

REFERENCE:

8 September 2017

Dear Ms. Paşca Palmer,

I wish to refer to notification SCBD/SPS/DC/VN/KG/jh/86500 of 25 April 2017 in which the Secretariat of the Convention on Biological Diversity invites relevant organizations to submit information on digital sequence information. I am pleased to share herein information concerning developments at the General Assembly relating to the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, which I believe may be of relevance to the discussions on digital sequence information in the context of the Convention on Biological Diversity.

You will recall that, by resolution 69/292 of 19 June 2015, the General Assembly decided to develop an international legally binding instrument under the United Nations Convention on the Law of the Sea (“UNCLOS”) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction and, to that end, also decided to establish, prior to holding an intergovernmental conference, a preparatory committee to make substantive recommendations to the General Assembly on the elements of a draft text of an international legally binding instrument under UNCLOS. It further decided that negotiations shall address the topics identified in the package agreed in 2011, namely the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology.

I am pleased to inform you that the Preparatory Committee completed its work on 21 July 2017 with the adoption of its report, including recommendations on the elements of a draft text under UNCLOS. The advance, unedited version of the report is available on the website of the Division for Ocean Affairs and the Law of the Sea,

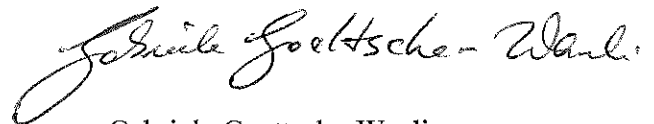
Ms. Paşca Palmer
Executive Secretary
Secretariat of the Convention on
Biological Diversity
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Office of Legal Affairs, at: <http://www.un.org/depts/los/biodiversity/prepcom.htm>. Of particular relevance to the issue of digital sequence information, and as reflected in the various Chair's overviews and non-papers prepared in the context of the Preparatory Committee (also available at <http://www.un.org/depts/los/biodiversity/prepcom.htm>), different views have been expressed on whether access to and benefit sharing from genetic resources *in silico* would be included in the scope of an international instrument under UNCLOS.

It is expected that this and other relevant issues will be discussed in the context of an intergovernmental conference under the auspices of the United Nations. Before the end of its seventy-second session, and taking into account the aforementioned report of the Preparatory Committee, the General Assembly is to decide on the convening and on the starting date of such a conference to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under UNCLOS.

I hope this information will be helpful to the discussions on digital sequence information in the context of the Convention on Biological Diversity.

Yours sincerely,



Gabriele Goettsche-Wanli
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Division for Ocean Affairs and the
Law of the Sea
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