

Ref.: SCBD/SEL/LG/71198

15 April 2010

NOTIFICATION

Subject: Access and Benefit-sharing: Communication of a Proposed Protocol pursuant to Article 28, paragraph 3 of the Convention on Biological Diversity

Dear Sir/Madam,

Further to the notification SCBD/SEL/LG/71198 of 8 April 2010 on the above subject, the Secretariat is circulating herewith the two annexes (page 15 and 16) to the revised draft protocol on access to genetic resources and benefit-sharing, as contained in the report of the ninth meeting of the Ad Hoc Working Group on Access and Benefit-sharing (UNEP/CBD/WG-ABS/9/3), which were inadvertently omitted from the text of the draft sent on 8 April.

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

Ahmed Djoghlaif
Executive Secretary

Attachment

To: CBD National Focal Points, ABS National Focal Points, international organisations, indigenous and local community organizations and stakeholders

Annex I

MONETARY AND NON-MONETARY BENEFITS

1. Monetary benefits may include, but not be limited to:
 - (a) Access fees/fee per sample collected or otherwise acquired;
 - (b) Up-front payments;
 - (c) Milestone payments;
 - (d) Payment of royalties;
 - (e) Licence fees in case of commercialization;
 - (f) Special fees to be paid to trust funds supporting conservation and sustainable use of biodiversity;
 - (g) Salaries and preferential terms where mutually agreed;
 - (h) Research funding;
 - (i) Joint ventures;
 - (j) Joint ownership of relevant intellectual property rights.

2. Non-monetary benefits may include, but not be limited to:
 - (a) Sharing of research and development results;
 - (b) Collaboration, cooperation and contribution in scientific research and development programmes, particularly biotechnological research activities, where possible in the country providing genetic resources;
 - (c) Participation in product development;
 - (d) Collaboration, cooperation and contribution in education and training;
 - (e) Admittance to ex situ facilities of genetic resources and to databases;
 - (f) Transfer to the provider of the genetic resources of knowledge and technology under fair and most favourable terms, including on concessional and preferential terms where agreed, in particular, knowledge and technology that make use of genetic resources, including biotechnology, or that are relevant to the conservation and sustainable utilization of biological diversity;
 - (g) Strengthening capacities for technology transfer;
 - (h) Institutional capacity-building;
 - (i) Human and material resources to strengthen the capacities for the administration and enforcement of access regulations;
 - (j) Training related to genetic resources with the full participation of countries providing genetic resources, and where possible, in such countries;
 - (k) Access to scientific information relevant to conservation and sustainable use of biological diversity, including biological inventories and taxonomic studies;
 - (l) Contributions to the local economy;

- (m) Research directed towards priority needs, such as health and food security, taking into account domestic uses of genetic resources in country providing genetic resources;
- (n) Institutional and professional relationships that can arise from an access and benefit-sharing agreement and subsequent collaborative activities;
- (o) Food and livelihood security benefits;
- (p) Social recognition;
- (q) Joint ownership of relevant intellectual property rights.

Annex II

LIST OF TYPICAL USES OF GENETIC RESOURCES

This list may include, but is not limited to:

- (a) Modification;
- (b) Biosynthesis;
- (c) Breeding and selection;
- (d) Propagation and cultivation;
- (e) Conservation;
- (f) Characterization and evaluation; or
- (g) Any biotechnological application involving genetic resources in activities of research not aiming at commercialization, research and development aiming at commercialization, and commercialization.
