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Eidgenössisches Volkswirtschaftsdepartement EVD
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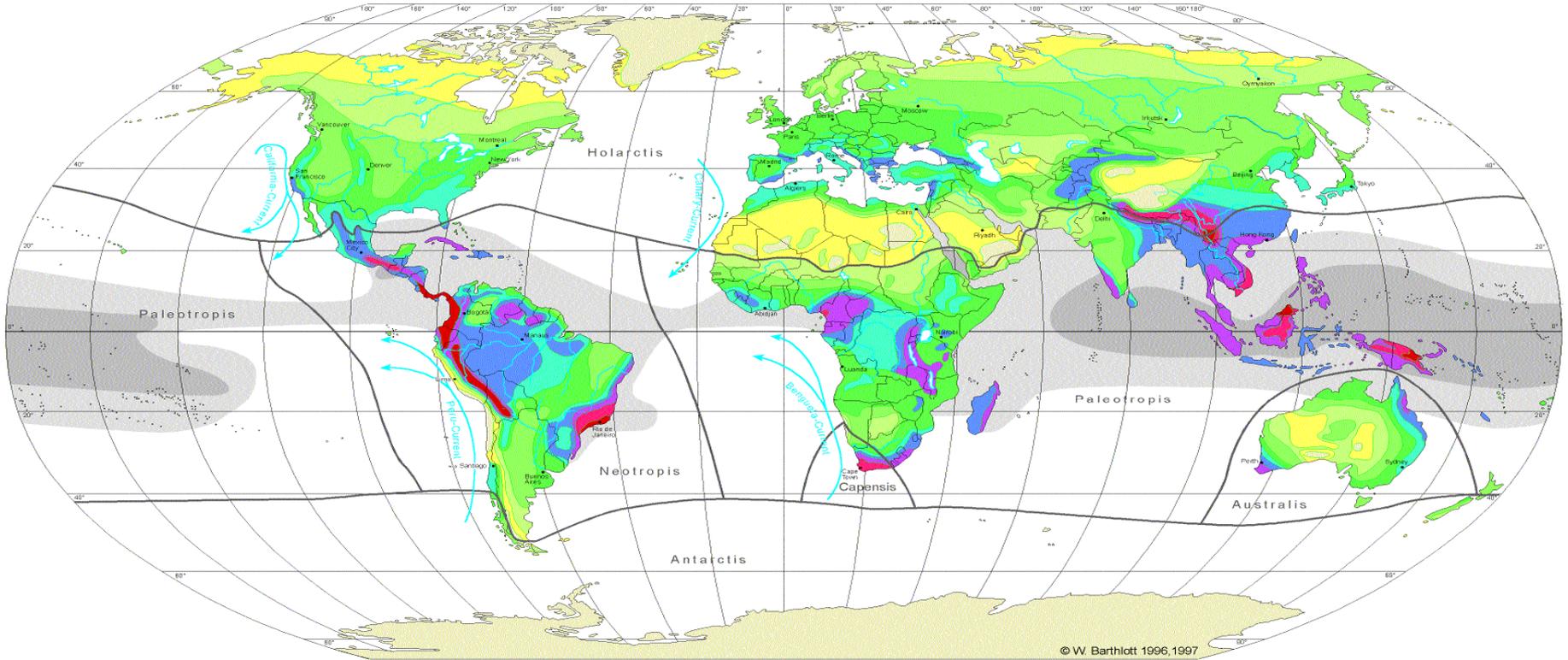
Introduction to the Protocol on Access and Benefit-sharing

Anita Maric Fasel
ABIM 2010



Why Access and Benefit-sharing (ABS)?

Numbers of vascular plants

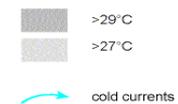


Robinson Projection
Standard Parallels 38°N und 38°S
Scale 1: 130 000 000

Diversity Zones (DZ): Number of species per 10.000km²



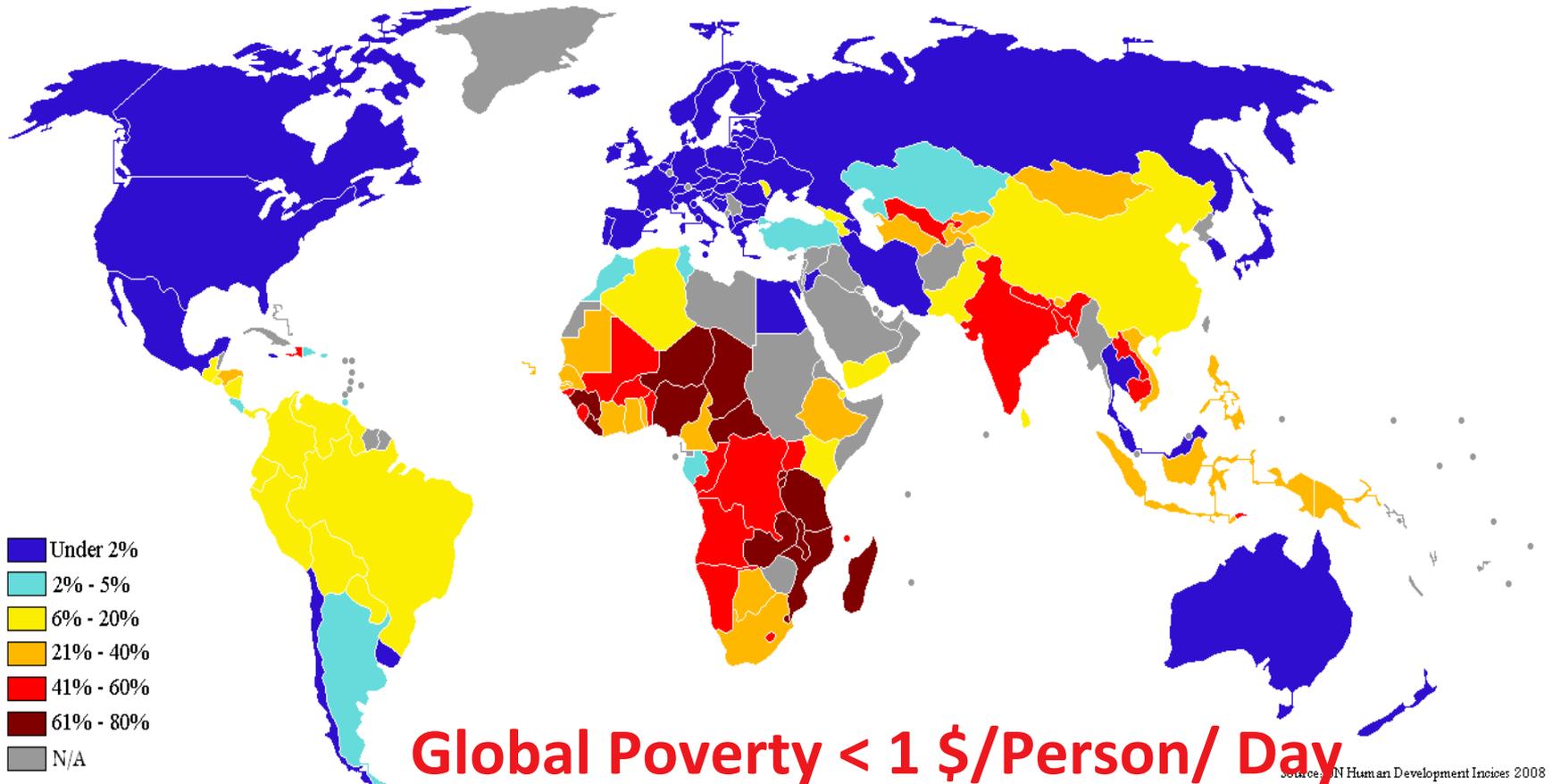
sea surface temperature

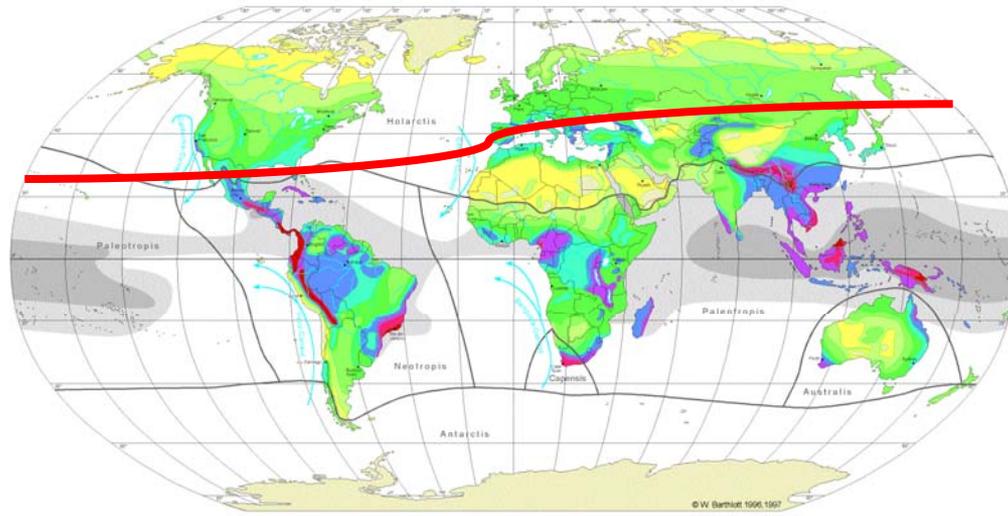


W. Barthlott, N. Biedinger, G. Braun
F. Feig, G. Kier, W. Lauer & J. Mutke 1997
modified after
W. Barthlott, W. Lauer & A. Placke 1996
Department of Botany and Geography
University of Bonn
German Aerospace Research Establishment, Cologne
Cartography: M. Gref
Department of Geography
University of Bonn

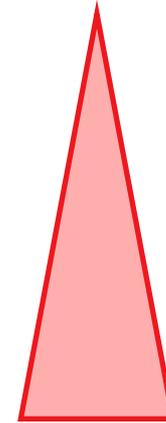


Why Access and Benefit-sharing (ABS)?





Biodiversity



Robinson Projection
Standard Parallels 38°N und 38°S
Scale 1:130000000

Diversity Zones (DZ): Number of species per 10,000km²



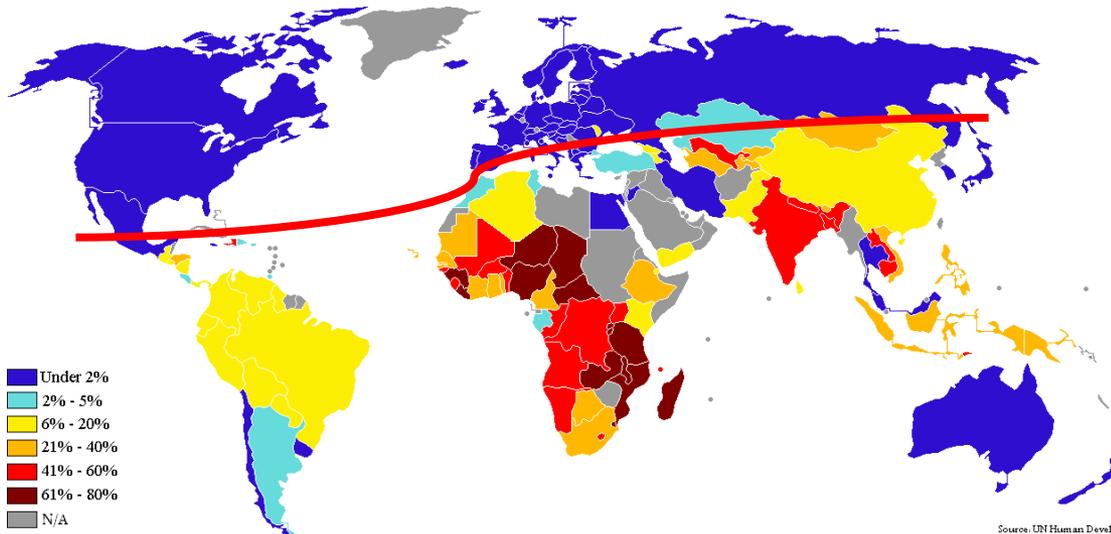
sea surface temperature

-29°C

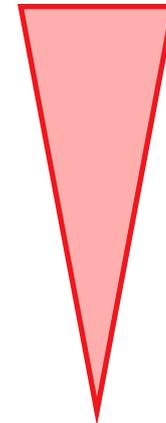
-27°C

cold currents

W. Barthlott, H. Biedinger, G. Braun,
F. Fieg, G. Ker, W. Lauer & J. Müller 1997
modified after
W. Barthlott, W. Lauer & A. Pläcke 1996
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Wealth



Source: UN Human Development Indices 2008



Convention on Biological Diversity (CBD) (1992)

Article 1. Objectives

BS

- The **conservation** of biological diversity
- The **sustainable use** of the components of biological diversity
- The **fair and equitable sharing of the benefits** arising out of the utilization of genetic resources

 **BS = third objective of the CBD**

Article 15. Access to Genetic Resources

A

1. Recognizing the **sovereign rights of States** over their natural resources, the authority to determine access to genetic resources rests with the national governments and is subject to national legislation.
4. Access, where granted, shall be on **mutually agreed terms** [...]
5. Access to genetic resources shall be subject to **prior informed consent** [...]

=ABS



What are genetic resources?

Article 2. Use of Terms

"Genetic resources" means genetic material of actual or potential value.

"Genetic material" means any material of plant, animal, microbial or other origin containing functional units of heredity.

Genetic resources are the basis for the developpement of

- ✓ Agricultural plants and livestock
- ✓ Medicaments
- ✓ Research and collections (Botanical gardens)
- ✓ Biocontrol



History



Secretariat of the
Convention on
Biological Diversity

1992: Adoption of the Convention on Biological Diversity

1998 (COP-4): Decision on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization

2000 (COP-5): Decision on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization
Group on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization

2002 (COP-6): Decision on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization

2002 (WSSD): Decision on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization
on ABS

2004 (COP-7): Decision on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization

2004: Interim Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization
Agriculture

Bonn Guidelines on
Access to Genetic
Resources and Fair and
Equitable Sharing of the
Benefits Arising out of
their Utilization

ABS

on ABS

ended **Working**

onal Regime (IR)

Regime on ABS

es for Food and





International Treaty on Plant Genetic Resources for Food and Agriculture (2004)

Article 1: Objectives

- conservation and sustainable use
- the fair and equitable sharing of the benefits arising
- in harmony with the Convention on Biological Diversity
- sustainable agriculture and food security

 Why a specific instrument for PGRFA?



History of the elaboration of ABS

2004: International Treaty on Plant Genetic Resources for Food and Agriculture

2008 (COP9): “**Road map**” to finalize the negotiation of the International Regime by 2010, agreement to have a **Protocol**.

2008 - 2010: 3 WG-ABS meetings, 3 technical and legal expert group meetings, several technical studies, 3 additional meetings to negotiate the draft ABS-Protocol.

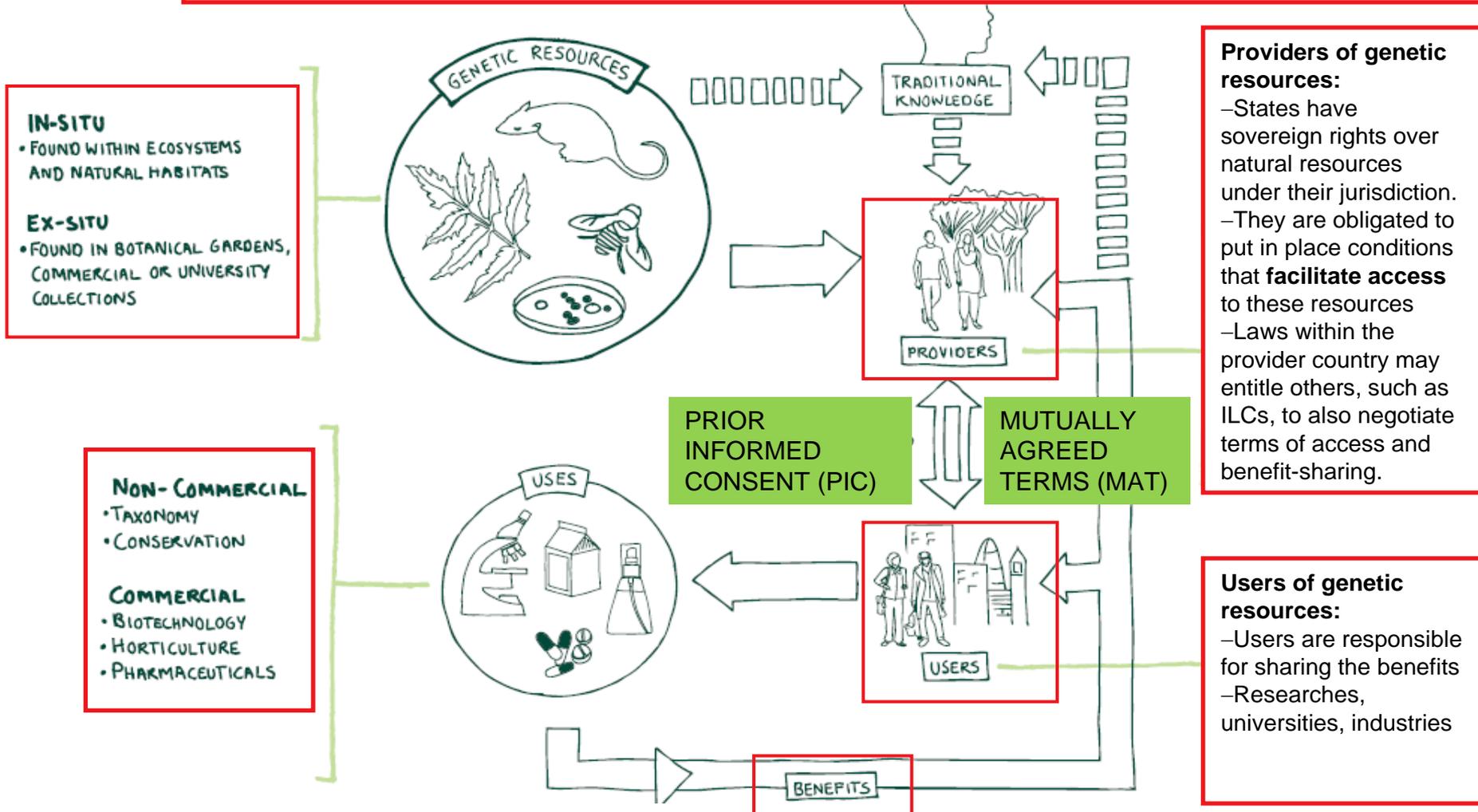
2010 (COP10): Adoption of the ABS-Protocol?



Overview

National Focal Points: Provide information about who to contact and what the requirements and processes are in provider countries in order to gain access

Competent National Authorities (CNAs): Are responsible for granting access and are representing providers on a local or national level.





Actual State of the ABS-Protocol

Consensus for:

- Objective
- Cross-boarder collaboration
- Relation to existing instrument (IT PGRFA) and future instruments

Issues:

- Utilization of genetic resources, Derivatives
- Non-commercial research (facilitated access, avoid future commercialization without BS)
- Compliance (Responsibilities of the State, international cooperation in case of misappropriation)



Treaty/CBD/ABS

	Treaty	CBD	ABS
What?	Plant genetic resources for Food and Agriculture	All Biodiversity	Genetic Resources
Who?	123 Parties	191 Parties	-
When?	2004	1992	2010?
	Multilateral	Bilateral	Bilateral
With PIC?	Yes	Yes	Yes
With MAT?	Yes + standardized	Yes	Yes





Thank you for your attention



Schweiz. Natürlich.