**Nordic Council of Ministers**

***Declaration on***

**Access and Rights to Genetic Resources 2023**

**– The Kalmar II Declaration**

Biodiversity is essential for human life on earth. Genetic diversity is an important part of biological diversity. Genetic resources are genetic material of actual and potential value that may be important to humans and life on earth. A great variety of genetic resources is a prerequisite for natural selection, adaptation, and evolution. Access to the world’s genetic resources and a fair and equitable sharing of the benefits that arise from their use are therefore important matters that are regulated in several national and international forums.

In 2003, the Nordic countries adopted the [Kalmar Declaration](https://www.nordgen.org/en/about/organisation/the-kalmar-declaration/) with a series of recommendations on national implementation of international obligations and on how to further collaborate on genetic resources at the Nordic level. The international legal framework established that states have sovereign rights over their genetic resources. The Kalmar Declaration state that the genetic resources held by NordGen are under common Nordic management, freely accessible and in the public domain.

The Nordic countries have a long history of more than 50 years of collaboration within conservation and sustainable use of genetic resources, with the establishment of a joint Nordic genebank for seeds in 1979, as a major achievement. The Nordic Genetic Resources Center (NordGen) was established in 2008 as a knowledge center for genetic resources and includes the Nordic seed genebank. The Kalmar Declaration provides an important framework for the access and rights to genetic resources held at NordGen.

The technological and political advancements since the adoption of the Kalmar Declaration twenty years ago have made it evident that a new Nordic take is needed. For that purpose, the project “Access and Rights to Genetic Resources: A Nordic Approach (II)” was established with Nordic experts on genetic resources. The output of the project is the report “Access and Rights to genetic resources: A Nordic Approach (II)”.

**Access and rights to genetic resources in the Nordic Countries**

The Nordic Council of Ministers responsible for Fisheries, Agriculture, Forestry and Food and the Nordic Council of Ministers responsible for Environment and Climate have agreed upon the following:

The Nordic Council of Ministers

1. *underlines* the importance of genetic resources for sustainable development, and that conservation and sustainable utilization of genetic resources is therefore of high priority in the Nordic countries;
2. *reaffirms* the major principles of the Kalmar Declaration of 2003 and appreciates its subsequent Nordic significance and not least the establishment of NordGen;
3. *takes note* of the significant development that has taken place internationally since the Kalmar Declaration in terms of access and rights to genetic resources;
4. *underlines* the importance of sharing the benefits from the utilization of genetic resources in a fair and equitable manner in accordance with the obligations under the Convention on Biological Diversity and its Nagoya Protocol and the International Treaty on Plant Genetic Resources (the International Plant Treaty) and other relevant agreed access and benefit sharing instruments;
5. *recognises* the need to increase the sharing of benefits that arise from the Multilateral System (MLS) of Access and Benefit sharing under the International Plant Treaty, both monetary and non-monetary, and supports the enhancement of the MLS;
6. *welcomes* the Kunming-Montreal Global Biodiversity Framework and the decision to establish a multilateral mechanism for benefit-sharing from the use of digital sequence information on genetic resources adopted at the 15th Conference of Parties to the UN Convention on Biological Diversity and encourage the Nordic countries to contribute to its successful follow-up;
7. *recognises*, in accordance with domestic law, each Nordic country shall take measures, as appropriate, with the aim of ensuring that traditional knowledge associated with genetic resources that is held by Indigenous Peoples and local communities is accessed with the prior and informed consent or approval and involvement of these Indigenous Peoples and local communities, and that mutually agreed terms have been established;
8. *notes* the lack of knowledge and awareness of the international legal framework on access and rights to genetic resources among Nordic providers and users of genetic resources;
9. *welcomes* the report of the project “Access and Rights to Genetic Resources: a Nordic Approach (II”)

***Recommends that the Nordic Countries***

1. *reconfirm,* that all seed accessions held at NordGen, except for security collections held by NordGen for other gene banks, are under common Nordic management and in the public domain;
2. *continue engaging* in global policy development on genetic resources for food and agriculture, including in their conservation and sustainable use;
3. *encourage* contributions to the Benefit-sharing Fund of the International Plant Treaty including by the food processing industry;
4. *support* the enhancement of the Multilateral System of Access and Benefit Sharing of the International Plant Treaty;
5. *facilitate* access to genetic resources for food and agriculture and associated Digital Sequence Information (DSI); in accordance with agreed international benefit sharing instruments.
6. *acknowledg*e different perceptions and approaches among the Nordic countries on the need to determine the legal status of wild genetic resources, register their collection and regulate access;
7. *encourage* to improve knowledge on the conservation and sustainable use of genetic resources from invertebrates and micro-organisms and associated issues on access and rights to such genetic resources;
8. *continue to uphold* user country measures to comply with access regulation of providing countries and raise awareness among researchers and other relevant actors using genetic resources from other countries about these measures;
9. *provide* awareness raising for Nordic providers and users of genetic resources of international developments; including access and benefit sharing obligations and objectives;
10. *continue to* collaborate at Nordic level in exchanging experiences on access and rights to genetic resources e.g., through relevant joint Nordic projects.

***Recommends that NordGen***

1. *continue*s to be an important joint Nordic institution for the implementation of the International Plant Treaty and that relevant material administered by NordGen shall be part of the Multilateral System of Access and Benefit Sharing of the International Plant Treaty;
2. *provides* facilitated access to all its plant genetic accessions for all purposes, and not only for use in the fields of food and agriculture;
3. *continue*s to make accessions available through one type of agreement, the Standard Material Transfer Agreement of the International Plant Treaty,
4. *facilitates* access to DSI associated with plant genetic resources held by the gene bank;
5. *encourages* donors of “Material in Transition” to make this publicly available, as appropriate, and include it in the Multilateral System of the International Plant Treaty;
6. *supports* that facilitated access is provided for crop wild relatives that are managed by NordGen, and that the material are under common Nordic management and in the public domain;
7. *seeks* a formal agreement with the competent Faroese and Greenlandic authorities on how seed accessions from Faroe Islands and Greenland should be acquired, managed and distributed by NordGen, preferably under the same conditions that apply to other accessions held by NordGen;
8. *ensure*s that the legal ownership of farm animal genetic resources stays with the national owner in cases where NordGen conserves animal genetic resources at its premises. Access shall be in agreement and in accordance with the relevant national program and/or entity;
9. *ensures* that the legal ownership of forest tree genetic resources stored at NordGen stays with the national owner. If these resources shall be under the management of NordGen, it should preferably be under the same conditions that apply to other NordGen’s seed accessions;
10. *strengthen*s communication on access and rights to genetic resources in the Nordic region;
11. *continues* to manage and operate the Svalbard Global Seed Vault in partnership with the Norwegian Ministry of Agriculture and Food and the Crop Trust and in accordance with the Three Party Agreement between those partners.