



For use by the media only
Not an official document

PRESS RELEASE

A new legal instrument at the service of sustainable development opens for signature

Montreal, 2 February 2011 – At a ceremony held today in New York, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization was opened for signature by Parties to the Convention on Biological Diversity. Addressing the opening ceremony, United Nations Secretary-General Ban Ki-moon called on all Parties to expedite the early entry into force of this new legal instrument at the service of sustainable development and to the achievement of the Millennium Development Goals.

Speaking on behalf of the President of the Conference of the Parties to the Convention on Biological Diversity (CBD), Japan's Vice-Minister for Global Environmental Affairs, Mr. Tatsushi Terada, said, "The historic adoption of the Nagoya Protocol on Access and Benefit-sharing was indeed the fruit of the collective efforts of all the Parties. The next step that we need to focus is the early entry into force and the effective implementation of the Protocol."

During the ceremony, representatives of Colombia, Yemen, Brazil and Algeria signed the Nagoya Protocol, which remains open for signature until 1 February 2012 at the United Nations Headquarters in New York.

After six years of negotiations, the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity adopted the Nagoya Protocol on 29 October 2010, in Nagoya, Japan. The Protocol builds on the Convention and supports the further implementation of one of its three objectives: the fair and equitable sharing of benefits arising out of the utilization of genetic resources.

The Protocol provides the means to translate the Convention's objective into reality. Speaking on its immense significance, the Executive Secretary of the Convention on Biological Diversity, Mr. Ahmed Djoghlaf, said, "It will benefit all. Indeed, it will provide greater legal certainty and transparency for both providers and users of genetic resources and associated traditional knowledge. It will facilitate access to genetic resources and associated traditional knowledge, on the one hand, and support the fair and equitable sharing of benefits with the provider country and indigenous and local communities, on the other."

Genetic resources, whether from plant, animal or micro-organisms, are used for various purposes, ranging from basic research to the development of products. Users of genetic resources include research institutes, universities and private companies operating in various sectors such as pharmaceuticals, agriculture, horticulture, cosmetics and biotechnology.

Benefits derived from genetic resources may include the sharing of the results of research and development carried out on genetic resources the transfer of technologies that make use of those

resources, participation in biotechnological research activities, or monetary benefits arising from the commercialization of products based on genetic resources, such as pharmaceuticals.

The Nagoya Protocol enters into force 90 days after the deposit of the fiftieth instrument of ratification, acceptance, approval, or accession. The eleventh meeting of the Conference of the Parties, being held in India from 8 to 19 October 2012, is the target for convening the first meeting of the Parties to the Protocol. For this target to be met, the Nagoya Protocol must enter into force no later than 8 October 2012, with the fiftieth instrument of ratification deposited no later than 10 July 2012.

The Nagoya Protocol's early entry into force is strategically important for the successful implementation of the Convention. The Conference of the Parties and the United Nations General Assembly have called upon the Convention's 193 Parties to sign the Nagoya Protocol at the earliest opportunity, and to deposit their instruments of ratification, acceptance, approval, or instruments of accession, as appropriate, as soon as possible.

Monique Barbut, CEO and Chairperson of the Global Environment Facility (GEF) announced a million dollar project to support the early entry into force of the Protocol, stating that: "The GEF, as the designated financial mechanism of this new legal instrument, is fully committed to ensure it moves into force as quickly as possible. The Nagoya Protocol is the latest tool toward serving what marks 20 years of strong results investing locally for global impact."

Notes to editors

Heads of State and Government at the World Summit on Sustainable Development (Johannesburg, September 2002) first recognized the need for an international regime to promote and safeguard the fair and equitable sharing of benefits and called for negotiations to be carried out within the framework of the Convention on Biological Diversity. The Conference of the Parties to the Convention responded at its seventh meeting, in 2004, by mandating its Ad Hoc Open-ended Working Group on Access and Benefit-sharing to elaborate and negotiate an international regime on access to genetic resources and benefit-sharing to effectively implement Articles 15 (Access to Genetic Resources) and 8(j) (Traditional Knowledge) of the Convention and its three objectives.

The Nagoya Protocol significantly advances the objective of the Convention on the fair and equitable sharing of benefits arising from the utilization of genetic resources by providing greater legal certainty and transparency for both providers and users of genetic resources. Specific obligations to support compliance with domestic legislation or regulatory requirements of the Party providing genetic resources and contractual obligations reflected in mutually agreed terms are a significant innovation of the Nagoya Protocol. These compliance provisions as well as provisions establishing more predictable conditions for access to genetic resources will contribute to ensuring the sharing of benefits when genetic resources leave a Party providing genetic resources. Also, the Protocol's provisions on access to traditional knowledge held by indigenous and local communities when it is associated with genetic resources will strengthen the ability of these communities to benefit from the use of their knowledge, innovations and practices.

By promoting the use of genetic resources and associated traditional knowledge, and by strengthening the opportunities for fair and equitable sharing of benefits from their use, the Protocol will create incentives to conserve biodiversity, sustainably use its components, and further enhance the contribution of biodiversity to sustainable development and human well-being. The Nagoya Protocol is available at:

<http://treaties.un.org/doc/source/signature/2010/Ch-XXVII-8-b.pdf>

The Convention on Biological Diversity (CBD)

Opened for signature at the Earth Summit in Rio de Janeiro in 1992, and entering into force in December 1993, the Convention on Biological Diversity is an international treaty for the conservation of biodiversity, the sustainable use of the components of biodiversity and the equitable sharing of the benefits derived from the use of genetic resources. With 193 Parties, the Convention has near universal participation among countries. The Convention seeks to address all threats to biodiversity and ecosystem services, including threats from climate change, through scientific assessments, the development of tools, incentives and processes, the transfer of technologies and good practices and the full and active involvement of relevant stakeholders including indigenous and local communities, youth, NGOs, women and the business community. The Cartagena Protocol on Biosafety is a subsidiary agreement to the Convention. It seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. To date, 159 countries plus the European Union have ratified the Cartagena Protocol. The Secretariat of the Convention and its Cartagena Protocol is located in Montreal, Canada. For more information visit www.cbd.int

For additional information, please contact: David Ainsworth on +1 514 287 7025 or at david.ainsworth@cbd.int; or Johan Hedlund on +1 514 287 6670 or at johan.hedlund@cbd.int.
