



**Statement by the Secretariat of the Convention on Biological Diversity
on behalf of the Executive Secretary**

**Preparatory Committee established by General Assembly resolution 69/292: Development
of an international legally binding instrument under the United Nations Convention on the
Law of the Sea on the conservation and sustainable use of marine biological diversity of
areas beyond national jurisdiction**

New York, United States of America, 10 – 21 July 2017

Distinguished delegates,

On behalf of the Executive Secretary of the Convention on Biological Diversity, I am pleased to have this opportunity to update you on recent developments under the Convention on Biological Diversity and its Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.

To begin, I am pleased to say that the number of Parties to the Nagoya Protocol continues to grow. Since the last session of this Preparatory Committee, the Protocol has received four new ratifications, namely from Japan, Kuwait, Portugal and the Republic of Korea, bringing the total number of ratifications to 100. We are aware that a number of countries are in the final stages of their internal processes for ratification of the Protocol so we expect the number of Parties to continue to grow in the coming months.

As you will recall, at the third session of this Preparatory Committee, we provided an overview of the key outcomes of the United Nations Biodiversity Conference, which was held in Cancun, Mexico in December 2016. Today, I would like to share more information on some of these outcomes and the steps we are taking to implement the decisions that were adopted, particularly on the topic of genetic resources. Colleagues from the Secretariat will intervene on other matters to be considered in some of the informal working groups in the days to come.

One key outcome was the coordinated decisions under the Convention and the Nagoya Protocol on the issue of digital sequence information on genetic resources, which is akin to discussions on *in silico* genetic resources that have taken place in this Committee. The decisions



establish a process to facilitate consideration of any potential implications of the use of digital sequence information on genetic resources for the objectives of the Convention and the Nagoya Protocol.

The process includes the submission of views and information, the commissioning of a fact-finding and scoping study, and an ad hoc technical expert group meeting. The expert group will consider the technical scope and legal and scientific implications of existing terminology related to digital sequence information and identify the different types of digital sequence information on genetic resources that are relevant to the Convention and the Nagoya Protocol.

Its outcomes will be submitted for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice in July 2018. The Subsidiary Body will make recommendations to the fourteenth meeting of the Conference of the Parties to the Convention and the third meeting of the Parties to the Nagoya Protocol, which are planned for November 2018 in Sharm El-Sheikh, Egypt.

The Executive Secretary has also been requested to continue engaging with relevant ongoing processes and policy debates to collect information on current discussions on the relationship between the use of digital sequence information on genetic resources and access and benefit-sharing arising out of the utilization of genetic resources.

Distinguished delegates,

The UN Biodiversity Conference also considered Article 10 of the Nagoya Protocol, which addresses the need for and modalities of a global multilateral benefit-sharing mechanism. In their decision on this matter, Parties to the Protocol noted developments in other international processes and organizations, such as the United Nations General Assembly, and requested the Executive Secretary to compile information on developments in these processes and organizations with a view to informing future discussions on Article 10. There will also be an opportunity for the submission of views on different aspects related to Article 10. This information will be considered by the second meeting of the Subsidiary Body on Implementation, which will explore the need for a global multilateral benefit-sharing mechanism and make recommendations for consideration by the third meeting of the Parties to the Protocol.

The Secretariat of the Convention on Biological Diversity looks forward to continuing to engage with the discussions on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction taking place under the United Nations Convention on the Law of the Sea and to sharing relevant information.

Thank you for your kind attention.
