

ACCESS AND BENEFIT SHARING

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



The “fair and equitable sharing of the benefits arising out of the utilization of genetic resources” is one of the three overall objectives of the Convention on Biological Diversity (CBD).

Prior Informed Consent and Mutually Agreed Terms

The CBD creates obligations of Parties related to access to genetic resources and the fair and equitable sharing of benefits arising out of the utilization of genetic resources, on the basis of prior informed consent and mutually agreed terms.

The CBD establishes that a person or institution seeking access to genetic resources in a foreign country should seek the prior informed consent of the country in which the resource is located.

Moreover, the person or institution must also negotiate and agree on the terms and conditions of access and use of this resource. This includes the sharing of benefits arising from the use of this resource with the provider as a prerequisite for access to the genetic resource and its use.

What are Genetic Resources and their uses?

Genetic resources, whether from plant, animal or micro-organisms, are used for a variety of purposes ranging from basic research to the development of products. Users of genetic resources include research and academic institutions, and private companies operating in various sectors such as pharmaceuticals, agriculture, horticulture, cosmetics and biotechnology.

Associated Traditional Knowledge

In some cases, traditional knowledge associated with genetic resources that comes from indigenous and local communities (ILCs) provides valuable information to researchers regarding the particular properties and value of these resources and their potential use for the development of, for example, new medicines or cosmetics.

According to article 8j of the CBD: Parties shall respect, preserve and promote the knowledge, innovations and practices of ILCs relevant to biological diversity, with the approval and involvement of the holders of such knowledge and encourage the equitable sharing of benefits arising from its use.

To learn more about Access and Benefit-Sharing please visit:
www.cbd.int/abs or www.sprep.org/abs,
or email sprep@sprep.org

EXAMPLES OF USES:

1. The use of mamala *Homalanthus* plants in Samoa for the treatment of yellow fever and intestinal complaint led to discovery of an anti-viral phorbol (prostratin) in the late 1980s.
2. The use of *marina* (Burm.) Merr., *Cocos nucifera* L., or *Terminalia catappa* L. in Cook Islands for bone and cartilage treatment, wound healing, and skin care treatments by CIMTECH.
3. The development of compounds called Calanolides, derived from the latex of a tree (*Calophyllum* species) found in the Malaysian rainforest, as a potential treatment for HIV (type 1) and certain types of cancer.
4. The use of indigenous plant resources for breeding programmes and cultivation, e.g. the so-called “Mona Lavender”, a hybrid of two *Plectranthus* species indigenous to South Africa, is now commercially available as an ornamental plant throughout Europe, the US and Japan.

EXAMPLES OF BENEFIT-SHARING:

1. Research exchanges: a researcher from a provider country collaborates with research staff from the user country.
2. Collaborative research: a researcher from a user country employs indigenous and local community research assistants from the provider country.
3. Provision of equipment, improvement of infrastructure and sharing of technologies: the user of genetic resources sets up laboratories or a drug manufacturing facility in the provider country.
4. Payment of royalties: royalties generated from the commercialization of a product based on genetic resources are shared between the provider and the user of genetic resources and associated traditional knowledge.
5. Preferential access for the provider country to any medicine derived from genetic resources and associated traditional knowledge: preferential rates to purchase medicine.
6. Joint ownership of intellectual property rights (IPRs): when the user and provider of genetic resources seek joint ownership of IPRs for patented products based on the genetic for patented products based on the genetic resource used.



WEI FO AKSESIM AN GAREM BENEFIT TAEM YU YUSIM GENETIK RISOSIS AN OLKETA TRADISINOL NOLEJ

Samfala wei fo aksesim wanfala ikol benefit searing taem yumi yusim Genetic Riosis



Disfala fea an ikol searing long benefit yumi tekem taem yumi yusim Genetic Resources hem wanfala long olketa three (3) fala bik objektiv long disfala miting (convention) blong Biology Diversity.

Nabawan toktok wea everiwan i kamap tugeda an agri long hem

Disfala CBD hem kamap wetem samfala waka blong olketa grup hu i save aksesim ikol searing long benefit wea i kamaot taem yumi yusim disfala Genetic Resources falom olketa agrimen ia.

Disfala CBD hem establis mekem taem wanfala man or grup hem laekem fo aksesim Genetic Resources long wanfala foren kantri, hem mas askem fastaem konsent blong kantri wea resos ia hem stap long hem.

Disfala peson or group ia mas olso negosietim an agri long olketa tem an kondisin fo aksesim an yusim disfala risos ia. Diswan hem inkludim nao searing blong benefit yumi tekem taem yumi yusim disfala risos plas wetem hu hem provaedem akses and yus long genetic resources ia.

Wanem nao Genetic Riosis an olketa yus blong hem?

Genetik Riosis hem yus long plande wei stat from statem risech kasem oketa wakem prodak, nomata hem from plant, animol or micro-organism.

Olketa pipol hu i yusim genetic resources hem inkludim olketa pipol hu i duim research, academic institutions an olketa praevet kabani wea oparet long defren sekta olsem pharmaceuticals, agrikalsa, hortikalsa, kosmetiks an biotechnology.

Samfala tradisinol nolej wea hem asosiet wetem genetik risosis

Long samfala taem tradisinol nolej wea hem joen wetem genetic resources wea hem kam from olketa netiv pipol an lokol komuniti hem save provaedem valuabul infomesin fo olketa man hu i duim research rigadim olketa propati an valu blong olketa resource ia and wat yumi save yusim fo wakem, olsem meresin or kosmatik.

Falom atikol 8j blong CBD everi paty mas rispektim, kipim an promotim nao disfala save, inovesin an involmen blong olketa man hu i save long nolej ia, an enkarisim ikol searing blong benefit blong disfala risos.

Fo lanem moa abaotem Akses en Benfit-Searin plis visitim

www.cbd.int/abs or www.sprep.org/abs,
or email sprep@sprep.org

SAMFALA EKSAMPOL TAEM OLKETA YUSIM RISOSIS IA

1. Taem olketa yusim disfala plant mamala *Homalanthus* long samoa fo tritim yellow fever and komplein long bele hem mekem olketa fo faendem nao disfala anti-viral phorbol (prostratin) long leit 1980s.
2. Yus blong *marina* (Burm.) Merr. *cocos nucifera* L. or *terminalia catappa* L. long Cook islands fo tritim bone an cartilage, hilim karakil an tritmen blong skin from CIMTECH.
3. olketa Wakem wanfala compound kolek Calanolides, oketa tekem from jius from koilo tree (*calophyllum* species) olketa faendem insaed reforest long Malaysia wea olketa tigim hem save tritim HIV (type 1) an wan kaen kansa.
4. Yus blong netive plant resources fo breeding program an cultivation exapol nao disfala Mona Lavender wanfala hybrid blong tufala *Plectranthus* species hem lokol tri from south Africa olketa save salem olsem ornamental plant evriwea long Europe, US an Japan.

EKSAMPOL BLONG BENEFIT SHEARIN

1. Exchange long research; Wanfala man for research from nara provider kantri hem save waka tugeda wetem research man from disfala provider kantri.
2. Kolaboraetiv research; wanfala man for research from wanfala user kantri hem save employem man long ples ia an lokol komiuniti for helpem hem from datfala provider kantri.
3. Olketa save provaedim tool fo waka and impruvum infrasttstructure an searim technology. OIketa man hu yusim genetic resources ia olketa setimapum laboratorise or facility for wakem drugs insaed long provider kantri.
4. Paymen blong Royalty; Royalty wea olketa tekem taem olketa salem olketa product ia olketa searem melwan olketa provider an user blong resource ia an olketa associated traditional knowledge.
5. Hem givim choice fo provider kantri fo tekem eni meresin olketa wakem from disfala genetic resources an olketa traditional knowledge partners. Olketa garem option long rate for baem meresin.
6. Olketa ownem tugeda disfala intellectual property rights (IPRs) Taem user an provider blong disfala Genetic resources tufala ownem tugeda IPRs fo disfala patented product base long taem olketa yusim disfala genetic resources.

