



Mr. Basile van Havre  
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**Dr. Cristiana Paşca Palmer**  
Executive Secretary  
Secretariat of the Convention on Biological Diversity  
413, Saint Jacques Street, suite 800  
Montréal QC H2Y 1N9

**August 10, 2017**

Dear Dr. Cristiana Paşca Palmer:

I am writing in response to your invitation to provide relevant information and views related to the proposals for new and emerging issues (CBD Notification 2017-054, Ref.: SCBD/OES/DC/RH/84326).

First, Canada would like to reiterate its response to CBD Notification 2017-014, wherein Canada held the position that no new and emerging issues be added for consideration by SBSTTA at this time. Canada also recommended that an evaluation of the effectiveness of the process for the identification of new and emerging issues be considered, post 2020. Canada views this as a scientific matter which responds directly to the functions of SBSTTA as outlined in its *modus operandi*. Canada suggests that SBSTTA consider a recommendation to the COP that would request a compilation of views on this process, post-2020, including any views shared on this matter in response to CBD Notification 2017-054.

In addition, Canada would like to provide the below views in response to two of the submissions that were shared for review:

**1. Submission on Lawful Avoidance of ABS: Jurisdiction Shopping and Selection of non-Genetic-Material Media for Transmission**

It is Canada's opinion that this proposed new and emerging issue represents a reformulated version of the debate that took place previously at SBSTTA-20 as well as COP-13. The issue of jurisdiction shopping for transboundary resources was proposed as a new and emerging issue and it was recommended that the COP not add this as an issue to the SBSTTA agenda. As such, it is Canada's opinion that this submission should not qualify as "new and emerging" given that it was discussed at length within the context of both an intersessional as well as a COP meetings which reached the agreement to address the issue in another AHTEG dedicated to this topic as agreed to in plenary at COP13.

## **2. Legislative and regulatory frameworks to govern bioprospecting and use of digital sequence information**

It is Canada's opinion that the issues proposed by the Center for Drug Discovery and Conservation (CDDC) do not constitute new and emerging issues as they represent reworded versions of the debate that took place previously at SBSTTA-20 as well as COP-13 on digital gene sequence information and the relationship to ABS.

Furthermore, proposals 1, 3 and 4, as identified within the notification, are regional or national in nature and, as such, Canada feels that they would best be addressed through regional or country specific contexts. Proposal 2 that calls for the establishment of a regulatory framework for access and use of digital sequence and chemical structures derived from biological resources including a proper mechanism for addressing bio-piracy, has already been addressed by COP Decision XIII-16 on access and use of digital sequence, and is addressed as well as by Prior Informed Consent and Mutually Agreed Terms provisions in the Nagoya Protocol. Finally, proposal 5 that calls for a realistic and holistic review of Aichi Targets 1, 6, 16, 17 and 19 will be addressed in the context of future CBD's discussions on post-2020 Targets.

Beyond the comments on individual submissions, Canada holds the position that the work under the Convention should focus on implementation of the current programmes of work with a view to achieve the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets.

Canada looks forward to further consideration of these matters with a view to improving the effectiveness of the Convention and its processes.

Sincerely,



Basile van Havre  
CBD National Focal Point