

CGIAR Genebank Platform Outcome/ Impact Case Report Template

Reporting Year: 2018
New Outcome Impact Case

Part I: Public communications

1. Title

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

2. Short outcome/impact statement

The Policy Module of the Genebank Platform finalized the text of the ***Guidelines on the Nagoya Protocol for CGIAR Research Centers***. The guidelines were approved by the Directors General of CGIAR's Article 15 Centers with effect from 26 February 2018 and by the CGIAR System Management Board with effect from June 2018.

3. 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.

Part II: CGIAR system level reporting

4. **Link to Common Results Reporting Indicator on Policy Contribution**

Does this outcome reflect a contribution of the CGIAR in influencing or modifying policies?

YES

[If **YES**, insert link to MIS loop on disaggregates for I3 here]

Names of contributing Platform	Genebank Platform- Policy Module
CGIAR sub-IDO	Increased conservation and use of genetic resources
Crosscutting markers	CapDev: 1=significant objective
Policy/Investment Type	Policy
Whose policy is this?	Other: CGIAR
Geographic Scope	Global
Level of maturity	2=Policy enacted

5. **Maturity of change reported**

Stage 2: Guidelines were approved by the Directors General of CGIAR's Article 15 Centers with effect from 26 February 2018. Approved by the CGIAR System Management Board with effect from June 2018.

6. **Links to the Strategy and Results Framework**

Sub-IDO - Increased conservation and use of genetic resources

By the end of 2018, CGIAR genebanks were managing 773,112 accessions, including 25,576 *in vitro* accessions and 32,212 accessions held as plants or trees in screenhouses or fields.

7. **Geographic scope**

Global

Guidance to all CGIAR Centers in the global movement of genetic resources

8. **Key Contributors**

Genebank Platform Policy Module, Secretariats of the Convention on Biological Diversity/Nagoya Protocol (CBD/NP) and International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), CGIAR Genebank Managers, consultants (Gerald Moore, Brendan Tobin), ABS Capacity Development Initiative

9. **CGIAR innovation that has resulted in this outcome or impact.**

N/A

10. **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.

11. 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/>

12. Quantification

N/A

13. Gender, Youth, Capacity Development, Climate Change

Capacity Development, 1=significant

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.

14. Other cross-cutting dimensions

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.

15. Contact person

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