

Evidences

Study #2838

Contributing Projects:

- P1746 - PMU

Part I: Public communications

Type: OICR: Outcome Impact Case Report

Status: Completed

Year: 2018

Title: Guidelines on the Nagoya Protocol for CGIAR Research Centers

Short outcome/impact statement:

Guidelines for CGIAR Research Centers on 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

Outcome story for communications use:

The movement of plant genetic materials between countries is governed by an alphabet soup of treaties and agreements like ITPGRFA, CBD and SMTA. Some agreements are truly a mouthful like 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 or simply the Nagoya Protocol ... and equally confusing.

The Nagoya Protocol came into force in October 2014 and seeks to ensure the fair and equitable sharing of benefits arising out of the use of genetic resources. The Protocol puts operable systems in place to regulate access to genetic resources and associated traditional knowledge, and to monitor and enforce compliance by users with access and benefit-sharing legislation in provider countries.

Most of the CGIAR Research Centers' activities related to plant genetic resources are governed by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and not by the Nagoya Protocol. However, there are situations where CGIAR Centers need to comply with regional, national and sub-national mechanisms that implement the Nagoya Protocol. For example, at times a CGIAR Center might need to access plant genetic resources that are not available through the ITPGRFA's multilateral system. As more countries ratify and implement the Nagoya Protocol, an increasing proportion of the genetic resources that CGIAR Centers want to collect and use could be affected by laws developed under the Protocol.

The Guidelines on the Nagoya Protocol for CGIAR Research Centers are meant to help CGIAR Centers understand which areas of their plant genetic resources-related activities could be affected by the Nagoya Protocol. It outlines their options in terms of compliance with the legal obligations. The guidelines address situations where countries have national laws in place implementing the Nagoya Protocol as well as situations where the countries concerned have ratified or acceded to the Nagoya Protocol but do not yet have national laws and systems in place to implement it.

Links to any communications materials relating to this outcome: <Not Defined>

Part II: CGIAR system level reporting

Link to Common Results Reporting Indicator of Policies : No

Stage of maturity of change reported: Stage 2

Links to the Strategic Results Framework:

Sub-IDOs:

- Increased conservation and use of genetic resources

Is this OICR linked to some SRF 2022/2030 target?: No

Description of activity / study: <Not Defined>

Geographic scope:

- Global

Comments: <Not Defined>

Key Contributors:

Contributing CRPs/Platforms:

- Genebank - Genebank Platform

Contributing Flagships:

- M3: Policy Module: Engage in genetic resources policy development and compliance

Contributing Regional programs: <Not Defined>

Contributing external partners: <Not Defined>

CGIAR innovation(s) or findings that have resulted in this outcome or impact:

N/A

Innovations: <Not Defined>

Elaboration of Outcome/Impact Statement:

The Nagoya Protocol seeks to ensure the fair and equitable sharing of benefits arising out of the use of genetic resources. The Protocol puts operable systems in place to regulate access to genetic resources and associated traditional knowledge, and to monitor and enforce compliance by users with access and benefit-sharing legislation in provider countries. The CGIAR Center genebanks have considerable experience working under the framework of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). There are times, however, when the movement of plant genetic materials between countries might require following access and benefit-sharing laws developed under the Nagoya Protocol, for examples, when collecting new materials from on farm/in situ conditions.

The Genebank Platform Policy Module prepared the Guidelines on the Nagoya Protocol for CGIAR Research Centers and submitted the document to the Director Generals of Article 15 Centers for review and adoption. After being approved by the DGs, they were adopted by the System Management Board with effect from June 2018.

118 countries have already ratified the Nagoya Protocol, including most of the countries that are hosting CGIAR Centers. More countries are expected to ratify in the next few years. These guidelines will become increasingly important as additional countries ratify the Nagoya Protocol and put systems in place to implement it at national and local levels.

Now that the Guidelines have been adopted, the Genebank Platform will coordinate the development of additional, complementary materials (including written Q&As, scenarios teasing out tricky issues, an introductory video) to help CGIAR users understand issues raised and guidance provided by the Guidelines on the Nagoya Protocol for CGIAR Research Centers. The Policy Module also plans to develop templates and/or model clauses and practices for acquiring prior informed consent on mutually agreed terms when accessing traditional knowledge or genetic resources that fall under the framework of the Convention on Biological Diversity (CBD) and its Nagoya Protocol. Finally, the Policy Module has plans to develop additional sections of the Guidelines on the Nagoya Protocol to address Centers' access and distribution of animal, and microbial genetic resources.

References cited:

The Guideline is available at <https://cgspace.cgiar.org/handle/10568/96240>.

Text on the "Nagoya Protocol on Access and Benefit Sharing and the Fair and Equitable Sharing of Benefits Arising from Their Utilization" is available at <http://www.cbd.int/abs/text/>

Quantification: <Not Defined>

Gender, Youth, Capacity Development and Climate Change:

Gender relevance: 0 - Not Targeted

Youth relevance: 0 - Not Targeted

CapDev relevance: 1 - Significant

Main achievements with specific **CapDev** relevance: These guidelines are meant to help the CGIAR Centers understand which areas of their plant genetic resources-related activities could be affected by the Nagoya Protocol, and what their options are in terms of how they can comply with these legal obligations.

Climate Change relevance: 0 - Not Targeted

Other cross-cutting dimensions: Yes

Other cross-cutting dimensions description: The Nagoya Protocol and Convention on Biological Diversity require that materials and traditional knowledge can only be collected from indigenous peoples and local communities subject to prior informed consent and mutually agreed terms. The guidelines raise Centers' awareness about these rights of indigenous peoples and local communities, and how the Centers can respect and promote them in their day-to-day research and development activities.

Outcome Impact Case Report link: [Study #2838](#)

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