



74th World Health Assembly

Item 19 - The public health implications of implementation of the Nagoya Protocol

Distinguished Delegates,

Thank you for the opportunity to speak on behalf of the World Medical Association.

We would like to draw your attention on the critical importance of the growing role played by Genetic Resources (GRs) in several economic sectors, such as food production, the development of pharmaceuticals, cosmetics and bio-based energy sources. The use of GRs can have a serious impact on human health, beyond infectious diseases.

We therefore regret that WHO's action is limited to infectious diseases and does not encompass the broad implication of Genetic Resources use on health. We recommend that its expansive use related to the Nagoya Protocol be closely monitored from a health perspective in order to guarantee a fair and equitable sharing of the benefits.

We also have concerns about the use of intellectual property associated with GRs. GRs as founded in nature are not innovations and thus must not be patentable. However, inventions based on, or developed using GRs may be patentable, thus falling within the scope of intellectual property legislation. It is therefore crucial to determine clear and strict criteria that identifies authentic innovations associated with GRs, in order to prevent granting erroneous patents for the sake of commercial benefits to the detriment of public health. In line with its leading value to serve public health globally, WHO should address this issue together with relevant partners, including WIPO and the CBD, so that GRs are preserved as a Common Good necessary for the sustainable development of human activity (UN Earth Summit, 1992).

Thank you.