



Secretariat of the Convention on Biological Diversity



Achieving the
2010
Biodiversity
Target

Ref.: SCBD/SEL/VN/GD/56034

3 October 2006

NOTIFICATION

Subject: Access and Benefit-sharing: Composition of the Group of Technical Experts on an internationally recognized certificate of origin/source/legal provenance

Dear Madam/Sir,

At its eighth meeting held in Curitiba, Brazil, the Conference of the Parties decided, in decision VIII/4 C, paragraph 1, “to establish a group of technical experts to explore and elaborate possible options, without prejudging their desirability, for the form, intent and functioning of an internationally recognised certificate of origin/source/legal provenance and analyse its practicality, feasibility, costs and benefits, with a view to achieving the objectives of Article 15 and 8(j) of the Convention.”

In paragraph 2 of the same decision, the Conference of the Parties also decided “that the group of experts shall be regionally balanced and composed of 25 experts nominated by Parties and 7 observers from, *inter alia*, indigenous and local communities, industry, research institutions/academia, botanical gardens, other *ex situ* collection holders and representatives from relevant international organizations and agreements, and requests the Executive Secretary to recommend the list of selected experts and observers for the approval of the Bureau.”

In accordance with the above, by Notification 2006-030 of 8 May 2006, the Executive Secretary invited Parties, indigenous and local communities, relevant international organizations and other stakeholders to nominate experts and observers for the meeting of the group of technical experts on an internationally recognised certificate of origin/source/legal provenance. As of 15 September 2006, 73 nominations had been received. On the basis of these nominations, 25 experts and 7 observers were selected taking into account their expertise, the need to ensure equitable geographical distribution and with due regard to gender balance. The list of selected experts and observers was subsequently submitted to the consideration of, and approved by the Bureau.

To: CBD National Focal Points, ABS NFP



The list of selected experts and observers is attached for your information, as well as the full list of nominations received. A letter of invitation will be sent shortly to the selected experts and observers together with relevant information regarding the meeting.

You will also find attached, for your information, the report of the visit to the Secretariat, on 7 September 2006, of the Co-chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing.

I thank you for your cooperation and continued support to the Convention.

Please accept, Madam/Sir the assurances of my highest consideration.

Yours sincerely,

Ahmed Djoghlaif
Executive Secretary

GROUP OF TECHNICAL EXPERTS

NOMINATED EXPERTS

Region	Party	Name of expert	Gender	Education, Employment
AFRICA	Algeria	Mr. Salah Chouaki	M	Baccalaureat Science Transitoire/Charge de Recherche
AFRICA	Algeria	Ms. Malika Fadila Hamana Korichi	F	Agronomist/National Institute of the Agronomic Research of Algeria (INRAA)
AFRICA	Algeria	Mr. Lakhdar Khelifi	M	Doctorat Faculte des Sciences/Enseignant-chercheur Institut National Agronomique
AFRICA	Algeria	Dr. Meriem Louanchi	F	Doctorat, Phytopathologie/Institut National Agronomique, Dept. de Botanique
AFRICA	Algeria	Mr. Aissa Abdelguerfi	M	Project IFAD (FIDA), PERMED , GEF - national strategy on biodiv/conservation of biodiv
AFRICA	Ethiopia	Dr. Gemedo Dalle Tussie	M	PhD Agriculture/Head, Forest Genetic Resources Conservation Dpt, Institute of Biodiv. Conservation
AFRICA	Guinea Bissau	Ms. Matilde da Conceicao Gomes L	F	General Director-Environment/Ministry of Natural Resources and Environment
AFRICA	Madagascar	Ms. Naritiana Rakotoniaina	F	DEA Sciences Forestieres / valorisation de la biodiv.auService d'Appui a la Gestion de l'Env
AFRICA	Mozambique	Mr. Andre Augusto da Silva	M	LLB / Executive Secretary of the National Council for Sustainable Development
AFRICA	Mozambique	Ms. Eulalia Macome	F	MSc Natural Resources Economics / Natural Resource Management Specialist
AFRICA	Niger	Mr. Baina Danjimo	M	3e cycle Science Biologiques / Chef de programme Valorisation de la Biodiversite + Gestion de l'Environnement
AFRICA	Sudan	Dr. Ahmed Suliman Mohamed El W	M	PhD. Range Science (ecology) / Research Associate Professor, Range Ecologist and Forage Agronomist
AFRICA	Togo	Tengue Kokou Trévé	M	No C.V. / Directeur de la Faune et de la Chasse, Min. Env et des Ressources Forestieres
ASIA	China	Dr. Xue Dayuan	M	PhD Natural Resources Management/Chief Scientist on Biodiv. Conservation, SEPA
ASIA	India	Dr. Biswajit Dhar	M	PhD Economics/Professor and Head/Centre for WTO Studies, Indian Inst.of Foreign Trade
ASIA	Lebanon	Ms. Samar Malek	F	International Law Specialist / Ministry of Environment
ASIA	Malaysia	Mr. Gurdial Singh Nijar	M	LL.M, Barrister/Adviser,Consultant, Ministry of Nat. Res.& Env./Legal Expert, Nat. Biodiv-Biotech Council
ASIA	Thailand	Dr. Songkran Chittrakon	M	PhD in (agronomy?) /Consultant to the Office of Rice Research and Development
CEE	Czech Republic	Dr. Karel Jan Stolec	M	PhD Ecology of Field Crops / External Lector - Czech Repulic Agriculture University
CEE	Russian Federation	Ms. Vera Moshentseva	F	PhD Genetic of microorganisms / Federal Agency for Science and Innovations of the RF
GRULAC	Argentina	Ing. Andrea Clausen	M	Ing. Agronoma. Tecnico Investigador en Recursos Geneticos del INTA
GRULAC	Argentina	Lic. Victoria Lichtschein	F	Lic. Biological SciencesBiodiversity Conservation Coordinator, Ministry of the Env.
GRULAC	Argentina	Mr. Marcelo Edmundo Ferrer	M	Msc. Genetico Vegetal and Ing. Agronomy and Zoology. / Coord. National Gen. Resources Project Inst. Nacional de Tecnologia Agropecuaria
GRULAC	Argentina	Dra. Carmen Gianni	F	PhD. Law / Directora de Asuntos Juridicos del Instituto Nacional de Semillas
GRULAC	Argentina	Ing. Agr. Marcelo Labarta	M	Dipl. Ing. Agr. / Director de Registro de Variedades del mencionado Instituto
GRULAC	Brazil	Mr. Eduardo Velez Martin	M	MSc Ecology/ Executive Secretary/ CGEN
GRULAC	Chile	Mrs. Marcia Ligeia del Carmen Ricc	F	PhD. Biology, Lic. Biologia. / head, Flora and Fauna, National Forestry Corporation
GRULAC	Chile	Mrs. Carolina Belmar	F	Msc. IP and Information Society Law. Head, IP Dpt. Min Foreign Affairs
GRULAC	Colombia	Dra. Ana Maria Hernandez Salgar	F	Dipl. Intl Relations. Asesora de la Oficina de Asuntos Internacionales. Min of Env.
GRULAC	Costa Rica	Mr. Jorge Cabrera Medaglia	M	National Biodiversity Institute and UNU on Cost and Feasibility of Origin Certificates
GRULAC	Cuba	Ms. Teresa Cruz Sardinias	F	Senior Officer, Env. Dpt, Ministry of Science, Tech. and Environment
GRULAC	Dominican Republic	Mr. Jose Rafael Almonte Perdomo	M	BSc Political Sciences / Coordinador - Sistema Nacional de Areas Protegidas
GRULAC	Ecuador	Ms. Monica Rivadeneira	F	No C.V.
GRULAC	Mexico	Dr. José Carlos Fernandez Ugalde	M	M. Phil. Economics. / Director de Economia Ambiental de la Direccion General de Politica y Economica Ambiental del Instituto Nacional de Ecologia
GRULAC	Panama	Lcdia. Aleida Salazar	F	NO C.V. / Directora Nacional de Areas Protegidas y Vida Silvestre

GRULAC	Peru	Dr. Monica Rosell	F	LL.M. Internat. Business Law/Secretaria General -Tribunal de Justicia de la Comunidad Andina
WEOG	Australia	Mr. Brett Walker	M	MSc Law. Senior Legal and Counsel and Team Leader (plant breeding, plant molecular biology, entomology)
WEOG	Belgium	Mr. Philippe Desmeth	M	Agronomic Engineer / Env. Advisor Belgian Fed. Public Planning Service - Science Policy
WEOG	Canada	Ms. Anne Daniel	F	LL.M. / Senior Lawyer, Department of Justice
WEOG	Canada	Mr. Jock Langford	M	BSc Biology & Agriculture/ Senior Policy Advisor/ ABS Secretariat/ Environment Canada
WEOG	Canada	Dr. Brian Laurence Harvey	M	Ph.D. Genetics/ Professor Emeritus of Plant Sciences
WEOG	EC	Mr. Hendrik Johan Eggink	M	Agricultural Eng. MSC / Policy Officer, EU
WEOG	EC	Dr. Nicola Notaro	M	PhD Law / Legal Adviser for MEAs in the EC, DG Environment
WEOG	Finland	Dr. Merja Vetelainen	F	PhD. Agr. On Dynamic Genepools of Barley. / Principal Research Scientist, MTT Agrifood Research.
WEOG	France	Ms. Sarah Hernandez Perez	F	MSc. Env. and Natural Resource Economics/Ministry of Ecology and Sustainable Dev.
WEOG	France	Ms. Isabelle Clement-Nissou	F	HighSchool Diploma:Agronomy;Plant Improvement/Senior Expert in GNIS -internat. relations
WEOG	Japan	Prof. Dr. Katsuhiko Ando	M	PhD Agriculture / Director and Head of Biodiversity Research Team, Inst. Of Technology and Evaluation
WEOG	Japan	Prof. Mikihiko Watanabe	M	PhD. International Development. M. Phil Economic Development / Senior Consultant, Global Strategy Consulting Cluster
WEOG	Spain	Ms. Asha Sukhwani	F	MSc Biology(Genetics,Molecular Genetics,Biochemistry)/Dpt:Patents and Tech. Info
WEOG	Spain	Dr. Esteban Hernandez Bermejo	M	PhD. Agricultural Engineering. Professor in Agricultural Botany. U. of Cordoba.
WEOG	Switzerland	Mr. Juerg Bally	M	Attorney at Law&Notary/Senior Advisor, Head International Law, Legal Affairs Division
WEOG	United Kingdom	China Williams	F	LLM International Environmental Law / CBD Education Officer, Royal Botanic Gardens,Kew

OBSERVERS

INDIGENOUS AND LOCAL COMMUNITIES

IND	Aldet Centre-St-Lucia	Dr. Albert DeTerville	M	MSc.& Post-graduate Doctorate Degree/ Executive Chairperson, The Aldet CentreSaint Lucia
IND	Asociación Ixacavaa	Ms. Esther Camac	F	Lic. Theology / Especialista en Genero, Desarrollo Derechos de Pueblos Indigenas
IND	Call of the Earth Llan	Ms. Aroha Te Pareake Mead	F	MSc. Intl Relations (state sovereignty & indigenous plant gen res) / Senior Lecturer, Maori Business, Victoria Management Schools, Co-Chair Call of the Earth, (Diploma) Intl Relations. Indigenous Policy Advisor. Team Leader, Tebtebba Indigenous Peoples Capacity Building Proj.
IND	Tebtebba Foundator	Mrs. Jocelyn Carino-Nettleton	F	MSc Law / Aboriginal Lawyer Tsimshian Community (British Colombia CDN)
IND	Dena Kayeh Institute	Mr. Merle Craig Alexander	M	
IND	Pueblo Indig. Kolla	Ms. Angela Marcela Jarmillio	F	
IND	Pueblo I. Diaguita	Mr. Roberto Aramayo	M	
IND	Pueblo I. Mapuche	Ms. Carol Soae	F	
IND	Pueblo I. Quechua	Mr. Jose Bautista Flores	M	
IND	Pueblo I. Diaguita	Mr. Delfin Geronimo	M	
IND	Pueblo I. Mapuche	Ms. Veronica Huilipan	F	
IND	Pueblo I. Kolla	Ms. Viviana Figueroa	F	

INDUSTRY

PRIVATE	ABIA - American Biol	Dr. John Kilama	M	PHd Medicinal Chemistry / President, Global Bioscience Development Institute Inc.
PRIVATE	ICC	Dr. J. Stephen C. Smith	M	PhD Biochem. / Research Fellow, Germplasm Security Coordinator /Pioneer Hi-Bred

IGOs

ORGS	FAO	Clive Stannard	M	Senior Liaison Officer/Commissison on Plant Genetic Resources for Food and Agriculture
ORGS	UNCTAD	Ms. Maria Julia Oliva	F	PhD Candidate Law under L.B.de Chazournes / UNCTAD BioTrade Initiative. Environmental Lawyer spec.

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BOTANICAL GARDENS

BOT Royal Botanic Garde Ms. Kathryn Davis F M.S. Zoology/CBD Implementation Officer, Royal Botanic Gardens, Kew

RESEARCH INSTITUTES / ACADEMIA

RI / ACA	UNU - IAS	Mr. Brendan Tobin	M	Coordinator of the Biodiplomacy Initiative/ Institute of Advanced Studies
RI / ACA	IPGRI	Dr. Jur. Michael David Halewood	M	PhD Law. Senior Scientist. Head, Policy Research
RI / ACA	APEC Study Ctr Aus	Mr. Bill Bowen	M	MSc Economics/Deputy Director of The Australian APEC Study Centre, Monash Univ.
RI / ACA	NIH, USA	Dr. Joshua Rosenthal	M	PHd Botany. Deputy Director, Intl Training and Research, Fogarty Intl Centre Natl Institute of Health. Head, ICBG which develops working models for equitable benefit sharing.

**Group of Technical Experts on an internationally recognized certificate of
origin/source/legal provenance
Lima, Peru, 22-25 January 2007**

Selected experts

Africa

Algeria: Ms. Meriem Louanchi
Ethiopia: Mr. Gemelo Dalle Tussie
Madagascar: Ms. Naritiana Rakotoniaina
Mozambique: Ms Eulália Macome
Niger: Mr. Baina Danjimo

Asia

China: Mr. Xue Dayan,
India: Mr. Biswat Dhar
Lebanon: Ms Samar Malek
Malaysia: Mr. Gurdial Singh Nijar
Thailand: Mr. Songkran Chittrakon

CEE

Czech Republic: Mr. Karel Jan Stolc
Russian Federation: Ms. Vera Moshentseva

GRULAC

Argentina: Mr. Andrea Clausen
Brazil: Mr. Eduardo Velez Martin
Costa Rica: Mr. Jorge Cabrera Medaglia
Cuba: Ms. Teresa Cruz Sardinias
Mexico: Mr. Jose Carlos Fernandez Ugalde
Peru: Ms Monica Rosell

WEOG

Australia: Mr. Brett Walker
Belgium: Mr. Philippe Desmeth
Canada: Mr. Brian Harvey
EC: Mr. Nicola Notaro
Finland: Ms. Merja Vetelainen
Japan: Mr. Mikihiko Watanabe
Spain: Ms. Asha Sukhwani

Observers:

Botanical gardens:
- Ms. Kathryn Davis, Kew Royal Botanic Gardens
Indigenous and local communities:
- Ms Jocelyn Carino-Nettleton, Tebtebba Foundation

1 September 2006

Industry:

- Mr. Stephen C. Smith, International Chamber of Commerce

International organization:

- Mr. Clive Stannard, Secretariat of the International Treaty on PGRFA (FAO)

Research Institutes/Academia:

- Mr. Michael Hallewood, International Plant Genetic Resources Institute
- Mr. Joshua Rosenthal, National Institute of Health, USA
- Mr. Brendan Tobin, United Nations University Institute of Advanced Studies

**MEETING OF THE CO-CHAIRS OF THE WORKING GROUP ON ACCESS AND
BENEFIT-SHARING AND THE SECRETARIAT OF THE CONVENTION ON
BIOLOGICAL DIVERSITY**

Montreal, Canada

7 September 2006

Summary Report

1. Mr. Fernando Casas (Colombia) and Mr. Timothy Hodges (Canada), the Co-Chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, who were appointed by the Conference of the Parties to the Convention on Biological Diversity at its eighth meeting, visited the premises of the Secretariat of the Convention, in Montreal, for a one-day meeting on 7 September 2006. The programme of the visit is contained in annex I. The discussions that took place during the visit are summarized below.

I. Meeting with all SCBD staff members

2. The Co-Chairs held a meeting with all members of the staff of the Secretariat. The Executive Secretary welcomed the Co-Chairs, who then informally gave a presentation on the ABS process from a personal historical perspective and shared their vision on the ways and means to ensure a successful implementation of the mandate given by the eighth meeting of the Conference of the Parties in Curitiba, Brazil, in March 2006. Expressing gratitude to the Executive Secretary for an early opportunity to meet, the Co-Chairs stressed the cross-cutting nature of the proposed international regime, underscored the regime's potential to positively effect the objectives of the Convention, and called on all staff members to provide their support.

II. Working session with Executive Secretary

3. The meeting with all members of the staff was followed by a working session between the Co-Chairs and the Executive Secretary. During this session, the suggested dates and venues of the fifth and sixth meetings of the Ad Hoc Open-ended Working Group on Access and Benefit-Sharing were discussed. The fifth meeting of the Working Group has been now proposed to be held back to back with the fifth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions of the Convention, in Montreal, respectively from 3 to 7 September 2007 and from 10 to 14 September 2007. The sixth meeting of the Working Group on Access and Benefit-sharing would be held in Montreal from 21 to 25 January 2008.

4. Concerns were expressed by the Co-Chairs that, because of financial considerations, the Budget Committee at the eighth meeting of the Conference of the Parties had decided that the Working Group on Article 8(j) would be held back to back with the fifth, rather than the sixth, meeting of the Working Group on Access and Benefit-sharing. While recognizing the constraints of the international calendars and budgets, the Co-Chairs expressed regret over the possible effect this may have in limiting the time available in the inter-sessional period to Indigenous and local community representatives in preparing for the two working group meetings. The Co-Chairs recommended the Bureau carefully consider this and other practical implications of holding these two meetings back to back. They volunteered that, in future, in addition to financial implications, other practical and strategic considerations could be usefully taken into clear account in planning future meetings of the Working Group on Access and Benefit-sharing. The merits of holding the sixth meeting of the Working Group on Access and Benefit-sharing in a developing country was also highlighted. The Executive Secretary was invited to liaise with potential host countries and to keep the Co-Chairs regularly informed of developments on this issue.

5. The Co-Chairs and the Executive Secretary also discussed the agenda, the organization of work and the draft list of potential participants for the meeting of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance to be held in

Lima, Peru, from 22 to 25 January 2007. The Co-Chairs took note with appreciation of the documents prepared by the Secretariat, including the suggested list of experts and observers to be submitted for approval to the members of the Bureau of the Conference of the Parties, based on nominations received from Parties and relevant organizations and stakeholders. The Co-Chairs stressed the importance of the criteria of expertise and relevant experience in finalizing the list of participants. They also noted the initiative of the United Nations University (UNU), with the support of the Governments of Peru and Canada, to convene a stakeholder forum prior to the expert meeting under the Convention.

6. The Co-Chairs stressed the need to ensure a successful and meaningful outcome of this first expert meeting called by the Conference of the Parties. Its outcome would determine the usefulness of using such expert meetings to address specific issues in the implementation of the Curitiba mandate. Noting the broad scope of the terms of reference established by the Conference of the Parties for the meeting, the view was expressed that, in future, the terms of reference for such expert groups could be narrowed to better ensure substantive results.

7. The Co-Chairs also discussed the draft agenda and the organization of work of the fifth meeting of the Working Group on Access and Benefit-sharing. It was agreed that the agenda and the structure of the meeting should, foremost, be focussed on ensuring progress in the negotiation of the international regime and that the Committee of the Whole appears to be the optimal approach to achieving this aim. As well, the possibility of creating a single sub-committee of the whole or establishing two sub-committees was discussed in the context of initiating a substantive discussion on the “means” of implementing and/or further establishing the International Regime (i.e., the technical and financial means in addition to the related broad challenge of capacity-building). However, it was recognized that further consideration of possible approaches to the agenda was required after consultation with regional groups by the Co-chairs and discussion by the Bureau.

8. In discussing the conduct of future meetings on access and benefit-sharing, the Co-Chairs stressed their commitment to working together as a team. They also expressed the view that consultations with regional groups will be critically required before finalizing the organization of work for the fifth meeting of the Working Group. They again underlined that sufficient time should be devoted to the committee of the whole with a view to encouraging a holistic approach to the negotiations.

9. The Co-Chairs also discussed ways and means to invite, through the Conference of the Parties at its ninth meeting, and SBSTTA , at its fourteenth and fifteenth meetings, scientific, technical and technological advice on relevant ABS issues falling under its mandate. The potential contribution of SBSTTA on issues related to transfer of technology in particular was highlighted.

10. The Co-Chairs expressed the strong view that inter-sessional consultations with regional groups and others are essential to ensuring the success of the Curitiba mandate. They appealed to the Executive Secretary to liaise with donors to raise financial resources for the facilitation of such consultations prior to and after the fifth meeting of the Working Group. The possibility of convening a consultative meeting in Geneva was also discussed.

11. Also addressed was the question of outreach activities on issues related to access and benefit-sharing in the context of the Global Initiative on Communication, Education and Public Awareness (CEPA). The possibility of selecting the theme of access and benefit-sharing for the 2010 International Day for Biological Diversity and the need for capacity-building were also discussed. Finally, the participation and involvement of the Co-Chairs in the meetings of the Bureau of the Conference of the Parties, in an ex officio capacity, were considered important.

III. Meetings with members of the staff of the Secretariat

12. Following a working lunch with the Executive Secretary, the Co-Chairs held a working session with staff members of the Secretariat responsible for capacity-building and for access and benefit-sharing. There was a general exchange of views on capacity-building needs, with reference to the action plan on capacity-building for access to genetic resources and benefit-sharing adopted by the Conference of the Parties in decision VII/19. This was followed by discussions regarding preparations for the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance, as well as inter-sessional consultations to be carried out by the co-chairs and collaboration with the Secretariat.

IV. Conclusion

13. The meetings with the Co-Chairs of the Working Group on Access and Benefit-sharing provided an excellent opportunity for the Secretariat to better understand the expectations of the Co-Chairs in fulfilling their heavy responsibility. It also provided a timely opportunity to discuss the preparation of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance, as well as the preparation and organization of work for the fifth meeting of the Working Group on Access and Benefit-sharing. It was felt that the regular convening of similar consultations between the Secretariat and the Co-Chairs is important to ensure an adequate preparation of the processes related to access and benefit-sharing. The Executive Secretary was requested to assist in mobilizing additional financial resources for the convening of similar consultations.

ANNEX

**VISIT TO THE SECRETARIAT OF THE CONVENTION ON BIOLOGICAL DIVERSITY BY THE
TWO CO-CHAIRS OF THE AD HOC OPEN ENDED WORKING GROUP ON ACCESS AND
BENEFIT SHARING**

7 SEPTEMBER 2006

VENUE: JOKE WALLER-HUNTER MEETING ROOM

9:00 a.m. – 9:15 a.m.	Short meeting with the Executive Secretary
9:15 a.m. – 10:00 a.m.	Meeting with all staff members
10:00 a.m. – 12 noon	Meeting of the two co-chairs and the Executive Secretary
12 noon – 2:00 p.m.	Working Lunch
2:00 p.m. – 2:30 p.m.	Meeting with the Capacity Building Team
2:30 p.m. – 4:30 p.m.	Meeting of the two co-chairs with the entire ABS Team
4:30 p.m. – 5:00 p.m.	Informal get-together with all staff members