

Joint Position of EU Industry

Brussels, September 2012; Last update: July 2019

Future EU rules on Benefit Sharing for Genetic Resources

The undersigned associations, representing industries based in the EU utilising genetic resources:

- Confirm our support for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and for the wider goals of the Convention on Biological Diversity;
- Recommend the adoption of a single international regime to govern access to all genetic resources for plant breeding and equitable sharing of benefits derived from their utilization, in coherence with the International Treaty on Plant Genetic Resources for Food and Agriculture;
- Commit to supporting the process with appropriate measures of self-regulation;
- Encourage those countries that have not yet done so to implement effective and transparent national access and benefit-sharing regimes;
- Encourage the Parties to the Protocol to continue development of key institutional features identified under the Protocol which will contribute to the dissemination of information on national access and benefit-sharing requirements.

We believe that the goals of the CBD are best-served by an implementation that facilitates and encourages sustainable business uses of the genetic resources that are under increasing threat across the globe. Implementation measures should assure legal certainty and should be administratively simple and consistent and be based on already existing regulations which can be fulfilled in the many normal routine cases even by small or medium-sized companies without any added administrative input. They should also provide continuity with existing best practice among companies that have developed long-term partnerships with

organizations in provider countries enabling the equitable sharing of benefits. Such measures should not create trade barriers, nor interfere with existing international regimes which support the goals of CBD or with other forms of market regulation such as customs, IP offices or marketing approval authorities, and should be non-discriminatory and create no unreasonable burdens for companies seeking to protect investments by means of intellectual property rights.

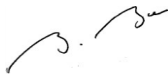
- The arrangements that are appropriate differ from one industry sector to another, and we hope that the EU will recognize this in its plans. We also ask that adequate recognition is given to the question of value-added activities. Products derived from genetic resources do not just appear; rather, the value of products derived from them is a function of the knowledge inputs that are added to the raw material. These value-added activities are often the major contributions of EU industries and include expertise relating to the selection of relevant genetic resources, genetic and biochemical analysis, product development to meet regulatory requirements and marketing expertise. Without these inputs, there are no benefits to share.

We trust that decision-makers of the EU will give due attention to the present statement in their relevant activities.

Sincerely yours,



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Personal Care Products Council

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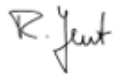


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