



Dr. Ahmed Djoghlaif
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Dear Mr. Djoghlaif,

By way of the present letter ESA would like to express its views on two policy papers recently prepared by ICC on issues related to the ongoing negotiations for the Regime on Access and Benefit Sharing, and in particular for the upcoming meeting in November 2009 in Montréal.

On the one hand, ESA wishes to communicate its support to the ICC paper on “Nature, traditional knowledge and capacity building” prepared for the CBD’s 8th Ad Hoc Open Ended Working Group on Access and Benefit-Sharing to be held on November 9-15, 2009 in Montréal.

On the other hand, ESA also wishes to express its support to the key ideas presented in the ICC paper on “Pathogens and the International Regime on Access and Benefit-Sharing”. In particular, ESA agrees to the statement that new pests and pathogens play a crucial role in resistance breeding and this is essential to food security. This entails that immediate and easy access to new forms of pests and diseases as well as to relevant plant genetic material is indispensable in order for breeders to be able to start screening their genetic material for new resistance factors. Therefore ESA strongly supports the view that an International Regime for Access and Benefit-Sharing (hereinafter: ABS IR) should not cause any delays, due to a process of bilateral negotiations, to such an immediate and easy access. Therefore ESA supports that such pests and pathogens should be excluded from the scope of the ABS IR and be addressed in a separate regime which takes their special character into account.

Sincerely yours,

Szonja Csörgő
Manager Intellectual Property and Legal Affairs