

The Nagoya Protocol on Access and Benefit-sharing

The Nagoya Protocol on Access and Benefit-sharing is an international agreement adopted under the auspices of the Convention on Biological Diversity (CBD) in Nagoya, Japan, in 2010. Its objective is the fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity and implementing the three objectives of the CBD.

Genetic resources, whether from plants, animals or micro-organisms, are used for a variety of purposes ranging from scientific research to the development of products in various sectors, such as cosmetics, pharmaceuticals, agriculture, food and beverage or horticulture. For centuries, indigenous and local communities have developed and passed on traditional knowledge about local biodiversity. This knowledge can provide useful leads to users of genetic resources in identifying the properties of biological resources.

Building on Article 15 and 8(j) of the CBD, the Nagoya Protocol promotes equity between providers and users of genetic resources and associated traditional knowledge by ensuring that access is granted on the basis of prior informed consent and that any benefits derived from their use is shared fairly and equitably with the provider country and indigenous and local communities, as appropriate.

In exchange for access to genetic resources or associated traditional knowledge, the provider obtains a fair share of the benefits derived from their utilization, whether monetary or non-monetary (e.g. sharing of research results, technology transfer, benefits arising from the commercialization of products based on genetic resources).

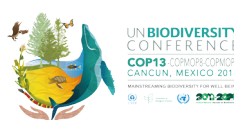
The Nagoya Protocol was adopted to provide greater legal certainty and transparency to both providers and users of genetic resources. A clear framework for access and benefit-sharing benefits potential users, such as research institutions or private companies, by enhancing clarity and legal certainty when they access genetic resources in a given country. It also benefits providers by helping to ensure benefit-sharing when genetic resources leave the provider country.

By enhancing legal certainty and promoting benefit-sharing, the Nagoya Protocol creates incentives to conserve and sustainably use genetic resources, and encourages the advancement of research on genetic resources which could lead to new discoveries for the benefit of all.

The Nagoya Protocol is an innovative environmental treaty that encompasses not only ecological, but also social and economic aspects. Therefore, the Protocol is of particular relevance in light of the adoption of the 2030



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Agenda for Sustainable Development and its Sustainable Development Goals. Once implemented, the Protocol can contribute to efforts towards poverty alleviation, food security, human health, economic growth, innovation, and governance.

Key Messages

- The Nagoya Protocol on ABS entered into force in 2014 and had been **ratified by 91 Parties to the CBD** as of 5 December 2016.
- The Nagoya Protocol ensures that the utilization of genetic resources and associated traditional knowledge translates into **opportunities for fair and equitable sharing of benefits** and therefore can contribute to sustainable development and poverty alleviation
- The Nagoya Protocol is conducive to **building trust and fostering partnerships** between users and providers of genetic resources and associated traditional knowledge and between the many stakeholders involved in the ABS process, such as indigenous and local communities and scientific and business communities
- The Nagoya Protocol **contributes to the 2030 Sustainable Development Goals**, in particular targets 2.5 and 15.6

Work of the Nagoya Protocol on Access and Benefit-sharing

After the entry into force of the Nagoya Protocol in 2014, the Parties to the Protocol (COP-MOP) met for the first time in Pyeongchang, Korea, to decide on the way forward regarding a number of issues related to the implementation of the Protocol.

At its second meeting taking place in Cancun, Mexico, the COP-MOP will discuss several issues of key importance, including: progress towards Aichi Biodiversity Target 16 and the operationalization of the Protocol; the Access and Benefit-sharing Clearing-House; the implementation of the awareness-raising strategy regarding the importance of genetic resources and associated traditional knowledge; capacity-building and development to support the implementation of the Protocol; compliance with the Protocol; guidance to the financial mechanism; the need for and modalities of a global multilateral benefit sharing mechanism; a process for the first assessment and review of the effectiveness of the Protocol to be carried out by Parties to the Protocol at their third meeting in 2018; and cooperation with other international organizations, conventions and initiatives working on ABS related issues. When addressing these topics, governments will further consolidate the foundations of the Nagoya Protocol and provide guidance on the next steps to be taken to support its implementation and address outstanding issues during the next biennium.

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Important links

- Convention on Biological Diversity: www.cbd.int
- Nagoya Protocol on Access and Benefit-sharing: www.cbd.int/abs
- UN Biodiversity Conference, Cancun, Mexico, 2016: www.cbd.int/cop2016
- Access and Benefit-sharing Clearing-House: <https://absch.cbd.int>
- Awareness-raising material on ABS: www.cbd.int/abs/awareness-raising

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