



AN UPDATE ON BRAZIL'S NAGOYA PROTOCOL IMPLEMENTATION

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Brazil is renowned for its exceptional biodiversity, which presents vast opportunities for the discovery and development of new medicines.

Brazil's biodiversity boasts a remarkable collection of plant species known for their bioactive constituents. These natural products encompass a wide range of chemical structures and exhibit diverse biological activities, rendering them promising candidates for drug discovery and development.

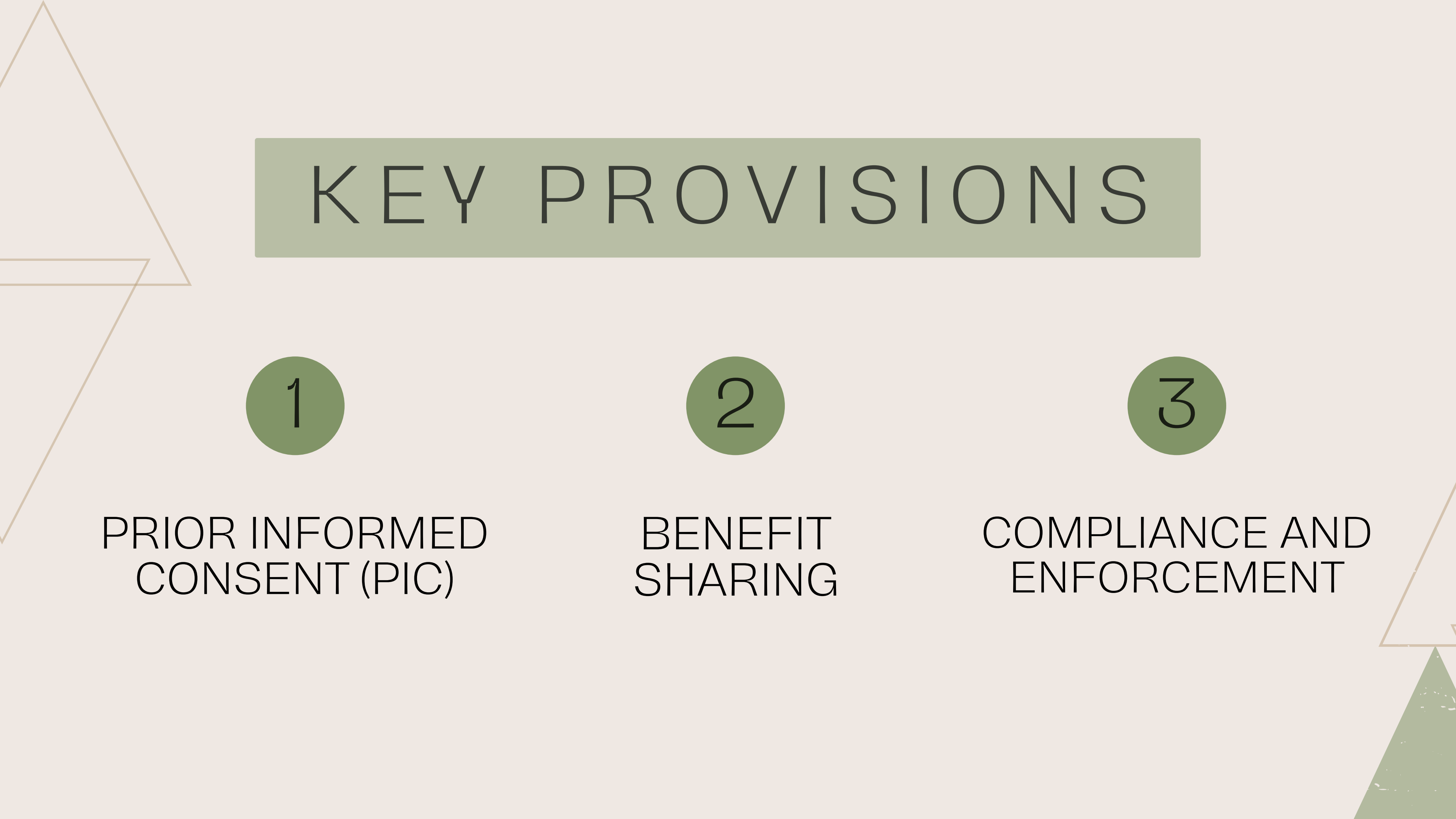
BRAZILIAN LEGISLATION



- **Brazil implemented the Nagoya Protocol through its domestic legislation, Law No. 13.123/2015, known as the Access and Benefit-Sharing (ABS) Law.**
- **The ABS Law came into effect on November 17, 2015, providing a legal framework for access to genetic resources and associated traditional knowledge in Brazil.**



KEY PROVISIONS OF BRAZILIAN LAW NO. 13.123/2015



KEY PROVISIONS

1

PRIOR INFORMED
CONSENT (PIC)

2

BENEFIT
SHARING

3

COMPLIANCE AND
ENFORCEMENT



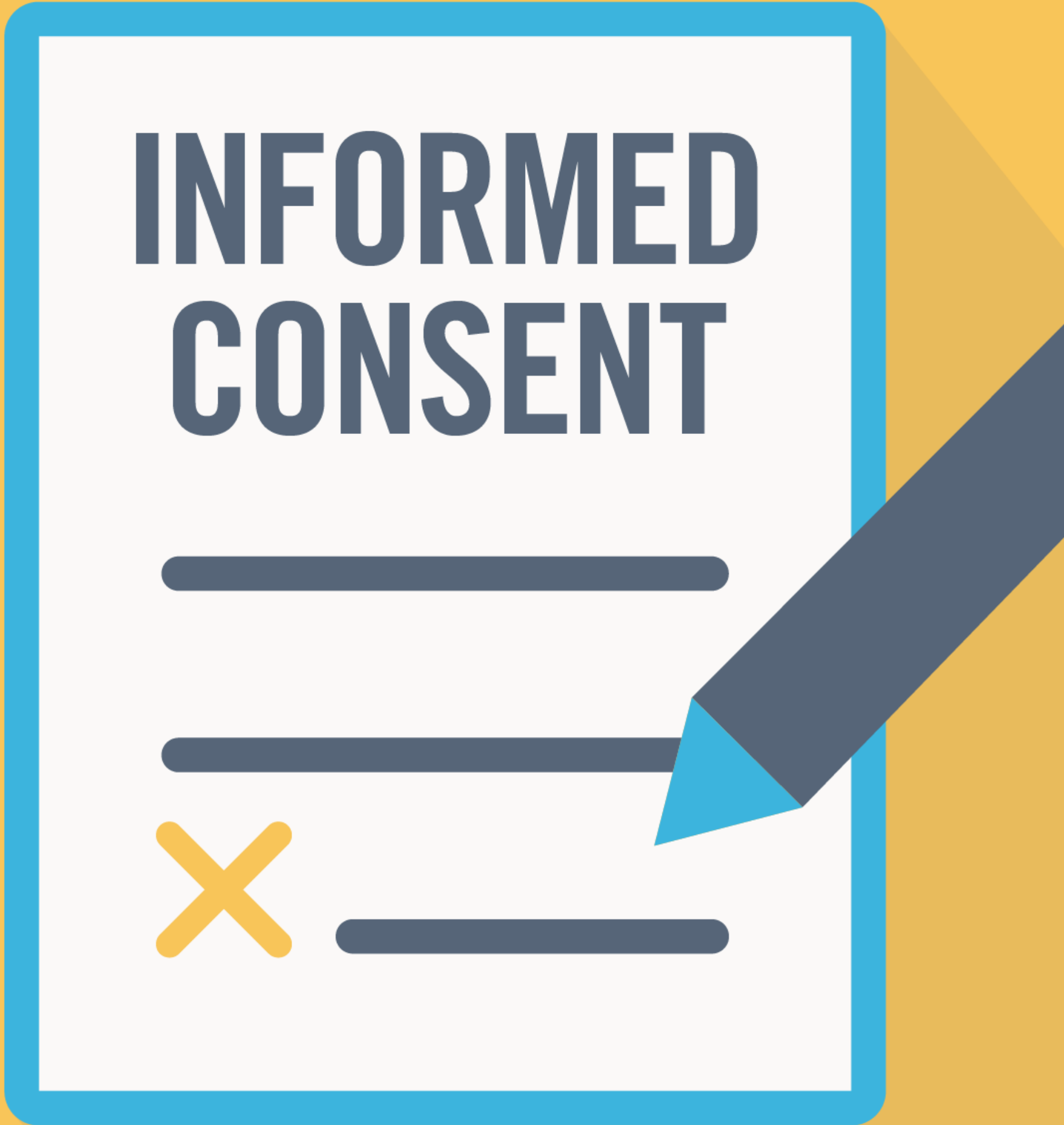
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COLLABORATION AND INTERNATIONAL COOPERATION

PRIOR INFORMED CONSENT (PIC)



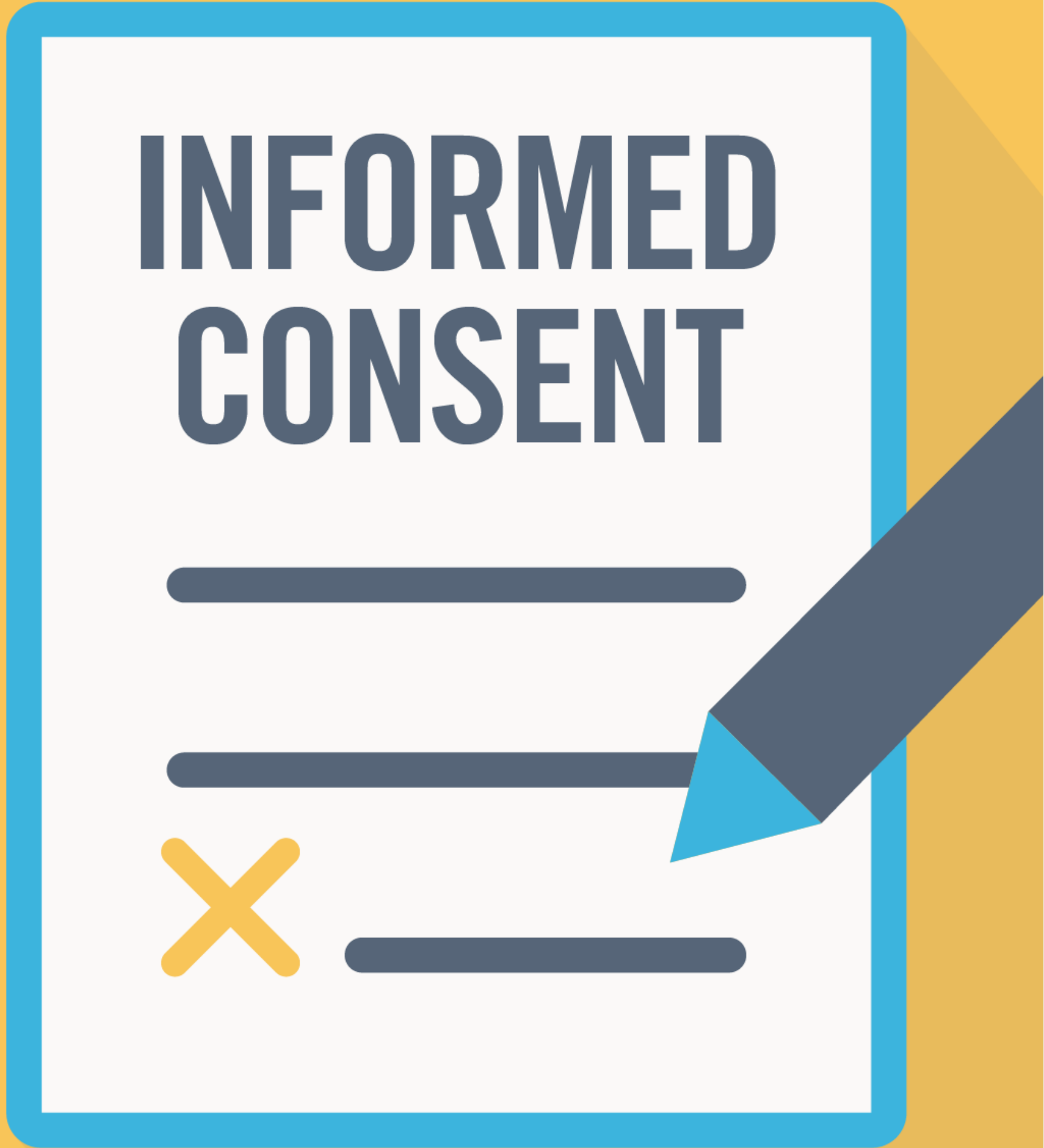
INFORMED CONSENT

An illustration of a document with a blue border. The text 'INFORMED CONSENT' is written in large, bold, dark blue letters. Below the text are three horizontal lines. A dark blue pencil with a light blue eraser is pointing to the second line. A yellow 'X' is drawn over the first line.

PRIOR INFORMED CONSENT (PIC)

Brazilian Law No. 13.123/2015 places a strong emphasis on obtaining Prior Informed Consent (PIC) before accessing Brazilian genetic resources. This requirement ensures that the rights of the providers of genetic resources, such as local communities and indigenous peoples, are respected and that their knowledge and resources are properly protected.

INFORMED CONSENT

An illustration of a document with a blue border. Inside the border, the words "INFORMED" and "CONSENT" are written in large, bold, dark blue capital letters. Below the text, there are three horizontal grey lines. A grey pen with a blue tip is positioned diagonally across the lines. A yellow 'X' mark is placed on the first line.

PRIOR INFORMED CONSENT (PIC)

Users seeking access to Brazilian genetic resources must submit a formal request to the National Council for Genetic Heritage (Ministry of Environment).

This request must include detailed information about the research or commercial activities that will involve the genetic resources and the intended use of those resources.

BENEFIT SHARING



BENEFIT SHARING

Brazilian Law No. 13.123/2015 sets out principles and mechanisms for the fair and equitable sharing of benefits derived from the use of genetic resources.

This ensures that the benefits generated from the utilization of Brazil's genetic resources are shared with local communities, indigenous peoples, and traditional knowledge holders associated with those resources.

The law mandates that users who access genetic resources must enter into benefit-sharing agreements with the providers of those resources.

These agreements outline the terms and conditions for the sharing of monetary and non-monetary benefits arising from the use of genetic resources. Non-monetary benefits can include, for example, the sharing of knowledge, capacity building, or technology transfer.

Benefit sharing aims to address historical imbalances and promote the sustainable use of genetic resources by ensuring that the benefits derived from their utilization reach the communities and individuals who have contributed to their conservation and development over generations.

COMPLIANCE AND ENFORCEMENT





COMPLIANCE AND ENFORCEMENT

The law includes provisions for compliance monitoring and enforcement mechanisms to ensure adherence to the law.

The National Council for Genetic Heritage is responsible for overseeing compliance.

COMPLIANCE AND ENFORCEMENT

Users of genetic resources are required to comply with the provisions of the law, including obtaining prior informed consent and entering into benefit-sharing agreements.

Failure to comply with these requirements can result in penalties, such as fines, suspension of access to genetic resources, or the confiscation of benefits obtained without proper authorization.

The enforcement mechanisms aim to promote responsible practices, deter non-compliance, and ensure that the objectives of the law, such as the conservation of biodiversity and the fair and equitable sharing of benefits, are upheld.

COLLABORATION AND INTERNATIONAL COOPERATION



COLLABORATION AND INTERNATIONAL COOPERATION

Brazil actively engages in international cooperation to enhance the implementation of the Nagoya Protocol and Brazilian Law No. 13.123/2015.

The country recognizes the importance of collaboration with other nations and organizations to strengthen access and benefit-sharing (ABS) practices.

COLLABORATION AND INTERNATIONAL COOPERATION

Through collaborations, Brazil shares experiences, knowledge, and best practices related to ABS. This includes exchanging information on legal frameworks, capacity building initiatives, and the development of guidelines for accessing and utilizing genetic resources.

International cooperation enables Brazil to align its efforts with global standards and learn from the experiences of other countries, fostering mutual understanding and facilitating the effective implementation of ABS measures.

CONCLUSION



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Through these mechanisms, Brazil aims to strike a balance between facilitating access to genetic resources for research and commercial purposes while also protecting its biodiversity and ensuring the fair and equitable sharing of benefits derived from these valuable resources.

THANK YOU!

Daniel Wainstock

