



## Convention on Biological Diversity

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ENGLISH ONLY

EXPERT GROUP MEETING ON ARTICLE 10  
OF THE NAGOYA PROTOCOL ON  
ACCESS AND BENEFIT-SHARING  
Montreal, 1-3 February 2016  
Item 2 of the provisional agenda \*

### ANNOTATED PROVISIONAL AGENDA

#### INTRODUCTION

1. At its first meeting, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization adopted decision NP-1/10 on the need for and modalities of a global multilateral benefit-sharing mechanism. In paragraph 1 of the decision, Parties, other Governments, international organizations, indigenous and local communities and relevant stakeholders were invited to submit to the Executive Secretary views on: (a) situations which might support the need for a global multilateral benefit-sharing mechanism that were not covered under the bilateral approach; (b) possible modalities for a global multilateral benefit-sharing mechanism as well as information regarding the implications of different scenarios on these modalities; and (c) the areas requiring further consideration as identified in paragraph 23 of the report of the Expert Meeting on Article 10 of the Nagoya Protocol (UNEP/CBD/ICNP/3/5). The paragraph provides that such views may include, where available, reflections on any experience gained working towards the implementation of the Nagoya Protocol.

2. In paragraph 2 of decision NP-1/10, the Executive Secretary is requested:

(a) To prepare a synthesis of the views submitted in accordance with paragraph 1 of the decision;

(b) To commission a study on: (i) the experiences gained with the development and implementation of the Nagoya Protocol and other multilateral mechanisms; and (ii) the potential relevance of ongoing work undertaken by other processes, including case studies in relation to *ex situ* and *in situ* genetic resources, traditional knowledge associated with genetic resources, and transboundary situations;

(c) To convene a meeting of a regionally balanced expert group to review the synthesis of views and the study referred to in subparagraphs (a) and (b) above, with a view to reaching a common understanding on the areas requiring further examination, as identified in paragraph 23 of the report of the Expert Meeting, and submit the outcomes of its work for consideration by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its second meeting.

3. By notification 2015-111 of 25 September 2015, Parties were invited to nominate experts to take part in the meeting. Other Governments, international organizations, indigenous and local communities and relevant stakeholders were also invited to nominate experts who would participate as observers. The experts and observers were selected on the basis of their expertise and experience and the need to ensure

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\* UNEP/CBD/ABS/A10/EM/2016/1/1.

equitable geographical distribution and gender balance as well as the need for balance between experts and observers. Following consultation with the Bureau, the experts and observers selected were announced in notification 2015-145 of 10 December 2015.

4. With financial support from the Governments of Belgium and Norway, the Expert Group Meeting on Article 10 of the Nagoya Protocol will be convened at the offices of the Secretariat of the Convention on Biological Diversity from 1 to 3 February 2016. Registration of participants will take place upon arrival at the meeting venue, starting at 8.30 a.m. on the opening day.

5. An information note containing details regarding logistical arrangements for the meeting, including registration, information on travel, visa requirements, accommodation and other matters is available at: <https://www.cbd.int/doc/meetings/abs/abs-a10em-2016-01/other/abs-a10em-2016-01-info-note-en.pdf>.

### **ITEM 1. OPENING OF THE MEETING**

6. The meeting will be opened by the Executive Secretary or his representative at 9:30 am on Monday, 1 February 2016.

### **ITEM 2. ORGANIZATIONAL MATTERS**

7. The experts will be invited to elect a Chair for the meeting on the basis of proposals from the floor.

8. The experts will also be invited to adopt the agenda for the meeting on the basis of the provisional agenda prepared by the Executive Secretary (UNEP/CBD/ABS/A10/EM/2016/1/1). The experts may wish to consider the proposed organization of work as contained in annex I below. The meeting will be conducted in English.

9. A list of documents for the meeting is contained in annex II below. The documents will be made available on the Secretariat's website at: <https://www.cbd.int/doc/?meeting=ABS-A10EM-2016-01>.

### **ITEM 3. REVIEW OF THE COMMISSIONED STUDY AND THE SYNTHESIS OF VIEWS**

10. As requested in decision NP-1/10, and with funding from the Government of Norway, the Executive Secretary commissioned a study related to Article 10 of the Nagoya Protocol (see UNEP/CBD/ABS/A10/EM/2016/1/2).

11. By notification 2015-049 of 5 May 2015,<sup>1</sup> the Executive Secretary invited the submission of views pursuant to paragraph 1 of decision NP-1/10. The Executive Secretary has prepared a synthesis of the views submitted (UNEP/CBD/ABS/A10/EM/2016/1/3). The full text of the submissions is also available online at: <https://www.cbd.int/abs/submissions.shtml>.

12. Under this agenda item, the author of the study, Ms. Elisa Morgera, Professor of Global Environmental Law, University of Edinburgh, will be invited to give a presentation via videoconference. The experts will have the opportunity to ask Ms. Morgera questions on the study.

13. The experts will also be invited to take up consideration of the synthesis document. In particular, the experts may wish to consider section V of the document on cross-cutting elements and discuss whether these cross-cutting elements assist in building common understanding on the different aspects of Article 10.

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<sup>1</sup> <https://www.cbd.int/doc/notifications/2015/ntf-2015-049-abs-en.pdf>.

**ITEM 4. CONCLUSIONS AND POSSIBLE NEXT STEPS**

14. Under this item, the experts will be invited to consider the conclusions from their deliberations and possible next steps regarding Article 10.

**ITEM 5. OTHER MATTERS**

15. Under this item, experts may raise any other matters relevant to the meeting.

**ITEM 6. ADOPTION OF THE REPORT**

16. The experts will be invited to consider and adopt their report, which will be made available to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its second meeting.

**ITEM 7. CLOSURE OF THE MEETING**

17. The meeting is expected to close at 5.30 p.m. on Wednesday, 3 February 2016.

*Annex I***PROPOSED ORGANIZATION OF WORK**

<i>Date/time</i>	<i>Plenary</i>
<i>Monday, 1 February 2016</i>	
9.30 a.m. to 12.30 p.m.	Item 1. Opening of the meeting. Item 2. Organizational matters. Item 3. Review of the commissioned study and the synthesis of views.
2.30 to 5.30 p.m.	Item 3. <i>(Continued)</i>
<i>Tuesday, 2 February 2016</i>	
9.30 a.m. to 12.30 p.m.	Item 3. <i>(Continued)</i>
2.30 to 5.30 p.m.	Item 4. Conclusions and possible next steps.
<i>Wednesday, 3 February 2016</i>	
9.30 a.m. to 12.30 p.m.	Item 4. <i>(Continued)</i> Item 5. Other matters.
2.30 to 5.30 p.m.	Item 6. Adoption of the report. Item 7. Closure of the meeting.

*Annex II*

**PROVISIONAL LIST OF DOCUMENTS**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/ABS/A10/EM/2016/1/1	Provisional agenda
UNEP/CBD/ABS/A10/EM/2016/1/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/ABS/A10/EM/2016/1/2	Study on experiences gained with the development and implementation of the Nagoya Protocol and other multilateral mechanisms and the potential relevance of ongoing work undertaken by other processes, including case studies
UNEP/CBD/ABS/A10/EM/2016/1/3	Synthesis of views submitted pursuant to decision NP-1/10

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