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Annex 4

بروتوكول ناغويا بشأن الحصول على الموارد الجينية
والتقاسم العادل والمنصف للمنافع الناشئة عن استخدامها
الملحق باتفاقية التنوع البيولوجي

生物多样性公约关于获取遗传资源和公正和公平分享
其利用所产生惠益的名古屋议定书

**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**

**PROTOCOLE DE NAGOYA SUR L'ACCÈS AUX RESSOURCES
GÉNÉTIQUES ET LE PARTAGE JUSTE ET ÉQUITABLE DES
AVANTAGES DÉCOULANT DE LEUR UTILISATION RELATIF À
LA CONVENTION SUR LA DIVERSITÉ BIOLOGIQUE**

**НАГОЙСКИЙ ПРОТОКОЛ РЕГУЛИРОВАНИЯ ДОСТУПА
К ГЕНЕТИЧЕСКИМ РЕСУРСАМ И СОВМЕСТНОГО
ИСПОЛЬЗОВАНИЯ НА СПРАВЕДЛИВОЙ И РАВНОЙ ОСНОВЕ
ВЫГОД ОТ ИХ ПРИМЕНЕНИЯ К КОНВЕНЦИИ
О БИОЛОГИЧЕСКОМ РАЗНООБРАЗИИ**

**PROTOCOLO DE NAGOYA SOBRE ACCESO A LOS RECURSOS
GENÉTICOS Y PARTICIPACIÓN JUSTA Y EQUITATIVA EN LOS
BENEFICIOS QUE SE DERIVEN DE SU UTILIZACIÓN AL
CONVENIO SOBRE LA DIVERSIDAD BIOLÓGICA**



**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**

The Parties to this Protocol,

Being Parties to the Convention on Biological Diversity, hereinafter referred to as "the Convention",

Recalling that the fair and equitable sharing of benefits arising from the utilization of genetic resources is one of three core objectives of the Convention, and *recognizing* that this Protocol pursues the implementation of this objective within the Convention,

Reaffirming the sovereign rights of States over their natural resources and according to the provisions of the Convention,

Recalling further Article 15 of the Convention,

Recognizing the important contribution to sustainable development made by technology transfer and cooperation to build research and innovation capacities for adding value to genetic resources in developing countries, in accordance with Articles 16 and 19 of the Convention,

Recognizing that public awareness of the economic value of ecosystems and biodiversity and the fair and equitable sharing of this economic value with the custodians of biodiversity are key incentives for the conservation of biological diversity and the sustainable use of its components,

Acknowledging the potential role of access and benefit-sharing to contribute to the conservation and sustainable use of biological diversity, poverty eradication and environmental sustainability and thereby contributing to achieving the Millennium Development Goals,

Acknowledging the linkage between access to genetic resources and the fair and equitable sharing of benefits arising from the utilization of such resources,

Recognizing the importance of providing legal certainty with respect to access to genetic resources and the fair and equitable sharing of benefits arising from their utilization,

Further recognizing the importance of promoting equity and fairness in negotiation of mutually agreed terms between providers and users of genetic resources,

Recognizing also the vital role that women play in access and benefit-sharing and *affirming* the need for the full participation of women at all levels of policy-making and implementation for biodiversity conservation,

Determined to further support the effective implementation of the access and benefit-sharing provisions of the Convention,

Recognizing that an innovative solution is required to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent,

Recognizing the importance of genetic resources to food security, public health, biodiversity conservation, and the mitigation of and adaptation to climate change,

Recognizing the special nature of agricultural biodiversity, its distinctive features and problems needing distinctive solutions,

Recognizing the interdependence of all countries with regard to genetic resources for food and agriculture as well as their special nature and importance for achieving food security worldwide and for sustainable development of agriculture in the context of poverty alleviation and climate change and acknowledging the fundamental role of the International Treaty on Plant Genetic Resources for Food and Agriculture and the FAO Commission on Genetic Resources for Food and Agriculture in this regard,

Mindful of the International Health Regulations (2005) of the World Health Organization and the importance of ensuring access to human pathogens for public health preparedness and response purposes,

Acknowledging ongoing work in other international forums relating to access and benefit-sharing,

Recalling the Multilateral System of Access and Benefit-sharing established under the International Treaty on Plant Genetic Resources for Food and Agriculture developed in harmony with the Convention,