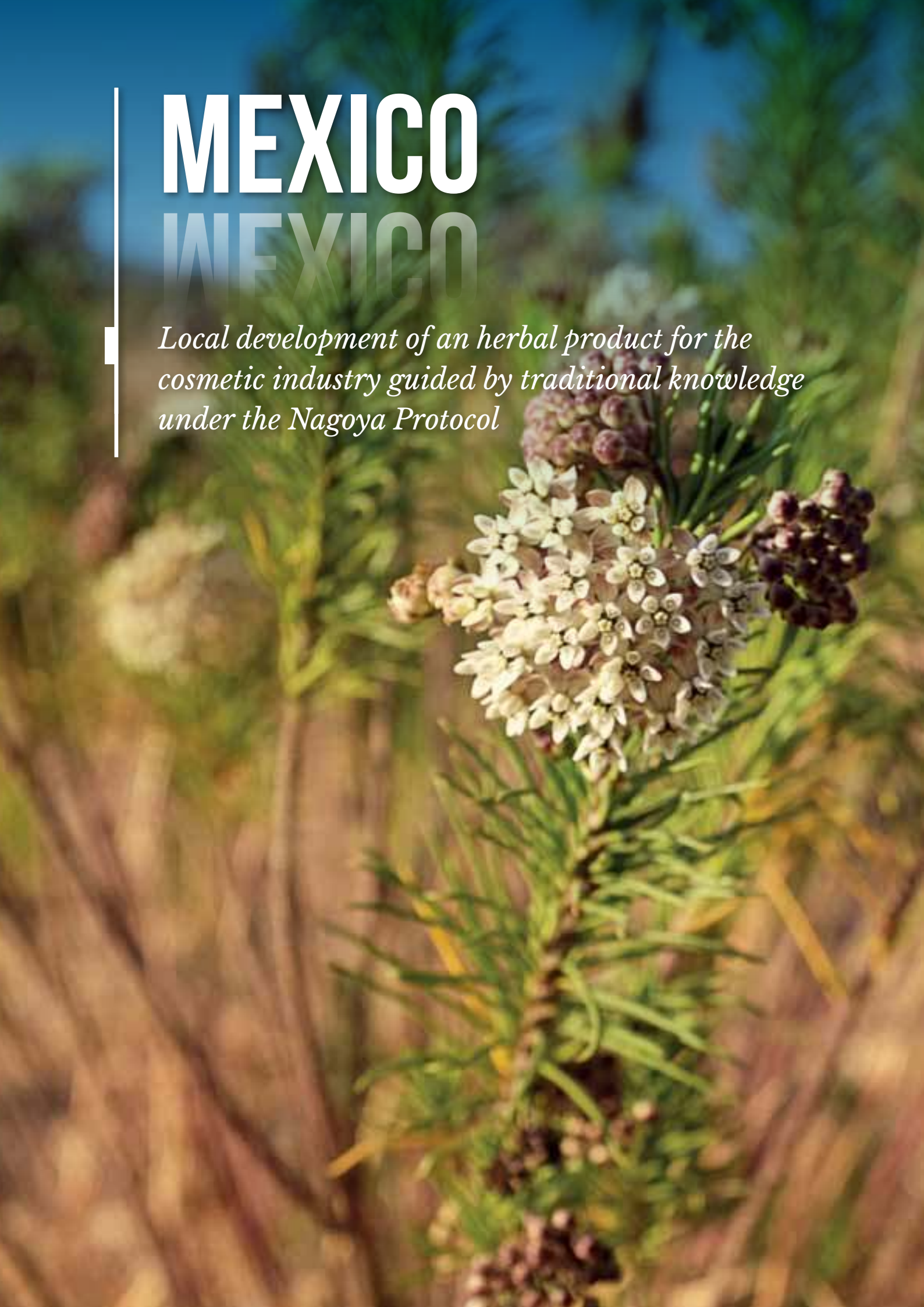




MEXICO

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*Local development of an herbal product for the
cosmetic industry guided by traditional knowledge
under the Nagoya Protocol*



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SETTING THE SCENE

Mexico is a megabiodiverse country, fourth at the global level, sheltering an estimated 12% of the world's species. These include an estimated 544 terrestrial and marine mammal species (second highest in the world), 804 reptile species (number one in the world), 366 amphibian species (fourth in the world), between 300 000 and 425 000 insect species, and 23 522 known species of plants (fourth in the world). An estimated 32% of the vertebrate fauna is endemic to the country and 52% is endemic to Mesoamerica. Mexico has 51 of the 191 terrestrial ecoregions recognized worldwide.

As a result of its biodiversity, Mexico is the centre of origin of many plant species and varieties with great potential use in the agriculture, forestry and pharmaceutical sectors.



As a global major centre of domestication and diversification of cultivated species, Mexico has plenty of plant families which may expand, or have expanded, the high genetic diversity of many cultivated species consumed worldwide. These species represent a significant resource in terms of world food security and contribute to a growing interest in their access and use.

The Charape-La Joya Ejido is located about 30 km from the capital city of the State of Queretaro, in the centre of the country. Located in what once was the crater of La Joya Volcano, the area is a high soil degradation zone, with low rainfall. In addition, there is a high rate of migration of mostly men to the USA in search of economic opportunities. Thus, the community's social structure is mostly combined of women, children and elderly people. In this region, a partnership between the community, the Regional Centre for Watershed Training (CRCC in Spanish) of the Autonomous University of Querétaro (UAQ) and Provital, a Spanish cosmetics company, was formed to promote the development of products from aromatic and medicinal plants.





Biodiscovery case

In 2010, Doña Eulalia Moreno, age 79, and her two daughters, Rosa and Angeles Balderas from the Community La Carbonera, nearby the Charape-La Joya Ejido, formed a community-based initiative known as *Mujeres y Ambiente* (Women and Environment – W&E), with help and support of the UAQ. W&E was created under the premise that the livelihoods of community members could be improved through a micro-enterprise focused on the sustainable use of vegetables and medicinal and aromatic plants.

Four years later, this effort was supported by the Spanish company Provital S.A. These organizations focused on the development of cosmetics from plants, and in early 2016 the W&E group was legally constituted as *Women and Environment S.P.R. de R.L. de C.V.* In June 2016, this collaboration, inspired by the guidelines of the Nagoya Protocol, approached the National Focal Point for the Nagoya Protocol (NFPNP) in Mexico, to learn about the requirements of obtaining the Internationally Recognized Certificate of Compliance for access to a plant useful for cosmetic purposes and its associated traditional knowledge. The name of this plant is confidential.

Along with the partnership at UAQ, contracts for the development of the supply chain were negotiated between local producers from the Charape-La Joya Ejido, and the group W&E. Technical and legal personnel from the NFPNP office advised Provital on legal requirements, such as those proposed by the Inter-Ministerial Group for the implementation of the Nagoya Protocol. A draft of the project and the Mutually Agreed Terms (MAT) was completed and then using a proposal from the Union for the Ethical Biobrand (UEBT) as a standard of good value

chain practices to ensure the sustainable use of the biological and genetic resources.

Provital S.A. initiated the process to obtain the Prior Informed Consent (PIC) from the Charape-La Joya Ejido and the group W&E in accordance with the Mo'otz Kuxtalm Guidelines, adopted during the COP13 in Mexico in 2016.

Four meetings were held to obtain the PIC: the first two meetings were held in order to render a report on the project implications, the third was to make a thorough review of the MAT and the fourth, which took place on July 1, 2017, was to make the formal request for the access permit, witnessed by a notary public, validating the process and final agreements.

Once the regulatory file was completed, Provital S.A. presented a request for an access permit to the General Division of Forestry and Soil Management of the Ministry of Environment and Natural Resources and the permit was granted. In August 2017, once the permit was issued, the National Authority generated the Internationally Recognized Certificate of Compliance, which was posted on the website of the clearing house mechanism of the Nagoya Protocol, and work with the community and UAQ was initiated. In 2018, an amendment to the access permit was carried out to allow the shipment of samples to the laboratories of Provital in Spain. In accordance with the MAT negotiated with Provital S.A., People in the Ejido of Charape-La Joya and the group Women and Environment will receive monetary and non-monetary benefits derived from the marketing of the cosmetic produced from the local plant.



EYEWITNESS STATEMENT

"I have lived here all my life. I was born here, so were all my children, many years ago. Some of them are actually living in the United States now, sometimes I go there to visit them, but I don't like to live there. I like to live here, in my house, with my plants and animals, with my daughters and grandchildren. Here I work for myself. In this project we are participating as Women and Environment with the university and Provital. I am a supplier, I have a role to play."

DOÑA EULALIA MORENO, leader of Mujeres y Ambiente SPR de RL de CV, Community of La Carbonera, nearby the Charape-La Joya Ejido

"I'm so happy to work here, to go to the university in Querétaro and sell all our products. I really never imagined how beautiful it would be to do this job with my family. Actually all my daughters are helping me, collecting plants, drying them and making cosmetics. My husband supports me completely, and this project is helpful to other men by giving support to their own wives for work with us in the greenhouse, harvesting wild plants and participating in this project with Provital. We receive a lot of help from the university and Provital, in learning techniques, using materials and economic planning. I'm sure that what we are doing will bring more benefits to the community and more people will work with us."

ROSA BALDERAS, member, Mujeres y Ambiente SPR de RL de CV., Community of La Carbonera, nearby the Charape-La Joya Ejido

"We really need to know the origin of the plants that we are using. That is why we go directly to the farmer. For Provital, their corporate social responsibility goal is 'to cover our present needs without compromising the needs of future generations.'"

RICARD ARMENGOL, Managing Director, Provital S.A.

"My father taught me how to appreciate land, nature, and water. With this work we look at the whole relationship between water, soil, people and biodiversity. We've brought together a team from different disciplines, offering different perspectives. We share a vision for our country, and for the people of our country. We are beginning to regain a vision of progress – not just in terms of cars or things, but in terms of our lives. We are changing conceptions of progress. We're trying to set up a new model. This is a beginning. You have to give solutions and begin to work. This is what the future looks like."

DR RAUL PINEDA LOPEZ, Professor, MSc course on Watershed Management, UAQ





In fine focus: SDGs implemented by the biodiscovery case

This biodiscovery case and the subsequent work led by the UNDP-GEF ABS project to support the development of biocultural community protocols are good examples of the strategic role that ABS processes can play to support the implementation of the 2030 Agenda for sustainable development. Through a relatively small initial investment, the alliance between the Women and Environment group and Provital S.A. is generating catalytic policy, economic, and social impacts that are yielding multiple development benefits across several SDGs.

The experience generated by the *Women and Environment* group is directly contributing to SDG 10 (Reduced inequalities) and SDG 1 (No poverty). By ensuring full and effective participation of women in the biodiscovery initiative, the project is supporting implementation of SDG 5 (Gender equality). This experience is also promoting capacity building for technological development thus supporting SDG 9 (industry, innovation and infrastructure) and encouraging more sustainable consumption patterns (SDG 12 on

responsible consumption and production). The *Women and Environment* group is fully aware that unless their activities ensure the conservation and sustainable use of biodiversity (SDG 15 – Life on land) they are unlikely to have long-term incomes and livelihoods. This group is also facilitating implementation of a key target of SDG 15 which specifically aims to promote access and benefit sharing from the utilization of genetic resources.

Thus, as this case clearly highlights, ABS investments in Mexico and elsewhere have the potential to be true accelerators of the 2030 Agenda for sustainable development by triggering positive multiplier effects across the SDGs, and solutions to bottlenecks that were preventing a more sustainable involvement of the private sector in the conservation of biodiversity and associated traditional knowledge. The experience generated by the *Women and Environment* group is a wonderful reminder that while the SDG agenda needs the involvement of business actors, the latter can also greatly benefit from the 2030 Agenda for sustainable development.



Legal and political enabling environment for ABS and the Nagoya Protocol

In 2012, Mexico ratified the Nagoya Protocol, reaffirming the country's commitment to conserving its unique biodiversity while also promoting the sustainable use and sharing of the benefits derived from its utilization. In 2014, the Nagoya Protocol came into force and was formalized as Supreme Law according to the Mexican Constitution.

The Ministry of the Environment and Natural Resources, by means of the General Direction for the Primary Sector and Renewable Natural Resources, which serves as the office of the NFPNP since 2014, formed an inter-ministerial group for the implementation of the Nagoya Protocol (initially with 17 federal offices, which then turned into 22), and in the last three years has coordinated interinstitutional meetings to work on a legal instrument proposal, which may crucially define the correct implementation of the Nagoya Protocol in Mexico.

This instrument is still under legal review; however, this means unprecedented progress and technical and legal agreement on genetic resources, associated traditional knowledge and benefit sharing as the result of the institutional agreement which is meant to reach a proposal. In this sense, even if Mexico does not yet have a specific legal framework to govern access to genetic resources, the implementation of the Nagoya Protocol is still possible with the current legal framework as a result of the work of the inter-ministerial group and

the national UNDP-GEF ABS Project. Building on this commitment, Mexico's ABS Project is working to ensure the needed capacity building to guarantee that genetic resources and associated traditional knowledge are properly accessed, and the benefits shared equitably.

With funding from UNDP-GEF, administered and implemented by UNDP Mexico, this project of the Secretariat of Environment and Natural Resources (SEMARNAT), is supporting local communities to oversee access to genetic resources and their associated traditional knowledge, and to ensure that the benefits arising from their utilization are shared equitably.

SEMARNAT, by means of the UNDP-GEF ABS Project has trained more than 700 federal public officials and this year, 2018, they will begin to work to obtain proposals related to the National Strategy of Genetic Resources and the Strategy for in situ Conservation of Agricultural Biodiversity, instruments that, added to the Biocultural Community Protocols on genetic resources held by locations in Mexico, will aim for a solid public policy which promulgates a legal framework and allows for greater legal certainty for the implementation of the Nagoya Protocol. UNDP-GEF ABS is proposing economic instruments with economic benefits for Mexico for access to genetic resources and is working with research centres and universities to develop a Massive Open Online Course (MOOC) about the Nagoya Protocol and specific cases and experiences in Mexico.





MESSAGE FROM AN SDG ADVOCATE



"All the process of this particular case are an example of good practices, to show that the Nagoya Protocol can be implemented in a transparent and fair way, including the Academic (UAQ) and Private (Provital) sectors working hand by hand with the Local Community of Charape/la Joya, respecting their rights, protecting their biodiversity and traditional knowledge, promoting gender equity, empowering people and working together in an equal and respectful way.

The research and collaborations made thanks to this alliance will have positive impact on the community and will nourish the objectives of the 2030 Agenda. This is a perfect example how we can address key drivers of biological, social and economic erosion through the SDGs.



Thanks to this project, we have the privilege of participating in fostering prosperity for the community, safeguarding the planet, and contributing to gender equity and equality. These activities integrate the three dimensions of sustainable development: the economic, environmental and social".

GERARDO ARROYO, Sustainable Development Official,
UNDP Mexico