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AD HOC OPEN-ENDED WORKING GROUP
ON ACCESS AND BENEFIT-SHARING
Fifth meeting
Montreal, 8-12 October 2007
Item 2 of the provisional agenda*

ORGANIZATIONAL MATTERS

Annotated provisional agenda

INTRODUCTION

1. In paragraph 6 of decision VIII/4 A, the Conference of the Parties requested the Ad Hoc Open-ended Working Group on Access and Benefit-sharing “to continue the elaboration and negotiation of the international regime in accordance with its terms of reference in decision VII/19 D” and instructed the Ad Hoc Open-ended Working Group to complete its work at the earliest possible time before the tenth meeting of the Conference of the Parties.
2. In paragraph 2 of the same decision, the Conference of the Parties decided “to transmit the annex to the present decision to the fifth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing for the purposes of continuing to elaborate and negotiate the international regime in accordance with decision VII/19 D, as well as, inter alia, the following inputs for the elaboration and negotiation of an international regime:
 - (a) The outcomes of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance;
 - (b) A progress report on the gap analysis, and the matrix; and
 - (c) Other inputs submitted by Parties relating to access and benefit-sharing.
3. The annex to that decision reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing.”
4. In paragraph 5 of the same decision, the Conference of the Parties designated Mr. Fernando Casas of Colombia and Mr. Tim Hodges of Canada as Co-Chairs of the Ad Hoc Open-ended Working

* UNEP/CBD/WG-ABS/5/1.

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Group on Access and Benefit-sharing, for the purposes of the elaboration and negotiation of the international regime on access and benefit-sharing in accordance with the mandate of decision VII/19 D.

5. In paragraph 7, the Conference of the Parties further requested the Executive Secretary “to make the necessary arrangements for the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to be convened twice before the ninth meeting of the Conference of the Parties”.

6. Against this background, the Co-Chairs of the Working Group prepared the provisional agendas for the fifth and sixth meetings of the Working Group on Access and Benefit-sharing in close collaboration with the Secretariat, and following a series of initial informal consultations with a number of Parties from the various regions on possible strategic approaches to the negotiations. Subsequently, both agendas were submitted to, and approved by, the Bureau of the Conference of the Parties.

7. As stated by the Co-Chairs in the explanatory note circulated to Parties together with the provisional agenda, the Co-Chairs have recommended that Parties consider the fifth and sixth meetings as two sessions of a single meeting. Therefore, to some extent, the various items of the mandate of decision VII/19 D are split between the two meetings, so that each meeting will focus on different issues in a complementary and sequential fashion.

8. The agenda for the fifth meeting of the Working Group focuses on a number of key substantive elements of the international regime. It is hoped that progress on the substantive elements of the regime will facilitate the subsequent discussion in the sixth meeting of the Working Group of the nature, scope and potential objectives of the regime.

9. The Co-Chairs have suggested building the agenda on the potential elements of the international regime on the basis of the elements listed in the terms of reference, as set out in the annex to decision VII/19 D. However, it is proposed to group the elements in clusters under a small number of key thematic headings. This annotated agenda therefore reflects only those issues to be addressed by the Working Group at its fifth meeting.

10. In addition, in decision VIII/4 E, the Conference of the Parties also requested “the Working Group on Access and Benefit-sharing at its fifth meeting to further address this issue of the need and possible options for indicators for access to genetic resources and the fair and equitable sharing of benefits arising from the utilization of genetic resources.” This issue is addressed under item 4 of the agenda.

11. The results of the deliberations of the Working Group at its fifth and sixth meetings, in October 2007 and January 2008, will be submitted for consideration by the Conference of the Parties at its ninth meeting, to be held in Bonn, Germany, in May 2008.

12. The fifth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing will be held at the headquarters of the International Civil Aviation Organization (ICAO) in Montreal from 8 to 12 October 2007. Registration of participants will take place at the venue of the meeting from 3 p.m. to 6 p.m. on Sunday, 7 October, and will continue from 8 a.m. on Monday, 8 October 2007.

13. The documents for the meeting are listed in annex I. They are available on the Secretariat’s website at www.cbd.int or <http://www.biodiv.org>.

14. The Secretariat has distributed an information note containing details regarding logistical arrangements for the meeting, including registration, information on travel, visa requirements, accommodation and other matters (<http://www.cbd.int/doc/meetings/abs/abswg-05/other/abswg-05-info-part-en.doc>).

ITEM 1. OPENING OF THE MEETING

15. The meeting will be opened by the Co-Chairs of the Working Group. The Executive Secretary will make introductory remarks.

ITEM 2. ORGANIZATIONAL MATTERS**2.1. Officers**

16. In addition to the two Co-Chairs, the Bureau of the Conference of the Parties will serve as the Bureau of the Working Group. However, in accordance with rule 21 of the rules of procedures of the Conference of the Parties, the Bureau will need to designate one of its members to act as Rapporteur.

2.2. Adoption of the agenda

17. The Working Group may wish to adopt its agenda on the basis of the provisional agenda (UNEP/CBD/WG-ABS/5/1), which has been prepared by the Co-Chairs in close cooperation with the Executive Secretary on the basis of decisions VIII/4 A-E, and has been approved by the Bureau.

2.3. Organization of work

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

19. It is proposed that the Working Group conduct its work in plenary, with the understanding that contact groups may be established, as needed. A suggested timetable is proposed in annex II.

ITEM 3. INTERNATIONAL REGIME ON ACCESS AND BENEFIT-SHARING

20. In paragraph 2 of decision VIII/4 A, the Conference of the Parties decided “to transmit the annex to the decision to the fifth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing for the purposes of continuing to elaborate and negotiate the international regime in accordance with decision VII/19 D, as well as, *inter alia*, the following inputs for the elaboration and negotiation of an international regime:

(a) The outcomes of the meeting of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance;

(b) A progress report on the gap analysis, and the matrix, and;

(c) Other inputs submitted by Parties relating to access and benefit-sharing.

21. The annex reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing.”

22. For ease of reference, the annex to decision VIII/4 A is available in document UNEP/CBD/WG-ABS/5/2.

23. In paragraph 6 of decision VIII/4 A, the Conference of the Parties requested “the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to continue the elaboration and negotiation of the international regime on access and benefit-sharing, in accordance with the terms of reference for the Working Group included in annex to decision VII/19D” and instructed “the Ad Hoc Open-ended Working Group to complete its work at the earliest possible time before the tenth meeting of the Conference of the Parties”.

24. In accordance with paragraph 9 of decision VIII/4 A, the Executive Secretary prepared the analysis of gaps in existing national, regional and international legal and other instruments relating to access and benefit-sharing referred to in decision VII/19 D, annex, paragraph (a) (i) (UNEP/CBD/WG-ABS/5/3).

25. In paragraph 3 of the same decision, the Conference of the Parties invited Parties, Governments, indigenous and local communities, international organizations and all relevant stakeholders to provide information regarding the inputs on an analysis of existing legal and other instruments at national, regional and international levels relating to access and benefit-sharing to the Secretariat of the Convention four months prior to the fifth meeting of the Working Group on Access and Benefit-sharing.

26. In paragraph 10, the Conference of the Parties invited Parties to submit to the Executive Secretary information on the legal status of genetic resources in their national law, including their property law where applicable, and” requested the Executive Secretary to submit a report to the fifth meeting of the Working Group.

27. Against this background, the following additional documents will assist and/or inform the negotiating process:

- Report of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance (UNEP/CBD/WG-ABS/5/7)
- Overview of recent developments at national, regional levels relating to access and benefit-sharing (UNEP/CBD/WG-ABS/5/4)
- Overview of recent developments at the international level relating to access and benefit-sharing (UNEP/CBD/WG-ABS/5/4/Add.1)
- Report on the legal status of genetic resources in national law, including property law, where applicable, in a selection of countries, (UNEP/CBD/WG-ABS/5/5)
- Compilation of submissions provided by Parties and other relevant organisations on issues of relevance to the international regime on access and benefit-sharing (UNEP/CBD/WG-ABS/5/INF/1).
- Compilation of submissions provided by Parties on experiences in developing and implementing Article 15 of the Convention at the national level and measures taken to support compliance with prior informed consent and mutually agreed terms (UNEP/CBD/WG-ABS/5/INF/2)
- Analytical study on administrative and judicial remedies available in countries with users under their jurisdiction and in international agreements (UNEP/CBD/WG-ABS/5/INF/3)

3.1 Fair and equitable sharing of benefits

28. Under this item, the Working Group is invited to consider how the international regime can address the fair and equitable sharing of benefits by referring, inter alia, to elements (i), (ii), (iii), (v), (vi) of the list of elements for consideration, in accordance with the terms of reference for the Working Group, in decision VII/19 D, annex, (d):

- “(i) Measures to promote and encourage collaborative scientific research, as well as research for commercial purposes and commercialization, consistent with Articles 8(j), 10, 15, paragraph 6, paragraph 7 and Articles 16, 18 and 19 of the Convention;

(ii) Measures to ensure the fair and equitable sharing of benefits from the results of research and development and the benefits arising from the commercial and other utilization of genetic resources in accordance with Articles 15.7, 16, 19.1, 19.2. of the Convention;

(iii) Measures for benefit-sharing including, *inter alia*, monetary and non-monetary benefits, and effective technology transfer and cooperation so as to support the generation of social, economic and environmental benefits;

(v) Measures to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources;

(vi) Measures to ensure the sharing of benefits arising from the commercial and other utilization of genetic resources and their derivatives and products, in the context of mutually agreed terms”.

29. In addition, the annex to decision VIII/4 A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

3.2 *Access to genetic resources*

30. Under this item, the Working Group is invited to consider how the international regime can address access to genetic resources, bearing in mind Article 15, and by referring, *inter alia*, to element (iv): “Measures to promote facilitated access to genetic resources for environmentally sound uses according to Article 15.2 of the Convention on Biological Diversity”.

31. In addition, the annex to decision VIII/4A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

3.3 *Compliance*

A. *Measures to support compliance with prior informed consent and mutually agreed terms*

32. Under this agenda item, the Working Group is invited to consider how the international regime can address measures to support compliance with prior informed consent and mutually agreed terms by referring, *inter alia*, to elements (ix), (x), (xi), (xiv) of the list of elements for consideration by the Working Group, in accordance with the terms of reference for the Working Group, in decision VII/19 D, annex, item (d):

“(ix) Measures to ensure compliance with national legislations on access and benefit-sharing, prior informed consent and mutually agreed terms, consistent with the Convention on Biological Diversity;

(x) Measures to ensure compliance with prior informed consent of indigenous and local communities holding traditional knowledge associated with genetic resources, in accordance with Article 8(j);

(xi) Measures to ensure compliance with the mutually agreed terms on which genetic resources were granted and to prevent the unauthorized access and use of genetic resources consistent with the Convention on Biological Diversity;

(xiv) Disclosure of origin/source/legal provenance of genetic resources and associated traditional knowledge in applications for intellectual property rights;”

33. In addition, the annex to decision VIII/4A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

34. In decision VIII/4 D, paragraph 2, the Conference of the Parties urged “Parties, Governments and relevant stakeholders to continue taking appropriate and practical measures to support compliance with prior informed consent in cases where there is utilization of genetic resources or associated traditional knowledge, in accordance with Article 15 of the Convention and national legislation, and with mutually agreed terms on which access was granted.

35. As requested in paragraph 3 of the same decision, the Working Group is also invited to further consider measures to ensure compliance with prior informed consent in cases where there is utilization of genetic resources or associated traditional knowledge, in accordance with Article 15 of the Convention and national legislation, and with the mutually agreed terms on which access was granted, in accordance with decision VIII/4 D, paragraph 3.

36. A compilation of submissions provided by Parties on experiences in developing and implementing Article 15 of the Convention at the national level and measures taken to support compliance with prior informed consent and mutually agreed terms is available in document UNEP/CBD/WG-ABS/INF/2. In addition, in order to assist the Working Group in its consideration of administrative and judicial remedies available in countries with users under their jurisdiction, an analytical study on administrative and judicial remedies available in countries with users under their jurisdiction and in international agreements was commissioned and is available in document UNEP/CBD/WG-ABS/5/INF/3.

B. Internationally recognized certificate of origin/source/legal provenance

37. Under this agenda item, the Working Group is invited to consider an internationally recognized certificate of origin/source/legal provenance as a possible element of the international regime, as set out under element (xiii) of the list of elements for consideration by the Working Group, in accordance with the terms of reference for the Working Group, in decision VII/19 D, annex, (d):

“(xiii) Internationally recognized certificate of origin/source/legal provenance of genetic resources and associated traditional knowledge;”

38. A Group of Technical Experts was established by decision VIII/4 C, paragraph 1, of the Conference of the Parties “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 “to provide technical input to the Working Group”. The Group of Experts met in Lima from 22 to 25 January 2007. The report of the meeting is contained in document UNEP/CBD/WG-ABS/5/7.

39. In addition, the annex to decision VIII/4 A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which

reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

C. Monitoring, enforcement and dispute settlement

40. Under this agenda item, the Working Group is invited to consider the issue of monitoring, enforcement and dispute settlement by referring, inter alia, to elements (viii), (xix), (xx), (xxi), (xxii), of the list of elements for consideration by the Working Group, in accordance with the terms of reference for the Working Group, in decision VII/19 D, annex, item (d):

“(viii) Measures to facilitate the functioning of the regime at the local, national, subregional, regional and international levels, bearing in mind the transboundary nature of the distribution of some *in situ* genetic resources and associated traditional knowledge;

(xix) Means to support the implementation of the international regime within the framework of the Convention;

(xx) Monitoring, compliance and enforcement;

(xxi) Dispute settlement, and/or arbitration, if and when necessary;

(xxii) Institutional issues to support the implementation of the international regime within the framework of the Convention;”

41. In addition, the annex to decision VIII/4A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

3.4 Traditional knowledge and genetic resources

42. The terms of reference of the Working Group in the annex to decision VII/19 D address the process, nature, scope and elements to be considered for inclusion in the international regime. References to traditional knowledge are included as follows:

- The scope includes “Traditional knowledge, innovations and practices in accordance with Article 8(j)”

- In addition, among the elements to be considered for inclusion in the international regime, the following relate to traditional knowledge:”

(x) Measures to ensure compliance with prior informed consent of indigenous and local communities holding traditional knowledge associated with genetic resources, in accordance with Article 8(j);

(xiii) Internationally recognized certificate of origin/source/legal provenance of genetic resources and associated traditional knowledge;

(xiv) Disclosure of origin/source/legal provenance of genetic resources and associated traditional knowledge in applications for intellectual property rights

(xv) Recognition and protection of the rights of indigenous and local communities over their traditional knowledge associated to genetic resources subject to the national legislation of the countries where these communities are located.

(xvi) Customary law and traditional cultural practices of indigenous and local communities;

- (xviii) Code of ethics/Code of conduct/Models of prior informed consent or other instruments in order to ensure fair and equitable sharing of benefits with indigenous and local communities “

43. In addition, the annex to decision VIII/4 A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

44. At its eighth meeting, when addressing Article 8(j) and related provisions, the Conference of the Parties considered (decision VIII/5 C) collaboration with the Ad Hoc Open-ended Working Group on Access and Benefit-sharing and participation of indigenous and local communities with respect to the international regime on access and benefit-sharing.

45. In paragraph 1 of this decision, the Conference of the Parties requested “the collaboration and contribution of the Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and related provisions to the fulfilment of the mandate of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing by providing views on the elaboration and negotiation of an international regime on access and benefit-sharing relevant to traditional knowledge, innovations and practices associated with genetic resources and to the fair and equitable sharing of benefits arising from their utilization” and requested “the Executive Secretary to compile these views and make them available to the Ad Hoc open-ended Working group on Access and Benefit-sharing before its sixth meeting”.

46. In light of the above, the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions will meet immediately after the fifth meeting of the Working Group on Access and Benefit-sharing. Delegates may wish to consider how the Working Group on Article 8(j) and Related Provisions could best assist the negotiations of the international regime on access and benefit-sharing and provide views to the Working Group on Article 8(j) and Related Provisions.

3.5 Capacity-building

47. Under this agenda item, the Working Group may wish to consider how to address capacity-building in the context of the international regime. The issue of capacity-building is listed as one element for inclusion in the international regime as follows:

“(xvii) Capacity-building measures based on country needs.”

48. In addition, the annex to decision VIII/4A transmitted by the eighth meeting of the Conference of the Parties for the purposes of continuing to elaborate and negotiate the international regime, which reflects the range of views held by Parties at the fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, also addresses this issue.

49. In considering this agenda item, the Working Group may also wish to consider the Action Plan on Capacity-building for Access and Benefit-sharing adopted by the Conference of the Parties in decision VII/19 F and annexed thereto. A database on capacity-building projects related to access and benefit-sharing is also available on the Convention website: <http://www.cbd.int/programmes/socio-eco/benefit/projects.aspx>.

ITEM 4. STRATEGIC PLAN OF THE CONVENTION: 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

50. 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”.

51. 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)”.

52. 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.

53. A compilation of these submissions was prepared by the Executive Secretary (UNEP/CBD/WG-ABS/4/6) and made available for consideration by the Working Group at its fourth meeting. At this meeting, the Working Group decided to postpone the issue of the Strategic Plan until the fifth meeting of the Working Group.

54. The Conference of the Parties, in decision VIII/4 E, requested the Working Group, at its fifth meeting, to further address this issue. It also invited “Parties, Governments, relevant international organisations, indigenous and local communities and all relevant stakeholders to submit their views and information to the Executive Secretary in accordance with recommendation 3/5 of the third meeting of the Working Group on Access and Benefit-sharing” and requested the Executive Secretary to compile the views and information referred to above and make such compilation available to the Working Group at its fifth meeting. The compilation is available as document UNEP/CBD/WG-ABS/5/6.

55. Given the need to further consider targets and indicators for access and benefit-sharing while not impacting on progress on other agenda items, and time permitting, 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.

ITEM 5. OTHER MATTERS

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

ITEM 6. ADOPTION OF THE REPORT

57. 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.

ITEM 7. CLOSURE OF THE MEETING

58. The meeting is expected to be closed at 6 p.m. on Friday, 12 October 2007.

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

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/WG-ABS/5/1	Provisional agenda
UNEP/CBD/WG-ABS/5/1/Add.1/Rev.1	Annotated provisional agenda
UNEP/CBD/WG-ABS/5/2	Annex to decision VIII/4 A of the Conference of the Parties on the international regime on access and benefit-sharing
UNEP/CBD/WG-ABS/5/3	Analysis of gaps in existing national, regional and international legal and other instruments relating to access and benefit-sharing
UNEP/CBD/WG-ABS/5/4	Overview of recent developments at national and regional levels relating to access and benefit-sharing
UNEP/CBD/WG-ABS/5/4/Add.1	Overview of recent developments at the international level relating to access and benefit-sharing
UNEP/CBD/WG-ABS/5/5	Report on the legal status of genetic resources in national law, including property law, where applicable in a selection of countries
UNEP/CBD/WG-ABS/5/6	Strategic Plan of the Convention: 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: compilation of views and information provided by Parties.
UNEP/CBD/WG-ABS/5/7	Report of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance
UNEP/CBD/WG-ABS/5/INF/1	Compilation of submissions provided by Parties and other relevant organisations on issues of relevance to the international regime on access and benefit-sharing
UNEP/CBD/WG-ABS/5/INF/2	Compilation of submissions provided by Parties on experiences in developing and implementing Article 15 of the Convention at the national level and measures taken to support compliance with prior informed consent and mutually agreed terms
UNEP/CBD/WG-ABS/5/INF/3	Analytical study on administrative and judicial remedies available in countries with users under their jurisdiction and in international agreements

Previously issued documents of relevance to the meeting

COP Decision VII/19 D, annex Terms of reference for the Ad Hoc Open-ended Working

Group on Access and Benefit-sharing

COP Decision VII/19 F, annex

Action Plan on Capacity-building for Access to Genetic Resources and Benefit-sharing

UNEP/CBD/WG-ABS/4/3

Matrix on the analysis of gaps

Symbol

Title

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 the utilization of genetic resources: compilation of views and information provided by Parties, Governments, relevant international organizations, indigenous and local communities and all relevant stakeholders.

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/3/2

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

Annex II

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

<i>Plenary</i>	
<p><i>Monday, 8 October 2007</i> 10 a.m. to 1 p.m.</p> <p>3-6 p.m.</p>	<p>Item 1. Opening of the meeting.</p> <p>Item 2. Organizational matters:</p> <p style="padding-left: 20px;">2.1 Officers;</p> <p style="padding-left: 20px;">2.2 Adoption of the agenda;</p> <p style="padding-left: 20px;">2.3 Organization of work.</p> <p>Item 3. International regime:</p> <p style="padding-left: 20px;">3.1 Fair and equitable sharing of benefits</p> <p>Item 3.1 <i>Continued</i></p>
<p><i>Tuesday, 9 October 2007</i> 10 a.m. to 1 p.m.</p> <p>3-6 p.m.</p>	<p>Item 3.1 <i>Continued</i></p> <p>Item 3.2 Access to genetic resources</p> <p>Item 3.2 <i>Continued</i></p>
<p><i>Wednesday, 10 October 2007</i> 10 a.m. to 1 p.m.</p> <p>3-6 p.m.</p>	<p>Item 3.3 Compliance</p> <p style="padding-left: 20px;">(i) Measures to support compliance with prior informed consent and mutually agreed terms</p> <p style="padding-left: 20px;">(ii) Internationally recognised certificate of origin/source/legal provenance</p> <p style="padding-left: 20px;">(iii) Monitoring, enforcement and dispute settlement</p> <p>Item 3.3 <i>Continued</i></p>
<p><i>Thursday, 11 October 2007</i> 10 a.m. to 1 p.m.</p> <p>3-6 p.m.</p>	<p>Item 3.4 Traditional knowledge and genetic resources</p> <p>Item 3.5 Capacity-building</p> <p>Item 4. Strategic Plan: future evaluation of progress – the need and possible indicators for access to genetic resources and in particular for the fair and equitable sharing of benefits arising from the utilization of genetic resources.</p>

	<i>Plenary</i>
<i>Friday, 12 October 2007</i> 10 a.m. to 1 p.m.	Item 5. Other matters Item 6. Adoption of the report Item 7. Closure of the meeting
3-6 p.m.	Item 5, 6 and 7. <i>Continued</i>
