







Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization

Secretariat of the Convention on Biological Diversity





Access and Benefit-sharing: Background

One of the three objectives of the CBD:

- Conservation of biological diversity
- Sustainable use of its components
- Fair and equitable sharing of benefits arising from the use of genetic resources





Genetic resources provide a wide range of products and services essential to human well-being, notably in the following sectors:

- Pharmaceuticals
- Personal care and cosmetics
- Seed and crop protection
- Botanicals and horticulture

Therefore, countries have a shared interest in the advancement of research on genetic resources as it leads to new discoveries.





Uses of genetic resources

Different type of genetic resources

Animal, plant, microbial

Used for different purposes

Research and/or commercialization

Different types of users operating in different sectors

- pharmaceuticals
- seed and crop protection
- personal care and cosmetics
- botanicals and horticulture

A large number of actors involved, rarely one provider and one user (e.g. intermediaries)



Genetic resources can be put to commercial use:

 They can be used in crop protection, drug development, chemicals, detergents, and textiles among others

Examples:

- The development of drugs from the use of plant components, such as compounds found in resin and latex, to treat diseases
- The commercialization of a gene sequence from wild plants to increase the resistance of food crops to agricultural pests





Genetic resources can be put to non-commercial use:

- Academic and public research institutions use genetic resources to increase our understanding of nature
- •Genetic resources are a key source of information for taxonomy and ecosystem analysis







Fundamental Principles of ABS

- Sovereign rights of States over their natural resources
- Access to genetic resources is subject to the prior informed consent (PIC) of the provider country
- Users and providers must reach an agreement (mutually agreed terms) on the sharing of benefits that may result from their use





- CBD provisions not fully implemented
- Cases of misappropriation of genetic resources and associated traditional knowledge
- Need for legal certainty and transparency
 - Concern to ensure benefit-sharing once genetic resources have left the provider country
 - Need for clear procedures when accessing genetic resources





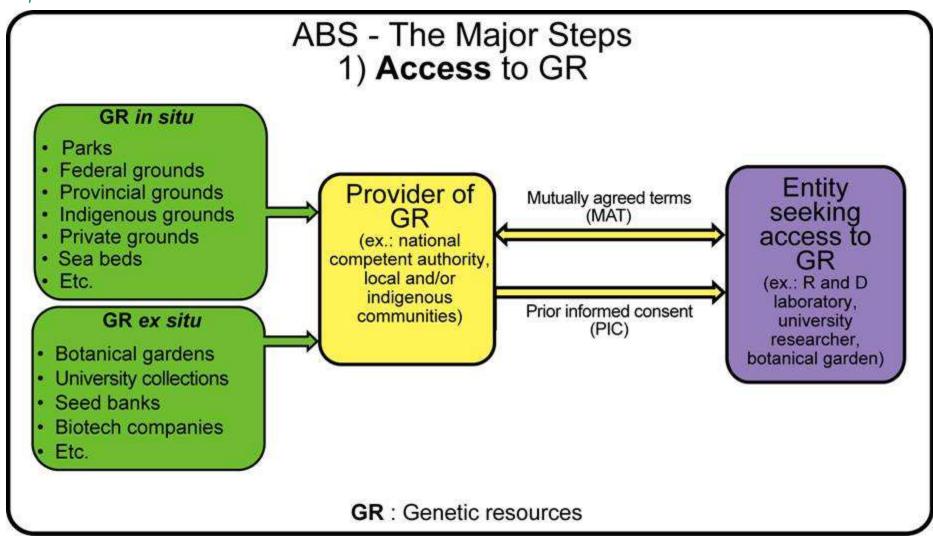
Why a Protocol?

Legal certainty through a transparent framework on ABS:

- For providers: to ensure benefit-sharing once genetic resources leave the provider country
 - To prevent misappropriation of genetic resources and associated traditional knowledge
- For users: to provide for clear procedures for access to genetic resources











ABS - The Major Steps 2) The Sharing of benefits arising out of the utilization of GR Benefit sharing (ex.: monetary compensation) Monetary benefits Provider of arising out of the Utilization Mutually agreed terms utilization of the GR (ex.: identification of (MAT) resource (ex.: national properties of interest, isolation of substances. competent development, authority, local Non-monetary testing, patenting, and / or benefits arising indigenous Prior informed consent commercialisation, etc.) out of the communities) (PIC) utilization of the resource **Benefit sharing** (ex.: transfer of technology, construction of laboratories)

GR: Genetic resources





Uses of Genetic Resources: ABS in practice

Provider of GR
(& associated TK):
National
Competent
Authority

Prior Informed Consent (PIC)

User of GR
(& associated
TK): e.g. industry,
research
institutes,
universities



- Non-commercial or commercial utilization of GR (& associated TK): e.g. basic research, research and development, development of new pharmaceuticals, biotechnological products
- Benefit-Sharing (monetary & non-monetary): e.g. royalties, technology transfer, training



Thank you for your attention!

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