



MILJØVERNDEPARTEMENTET

Norway`s ABS-Law

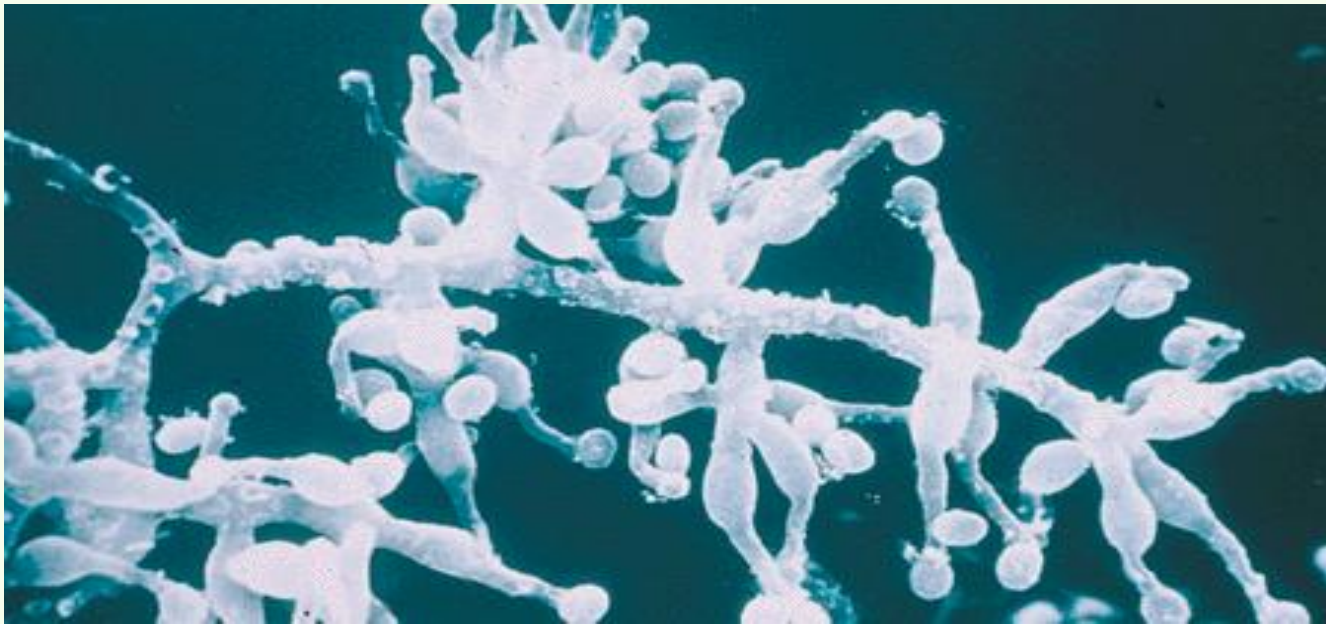
The state of the
Norwegian regulation
on genetic resources

The 2009 Nature
Diversity Act

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Genetic resources – a common resource

- Ownership to genetic material – common resource that belongs to the community in Norway
- The State has management responsibility
- The utilization should benefit the environment and people, both nationally and internationally
 - o Emphasis on appropriate sharing of benefits
 - o Emphasis on the interests of indigenous peoples and local communities



Fungus (*Tolypocladium inflatum*) basis for Cyclosporin A. Found on Hardangervidda.

Implementation Phase of the ABS Law and the Nagoya Protocol - Bioprospecting regulations



The Nagoya protocol, Nature Diversity Act, Marine Resources Act, and the Patents Act form the Norwegian ABS Law – regulations in the making

Regulations on Access and utilization

- If intent then consent (permit)
- The original conditions for the prior informed consent apply to subsequent receivers/users
- Information required by the applicant
- Access can be denied on other grounds
- Benefits shall accrue to the state

Genetic material from other countries

Distinct feature of the Norwegian ABS Law: Contains conditions for import to ensure that users of genetic material in Norway to comply with national regulations in provider countries;
Obligation under Norwegian law to;

- disclose the country of origin and/or the country from where the material is collected
- for users in Norway to follow the conditions set out in a prior informed consent of the provider country, and mutually agreed terms;
- If use involves traditional knowledge of local communities or indigenous peoples the genetic material shall be accompanied by information to that effect.

What with TK – obligations in the Protocol?

The need for amendments to the 2009 Nature Diversity Act is now being assessed

Existing procedural instruments : Consultation duty in Sámi matters

As an indigenous people, the Sámi are entitled to be consulted on matters that affect them. This right is enshrined in ILO Convention no. 169 on Indigenous and Tribal Peoples in Independent Countries, Article 6.

The Agreement on procedures for consultations between the Central Government authorities and the Sámi Parliament sets out detailed procedures for how consultations with the Sámi Parliament shall take place.

Thank you for your attention!



Foto: Mareano