

**CONVENTION ON
BIOLOGICAL
DIVERSITY**

Distr.
GENERAL

UNEP/CBD/COP/Bur/2006/2
21 November 2006

ORIGINAL: ENGLISH

**BUREAU OF THE CONFERENCE OF THE PARTIES
TO THE CONVENTION ON BIOLOGICAL
DIVERSITY**

Brasilia, 5 December 2006

Item 3 of the provisional agenda*

ACCESS AND BENEFIT-SHARING

Note by the Executive Secretary

I. INTRODUCTION

1. Bureau members will recall that, in decision VIII/4 C, the Conference of the Parties decided 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 recognized certificate of origin/source/legal provenance and analyze its practicality, feasibility, costs and benefits, with a view to achieving the objectives of Article 15 and 8(j) of the Convention. The Expert Group shall provide technical input to the Ad Hoc Open-ended Working Group on Access and Benefit-sharing and will operate in accordance with the following terms of reference:

(a) Consider the possible rationale, objectives and the need for an internationally recognised certificate of origin/source/legal provenance;

(b) Define the potential characteristics and features of different options of such an internationally recognised certificate;

(c) Analyse the distinctions between the options of certificate of origin/source/legal provenance and the implications of each of the options for achieving the objectives of Articles 15 and 8(j) of the Convention;

(d) Identify associated implementation challenges, including the practicality, feasibility, costs and benefits of the different options, including mutual supportiveness and compatibility with the Convention and other international agreements.”

2. The Government of Peru kindly offered to host the meeting in Lima, and the Government of Spain pledged financial support for the meeting.

* UNEP/CBD/COP/Bur/2006/1.

II. SELECTION OF PARTICIPANTS

3. Through notifications 2006-030 and 2006-031 of 8 May 2006 the Executive Secretary respectively invited Parties, and Governments, international organizations, indigenous and local communities and relevant stakeholders to nominate experts and observers for the meeting. In paragraph 2 of decision VIII/4 C, the Conference of the Parties decided:

“...that the Group of Technical Experts shall be regionally balanced and composed of 25 Government-nominated experts 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”.

4. The selection of participants was carried out by the Executive Secretary, taking into account regional balance, relevant expertise and gender balance. A full list of nominations received from Parties and stakeholders for participation in the meeting of technical experts is attached as annex I and the list of participants recommended by the Executive Secretary is attached as annex II. In accordance with paragraph 2 of decision VIII/4 C, the suggested list of experts and observers was then submitted to the consideration of Bureau members on 20 September 2006. The Bureau is kindly requested to consider and approve the list of participants in the meeting on the basis of the list suggested by the Executive Secretary.

III. OTHER SECRETARIAT ACTIVITIES IN PREPARATION FOR THE MEETING OF THE GROUP OF TECHNICAL EXPERTS

5. A Memorandum of Understanding was signed between the Secretariat and the Government of Peru on arrangements for the meeting of the Group of Technical Experts.

6. Following the eighth meeting of the Conference of the Parties, through notifications 2006-041, 2006-042, 2006-043, 2006-044 and 2006-045 dated 29 May 2006 and notifications 2006-047, 2006-048 and 2006-049 dated 30 May 2006, the Executive Secretary invited respectively Parties and Governments, international organizations, indigenous and local communities and relevant stakeholders to provide submissions in accordance with decision VIII/4 C in order to assist with the preparations of the documentation for the meeting of the Group of Technical Experts and the fifth meeting of the Working Group on Access and Benefit-sharing, both to be held in 2007.

7. In preparation for the Group of Technical Experts, the Secretariat prepared the following documentation:

- Agenda (UNEP/CBD/GTE-ABS/1)
- Annotated agenda (UNEP/CBD/GTE-ABS/1/Add.1)
- Consideration of an internationally recognized certificate of origin/source/legal provenance: note by the Executive Secretary (UNEP/CBD/GTE-ABS/1/2)
- Compilation of submissions provided by Parties, Governments, indigenous and local communities, international organizations and relevant stakeholders regarding an internationally recognized certificate of origin/source/legal provenance (UNEP/CBD/GTE-ABS/1/3 and Add.1 and 2)

8. The documents will be made available at the Bureau meeting for the information of Bureau members.

IV. RELATED MEETINGS

9. The Co-Chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, designated by the Conference of the Parties at its eighth meeting, visited the Convention Secretariat on 7 September 2006. Following a meeting with the staff of the Secretariat, the Co-Chairs had a working session with the Executive Secretary. Meetings were then held with the capacity-building team and the access and benefit-sharing team of the Secretariat. Discussions focused on consultations to be carried out by the Co-Chairs during the inter-sessional period, preparations for the meeting of the Group of Technical Experts and the fifth meeting of the Working Group on Access and Benefit-sharing.

10. The Executive Secretary participated in a luncheon organized by the Quakers United Nations Office with delegates to the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO), in Geneva, on 13 September 2006, and made a presentation on developments under the Convention on Biological Diversity related to access and benefit-sharing.

11. The Secretariat also participated in the following meetings:

- Second meeting of the FAO Contact Group for the drafting of the Standard Material Transfer Agreement, held from 24 to 28 April 2006, in Malmö, Sweden.
- European Regional Meeting on an Internationally Recognized Certificate of Origin/Source/Legal provenance, organized by the Federal Agency for Nature Conservation, held on the Isle of Vilm, Germany, from 24 to 28 October 2006.
- National meeting on Access and Benefit-sharing and Certificates organized by the Government of Canada, Ottawa, Canada, 16 November 2006.
- First ABS Capacity-building Workshop for Africa, organised by GTZ, in collaboration with the Dutch Ministry of Foreign Affairs and the South African Department of Environmental Affairs and Tourism, Cape Town, South Africa, 19 to 24 November 2006.
