clauses for MAT as provided in Article 19?</p> | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p><i>Use the text entry to provide further information.</i></p> <p>In line with Article 13 of Regulation 511/2014, the Commission and the Member States shall encourage development of codes of conduct, model contractual clauses, guidelines and best practices, particularly when they would benefit academics, university and non-commercial researchers and small and medium-sized enterprises.</p> <p>Article 12 “cooperation and complementary measures” of Decree-law 122/2017 determines that members of the Advisory Group on ABS (established by article 5 of Decree-law 122/2017) may establish protocols, agreements or other forms of cooperation with entities (e.g. Universities, public laboratories, museums, etc.) utilising genetic resources, among others, (art.12 b)) in order to develop model contractual clauses as provided in Article 19 of the Nagoya Protocol.</p> <p><i>Please enter the clearing-house record number containing relevant information</i></p> <p>ABSCH-MSR-EU-201808-6</p> |

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| | ABSCH-MSR-PT-238391-1 |
| 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? | <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>In line with Article 13 of Regulation 511/2014 the Commission and the Member States shall encourage development of sectoral codes of conduct, model contractual clauses, guidelines and best practices, particularly when they would benefit academics, university and non-commercial researchers and small and medium-sized enterprises.</p> <p>Article 12 “cooperation and complementary measures” of Decree-law 122/2017 determines that members of the Advisory Group on ABS (established by article 5 of Decree-law 122/2017) may establish protocols, agreements or other forms of cooperation with entities (e.g. Universities, public laboratories, museums, etc.) utilising genetic resources, among others, (art.12 b)) in order to develop codes of conduct and best practices as provided in Article 20 of the Nagoya Protocol.</p> <p><i>Please enter the clearing-house record number containing relevant information</i></p> <p>ABSCH-MSR-EU-201808-6</p> |
| 53. 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>and/or <URL and website name></p> <p>and/or <Attachment></p> |

| Awareness-raising and capacity (Article 21 and 22) | |
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| 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? | <p><input checked="" type="checkbox"/> Yes</p> <p style="margin-left: 20px;"><i>↳If selected, has your country taken measures to implement the awareness-raising strategy for the Nagoya Protocol on ABS?²</i></p> <p><input type="checkbox"/> Yes</p> <p style="margin-left: 20px;"><i>↳Please provide a summary of the measures taken.</i></p> <p><Text entry></p> <p style="margin-left: 20px;"><i>↳Please enter the clearing-house record number containing relevant information: <clearing-house record number></i></p> <p>OR</p> <p><input checked="" 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>Seminar on "Access and Benefit Sharing: Global and EU Frameworks for access to and utilization of genetic resources" 17th February 2016 at the CCMAR (Centre of Marine Sciences of the University of Algarve - https://www.ccmar.ualg.pt/).</p> <p>Meeting with the Global Health and Tropical Medicine Institute (http://www.ihmt.unl.pt/) of the Nova University of Lisboa 9th June 2017 with the objective of informing and providing clarifications on ABS to people responsible for legal conformity of projects within the University. Following this meeting, a seminar on "The importance of the Nagoya Protocol for users of genetic resources" took place on the 14th November 2017 in the Global Health and Tropical Medicine Institute with the aim of informing the wider researcher community of the University of their rights and obligations under the ABS legal framework.</p> <p>Seminar on "The regime on the utilization of genetic resources - rights and obligations of users" 29th November 2017 in the Research Centre in Biodiversity and Genetic Resources (https://cibio.up.pt/about) with the aim of informing the wider researcher community of the University of their rights and obligations under the ABS legal framework.</p> <p>Seminar on "The regime on the utilization of genetic resources - rights and obligations of users" 5th February 2018 in the Interdisciplinary Centre of Marine and Environmental Research (https://www2.ciimar.up.pt/) with the aim of informing the wider researcher community of the University of their rights and obligations under the ABS legal framework.</p> <p><i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i></p> |

² Adopted as decision NP-1/9.

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| <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</i>, 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</p> <p><input type="checkbox"/> Yes</p> <p>↳ <i>Please provide a summary of the measures taken.</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>OR</p> <p><input type="checkbox"/> No</p> <p>OR</p> <p><input checked="" 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>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 checked="" 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>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 checked="" 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>58. Additional information:</p> | <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: <clearing-house record number></i></p> <p>and/or <URL and website name></p> <p>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) | |
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| 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? | <input type="checkbox"/> Yes <i>↳Please provide a summary of the measures taken.</i> <Text entry> OR <input checked="" 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> |

| Optional additional information | |
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| 60. Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol. | <Text entry> <i>Please enter the clearing-house record number containing relevant information <clearing-house record number></i> |
| 61. Has your country established a mechanism for budgetary allocations of funds for the implementation of the Nagoya Protocol? | <input type="checkbox"/> Yes <i>↳Please provide further information.</i> <Text entry> OR <input type="checkbox"/> No <i>↳Please provide a summary of the main difficulties and challenges encountered.</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> |
| 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? | <input type="checkbox"/> Yes, financial resources have been made available <i>↳Please provide further information: <Text entry></i> OR <input type="checkbox"/> Yes, financial resources have been received <input type="checkbox"/> From other Parties <i>↳Please provide further information: <Text entry></i> <input type="checkbox"/> From financial institutions <input type="checkbox"/> From the Global Environmental Facility <input type="checkbox"/> From the Nagoya Protocol Implementation Fund <input type="checkbox"/> From other sources |

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| | <p style="text-align: right;"><i>Please provide further information:</i> <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</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</p> <p><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</p> <p><i>Please provide a summary of the main difficulties and challenges encountered.</i></p> <p><Text entry></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> |
| <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: | |
| Record Validation <i>(offline submission only)</i> | |
| *Country: | Portugal |
| *Name of the ABS-CH clearing authority: | Instituto da Conservação da Natureza e das Florestas |
| *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: | |
| Submission addresses: | |
| <p>This form should be should be completed and sent <i>by email</i> to secretariat@cbd.int</p> <p><i>or alternatively by</i></p> <ul style="list-style-type: none"> • Fax at +1 514 288-6588; or • Postal mail to: <p>Secretariat of the Convention on Biological Diversity 413 rue Saint-Jacques, Suite 800 Montréal, Québec, H2Y 1N9 Canada</p> | |