



CDB

# Secrétariat de la Convention sur la diversité biologique

le 22 mai 2007  
Journée internationale de la  
diversité biologique



LA DIVERSITÉ BIOLOGIQUE ET LES  
CHANGEMENTS CLIMATIQUES

Ref.: SCBD/SEL/VN/GD/58410

6 Juin 2007

## NOTIFICATION<sup>1</sup>

### **Sujet : Cinquième réunion du Groupe de travail à composition non limitée sur l'accès et partages des avantages, Montréal, Canada, 8 au 12 octobre 2007**

Madame / Monsieur,

Conformément à la décision VIII/4 de la Conférence des Parties, j'ai l'honneur de vous informer de la tenue de la cinquième réunion du Groupe de travail à composition non limitée sur l'accès et le partage des avantages qui se tiendra à Montréal, Canada, du 8 au 12 octobre 2007. Cette rencontre précèdera immédiatement la cinquième réunion du Groupe de travail à composition non limitée sur l'article 8j (notification 2007-061 du 28 mai 2007).

Vous trouverez ci-joint l'ordre du jour provisoire des cinquième et sixième réunions du Groupe de travail à composition limitée sur l'accès et le partage des avantages ainsi qu'une note explicative des co-présidents du Groupe de travail.

L'ordre du jour annoté et la note d'information pour les participants de la cinquième réunion du Groupe de travail sur l'accès et le partage seront bientôt disponibles sur le site internet du Secrétariat à l'adresse suivante : <http://www.cbd.int/meetings/default.shtml>

Sous réserve de la disponibilité de fonds dans le Fonds spécial de contributions volontaires additionnelles pour faciliter la participation des parties au processus de la Convention (BZ), le Secrétariat procurera un soutien financier pour les deux réunions à un représentant de chaque pays en développement Partie à la Convention, en particulier les moins avancés et les petits Etats insulaires parmi eux, ainsi que les Parties à économie en transition.

Je vous serais reconnaissant de bien vouloir informer le Secrétariat du/des nom(s) et coordonnées des représentants désignés de votre gouvernement pour les deux réunions. Je vous invite à soumettre toute demande de soutien financier dès que possible mais **préférentiellement avant le 15 juillet 2007**. Veuillez noter que la nomination de représentants doit être soumise par voie de lettre officielle adressée au Secrétaire exécutif et transmise par télécopieur au numéro suivant : **+1 514 288 6588**. Elle peut également être acheminée par message Internet avec copies

<sup>1</sup> Cette traduction n'est pas officielle, il s'agit d'une traduction de courtoisie fournie par le Secrétariat.

scannées en pièces-jointes à l'attention de : [secretariat@cbd.int](mailto:secretariat@cbd.int). Compte tenu des contraintes budgétaires et afin d'assurer la participation du plus grand nombre possible de représentants des Parties bénéficiant d'un soutien financier, le Secrétariat procurera aux participants concernés des titres de transport aériens à prix réduits. Veuillez noter que ces titres de transport imposent certaines restrictions concernant les changements de noms, de dates ou d'itinéraire.

Veillez agréer, Madame, Monsieur, l'expression de ma parfaite considération.

Ahmed Djoghlaïf  
Secrétaire exécutif

À l'attention de tous les correspondants nationaux de la Convention et des correspondants nationaux sur l'accès et le partage des avantages.



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AD HOC OPEN-ENDED WORKING GROUP ON  
ACCESS AND BENEFIT-SHARING  
Fifth meeting  
Montreal, 8-12 October 2007

**PROVISIONAL AGENDA**

1. Opening of the meeting.
2. Organizational matters.
3. International regime on access and benefit-sharing:
  - 3.1. Fair and equitable sharing of benefits;
  - 3.2. Access to genetic resources;
  - 3.3. Compliance:
    - (a) Measures to support compliance with prior informed consent and mutually agreed terms;
    - (b) Internationally recognized certificate of origin/source/legal provenance;
    - (c) Monitoring, enforcement and dispute settlement;
  - 3.4. Traditional knowledge and genetic resources;
  - 3.5. Capacity-building.
4. Strategic Plan of the Convention: Future evaluation of progress – the need and possible options for indicators for access to genetic resources and, in particular, the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.
5. Other matters.
6. Adoption of the report.
7. Closure of the meeting.

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AD HOC OPEN-ENDED WORKING GROUP ON  
ACCESS AND BENEFIT-SHARING  
Sixth meeting  
Venue to be determined, 21-25 January 2008

**PROVISIONAL AGENDA**

1. Opening of the meeting.
2. Organizational matters.
3. International regime on access and benefit-sharing:
  - 3.1 Compliance:
    - (a) Measures to support compliance with prior informed consent and mutually agreed terms;
    - (b) Internationally recognised certificate of origin/source/legal provenance;
    - (c) Monitoring, enforcement and dispute settlement;
  - 3.2 Traditional knowledge and genetic resources;
  - 3.3 Capacity-building;
  - 3.4 Nature, scope and objectives of the international regime.
4. Other matters.
5. Adoption of the report.
6. Closure of the meeting.

## **EXPLANATORY NOTE FROM THE CO-CHAIRS OF THE AD HOC OPEN-ENDED WORKING GROUP ON ACCESS AND BENEFIT-SHARING REGARDING THE PROVISIONAL AGENDAS FOR THE FIFTH AND SIXTH MEETINGS OF THE WORKING GROUP**

### **Introduction**

The purpose of this note is to convey the rationale from the Co-Chairs of the Working Group on Access and Benefit-sharing regarding the provisional agendas for the fifth and sixth meetings of the Working Group.

The attached provisional agendas were developed in conjunction with the Secretariat following a series of informal discussions with a number of Parties from various regions on possible strategic approaches to effecting substantive progress in the inter-sessional period, as mandated in decision VIII/4 A of the Conference of the Parties to the Convention on Biological Diversity.

### **Objective**

The provisional agendas are intended to assist the Parties by: (i) allowing greater opportunity for delegations' preparations for both the fifth and sixth meetings of the Working Group; (ii) improving the potential for a short, conclusive discussion of the respective agendas in the opening plenary sessions – in order to enable delegations to quickly move to more substantive matters; (iii) improving early understanding among Parties of where, from the Co-Chairs' perspective, various points of convergence lie among Parties regarding approaches to the agenda; (iv) implementing the Co-Chairs' working principles of transparency, openness, predictability and responsiveness.

These proposals, which have been approved by the Bureau of the Conference of the Parties, are made without prejudice to the final determination by the Working Group itself when it convenes at its fifth and sixth meetings.

The underlying approach, as reflected in the attached provisional agendas, will help ensure the Working Group meets its mandate as outlined in decision VIII/4 A of the Conference of the Parties and fully consistent with the terms of reference for the Working Group as set out in the annex to decision VII/19 D. The approach aims at ensuring the incorporation of both the results of previous Working Group meetings and inputs received since the eighth meeting of the Conference of the Parties (as prescribed in decision VIII/4 A).

### **Approach**

It is recommended that Parties consider a holistic approach to the fifth and sixth meetings, i.e., that they approach the meetings as two parts of one "single" session. Given the need to effect progress on key concepts and issues, and recognizing the limited time available to do so (in the Working Group meetings and between the two meetings), an integrated approach would facilitate a more rational division of issues across the two Working Group meetings, thereby ensuring that all issues of key interest to the various Parties receive sufficient attention.

Therefore, it is proposed that the issues to be addressed in the inter-sessional negotiation process be split between the two meetings, in order to ensure that each meeting focuses on different issues in a complementary fashion.

It is proposed that the agenda for fifth meeting of the Working Group devote attention to a number of key possible elements of an international regime. It is our hope that progress on the substantive elements of the regime will facilitate later discussion on the nature, scope and potential objectives at the Working Group's sixth meeting.

We would suggest that each of the meetings address the possible elements of an international regime on the basis of the elements listed in the terms of reference of the Working Group. However, rather than include the whole list of elements (many of which overlap), it is proposed to group them as clusters under a smaller number of thematic headings (e.g. fair and equitable sharing of benefits, access to genetic resources, compliance). It should be noted that employing such thematic headings would in no way disallow cross-thematic discussions such as the relevance of prior informed consent/mutually agreed terms (PIC/MAT) to the sharing of benefits. Similarly, for example, topics of particular interest to certain delegations (e.g., definitions of “misappropriation of genetic resources”, “facilitated access”, “derivatives” may be raised at junctures in the agenda under a general theme deemed most relevant by those delegations.

We draw to your attention two “horizontal” issues that appear in both provisional agendas, i.e., traditional knowledge and genetic resources, and capacity-building:

- It is proposed that the theme of “traditional knowledge and genetic resources” be included in the agendas of both meetings in order to allow for the required collaboration between the the Working Group on Access and Benefit-sharing and the Working Group on Article 8(j) and Related Provisions of the Convention. Given that the fifth meeting of the Working Group on Access and Benefit-sharing will be followed immediately by the fifth meeting of the Working Group on Article 8(j), the latter meeting will provide an opportunity to consider the outcomes of discussions on relevant aspects of the international regime at fifth meeting of the Working Group on Access and Benefit-sharing and make recommendations for consideration at the sixth meeting of the ABS Working Group.
- It is increasingly apparent that capacity-building is an issue of strong interest to many Parties and stakeholders, in both the context of current efforts to implement domestic ABS policy measures and potential future needs regarding international policy implementation at the national and regional levels. Given the direct correspondence between discussions on the elements of the regime and capacity building activities it is suggested that the Working Group take up this subject at both its fifth and sixth meetings.

Finally, the issue of indicators for access and benefit-sharing is listed as a separate item given the specific context for this subject is the Strategic Plan of the Convention, rather than the international regime per se.