

**(Draft) Statement by Hon'ble Foreign Minister of Bangladesh at the Ministerial  
Breakfast Briefing on the Nagoya Protocol on Access and Benefit Sharing**

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New York

Distinguished guests  
Excellencies  
Ladies and Gentlemen

A very good morning to all. It is indeed a great privilege and honor for me to be here at the Ministerial Breakfast Briefing on the Nagoya Protocol on Access and Benefit Sharing, organized on the margins of the 66th session of the UN General Assembly by the Secretariat of the Convention on Biological Diversity (CBD), in collaboration with the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR) and in partnership with Japan as President of the 10th Conference of the Parties (COP 10) to the CBD.

We all recall that a new era of living in harmony was born and a new global alliance to protect life on earth was established when most of the world's nations—193 to be exact—agreed last October in Nagoya, Japan to setting up a Protocol governing access to and sharing of benefits from the earth's genetic resources. The Nagoya Protocol on Access and Benefit Sharing flows from the Convention on Biological Diversity (CBD) that recognizes the sovereign rights of States over their natural resources in areas within their jurisdiction. Parties to the Convention have the authority to determine access to genetic resources in areas within their jurisdiction as well as the obligation to take appropriate measures with the aim of sharing the benefits derived from their use. Therefore, there are clear benefits to be accrued to both the developed and developing countries if the provisions of the protocol are implemented.

However, for the Nagoya Protocol to be effective, it will need to address successfully a number of issues. The first hurdle to take is to achieve actual entry into force of the Protocol which requires ratification of or accession to the Protocol by at least 50 states. But till August 2011, only 41 states have ratified the Protocol excluding some of the biggest actors whose participation is key to meaningful ABS governance. Perhaps more importantly, a number of the Protocol's key provisions will need to be developed further and implemented as the Protocol was rushed through in the final hours of COP10 in an attempt to secure a binding instrument on ABS. In this respect, it is worth highlighting that the Nagoya Protocol enters a densely populated institutional environment. A large number of other international treaties and fora regulate or otherwise affect ABS governance architecture, including the WTO, the WHO, the FAO and others. This international legal and institutional complexity is mirrored at the national level, where the demand for coordination and integration between sector ministries is equally complex. At the same time, biotechnological research and development that are at the heart of ABS governance are increasingly undertaken in a globalised manner or by multinational corporations (MNC), giving rise to a "global bio-economy". Overall, ABS governance faces the challenge of balancing several objectives, including innovation, conservation of biological diversity, food security and poverty alleviation.

It is hoped that the Protocol would soon enter the crucial implementation stage following ratification by the required number of parties. Hopefully, this will finally provide the world with an instrument that would meaningfully bind both the developing and developed countries to commit to concerted efforts and enacting supportive national and international ABS laws and policies to end bio-piracy and restore fairness and equity in the exchange of genetic resources across the globe. For, ultimately, only on the basis of fair and equitable sharing of benefits by and among the developed and developing countries can the objectives of the CBD be finally realized.

Finally, it is my pleasure and honor to announce in this august gathering that, Bangladesh has not only signed the frame work agreement on CBD, it has also ratified it and has signed its Nagoya Protocol as well. I urge all to follow our suit for a better future of our progeny.

I thank you.