



Nagoya Protocol and One Health research

**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**

TEXT AND ANNEX



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1992, Convention on Biological Diversity (CBD) Rio de Janeiro, Brazil

- ❖ Article 1 => 3 objectives have been defined
 - Conservation of biological diversity
 - Sustainable use of the components of biological diversity
 - Fair and equitable sharing of benefits arising from the utilization of genetic resources

196 countries are parties to the Convention



The CBD allocates rights in order to promote biodiversity conservation and sustainable use

❖ **Sovereignty of States** over their genetic resources (Art. 15)

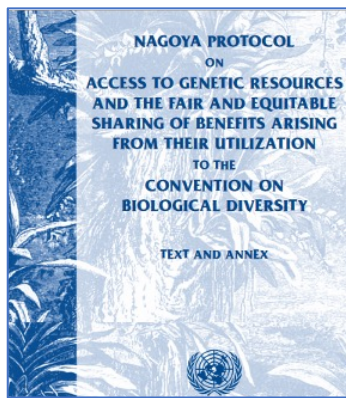
- The **States** have the **responsibility** to define their **national procedures**, and to **regulate or not the access** to their genetic resources

❖ Recognition of the **traditional knowledge** of **indigenous and local communities**

- This recognition is subjected to national laws

❖ **Mechanism** : A framework for the relationship between the providers of genetic resources and the users

- Access to genetic resources and fair and equitable Sharing of Benefits arising from their utilization (ABS) → Legally bound by the Nagoya Protocol



The Nagoya Protocol

(adopted in 2010, came into force on Oct 12, 2014)

<https://www.cbd.int/abs/text/>

Implements the ABS objectives of the CBD

- **A**ccess

- A prior informed consent (PIC) must be obtained from public authorities or representatives of indigenous communities

- **B**enefit **S**haring

- Mutually agreed terms (MAT) should be included into a contract, specifying the obligations in terms of sharing, established between users and providers
- Benefits may be monetary or non-monetary

- **C**ompliance with national regulations and contract agreements

- Obligations for parties to have an effective system in place to ensure the compliant use of genetic resources originating from other party countries

Scope of the Nagoya Protocol : What is concern and how do we use it?

❖ **What?**

- **Genetic resource (GR)** Any material of plant, animal, microbial or other origin containing functional units of heredity of actual or potential value
- **Derivative** : naturally occurring biochemical compound resulting from the genetic expression or metabolism of biological or genetic resources, even if it does not contain functional units of heredity (ex: flavors, resins, venoms, enzymes, etc.).
- **Traditional knowledge associated with genetic resources (TK)** : “knowledge, innovations and practices” that “embody traditional lifestyles relevant for the conservation and sustainable use of biological diversity”.
- **DSI** (Digital Sequence Information) : sequence data from GR

❖ **How?**

- **Utilization of genetic resources** : Means to conduct research and development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology.
- **Biotechnology** : Any technological application that uses biological systems, living organisms or derivatives thereof, to make or modify products or processes for specific purposes

How does it work?

- ❖ The Nagoya Protocol makes it possible to translate into legislation or regulations the visions of States on their sovereignty, the conditions of partnership, their visions of nature, their relations with indigenous and local populations

- ❖ Countries can thus define
 - **WHO** can collect their biodiversity
 - **WHAT** is possible to do, free access, restrictions, etc
 - **HOW** to do it: the procedures to follow

- ➔ In fact, whatever the countries will want to put in...

A general framework, but with an exclusion

❖ A very important exclusion: **human genetic resources**

➤ « human genetic resources are not included within the framework of the Convention”

CBD- COP 2 II/11 <https://www.cbd.int/decision/cop/?id=7084>

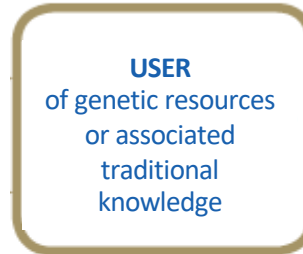
➤ « human genetic resources are not included within the framework of the Protocol”

CBD - COP 10 Decision X/1 <https://www.cbd.int/decision/cop/?id=12267>

Exclusions of human genetic resources but not
other genetic resources on or in humans

Principles of ABS (Access to genetic resources and benefit-sharing) « the business model for ABS »

*Countries
Local Communities*



*Researchers
Businesses
Collections*

Information-Contact person

- *ABS National Focal Point*

Negotiation-Authorizations

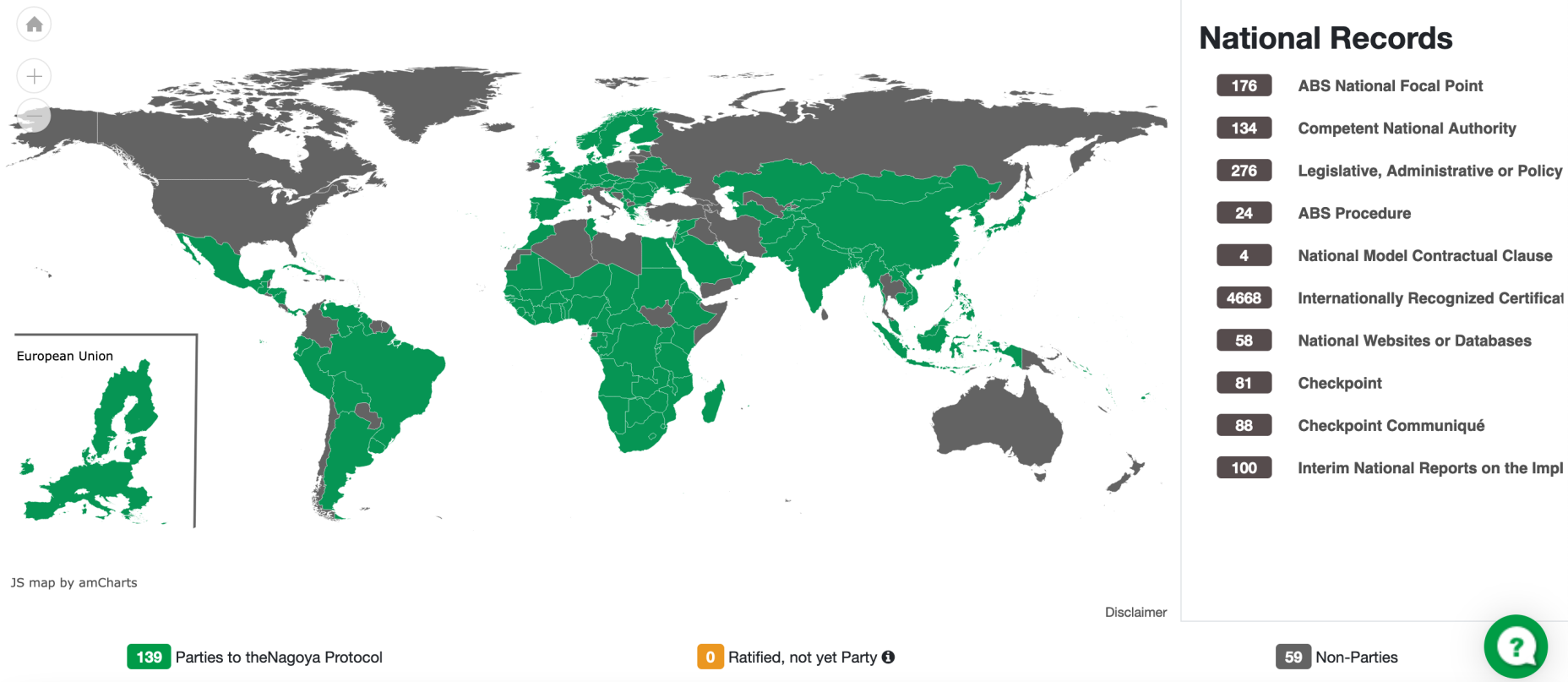
- *National Competent Authorities*

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Where can I find informations regarding the Nagoya protocol in the country of origin of the GR or TK ?

Access and Benefit-sharing Clearing-House (ABSCH) : platform for exchanging information on ABS, a key tool to facilitate the implementation of the Nagoya Protocol

Parties to the Nagoya Protocol



<https://absch.cbd.int/en/>

Nagoya-Research Relationship

❖ Non monetary benefits

- Sharing of research and development results
- Partnerships in scientific R&D programs
- Capacity building
- Education / training
- Technology or knowledge transfer
- Provide access to ex-situ collections for local researcher or business
- Local conservation of the genetic resources and maintenance of collections in the country of origin of the resource
- Access to scientific information relevant to conservation and sustainable use of biological diversity, including biological inventories and taxonomic studies
- Social recognition
- Joint ownership of relevant intellectual property rights
- Free licence to patented GR
- ...

❖ Good research practices - research ethics

What has ABS brought to our research practices?

Ethics of partnership

Rethinking our relationship with others

- ❖ *Social justice and equity*
- ❖ *Consultation between national and foreign researchers and institutions on orientations and priorities*
- ❖ *The pooling of material and financial resources*
- ❖ *Participation of the concerned populations (communication and circulation of information between researchers and populations)*
- ❖ *Research objectives relevant to the country in which the research is conducted: adequacy to local needs*
- ❖ *Strengthening of local scientific communities through training*
- ❖ *Equitable sharing of benefits*

Why is it important to always include Nagoya in the trainings and workshops and of course in the projects in the future ?

- ❖ ABS is increasingly considered in relations between countries
- ❖ There is a real demand from local academic partners and indigenous populations
- ❖ All projects require a legal framework and ABS is one of them

Thank you for your attention !