Workshop for Nagoya Protocol and Plant Treaty National Focal Points in Latin America and the Caribbean

25-28 September 2018,
CIP, Lima, Peru.

Genebank Platform
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Japan Biodiversity Fund
Asociación ANDES
PERÚ Ministerio del Ambiente
CIP Centro Internacional de la Papa
Alliance
Bioversity International
CIAT
The International Treaty on Plant Genetic Resources for Food and Agriculture
The ABS Capacity Development Initiative
Convention on Biological Diversity

Acknowledgements

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Cover photo: Local ceramic handicraft for sale in Lima shop. Credit: Bioversity International/M. Halewood
Photo following pages: Workshop participants, CIP genebank and Lima. Credit: Bioversity International/CIP

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Report on the 'Workshop for Nagoya Protocol and Plant Treaty National Focal Points in Latin America and the Caribbean', 25-28 September 2018, CIP, Lima, Peru.

The capacity-building Workshop for National Focal Points in Latin America and the Caribbean on Mutually Supportive Implementation of the Nagoya Protocol and the International Treaty on Plant Genetic Resources for Food and Agriculture, was held over a four-day period (25-28 September 2018) in the auditorium at the International Potato Center (CIP), Lima, Peru. The workshop was well attended, with over 60 participants, including National Focal Points for the Nagoya Protocol to the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources (CBD) for Food and Agriculture (Plant Treaty), from 16 countries in Latin America and the Caribbean.

The workshop was also attended by representatives from the Secretariats of the Plant Treaty and CBD, the International Seed Federation, farmer and indigenous peoples organizations, national and international agricultural research organizations and experts from the region who have been working for decades on access and benefit-sharing policy (see participant list in Annex 2).

Jorge Alberto Cabrera Medaglia was the meeting facilitator. The meeting was conducted in Spanish with simultaneous translation into English. Some presentations were made in English, with simultaneous translation into Spanish.

Countries represented	
Antigua and Barbuda	Guatemala
Argentina	Guyana
Bolivia	Honduras
Brazil	Mexico
Chile	Panama
Costa Rica	Peru
Cuba	Uruguay
Ecuador	Venezuela

For some countries, the workshop provided an opportunity for the National Focal Points for the Plant Treaty and the CBD's Nagoya Protocol to meet for the first time, in a forum where they could freely discuss their perspectives, challenges and questions.

This was the fifth in a series of workshops focusing on the mutually supportive implementation of the Plant Treaty and the CBD's Nagoya Protocol[1], and the first in the series that included a day dedicated to how to promote indigenous peoples', local communities' and farmers' rights in the context of mutually supportive implementation. This special session was co-organized with Asociación Andes.

The meeting agenda is reproduced in Annex 1. Links to all Powerpoint presentations made during the workshop are included in the agenda.

Objectives

The objectives of the workshop were to:

1. Strengthen network ties between National Focal Points within each country and across the regions;
2. Analyse challenges and opportunities for implementing the Plant Treaty and the Nagoya Protocol in a mutually supportive manner, and in ways that advance complementary policy goals, such as climate change adaptation, and improving the livelihoods of indigenous peoples and local communities;
3. Equip participants with tools to help address 'real life' scenarios where mutually supportive implementation is important, and
4. Identify the kinds of additional support that countries need to implement the Plant Treaty and Nagoya Protocol in mutually supportive ways.

The rationale and content of the Plant Treaty and Nagoya Protocol

Welcome words at the opening of the workshop were provided by:

- Oscar Ortiz, Deputy Director General for Research and Development of CIP;
- Kathryn Garforth, CBD Secretariat;
- Alvaro de Toledo, Plant Treaty Secretariat,
- Roger Alberto Becerra Gallardo, SDRIA-DGIA-INIA, Peru; and,
- Jessica Amanzo Alcántara, MINAM, Peru.

The first set of presentations and discussion were devoted to understanding the rationale and content of the Plant Treaty and Nagoya Protocol, and providing representatives of different stakeholder groups with the opportunity to share their experiences working under both agreements.

The state of implementation at national and regional levels

Participants made presentations concerning the state of implementation of the Plant Treaty and Nagoya Protocol in their countries. The presentations were summarized in the form of posters that were prepared in advance of the meeting. Links to the posters are included in Annex 3 to this report.

After discussion of national level implementation, the meeting shifted its focus to regional level efforts within the Group of Latin American and Caribbean Countries (GRULAC) to promote implementation of the Plant Treaty and the Nagoya Protocol.

[1] 'The International Treaty and the Nagoya Protocol: Towards mutual supportiveness in the implementation of both instruments at the national level - Expert workshop', 29th - 31st January 2013, Bioversity International, Rome, Italy;
'The International Treaty and the Nagoya Protocol – A tandem workshop for National Focal Points', 3rd - 9th June 2014, FAO, Rome, Italy;
'Embedding mutually supportive implementation of the Plant Treaty and the Nagoya Protocol in the context of broader national policy goals - A Workshop for National Teams of Policy Actors',16th - 20th November 2015, International Livestock Research Institute (ILRI), Addis Ababa, Ethiopia;
'Workshop for Nagoya Protocol and Plant Treaty National Focal Points in South and Southeast Asia' (Co-organized with ASEAN Center for Biodiversity), 27th - 30th March 2017, International Rice Research Institute (IRRI), Los Baños, The Philippines.

Scenarios at the interface of the Nagoya Protocol and Plant Treaty

The participants were divided into four groups and given hypothetical scenarios to discuss and tease out issues that can arise at the interface of the Nagoya Protocol and the Plant Treaty. The scenarios included collecting crop materials from farmers, uncertainties providers might have about which laws apply to different materials under different circumstances, regionally coordinated research projects to respond to rapidly migrating crop pests, and so on. The scenarios are reproduced in Annex 4 to this report. The groups were asked to develop strategies by which they would handle the scenario in their country or across countries if necessary, demarcating as clearly as they could when rules implementing the Plant Treaty or implementing the Nagoya Protocol would apply. Facilitators supported the groups to address complex issues that arose in the course of their discussions. The small groups reported back on their responses.

Some of the answers to the scenarios have subsequently been published in Spanish. A link to the publication is included in the list of references in Annex 5 to this report.

Twice during the meeting, there were 'pop-quizzes' concerning the Plant Treaty, the Nagoya Protocol and mutually supportive implementation. A facilitator read out questions, and the four groups competed to see who could answer the most.

Indigenous peoples', local communities' and farmers' rights

A special section of the workshop was dedicated to focusing on promoting the rights of indigenous peoples, local communities, and farmers, in the context of mutually supportive implementation of the Nagoya Protocol and the Plant Treaty. There were presentations and discussions concerning community biocultural rights, community seedbanks, small scale farmers seed management practices and community biocultural protocols. There were also presentations of case studies of good practices from Peru, Madagascar, Mexico, Costa Rica and Guatemala.

Demands and plans

The participants were clustered into two groups: one including the Nagoya Protocol National Focal Points, and the second including the Plant Treaty National Focal Points. The Plant Treaty Focal Points were asked to list things that the Nagoya Protocol Focal Points could do to help them implement the Plant Treaty more efficiently, and vice versa.

This was followed by an exercise whereby each country's National Focal Points for the Plant Treaty and the Nagoya Protocol sat together (in groups of two only) to share information and make short and medium term plans for coordinated activities.

Each team identified 3-5 activities to follow up on in their home countries in the period following the meeting, to enhance the mutually supportive implementation of the Plant Treaty and the Nagoya Protocol.

Throughout the workshop, the combination of small group discussions followed by plenary discussions worked well. All attendees participated actively. The scenarios and quizzes encouraged proactive participation. Throughout the workshop, resource people made reference to a number of background materials for which links are provided in Annex 5 to the report.

Finally, Dave Ellis and other CIP staffers organized a tour of the International Potato Collection hosted by CIP. In 2006, CIP signed an agreement with the Governing Body of the Plant Treaty to manage the collection under the Plant Treaty framework. The tour provided an opportunity to see the Plant Treaty in action, in partnership with a CGIAR Centre.

> *"The workshop was a landmark in building cooperative efforts between the agriculture and the environment sectors for sustainable development, access and benefit-sharing."*

Alvaro Toledo, Plant Treaty Secretariat

> *"Biocultural rights provide a framework for indigenous peoples and local communities to engage in the mutually supportive implementation of the Plant Treaty and Nagoya Protocol, including voluntarily including PGRFA in the multilateral system."*

Alejandro Argumedo, Asociación Andes

> *"The 'Decision-making Tool for National Implementation of the Multilateral System of Access and Benefit-sharing' was very useful when we were developing our own policies in Argentina. We liked it so much we translated it into Spanish ourselves'."*

Patricia Gadaleta, Argentina's Ministry of Agriculture, Livestock and Fishing

ANNEX 1 - Agenda

Workshop for Nagoya Protocol and Plant Treaty National Focal Points in Latin America and the Caribbean, 25-28 September 2018, CIP, Lima, Peru.

Workshop objectives

- Strengthen network ties between National Focal Points within each country and across the regions;
- Analyze challenges and opportunities for implementing the Plant Treaty and the Nagoya Protocol in mutually supportive ways, and in ways that advance complementary policy goals, such as climate change adaptation, improving livelihoods of indigenous peoples and local communities;
- Equip participants with tools to help address 'real life' scenarios where mutually supportive implementation is important; and
- Identify the kinds of additional support that countries need to implement the Plant Treaty and Nagoya Protocol in mutually supportive ways.

DAY 1: Tuesday, 25 September 2018

8.00	Registration	
Opening		
8.30	Welcome and opening	Oscar Ortiz, Deputy Director General for Research and Development, CIP Roger Alberto Becerra Gallardo, SDRIA-DGIA-INIA, Peru Jessica Amanzo, MINAM, Peru Kathryn Garforth, CBD Secretariat Alvaro de Toledo, ITPGRFA Secretariat
	Participants' introductions and expectations	All
	Objectives of the workshop. Program overview, adaptation, adoption	
10.00	Coffee break	
11.30	**Agenda item 2: Setting the scene: the CBD's Nagoya Protocol, the ITPGRFA's multilateral system, the imperative of mutual supportiveness and national coordination challenges.**	
	Where we are, and how we got here: an overview of co-organizers joint activities	Michael Halewood, Bioversity International
	The International Treaty in a nutshell • Relevant issues and current status	Alvaro Toledo, ITPGRFA Secretariat
	The Nagoya Protocol in a nutshell • Relevant issues and current status	Kathryn Garforth, CBD Secretariat
12.00	**Agenda item 3: Pop quiz small group competition!**	
12.40	Group photo – CIP Frontdesk	

DAY 1: Tuesday, 25 September 2018

13.00	Lunch	
14.00	**Agenda item 4: Why is mutually supportive implementation important? – stakeholders' views**	
	• Mutually supportive implementation is important for International genebanks	David Ellis, CIP
	• Reflections from the seed industry	Paul Olson, KWS, International Seed Federation
	• The view from INIA	Roger Becerra, SDRIA-DGIA-INIA
	• Using plant genetic diversity for climate change adaptation	Michael Halewood, Bioversity International & Dave Ellis, CIP
	• ABS-related challenges along the plant variety development chain	Selim Guvener, CIP
15.30	Coffee break	
16.00–17.30	**Agenda item 5: The current state of national level implementation: mutually supportive and otherwise – hearing from national programs**	
	Poster session.	Each country presents posters in roam around session

Day 2: Wednesday, 26 September 2018

'Scenarios at the interface of the Nagoya Protocol and the multilateral system'		
8.30	**Reflections on poster presentations – feedback from resource persons:**	Manuel Ruiz, Bert Visser, Paul Olsen, Itzel Saldivar, Hélène Guillot
9.30	**Agenda item 6: Regionally coordinated efforts to promote implementation on Nagoya Protocol and Plant Treaty**	
	• Overview of GEF—UNDP project activities in GRULAC	Anthony Vega, UNARGEN
	• Summary of regional ITPGRFA Consultation workshop, Uruguay 2017	Marcos Martínez, MGAP
	• Strategic action plan to strengthen conservation and use of Mesoamerican plant genetic resources in adapting agriculture to climate change, 2014-2024	Marleni Ramirez, Bioversity international
	• Challenges and opportunities for mutually supportive implementation in GRULAC	Micaela Bonafina, Ministry of Environment and Sustainable Development of the Nation, Argentina, and Carliz Diaz, Ministry of People's Power for Ecosocialism, Venezuela; Patricia Gladys Gadaleta, Argentina
10.00	Coffee break	
10.30	**Regionally coordinated efforts (continued)**	
11.30	**Agenda item 7: Pop quiz small group competition!**	
12.00	**Agenda item 8: Working through hypothetical scenarios addressing grey areas (Round 1)** Introduction to the exercise	
13.00	Lunch	
14.00	**Working through hypothetical scenarios (Round 1 continued)** Group work	
15.30	Coffee break	
16.00	**Working through case studies (Round1 continued)** Plenary presentations of small group work, feedback from resource persons	
17.30	End of the session	

DAY 3: Thursday, 27 September 2018

‘Indigenous peoples and local communities’		
8.30	**Agenda item 9: Working through hypothetical scenarios (Round 2)**	
10.00	Coffee break	
10.30	**Agenda item 10: Promoting the interests of indigenous peoples, local communities, farmers under the Nagoya Protocol and ITPGRFA**	
	• Overview of IPLC/Farmers’ Rights session: Biocultural Rights Under the Nagoya Protocol and the Plant Treaty	Alejandro Argumedo, Andes
	• Community seed banks: promoting farmers’ management on the frontier between the Nagoya Protocol, Plant Treaty, human rights accords	Alejandro Argumedo, Andes
	• Seed management practices in Small-scale Farming Systems	Bert Visser, Oxfam
13.00	Lunch	
14.30	Site visit CIP genebank	
16.30	End of the session	

Day 4: Friday, 28 September 2018

‘Indigenous Peoples, Local Communities and Farmers’ continued, and ‘Demands and Plans’		
8.30	**Promoting the interests of IPLCs, farmers (continued)**	
	• Community biocultural protocols: a mechanism for promoting community interests under the ITPGRFA, Nagoya Protocol, and other relevant instruments	Flavia Noejovich, Coordinator, Peru GEF ABS project
	• Community biocultural protocols in Madagascar and Benin	Michael Halewood, Bioversity International
11.00	Coffee break	
11.30	**Promoting the interests of IPLCs, farmers (continued)**	
	• Developing community biocultural protocols in Mexico	Romana Alejandra Barrios Perez, SEMARNAT, Mexico
	• Developing Farmers’ Rights guidelines in Costa Rica	Walter Paulo Quiros Ortega, ONS, Costa Rica
	• Experiences in Guatemala on outreach and education for ILCs	Jose Luis Echeverria Tello, CONAP, Guatemala
13.00	Lunch	
14.00	**Agenda item 11: Identifying demands/needs** • All Nagoya Protocol focal points meet in small group, and all ITPGRFA focal points in a small group. They identify 3-5 things they need from the others to move forward implementing/taking advantage of these agreements. o Needs identified by Nagoya Protocol focal points o Needs identified by ITPGRFA focal points	
	Responses to demands: immediate plans, longer term possibilities • The same small groups discuss possible responses/initiatives that would respond (positively or negatively) to the needs expressed by the other group. • Share responses with plenary (response 1 and response 2).	
15.30	**Agenda item 12: National teams make follow up plans** • National teams identify three follow up actions they will take after the workshop to promote mutually supportive implementation within their countries, and one regional level initiative. • Share results with plenary	
16.30	**Agenda item 13: Workshop evaluation, wrap up, thank you, farewell**	

ANNEX 2 - List of participants

Workshop for Nagoya Protocol and Plant Treaty National Focal Points in Latin America and the Caribbean, 25-28 September 2018, CIP, Lima, Peru.

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ANNEX 3 - Posters

Workshop for Nagoya Protocol and Plant Treaty National Focal Points in Latin America and the Caribbean, 25-28 September 2018, CIP, Lima, Peru.

N°	Title/Título	Country/ País	Authors/Autores
1	Mutually supportive implementation of the Nagoya Protocol and the ITPGRFA's multilateral system_Antigua and Barbuda	Antigua and Barbuda	Nneka Nicholas, Department of Environment Pamella Thomas, Ministry of Agriculture, Fisheries and Barbuda Affairs
2	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Argentina	Argentina	Dra. Patricia GADALETA and Dra. Micaela BONAFINA
3	Mutually supportive implementation of the Nagoya Protocol and the ITPGRFA's multilateral system_Benin	Benin	Toussaint Mikpon and Bienvenu Bossou
4	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Bolivia	Bolivia	José Ramón Campero Marañon
5	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Chile	Chile	Teresa Agüero Teare, Encargada ambiental, recursos genéticos y bioseguridad Oficina de Estudios y Políticas Agrarias (ODEPA) del Ministerio de Agricultura Punto Focal del TIRFAA
6	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Costa Rica	Costa Rica	Maribell Alvarez Mora y Walter Quirós Ortega
7	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Cuba	Cuba	Dirección de Relaciones Internacionales del Ministerio de Ciencia, Tecnologíay Medio Ambiente de la República de Cuba (PF del Protocolo de Nagoya) and Dra C. Lianne Fernández Granda, Coordinadora Técnica de Recursos Fitogenéticos del Ministerio de la Agricultura (PF Nacional del TIRFAA)
8	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Ecuador1	Ecuador	César Tapia, PF del Tratado Internacional de Recursos Fitogenéticos para Alimentación y la Agricultura. Instituto Nacional de Investigaciones Agropecuarias, INIAP

9	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Ecuador2	Ecuador	Wilson Rojas, Ministerio del Ambiente
10	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Guatemala	Guatemala	José Luis Echeverría Tello (CONAP) and Alvaro Alfredo Ramos Méndez (MAGA)
11	Mutually Supportive Implementation of the Nagoya Protocol and the ITPGRFA's Multilateral System_Guyana	Guyana	Mrs. Aminah Mac Pherson-Damon and Mr. Mahedra Persaud
12	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Honduras	Honduras	Marle Aguilar Ponce, PF Nacional ABS and Elisabeth Santacreo, PF Nacional TIRFAA
13	Mutually supportive implementation of the Nagoya Protocol and the ITPGRFA's multilateral system_Madagascar	Madagascar	Naritiana Rakotoniaina and Michelle Andriamahazo
14	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Mexico	Mexico	Q.A. Romana Alejandra Barrios Pérez, Directora de Regulación de Bioseguridad, Biodiversidad y Recursos Genéticos, Ministerio de Medio Ambiente y Dra. Rosalinda González Directora de Recursos Fitogenéticos para la Alimentación y la Agricultura del Servicio Nacional de Inspección y Certificación de Semillas (SNICS, Ministerio de Agricultura)
15	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Panama	Panama	Lic. Anthony Vega and Lic. Darío Luque
16	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Peru	Peru	Roger Alberto Becerra Gallardo
17	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Uruguay	Uruguay	Ing. Agr. Marcos Javier Martínez Techera (MGAP) and Lic. Alicia Aguerre Dominguez, MSc. (MVOTMA)
18	Perspectivas en la implementación del Protocolo de Nagoya y el Tratado Internacional sobre los Recursos Fitogenéticos para la Alimentación y la Agricultura_Venezuela	Venezuela	Lic. Maxwell Mendoza and M. Sc. Carliz Díaz

ANNEX 4 - Scenarios

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SCENARIO 1: Resources from another kingdom

You are the director of a national agricultural research organization in Country A. One of your plant breeders has recently successfully introduced a gene sequence from a bacterium into a traditional eggplant variety from your country; creating a new variety that is resistant to a virus that is damaging eggplant production in a number of countries. You inadvertently discovered the bacteria in eggplant materials that were sent to you under the SMTA from country B (clearly there is a problem with phytosanitary regulations, but that is not the point of this scenario). You want to release the new variety in a number of countries. Are you able to do so? Please explain the rationale behind your answer. Would it make any difference if the gene sequence were from another crop instead of bacteria? From an eggplant in particular?

SCENARIO 2: Policy support for a regional response to a rapidly spreading disease

You are the national Nagoya Protocol focal point. One of your national agricultural research organizations has recently become a member of regional R&D consortium that was formed to respond to a disease – fusarium wilt – that is threatening banana production in your region. As part of the collective effort, the consortium partners have agreed to create a working collection of banana varieties, pooling together those varieties which they think may be good sources of genetic resistance to the disease. They have also agreed to share the different strains of the fungus that have appeared in their respective countries. The partners will need to exchange those genetic resources as part of their collective efforts to screen the different banana varieties to see how they respond to the different fungal strains. The fungus is spreading fast across the region; it may arrive soon in your country. So you need to assemble the plant and fungal collections and get the work underway as soon as possible. What laws apply? (Please disregard biosafety aspects). What can you do in the short term to help expedite things, so that the consortium's work is not delayed by too much red tape? What can you do in the longer term? Would it make any difference if you were the national ITPGRFA focal point?

SCENARIO 3: *In situ* materials

You have been designated as your country's competent national authority under the regulatory regime for implementing the Nagoya Protocol.

3.1. You receive a request to collect samples from coconut trees that grow along the country's publicly owned beaches. How do you respond?

3.2. There are wild relatives of sugar cane and cassava growing in some nationally protected areas. An agricultural research organization in another ITPGRFA member state has written requesting permission to organize a collecting mission to gather samples of these plants. What are your options? What rules apply? How, ultimately, do you reply? Why?

SCENARIO 4: Legal space

You are the head of a national crop genebank. You have received a request from a researcher in a neighboring country for samples of some beans from your collection. Your country acceded to the CBD in 1998 and ratified the ITPGRFA in 2003 and the Nagoya Protocol in 2013.

4.1. There is no national law implementing any of these agreements.

4.2. There is a national access and benefit-sharing law from 2000 that says all access to any genetic resources in the country must be subject to the PIC of the competent authority appointed by the minister of the environment and must include a number of mandatory benefit-sharing terms that are not consistent with the SMTA.

For both cases (4.1 and 4.2), what do you do? Why?

(Spanish version)

Caso práctico 1: Recursos de otro reino

Usted es el director de una organización nacional de investigación agrícola en un país A. Uno de sus mejoradores de plantas ha introducido recientemente con éxito una secuencia de genes de una bacteria en una variedad de berenjena tradicional de su país; creando una nueva variedad que es resistente a un virus que está dañando la producción de berenjena en varios países. Inadvertidamente descubrió las bacterias en los materiales de berenjena que se le enviaron bajo el ANTM del país B (claramente existe un problema con las reglamentaciones fitosanitarias, pero ese no es el punto de este escenario). Desea lanzar la nueva variedad en varios países. ¿Eres capaz de hacerlo? Por favor explique el razonamiento detrás de su respuesta. ¿Sería diferente si la secuencia genética fuera de otro cultivo en lugar de una bacteria? De otra banana en particular?

Caso práctico 2: Apoyo normativo para una respuesta regional a una enfermedad que se acelera rápidamente

Usted es el punto focal nacional del Protocolo de Nagoya. Una de sus organizaciones nacionales de investigación agrícola se ha convertido recientemente en miembro de un consorcio regional de I + D que se formó para responder a una enfermedad (marchitez por Fusarium) que amenaza la producción de plátanos en su región. Como parte del esfuerzo colectivo, los socios del consorcio acordaron crear una colección activo de variedades de plátanos, agrupando estas variedades que creen que pueden ser buenas fuentes de resistencia genética a las enfermedades. También han acordado compartir las diferentes cepas del hongo que han aparecido en sus respectivos países. Los socios deberán intercambiar esos recursos genéticos como parte de sus esfuerzos colectivos para seleccionar las diferentes variedades de plátanos y ver cómo responden a las diferentes hongos. El hongo se está extendiendo rápidamente a través de la región; puede llegar pronto a su país. Por lo tanto, debe armar las colecciones de plantas y hongos y poner en marcha el trabajo lo antes posible. ¿Qué leyes se aplican? (ignore los aspectos de bioseguridad). ¿Qué puede hacer en el corto plazo para ayudar a agilizar las cosas para que el trabajo del consorcio no se retrase por demasiada burocracia? ¿Qué puedes hacer a largo plazo? ¿Hubiera alguna diferencia si usted fuera el punto focal nacional del TIRFAA?

Caso práctico 3: Materiales *In Situ*

Usted ha sido designado en calidad de autoridad nacional competente del país bajo el régimen reglamentario para la aplicación del Protocolo de Nagoya.

3.1. Recibe una solicitud para recolectar muestras de cocoteros que crecen a lo largo de las playas públicas del país. ¿Cómo responde?

3.2. Existen parientes silvestres del cana de azucar y la yuca que crecen en algunas áreas nacionales protegidas. Una organización de investigación agrícola de otro Estado Parte en el Tratado Internacional ha escrito solicitando permiso para organizar una misión con objeto de recolectar muestras de estas plantas. ¿Cuáles son sus opciones? ¿Cuáles son las normas aplicables? ¿Cómo responde en última instancia? ¿Por qué?

Caso práctico 4: Espacio jurídico

Usted es el jefe de un banco nacional de germoplasma de cultivos. Ha recibido una solicitud de un investigador de un país vecino de muestras de algunos frijoles de su colección. Su país se adhirió al CDB en 1998 y ratificó el Tratado Internacional en 2003 y el Protocolo de Nagoya en 2013.

4.1. No hay leyes nacionales de aplicación para ninguno de estos acuerdos.

4.2. Existe una ley nacional de acceso y distribución de beneficios, adoptada en 2000, en la que se estipula que el acceso a los recursos genéticos del país debe estar sujeto al consentimiento fundamentado previo de la autoridad competente designada por el Ministro de Medio Ambiente y debe incluir una serie de condiciones obligatorias relativas a la distribución de los beneficios que no son compatibles con el ANTM.

¿Qué debe hacer en ambos casos (4.1 y 4.2)? ¿Por qué?

ANNEX 5 - Reference materials

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The Access and Benefit-sharing Clearing House. https://absch.cbd.int/

For further information about the workshop,
or about published resource materials or
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