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AD HOC OPEN-ENDED WORKING GROUP ON ACCESS AND BENEFIT-SHARING

Fourth meeting

30 January - 3 February 2006

Item 2 of the provisional agenda*

ORGANIZATIONAL MATTERS

Revised annotated provisional agenda

INTRODUCTION

1. In paragraph 1 of decision VII/19 D, the Conference of the Parties decided “to mandate the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, with the collaboration of the Ad Hoc Open ended Inter-Sessional Working Group on Article 8(j) and Related Provisions, ensuring the participation of indigenous and local communities, non-governmental organizations, industry and scientific and academic institutions, as well as intergovernmental organizations, to elaborate and negotiate an international regime on access to genetic resources and benefit-sharing with the aim of adopting an instrument/instruments to effectively implement the provisions in Article 15 and Article 8(j) of the Convention and the three objectives of the Convention”. In paragraph 2 of the decision, the Conference of the Parties recommended that the Working Group on Access and Benefit-sharing “should operate in accordance with the terms of reference contained in the annex to this decision”.

2. In paragraphs 3 and 4 of the same decision, the Executive Secretary was requested “to make the necessary arrangements for the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to be convened twice before the eighth meeting of the Conference of the Parties” and “to report on progress to the Conference of the Parties at its eighth meeting”.

3. The Working Group on Access and Benefit-sharing was also requested by the Conference of the Parties at its seventh meeting:

(a) “[T]o further examine the issue of use of terms not defined in the Convention including the possible establishment of an expert group to determine the need for definitions or a glossary, and to report back to the Conference of the Parties” (decision VII/19 B, paragraph 4);

* UNEP/CBD/WG-ABS/4/1.

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(b) “[T]o further consider the issue of additional approaches, in a cost-effective way at an appropriate time” (decision VII/19 C, paragraph 3); and

(c) “[T]o recommend to the Conference of the Parties at its eighth meeting further measures to support and ensure compliance with prior informed consent of the Contracting Parties providing such resources, including countries of origin, in accordance with Article 2 and Article 15, paragraph 3, of the Convention, and of the indigenous and local communities providing associated traditional knowledge, and with mutually agreed terms on which access was granted.” (decision VII/19 E, paragraph 11).

4. In addition, in decision VII/30, paragraph 7, on the Strategic Plan, when addressing the issue of indicators for assessing progress towards the 2010 target at the global level, the Conference of the Parties requested “the Ad Hoc Open-ended Working Group on Access and Benefit-sharing and the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, respectively, to explore the need and possible options for indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources, and associated innovations, knowledge and practices of indigenous and local communities, and for the protection of innovations, knowledge and practices of indigenous and local communities, and to report the results to the Conference of the Parties at its eighth meeting”.

5. The third meeting of the Working Group on Access and Benefit-sharing was held in Bangkok, Thailand, from 14 to 18 February 2005. The report of the meeting (UNEP/CBD/WG-ABS/3/7) contains recommendations of relevance to the fourth meeting of the Working Group on Access and Benefit-sharing on the following issues:

- (a) The international regime on access and benefit-sharing (recommendation 3/1);
- (b) Use of terms, definitions and/or glossary, as appropriate (recommendation 3/2);
- (c) Other approaches as set out in decision VI/24 B, including consideration of an international certificate of origin/source/legal provenance (recommendation 3/3);
- (d) Measures, including consideration of their feasibility, practicality and costs, to support compliance with prior informed consent of the contracting party providing genetic resources and mutually agreed terms on which access was granted, in contracting parties with users of such resources under their jurisdiction (recommendation 3/4);
- (e) Strategic plan: future evaluation of progress – the need, and possible options, for indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources (recommendation 3/5).

6. These issues constitute the main agenda items for the fourth meeting of the Working Group on Access and Benefit-sharing.

7. The results of the deliberations of the Working Group at its third and fourth meetings will be submitted to the eighth meeting of the Conference of the Parties, in March 2006.

8. The fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing will be held in Granada, Spain, from 30 January to 3 February 2006. Registration of participants will take place at the venue of the meeting from 12 noon to 5 p.m. on Sunday, 29 January, and will continue from 8 a.m. on Monday, 30 January 2006.

9. A list of documents for the meeting is contained in annex I to the present note. In addition to normal distribution, documents are available on the Secretariat’s website at the following <http://www.biodiv.org>.

10. The Secretariat is also distributing an information note containing details of registration and logistical arrangements for the meeting, including information on travel, visa requirements, accommodation and other matters.

ITEM 1. OPENING OF THE MEETING

11. The meeting will be opened by the President of the Conference of the Parties or his representative. A representative of the host country will address the meeting. The Executive Secretary will make introductory remarks.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Officers

12. In keeping with established practice, the Bureau of the Conference of the Parties will serve as the Bureau of the Working Group.

2.2. Adoption of the agenda

13. The Working Group may wish to adopt its agenda on the basis of the provisional agenda (UNEP/CBD/WG-ABS/4/1), which has been prepared by the Executive Secretary on the basis of decisions VII/19 A-F, the recommendations of the Working Group at its third meeting, and in consultation with the Bureau.

2.3. Organization of work

14. Interpretation will be provided in the six official languages of the United Nations.

15. The Working Group may wish to work in plenary, while keeping open the possibility of establishing two sub-working groups open to all Parties and observers to consider specific agenda items as appropriate. It will be possible to hold two meetings simultaneously with interpretation.

16. Should the Working Group decide to establish sub-working group(s), plenary will need to elect the chairs of the sub-working group(s).

17. A suggested timetable for the meeting is contained in annex II below. This timetable is without prejudice to the establishment of sub-working groups by plenary.

ITEM 3. REPORT OF THE FOURTH MEETING OF THE AD HOC OPEN-ENDED WORKING GROUP ON ARTICLE 8(j) AND RELATED PROVISIONS

18. In paragraph 1 of decision VII/19 D, the Conference of the Parties mandated the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to negotiate and elaborate an international regime on access to genetic resources and benefit-sharing “with the collaboration of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions...to effectively implement the provisions in Article 15 and Article 8(j) of the Convention and the three objectives of the Convention”.

19. In addition, in decision VII/16 H, paragraph 5, the Conference of the Parties decided “on appropriate mechanisms for better cooperation between the Ad Hoc Open-ended Working Group on Access and Benefit-sharing and the Ad Hoc Open-ended Working Group on Article 8(j) and Related

Provisions in order to ensure the participation and involvement of indigenous and local communities in the Ad Hoc Working Group on Access and Benefit-sharing”.

20. The Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions will hold its fourth meeting in Granada, from 23 to 27 January 2006, the week immediately preceding the fourth meeting of the Working Group on Access and Benefit-sharing. During that meeting, the Working Group on Article 8(j) will consider, *inter alia*, the question of an international regime on access and benefit-sharing, as well as the collaboration between the two working groups.

21. Under this item, the Chair of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions will report on the outcome of that meeting, particularly on the issues mentioned above.

22. It should also be recalled that, at its third meeting, the Working Group on Access and Benefit-sharing considered a proposal by the representative of the International Indigenous Forum on Biodiversity on the participation of indigenous and local communities in the deliberations of the Working Group. The Working Group expressed its support in principle for the proposal but needed more time to give it further consideration. It was decided to submit the proposed draft decision for consideration by the Working Group at its fourth meeting (see UNEP/CBD/WG-ABS/3/7, paragraphs 152-164).

23. The Working Group may wish to consider the proposal on the participation of indigenous communities and make recommendations to the Conference of the Parties, as appropriate.

ITEM 4. REPORTS ON THE IMPLEMENTATION OF THE BONN GUIDELINES, DEVELOPMENTS IN RELEVANT INTERNATIONAL PROCESSES AND CAPACITY-BUILDING

24. Under this item, Parties, Governments and relevant organizations are invited to report to the Working Group any developments concerning the implementation of the Bonn Guidelines, as well as any developments related to access to genetic resources and benefit-sharing in relevant international processes and to capacity-building.

ITEM 5. STATUS OF THE NEGOTIATION OF AN INTERNATIONAL REGIME ON ACCESS AND BENEFIT-SHARING: GENERAL STATEMENTS

25. Under this item, Parties, Governments and observers will be given the opportunity to make general comments, as appropriate, on the negotiation of an international regime on access and benefit-sharing with the aim of adopting an instrument/instruments to effectively implement the provisions in Article 15 and Article 8(j) of the Convention and the three objectives of the Convention.

ITEM 6. INTERNATIONAL REGIME ON ACCESS AND BENEFIT-SHARING: NATURE, SCOPE, POTENTIAL OBJECTIVES AND ELEMENTS TO BE CONSIDERED FOR INCLUSION IN THE REGIME

26. In accordance with the terms of reference set out in the annex to decision VII/19 D of the Conference of the Parties, the Working Group on Access and Benefit-sharing at its third meeting undertook an initial review of the nature, scope, potential objectives and elements to be considered for inclusion in the international regime, and compiled views and proposals on the international regime in annex I to recommendation 3/1. The Working Group further agreed to transmit this annex, including further options submitted by the Parties, to its fourth meeting as a basis, together with any other items set out in the annex to decision VII/19 D, for further elaboration and negotiation by Parties. Parties, Governments, indigenous and local communities, international organizations and all relevant stakeholders

were invited to submit written comments and proposals on the items in this annex as soon as possible and, in any case, no later than three months prior to the fourth meeting of the Working Group.

27. Moreover, in order to facilitate further analysis of gaps in existing national, regional and international legal and other instruments relating to access and benefit-sharing, Parties, Governments, indigenous and local communities, international organizations and all relevant stakeholders were invited to provide information to the Executive Secretary on the basis of the matrix contained in annex II of recommendation 3/1 and the potential additional elements and options three months before the fourth meeting of the Working Group.

28. At its fourth meeting, the Working Group will have before it a consolidated text prepared by the Executive Secretary incorporating the comments and proposals submitted (UNEP/CBD/WG-ABS/4/2 and Add.1). In addition, a compilation of the submissions received relating to the international regime is available as an information document (UNEP/CBD/WG-ABS/4/INF/3 and Add.1). With respect to the matrix contained in annex II to recommendation 3/1, a consolidation of the information provided is available in document UNEP/CBD/WG-ABS/4/3 and the full text of the submissions received is contained in document UNEP/CBD/WG-ABS/4/INF/4.

29. Under this item, the Working Group is expected to continue the negotiation and elaboration of an international regime for access and benefit-sharing on the basis of the documents mentioned above and to make any appropriate recommendations to the Conference of the Parties concerning future work.

**ITEM 7. OTHER APPROACHES, AS SET OUT IN DECISION VI/24 B, INCLUDING
CONSIDERATION OF AN INTERNATIONAL CERTIFICATE OF
ORIGIN/SOURCE/LEGAL PROVENANCE**

30. In its recommendation 3/3, the Working Group recalled that, in accordance with decision VII/19 C, existing other approaches could be considered to complement the Bonn Guidelines and are useful tools to assist with the implementation of access and benefit-sharing. It also recognized that an international certificate of origin/source/legal provenance could be an element of an international regime on access and benefit-sharing and deserved further examination.

31. The Working Group invited Parties, Governments, indigenous and local communities and all relevant stakeholders in particular the private sector, to prepare further studies and pilot projects and to report thereon to the Executive Secretary, and to submit their views to the Executive Secretary on the design of an international certificate of origin/source/legal provenance, including *inter alia*:

- (a) Its rationale, need and objectives;
- (b) The desirable characteristics/features;
- (c) The practicality, feasibility and costs at national and international levels.

32. In its consideration of this item, the Working Group will have before it a note by the Executive Secretary containing a compilation of the submissions received on the above-mentioned issues (UNEP/CBD/WG-ABS/4/4).

ITEM 8. MEASURES, INCLUDING CONSIDERATION OF THEIR FEASIBILITY, PRACTICALITY AND COSTS, TO SUPPORT COMPLIANCE WITH PRIOR INFORMED CONSENT OF THE CONTRACTING PARTY PROVIDING GENETIC RESOURCES AND MUTUALLY AGREED TERMS ON WHICH ACCESS WAS GRANTED IN CONTRACTING PARTIES WITH USERS OF SUCH RESOURCES UNDER THEIR JURISDICTION

33. Under this item, in accordance with decision VII/19 E, paragraph 11, the Working Group is invited to recommend to the Conference of the Parties further measures to support and ensure compliance with prior informed consent of the Parties providing such resources, including countries of origin, in accordance with Article 2 and Article 15, paragraph 3, of the Convention, and of the indigenous and local communities providing associated traditional knowledge, and with mutually agreed terms on which access was granted.

34. In accordance with Working Group recommendation 3/4, the Executive Secretary will submit to the working Group a compilation containing information, analyses and views provided by Parties on the activities referred to in paragraphs 1 and 2 of decision VII/19 E relating to measures to ensure compliance with prior informed consent and mutually agreed terms (UNEP/CBD/WG-ABS/4/5, section II).

35. In addition, in paragraph 7 of decision VII/19 E, the Conference of the Parties requested that the Working Group “identify issues related to the disclosure of origin of genetic resources and associated traditional knowledge in applications for intellectual property rights, including those raised by an international certificate of origin/source/legal provenance” and “transmit the results of this examination to the World Intellectual Property Organization (WIPO) and other relevant forums”, taking into account the work carried out by the World Intellectual Property Organization, and other relevant organizations, such as the United Nations Conference on Trade and Development (UNCTAD), as set out in paragraphs 8 and 9 of the same decision.

36. In paragraph 4 of recommendation 3/4, the Working Group invited “Parties and Governments to consider the introduction of disclosure of origin/source/legal provenance of genetic resources and associated traditional knowledge in applications for intellectual property rights in their national legislation as one of the measures to support compliance with prior informed consent and mutually agreed terms”. Parties were also invited to identify issues related to disclosure of origin/source/legal provenance of genetic resources and associated traditional knowledge in applications for intellectual property rights and to submit this information to the Executive Secretary.

37. As requested in paragraph 5 of recommendation 3/4, the Working Group will have before it a compilation of information provided by Parties and Governments (UNEP/CBD/WG-ABS/4/5, section III) for consideration by the Working Group with a view to transmitting its recommendations to WIPO and other relevant forums such as the Food and Agriculture Organization of the United Nations (FAO), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the International Union for the Protection of New varieties of Plants (UPOV), and the World Trade Organization (WTO). In addition, pertinent documentation circulated in other relevant forums, in particular recent proposals submitted by Parties to the Convention in the FAO, UNCTAD, UNEP, UPOV, WIPO, and the WTO Council for Trade-Related Aspects of Intellectual Property Rights have been listed in an information document (UNEP/CBD/WG-ABS/4/INF/1).

38. In response to the invitation by the Conference of the Parties in paragraph 8 of decision VII/19E, the World Intellectual Property Organisation (WIPO) has examined issues regarding the interrelation of access to genetic resources and disclosure requirements in applications for intellectual property rights. The report of its findings were sent to the Secretariat for their transmission to the eighth meeting of the Conference of the Parties. In light of the relevance of this document to ongoing discussions of the Working Group on issues related to the disclosure of origin/source/legal provenance in applications for

intellectual property rights, it is being made available as an information document (UNEP/CBD/COP/8/INF/7).

39. In response to paragraph 9 of decision VII/19 E inviting UNCTAD to examine issues regarding the interrelation of access to genetic resources and disclosure requirements in intellectual property rights applications, a study commissioned by UNCTAD entitled “Analysis of options for implementing disclosure of origin requirements in intellectual property applications” is being circulated as an information document (UNEP/CBD/WG-ABS/4/INF/2).

40. A compilation of submissions received regarding analytical work carried out by Parties, Governments, relevant international organizations, indigenous and local communities and all relevant stakeholders on the issues listed under paragraph 8 of recommendation 3/4 (on misappropriation of genetic resources, effectiveness of measures to ensure compliance and enforcement problems under national legislation) is also available (UNEP/CBD/WG-ABS/4/5, section IV) for consideration by the Working Group.

41. Finally, two studies commissioned by the Secretariat in response to decision VII/19 E, paragraphs 10 (c) and (f), respectively, are available as information documents: the first (UNEP/CBD/WG-ABS/4/INF/5) examines current trends in demand for access to genetic resources and benefit-sharing and provides industry perspectives on policy with respect to access and benefit-sharing, while the other (UNEP/CBD/WG-ABS/4/INF/6) provides an analysis of claims of unauthorized access and misappropriation of genetic resources and associated traditional knowledge.

ITEM 9. USE OF TERMS, DEFINITIONS AND/OR GLOSSARY, AS APPROPRIATE

42. The Working Group, at its third meeting, further examined the issue of the use of terms related to access and benefit-sharing not defined in the Convention, including the possible establishment of an expert group to determine the need for definitions or a glossary, in accordance with decision VII/19 B, paragraph 4.

43. In recommendation 3/2, the Working Group recalled the previous work undertaken on the use of terms (UNEP/CBD/COP/6/INF/40, annex I, and UNEP/CBD/WG-ABS/2/INF/1) and considered the compilation of information on the use of terms prepared by the Executive Secretary for the third meeting (document UNEP/CBD/WG-ABS/3/4). The Working Group noted that only a few Parties had submitted the requested information on existing national definitions and other relevant definitions, and whether additional terms need to be considered. The Working Group therefore reiterated the invitation to submit such information and views to the Executive Secretary.

44. Accordingly, the Working Group will have before it a note by the Executive Secretary containing a consolidated glossary of existing and any additional definitions, based on earlier work as well as the submissions provided in response to the invitation of the Working Group, taking into account relevant definitions in use (UNEP/CBD/WG-ABS/4/7).

45. The Working Group may wish to postpone consideration of this item until the negotiation of an international regime for access and benefit-sharing has reached a more advanced stage.

ITEM 10. STRATEGIC PLAN: FUTURE EVALUATION OF PROGRESS – THE NEED AND POSSIBLE OPTIONS FOR INDICATORS FOR ACCESS TO GENETIC RESOURCES AND IN PARTICULAR FOR THE FAIR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THE UTILIZATION OF GENETIC RESOURCES

46. In decision VII/30, on the Strategic Plan, the Conference of the Parties decided to develop a framework to enhance the evaluation of achievements and progress in the implementation of the Strategic Plan and, in particular, its mission, to achieve a significant reduction in the current rate of biodiversity loss at the global, regional and national levels. The framework covers a number of focal areas, including: “Ensuring the fair and equitable sharing of benefits arising out of the use of genetic resources”. When addressing the issue of indicators for assessing progress towards the 2010 target at the global level, the Conference of the Parties, in paragraph 8, requested “the working groups on access and benefit-sharing, and on Article 8(j) and related provisions, respectively, to explore the need and possible options for indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources, and for the protection of innovations, knowledge and practices of indigenous and local communities, and to report the results to the Conference of the Parties at its eighth meeting”.

47. The Working Group considered this issue at its third meeting and underlined “that both process and outcome-oriented indicators are needed for assessing progress in the implementation of the three objectives of the Convention and towards the 2010 biodiversity target”. It also recognized “the need for further development of targets and indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources”. In addition, it noted “the limited number of views provided to the Executive Secretary on the need and possible options for indicators for access to genetic resources, and in particular, for the fair and equitable sharing of benefits arising from the utilization of genetic resources, and associated knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles, as reflected in the note prepared by the Executive Secretary for the third meeting of the Working Group (UNEP/CBD/WG-ABS/3/6)”.

48. Hence, Parties, Governments, relevant international organizations, indigenous and local communities and all relevant stakeholders were invited to submit their views and information on the above and on the further consideration and review of targets under goal 10 of the provisional framework for goals and targets annexed to decision VII/30 in preparation for the fourth meeting of the Working Group.

49. A compilation of these submissions prepared by the Executive Secretary (UNEP/CBD/WG-ABS/4/6) is available for consideration by the Working Group at its fourth meeting.

50. Given the need to further consider targets and indicators for access and benefit-sharing while not impacting on progress on other agenda items, the Working Group may wish to establish a small, regionally-balanced informal group to consider this matter on the margins of the meeting. The conclusions of the informal group would be submitted to plenary for its consideration.

51. When addressing this issue, Parties may wish to take into consideration recommendation XI/15 to the eighth meeting of the Conference of the Parties adopted by the Subsidiary Body on Scientific, Technical and Technological Advice at its eleventh meeting, during its review of goals and sub-targets contained in the provisional framework of goals and targets in annex II to decision VII/30. More particularly, it should be noted that SBSTTA reviewed Goal 10 and recommended new targets related to access and benefit-sharing.

ITEM 11. OTHER MATTERS

52. Under this item, the participants may wish to raise other matters related to the subject-matter of the meeting.

ITEM 12. ADOPTION OF THE REPORT

53. The Working Group will consider and adopt its report, on the basis of the draft report of the meeting to be presented by the Rapporteur and the recommendations agreed by the Working Group.

ITEM 13. CLOSURE OF THE MEETING

54. The meeting is expected to be closed at 6 p.m. on Friday, 3 February 2006.

*Annex I***DOCUMENTATION FOR THE FOURTH MEETING OF THE AD HOC OPEN-ENDED
WORKING GROUP ON ACCESS AND BENEFIT-SHARING**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/WG-ABS/4/1	Provisional agenda
UNEP/CBD/WG-ABS/4/1/Add.1	Annotated provisional agenda
UNEP/CBD/WG-ABS/4/2 and Add.1	International regime on access and Benefit-sharing: consolidated text of the comments and proposals contained in submissions by Parties, Governments and organizations regarding the international regime
UNEP/CBD/WG-ABS/4/3	Matrix on the analysis of gaps
UNEP/CBD/WG-ABS/4/4	Compilation of further studies and pilot projects and views on the design of an international certificate of origin/source/legal provenance
UNEP/CBD/WG-ABS/4/5	Measures to support compliance with prior informed consent of the Contracting Party providing genetic resources and mutually agreed terms on which access was granted in Contracting Parties with users of such resources under their jurisdiction
UNEP/CBD/WG-ABS/4/6	Strategic Plan: future evaluation of progress – the need and possible options for indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from their utilization: compilation of views and information provided by Parties, Governments, relevant international organizations, indigenous and local communities and all relevant stakeholders
UNEP/CBD/WG-ABS/4/7	Further consideration of outstanding issues related to access and benefit-sharing: use of terms, definitions and/or glossary, as appropriate
UNEP/CBD/WG-ABS/4/INF/1	Measures to support compliance with prior informed consent of the Contracting Party providing genetic resources and mutually agreed terms on which access was granted in Contracting Parties with users of such resources under their jurisdiction: List of relevant documentation circulated in other forums
UNEP/CBD/WG-ABS/4/INF/2	Analysis of options for implementing disclosure of origin requirements in intellectual property applications: Submissions by UNCTAD
UNEP/CBD/WG-ABS/4/INF/3 and Add.1	Compilation of submissions provided by Parties, Governments, international organizations, indigenous and local communities and relevant stakeholders related to the international regime on access and benefit-sharing
UNEP/CBD/WG-ABS/4/INF/4	Compilation of submissions relating to the matrix on the analysis of gaps

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/WG-ABS/4/INF/5	The commercial use of biodiversity: an update on current trends in demand for access to genetic resources and benefit-sharing, and industry perspectives on ABS policy and implementation
UNEP/CBD/WG-ABS/4/INF/6	Analysis of Claims of Unauthorized Access and misappropriation of genetic resources and associated traditional knowledge
UNEP/CBD/WG-ABS/4/INF/7	Developing an effective international regime for access and benefit-sharing for genetic resources - using market-based instruments: submission by the Australian APEC Study Center
UNEP/CBD/WG-ABS/4/INF/8	Report of the Regional Biopiracy Prevention Workshop, Bogotá, Colombia, 1-2 September 2005
UNEP/CBD/WG-ABS/4/INF/9	Needs and Options for ABS Implementation in Africa: recommendations of the regional ABS Capacity-building Workshop for Eastern And Southern Africa, 2-6 October 2005, Addis Ababa, Ethiopia
UNEP/CBD/WG-ABS/4/INF/10	Access and Benefit-sharing of Genetic Resources - Ways and means for facilitating biodiversity research and conservation while safeguarding ABS provisions: Report of an international workshop, held in Bonn, Germany, 8-10 November 2005
UNEP/CBD/WG-ABS/4/INF/11	International Expert Workshop on Access to Genetic Resources and Benefit-sharing, 20 to 23 September 2005, Cape Town, South Africa
UNEP/CBD/COP/8/INF/7	Interrelation of access to genetic resources and disclosure requirements in applications for intellectual property rights: report of the World Intellectual Property Organization (WIPO)

Previously issued documents of relevance to the meeting

UNEP/CBD/WG-ABS/3/2	Analysis of existing national, regional and international legal instruments relating to access and benefit-sharing and experiences gained in their implementation, including identification of gaps
UNEP/CBD/WG-ABS/3/3	Compilation of views, information and analysis on the elements of the international regime on access and benefit-sharing
UNEP/CBD/WG-ABS/3/5	Analysis of measures taken by Governments to ensure compliance with prior informed consent of the Contracting Party providing genetic resources and mutually agreed terms on which access was granted, and of other approaches, including an international certificate of origin/source/legal provenance
UNEP/CBD/WG-ABS/3/6	Strategic Plan: future evaluation of progress – the need and possible options for indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources
UNEP/CBD/WG-ABS/3/INF/1	Compilation of submissions provided by Parties, Governments, international organizations, indigenous and local communities and relevant stakeholders in preparation for the third meeting of the ad hoc open-ended working group on access and benefit-sharing
UNEP/CBD/COP/8/3	Report of the Subsidiary Body on Scientific, Technical and Technological Advice on the Work of Its Eleventh Meeting, Recommendation XI/15

Annex II

**PROPOSED ORGANIZATION OF WORK FOR THE FOURTH MEETING OF THE AD HOC OPEN-ENDED WORKING GROUP
ON ACCESS AND BENEFIT-SHARING**

	<i>Plenary</i>	<i>Sub-Working Groups</i>
<i>Monday,</i> <i>30 January 2006</i> 10 a.m. to 1 p.m.	<i>Items:</i> 1. Opening of the meeting. 2. Organizational matters: 2.1 Officers; 2.2 Adoption of the agenda; 2.3 Organization of work. 3. Report of the fourth meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions. 4. Reports on the implementation of the Bonn Guidelines, developments in relevant international processes, and capacity-building. 5. Status of the negotiation of an international regime on access and benefits-sharing: general statements. 9. Use of terms, definitions and/or glossary, as appropriate. 10. Strategic Plan: indicators for access to genetic resources and benefit-sharing.	
3-6 p.m.	6. International regime on access and benefit-sharing: nature, scope, objectives and elements for inclusion.	[Note: The plenary may, as appropriate, establish two open-ended sub-working groups to consider items 6 to 8 of the agenda]
<i>Tuesday,</i> <i>31 January 2006</i> 10 a.m. to 1 p.m.	Item 6 (<i>continued</i>)	[to be determined]
3-6 p.m.	Item 6 (<i>continued</i>)	[to be determined]

	<i>Plenary</i>	<i>Sub-Working Groups</i>
<i>Wednesday, 1 February 2006</i> 10 a.m. to 1 p.m.	7. Other approaches, as set out in decision VI/24 B, including consideration of an international certificate of origin/source/legal provenance	[to be determined]
3-6 p.m.	8. Measures including consideration of their feasibility, practicality and costs, to support compliance with prior informed consent of the Contracting Party providing such resources and mutually agreed terms on which access was granted in Contracting Parties with users of genetic resources under their jurisdiction	[to be determined]
<i>Thursday, 2 February 2006</i> 10 a.m. to 1 p.m.	Items 6-8 (<i>continued</i>)	[to be determined]
3-6 p.m.	Consideration of draft recommendations.	
<i>Friday, 3 February 2006</i> 10 a.m. to 1 p.m.	11. Other matters 12. Adoption of the report 13. Closure of the meeting	
3-6 p.m.	(<i>continued as needed</i>)	
