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IP rights and genetic resources

EP highlights need to tackle biopiracy

The European Parliament today adopted a report by Green rapporteur/draftsperson Catherine Grèze on the intellectual property rights of genetic resources in developing countries. After the vote, **Catherine Grèze** said:

"Much greater effort is needed to tackle biopiracy, which is a major problem in developing countries and flies in the face of poverty reduction measures. The report adopted today outlines the problem and sets out measures to protect the intellectual property rights for genetic resources and traditional knowledge in poorer countries and regions. The overwhelming support of MEPs for this report underlines the need for action.

"Genetic resources are essential for sustainable agriculture and food security in developing countries, as well as for species survival and ecosystem resilience. In spite of its vital importance for human survival, genetic diversity is being lost at an alarming rate. User countries have a clear responsibility to address this and the EU and its member states must play an active role.

"The recently-concluded Nagoya Protocol under the Convention on Biological Diversity (CBD) sets out key provisions for addressing biopiracy, notably on access and benefit-sharing, prior informed consent and mutually-agreed terms. The EU must ratify the protocol as swiftly as possible and take immediate steps to ensure it is effective, such as through binding measures on compliance. However, more needs to be done to strengthen the rights of farmers in developing countries, as well to strengthen the rights of indigenous and local communities.

"Ultimately, there is also a need to address the lack of coherence in the global governance system for dealing with the intellectual property implications of genetic resources. International IP arrangements, notably the WTO's TRIPS agreement, must be reformed to ensure they support the overarching goals of the CBD on genetic resources, rather working against them. One important step would be the inclusion of a binding regulation under TRIPS requiring patent applicants to disclose the origin of any genetic resources and traditional knowledge used in invention."

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