



6 September 2013

Hugo-Maria Schally
European Commission
DG Environment

Dear Mr. Schally,

I am writing to you in response to the invitation to share information on model contractual clauses and voluntary norms relevant for the implementation of the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization (ABS).

The Union for Ethical BioTrade (UEBT) is a non-profit association that promotes the 'Sourcing with Respect' of ingredients that come from biodiversity. Companies that join UEBT commit to gradually ensuring implementing the Ethical BioTrade Standard in their policies and practices on biodiversity-based research and development and the sourcing of natural ingredients. Their progress towards such implementation is independently verified.

The Ethical BioTrade Standard is based on the objectives and principles of the Convention on Biological Diversity (CBD) and other international sustainable development goals. It was developed through public, multi-stakeholder consultation, as required by the ISEAL Alliance, of which UEBT is a full member. The Ethical BioTrade Standard was reviewed in 2012 and the process included changes to reflect provisions of the Nagoya Protocol on ABS.

Equitable benefit sharing is one of the cornerstones of Ethical BioTrade. In line with the CBD, the Ethical BioTrade Standard addresses benefit sharing in all activities linked to the sourcing of natural ingredients. For example, it requires sourcing of biodiversity to be based on balanced negotiations and equitable prices. In addition, there are specific requirements for research and development activities, in line with ABS principles. These requirements refer to prior informed consent and the equitable sharing of benefits, based on mutually agreed terms. They also require measures to comply with applicable legislative and regulatory ABS requirements.

UEBT provides technical support to its members in implementing equitable benefit sharing requirements, including through guidelines and advisory services.

Enclosed, please find the Ethical BioTrade Standard. I am also enclosing two of our guidance tools, a manual for the assessment of equitable benefit sharing along supply chains and the 'UEBT Principles on Patents and Biodiversity.' Additional tools and case studies of their use are available on our website (www.ethicalbiotrade.org).

We hope the information will be useful to implementing the Nagoya Protocol on ABS and advancing equitable sharing of benefits derived from biodiversity.

Best,



Rik Kutsch Lojenga
Executive Director