Access and benefit sharing (ABS)



Companies working with plant-based raw material have legal obligations under the Nagoya Protocol.

Countries have the right to decide which type of activities are regulated under ABS laws and regulations.

To comply with ABS rules, companies must secure prior informed consent from indigenous communities.

Prior informed consent refers to the right of countries to authorize research or development conducted on the composition of their biological resources.

According to the Nagoya Protocol, benefit sharing is established by negotiation. However, it must be at least 5% of net turnover of the final product.

By granting export permits, national authorities also confirm compliance with any applicable legal requirements on ABS.

If they have not conducted R&D, manufacturers of finished cosmetic products are not subject to due diligence requirements in the European Union.

European companies that are utilizing genetic resources comply with due diligence by requiring supplier declarations of compliance with the Nagoya Protocol.

Thank you.

