



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

NOTIFICATION¹

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, il me fait plaisir de vous informer de la tenue de la cinquième réunion du Groupe de travail à composition non limitée sur l'Accès et partages des avantages se tiendra à Montréal, Canada, du 8 au 12 octobre 2007. Cette réunion précédera immédiatement la cinquième réunion du Groupe de travail à composition non limitée sur l'article 8j (notification 2007-063 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 de ce 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 des avantages seront bientôt disponibles sur le site internet du Secrétariat à l'adresse suivante : <http://www.cbd.int/meetings/default.shtml>.

À la lumière de l'intérêt porté par votre organisation sur les thèmes abordés par le groupe de travail, j'ai l'honneur d'inviter votre organisation à nommer un représentant afin de participer à la réunion. La nomination de votre représentant devra être soumise par lettre avec l'entête officielle de votre organisation et contenir le nom et les coordonnées de la personne désignée. Prenez note que toute correspondance afférente doit être acheminée au Secrétaire exécutif et transmise par télécopie au numéro suivant : +1 514 288 6588. La requête pourra également être acheminée par le biais d'un message électronique avec copies scannées en pièces-jointes. Prière d'acheminer ces demandes à l'attention de : secretariat@cbd.int. Toute demande devra être soumise dès que possible mais **préférentiellement avant le 15 juillet 2007**.

J'espère pouvoir compter sur la participation de votre organisation à cette réunion et vous remercie de l'intérêt que vous portez au travail de la Convention.

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



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

Ahmed Djoghlaïf
Secrétaire exécutif

À l'attention des organisations du système onusien, des agences spécialisées, des groupes gouvernementaux internationaux, des ONGs et du secteur privé.



**CONVENTION ON
BIOLOGICAL
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Distr.
GENERAL

UNEP/CBD/WG-ABS/5/1
6 June 2007

ORIGINAL: ENGLISH

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.