

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:2608

ANSWERED ON:10.12.2012

NAGOYA PROTOCOL

Abdulrahman Shri ;Majhi Shri Pradeep Kumar;Patel Shri Kishanbhai Vestabhai;Patil Shri C. R.

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the Nagoya Protocol on Access and Benefit-Sharing by the country has been finalized by the Government in the recent past;
- (b) if so, the details and salient features thereof;
- (c) the names of the countries which have so far ratified the protocol;
- (d) whether the country has been a victim of misappropriation or bio-piracy of our genetic resources and associated traditional knowledge;
- (e) if so, the extent to which such victimization would be checked after ratification of Nagoya Protocol by the country;
- (f) whether there is ongoing controversy between the approaches of the Planning Commission Dy. Chairman and the Ministries of External Affairs and the Ministry on the question of Nagoya Protocol on Access and Benefit-Sharing; and
- (g) if so, the details thereof and the steps taken by the Government in this regard?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

(a) to (c): Nagoya Protocol on Access and Benefit Sharing (ABS) is a new international treaty adopted under the auspices of the Convention on Biological Diversity (CBD) in Nagoya, Japan in October, 2010, after six years of intense negotiations. As a megadiverse country rich in biodiversity and associated traditional knowledge, and with a rapidly advancing biotechnology industry, India has contributed effectively in ABS negotiations. The objective of the Nagoya Protocol is the fair and equitable sharing of benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies. The Nagoya Protocol provides a transparent legal framework on how researchers and companies can obtain access to genetic resources, and how benefits arising from the use of such material or knowledge will be shared. India has signed the Nagoya Protocol on 11.5.2011 and ratified it on 09.10.2012. The number of signatories to the Protocol is 92, and so far nine countries have ratified the Protocol. These are Seychelles, Rwanda, Gabon, Jordan, Lao People's Democratic Republic, Mexico, India, Fiji and Ethiopia.

(d) & (e) There have been several instances of misappropriation of genetic resources and associated traditional knowledge from the country, despite having taken necessary action at the national level. Once the Nagoya Protocol enters into force, the user country measures enshrined in it would oblige all Parties to provide that users of genetic resources within their jurisdiction respect the domestic regulatory framework of Parties from where genetic resources have been accessed, thereby addressing the concerns of misappropriation.

(f) & (g) No, Sir. The draft Note for Cabinet seeking approval for ratification of Nagoya Protocol was circulated to all the concerned Ministries and Departments, including the Ministry of External Affairs (MEA) and the Planning Commission. Both the MEA and the Planning Commission had concurred with the proposal.