Convention on Biological Diversity: Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization

2012/0279(NLE) - 14/04/2014 - Final act

PURPOSE: to conclude, on behalf of the European Union, the Nagoya Protocol.

NON-LEGISLATIVE ACT: Council Decision 2014/283/EU on the conclusion, on behalf of the European Union, of 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.

CONTENT: under this Decision, 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 is **approved on behalf of the Union**.

The Union and its Member States joined the consensus of the 193 Parties to the Convention on Biological Diversity ('CBD') that adopted 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 on 29 October 2010.

In accordance with Council Decision of 6 May 2011, the Nagoya Protocol was signed by the Union, subject to its conclusion at a later date. Most Member States have signed the Nagoya Protocol. The Union is committed to the swift implementation and ratification of the Nagoya Protocol.

The objective of the Protocol is the fair and equitable sharing of the benefits arising from the utilisation of genetic resources, in particular by means of fair access to and the appropriate transfer of relevant technologies, taking into account all the rights over these resources and technologies and with appropriate funding, thus contributing to the conservation of biological diversity and the sustainable use of genetic resources.

The parallel adoption of the Regulation of the European Parliament and the Council establishing a system of measures for implementing the Nagoya Protocol in the Union should also be noted.

The European Union declares that, in accordance with the Treaty on the Functioning of the European Union, and in particular Article 191 thereof, it is competent for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- prudent and rational utilisation of natural resources;
- promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

ENTRY INTO FORCE: 14.04.2014.