



Press Brief

Access and Benefit-sharing under the Convention on Biological Diversity and the Nagoya Protocol

Why is this important?

The third objective of the Convention on Biological Diversity provides for “the fair and equitable sharing of the benefits arising out of the utilization of genetic resources”. The Convention, in its Article 15, sets out the principles and obligations of Parties related to this objective. Further elaborating the access and benefit-sharing (ABS) provisions of the Convention, the *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization* was adopted in October 2010 and will enter into force in time for the first meeting of the Parties to the Protocol to take place concurrently with COP 12 from 13 to 17 October in Pyeongchang, Republic of Korea.

The Nagoya Protocol creates greater legal certainty and transparency for both providers and users of genetic resources and traditional knowledge associated with genetic resources by establishing more predictable conditions for ABS. Benefit-sharing with providers can take various forms (ranging from royalties to joint ventures, technology transfer and capacity-building). The Protocol serves also as an incentive for providers to grant access to their genetic resources and associated traditional knowledge for research or other purposes, which contributes to the advancement of science and to human well-being through the expansion of knowledge about biodiversity and the development of new products in pharmaceuticals, cosmetics, agriculture and other sectors. The Nagoya Protocol therefore contributes to the conservation and sustainable use of biodiversity, the preservation and protection of associated traditional knowledge and poverty reduction.

The entry into force of the Protocol represents a major step towards achieving Aichi Biodiversity Target 16, which states that “by 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation.”



Convention on
Biological Diversity

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What news to expect in Pyeongchang?

Access and benefit-sharing (ABS) will be discussed at the twelfth meeting of the COP and the first meeting of the Parties to the Nagoya Protocol (COP-MOP 1). Under agenda item 10, “Status of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization”, COP 12 will consider a report coming from the Intergovernmental Committee of the Nagoya Protocol. Under agenda item 18, “Access and benefit-sharing”, the COP may wish to request the Executive Secretary to prepare a note on possible ways and means to promote integrated approaches to issues at the interface between the ABS related provisions of the Convention and the provisions of the Nagoya Protocol.

COP-MOP 1 will discuss, inter alia: the access and benefit-sharing clearing-house; model contractual clauses, voluntary codes of conduct, guidelines and best practices and/or standards; capacity-building; awareness-raising; the need for and modalities of a global multilateral benefit-sharing mechanism; monitoring and reporting; cooperative procedures and institutional mechanisms to promote compliance and to address cases of non-compliance; guidance on resource mobilization for the implementation of the Nagoya Protocol; and guidance to the financial mechanism.

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