

## **Roche Position on Biodiversity**

Biological diversity - or biodiversity - is often understood in terms of the wide variety of plants, animals and microorganisms from all sources. To date, around 1.75 million species have been identified but scientists believe that there is actually many times this number. Biodiversity also includes genetic differences within each species, for example, between varieties of crops and breeds of livestock. The concept of 'biodiversity conservation' is similar to that of 'nature conservation' as it places specific emphasis on threatened habitats and species. It also implies that social, cultural and economic values are important in conservation planning.

Roche recognizes that the issue of biodiversity and traditional knowledge is of growing importance, particularly for developing countries. The nations have sovereignty over the natural resources and indigenous knowledge within their boundaries. Moreover, unauthorized or unrestrained removal of natural materials from their indigenous habitats can harm the ecology and economy of the country concerned. Therefore, Roche supports the principles of resource stewardship as broadly communicated in the Convention on Biological Diversity (CBD). Roche also supports the principles of fair and equitable sharing of benefits arising from the use of the genetic resources as outlined in the CBD and the recently negotiated Nagoya Protocol.

Roche's present drug and biomarker discovery efforts focus on innovative technologies such as molecular biology, genetic engineering, genomics, proteomics, bioinformatics and high-throughput screening. In the event of Roche discovering or developing a commercial product derived from natural resource material from plant, microbial or animal genetic resources, the company is committed to ethical and legal access to these resources as well as to fair and appropriate recognition of rights-holders to biodiversity resources and traditional knowledge. For this purpose, Roche also supports the "Guidelines for IFPMA Members on Access to Genetic Resources and Equitable Sharing of Benefits Arising out of their Utilization".

### **Background**

The protection and utilization of natural resources are increasingly discussed in particular as they relate to intellectual property rights and ethics. These debates concern the right to obtain patents, access to genetic resources, compensation and benefit sharing agreements, local and regional social and economic development schemes, preservation of cultural heritage, and the rights of indigenous peoples to their resources and traditions. For many countries, sustainable development of natural resources, the protection of traditional knowledge, and related potential economic development are significant issues due to concerns about alleged unfair exploitation of

their resources, on one hand, and a keen interest in the sustainable economic development of their environment, on the other hand.

The Convention on Biological Diversity (CBD), part of the United Nations Environment program (UNEP) and agreed to by most world leaders at the Earth Summit in Rio de Janeiro in 1992 sets out commitments for maintaining the world's ecological systems. The CBD establishes three main goals: (1) the conservation of biological diversity, (2) the sustainable use of its components and (3) the fair and equitable sharing of the benefits from the use of genetic resources. Its definition of 'biological resources' includes genetic resources, organisms or parts thereof or any other biotic component of ecosystems with actual or potential use or value for humanity. The CBD recognizes patent rights on products derived from natural materials and the role they can play in support of the broad principles of the CBD. The Conference of the Parties to the Convention has excluded human genetic resources from the scope of the Convention.

Negotiations on an “International Regime” on access and benefit-sharing began at the seventh Conference of the Parties of the Convention in 2007 and resulted in October 2010 in the adoption of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization. The Protocol was adopted to more effectively implement the 3<sup>rd</sup> objective of the Convention: it affirms that the obligation in the CBD to share benefits is conditioned upon the conclusion of mutually agreed terms between the provider of genetic resources and its user and does not impose new obligations for genetic resources transferred prior to entry into force of the Protocol.

## **Conclusion**

Roche takes seriously its responsibilities toward protecting biodiversity, respecting nature, and the rights of holders to their natural resource materials. If natural resources are utilized, by our adhering to the broad principles espoused in the CBD and further developed in the Nagoya Protocol, we will support sustainable biological resource development.

*This Position Paper was approved by the Corporate Sustainability Committee on April 29, 2009 and entered into force the same day. It was updated and approved by the Corporate Sustainability Committee on November 18, 2011.*