



## PRESS RELEASE

### *Megadiverse Mexico ratifies the Nagoya Protocol on genetic resources*

Montreal, 23 May 2012 – On 16 May, Mexico became the fifth country to ratify the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity.

Mexico is the first of the so-called megadiverse countries to ratify the Protocol.

The Nagoya Protocol will enter into force 90 days after the deposit of the fiftieth instrument of ratification. In addition to Mexico, the Seychelles, Rwanda, Gabon and Jordan have also ratified the Protocol.

The Nagoya Protocol was open for signature between 2 February 2011 and 1 February 2012. Among 92 signatories to the Protocol, Mexico signed on 25 February 2011.

Mexico deposited its instrument of ratification to the Nagoya Protocol on 16 May 2012 at United Nations Headquarters in New York. The instrument was deposited by the Mexican Secretary of Environment and Natural Resources, Juan Rafael Elvira Quesada, in the presence of Gabriele Goettsche-Wanli, Director of the Treaty Section of the United Nations, David Hutchinson, Legal Adviser of United Nations, Juanita Castano, Director of the UNEP New York office and Elizabeth Thompson, Executive Coordinator of the United Nations Conference on Sustainable Development (“Rio+20”).

Juan Rafael Quesada, Secretary of the Environment and Natural Resources of Mexico, said that the Protocol would provide legal certainty regarding the use of genetic resources to indigenous and local communities, industries, pharmaceutical companies and researchers, by establishing measures to avoid misappropriation and misuse.

Braulio Ferreira de Souza Dias, Executive Secretary of the Convention on Biological Diversity, said: “Mexico’s ratification is a significant milestone on the road to the entry into force of the Nagoya Protocol. It is exciting to see that one of the megadiverse countries of the world has taken this step in support of the conservation and sustainable use of genetic resources. I urge other Parties to the Convention to ratify as soon as possible.”

In order to become Parties to the Nagoya Protocol, Parties to the Convention that have signed the Nagoya Protocol may then proceed to take steps at the domestic level that would lead to depositing their instruments of ratification, acceptance or approval with the Depositary. Parties to the Convention that were not be able to sign the Nagoya Protocol by 1 February 2012, but still wish to become Parties, may accede to the Protocol by depositing an instrument of accession with the Depositary. Ratification, acceptance, approval and accession have the same legal effect. Further information on how to become a Party to the Protocol can be found at: [www.cbd.int/abs/becoming-party/](http://www.cbd.int/abs/becoming-party/).

The entry into force of the Nagoya Protocol will provide greater legal certainty and transparency for both providers and users of genetic resources, creating a framework that promotes the use of genetic resources and associated traditional knowledge while strengthening the opportunities for fair and equitable sharing of benefits from their use. Hence, the Protocol will create new incentives to conserve biodiversity,

sustainably use its components, and further enhance the contribution of biodiversity to sustainable development and human well-being.

### ***Notes to Editors***

Heads of State and Government at the World Summit on Sustainable Development, held in Johannesburg in 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 full text of the Nagoya Protocol is available at: [www.cbd.int/abs/doc/protocol/nagoya-protocol-en.pdf](http://www.cbd.int/abs/doc/protocol/nagoya-protocol-en.pdf).

The list of signatories of the Nagoya Protocol is available on the Convention's website at: [www.cbd.int/abs/nagoya-protocol/signatories/](http://www.cbd.int/abs/nagoya-protocol/signatories/)

### **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, 162 countries plus the European Union have ratified the Cartagena Protocol. The Secretariat of the Convention and its Cartagena Protocol is located in Montreal. For more information visit: [www.cbd.int](http://www.cbd.int).

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