

INTRODUCTION TO THE NAGOYA PROTOCOL

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AND BENEFIT-SHARING FOR GLOBAL HEALTH SECURITY”

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WHAT IS THE NAGOYA PROTOCOL?

1. Convention on Biological Diversity (CBD)

- Motivation: concerns about loss of biodiversity and unfair benefits (biopiracy)
- 1993 into force: 196 States Parties
- Objectives:
 - a) Conserve biological diversity,
 - b) Sustainable use of biodiversity,
 - c) Fair and equitable benefit-sharing from genetic resources

2. Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization

- Motivation: concerns about inadequate benefit-sharing
- 1998: Intergovernmental discussions begin
- 2014 into force: 116 States Parties
- Focus on benefit-sharing objective of CBD
- Requirements:
 - Rules for Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT)
 - Equitable sharing of benefits when resources leave country of origin
 - Domestic legislation or regulations on access and benefit-sharing

HOW IS NAGOYA RELEVANT FOR HEALTH?

SOME OBSERVATIONS

- Nagoya: binding, formal international law
 - One of few such instruments for access to medicines (vaccines, drugs, diagnostics)
 - Can inform and complement other international rules: human rights, health, trade, intellectual property
- CBD & Nagoya not specific to health sector
 - Few health experts involved or aware
 - Awareness raising & analysis needed
 - Involvement likely of: Ministries of Environment, Agriculture, Marine, Health, Science & Technology, Security

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SOME OBSERVATIONS

Global public health strengthened with:

- **“Access”** to pathogen samples:
 - Identifying, understanding, tracking pathogen spread and mutations,
 - Developing vaccines, therapeutics and diagnostics
- **“Benefits”** from pathogen samples:
 - Acknowledgment, co-authorship
 - Co-ownership of IP and royalties
 - Research funding, training, shared data,
 - Technology transfer,
 - Access to vaccines, therapeutics and diagnostics
- **Key question:** How to ensure all of these “goods” for global public health?

Thank you, comments welcome:
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