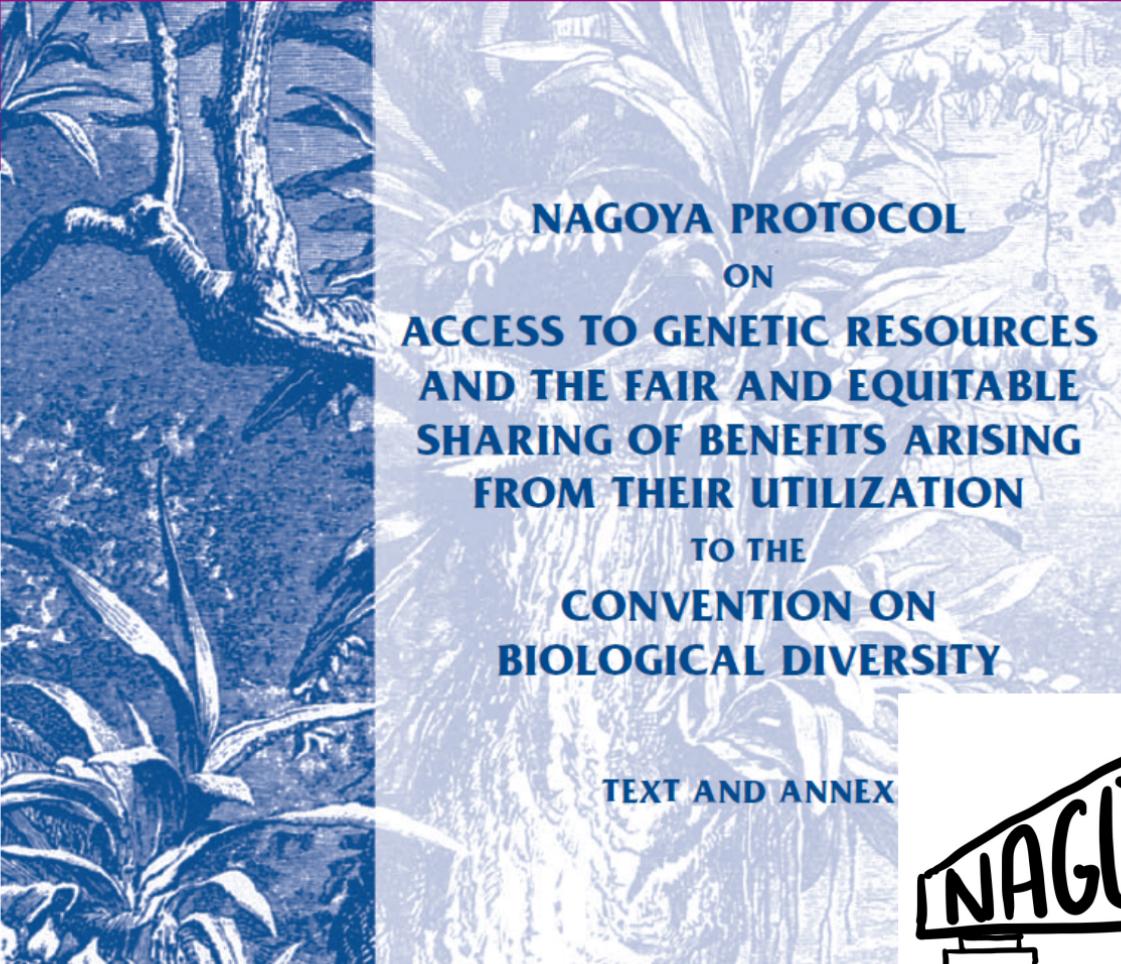


Fostering compliance with the Nagoya Protocol at Kiel University

Dr. Scarlett Sett
Nagoya Protocol Compliance Officer
December 1st, 2020

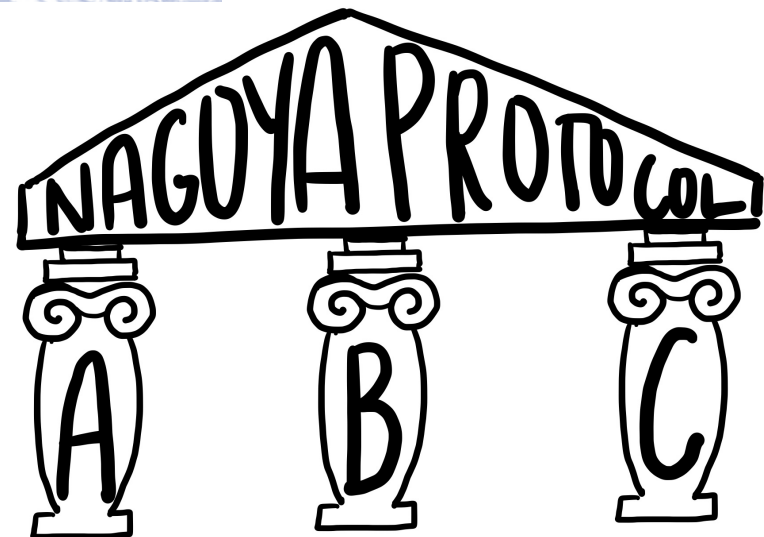
✉ nagoya@uv.uni-kiel.de

🐦 @scarsett84

The image shows the cover of the Nagoya Protocol document. It features a blue-toned illustration of a dense forest with various plants and trees. The title is centered in white, bold, sans-serif capital letters. Below the title, it says 'TEXT AND ANNEX' in a smaller font.

NAGOYA PROTOCOL
ON
ACCESS TO GENETIC RESOURCES
AND THE FAIR AND EQUITABLE
SHARING OF BENEFITS ARISING
FROM THEIR UTILIZATION
TO THE
CONVENTION ON
BIOLOGICAL DIVERSITY

TEXT AND ANNEX





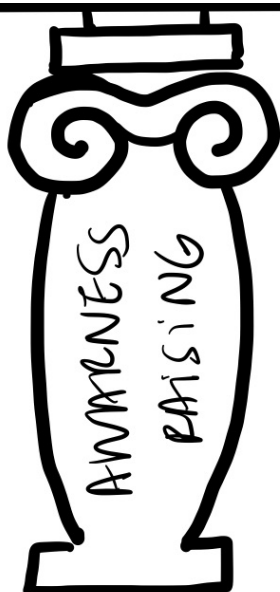
Christian-Albrechts-Universität zu Kiel

Integrity and Ethics in Research

ABS

CONTACT POINT





- Researchers & staff
- Website and checklist

ABS

CONTACT POINT



Nagoya Protocol: Access and Benefit-Sharing of genetic resources

The Nagoya Protocol at Kiel University

The Nagoya Protocol on Access and Benefit-Sharing (ABS) was concluded at the 10th Conference of the Parties to the Convention on Biological Diversity in 2010 and regulates access to genetic resources and the fair and equitable sharing of the benefits arising from their utilization. Researchers at Kiel University whose research falls within the scope of the EU ABS Regulation (EU) No. 511/2014 are required to submit a due diligence declaration. In Germany, violations to the EU ABS Regulation can constitute an administrative offence and can be subject to fines of up to € 50,000.

On this page you will find more information on how to comply with Nagoya Protocol obligations at Kiel University.

Information on this site

- What is the Nagoya Protocol?
- What are genetic resources?
- What is meant by the use of genetic resources?
- The three pillars of the Nagoya Protocol
- What steps do I need to follow at Kiel University to comply with the EU ABS regulation?
- Implications for non-compliance with the Nagoya Protocol

Contact

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What is the Nagoya Protocol?

The Nagoya Protocol on Access and Benefit-Sharing (ABS) is an international agreement that aims at the fair and equitable sharing of benefits arising from the utilization (research and/or development) of genetic resources (and/or traditional knowledge associated to them).

Within national jurisdiction, including the 200 nm of exclusive economic zone and extended continental shelf (if any), the Nagoya Protocol covers all genetic resources (i.e. material that contains DNA, dead or alive, and its derivatives) and its utilization. This *excludes* organisms covered by specialized treaties (e.g. International Treaty on Plant Genetic Resources for Food and Agriculture and Pandemic Influenza Preparedness) and any type of human genetic material but includes human pathogens.

What are genetic resources?

A genetic resource is defined (in the Convention on Biological Diversity, Nagoya Protocol and EU ABS regulation Nr. 511/2014) as any material of plant, animal, microbial or other (non-human) origin containing functional units of heredity which has actual or potential value, or derivatives of a genetic resource (e.g. enzymes, proteins, metabolites).






What steps do I need to follow at Kiel University to comply with the EU ABS regulation?

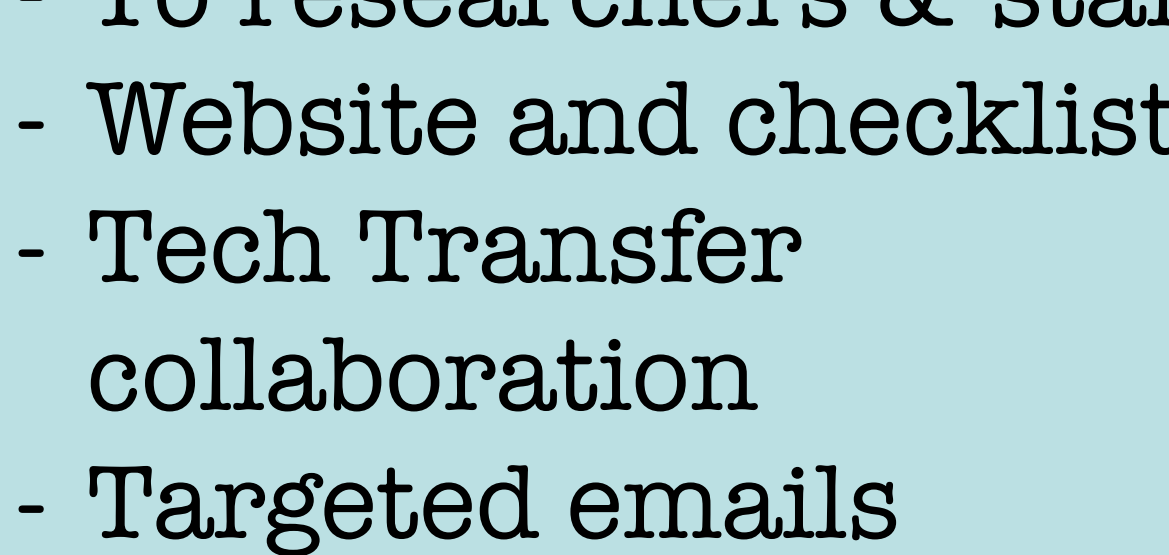
As a user (direct and indirect-incoming/outgoing) of genetic resources (and/or traditional knowledge associated to them) you are obliged to exercise due diligence and file a due diligence declaration to comply with the EU ABS regulation. This means, you ensure that the genetic resources have been accessed in accordance to applicable access and benefit-sharing legislation from the Country of origin and, if applicable, benefit-sharing measures have been established. Therefore, as user of genetic resources, it is your responsibility to **seek, keep and transfer** all proper documentation to subsequent users. You need to keep documentation (PIC and MAT, if available) of the legality of access to the genetic resources for a period of 20 years after the end of utilization. This only applies to documents and not the storing of the physical sample.

You are a direct users when you obtain the resource directly from the country of origin. You are an indirect users are researchers, when your resource is obtained from a third party such as a collaborator, registered/private collection, etc (indirect-incoming) or when you give the resource to a third party such as a research collaborator (indirect-outgoing).

Note: It is your responsibility as a user of genetic resources to discontinue utilization if there is insufficient information on the legality of its access.

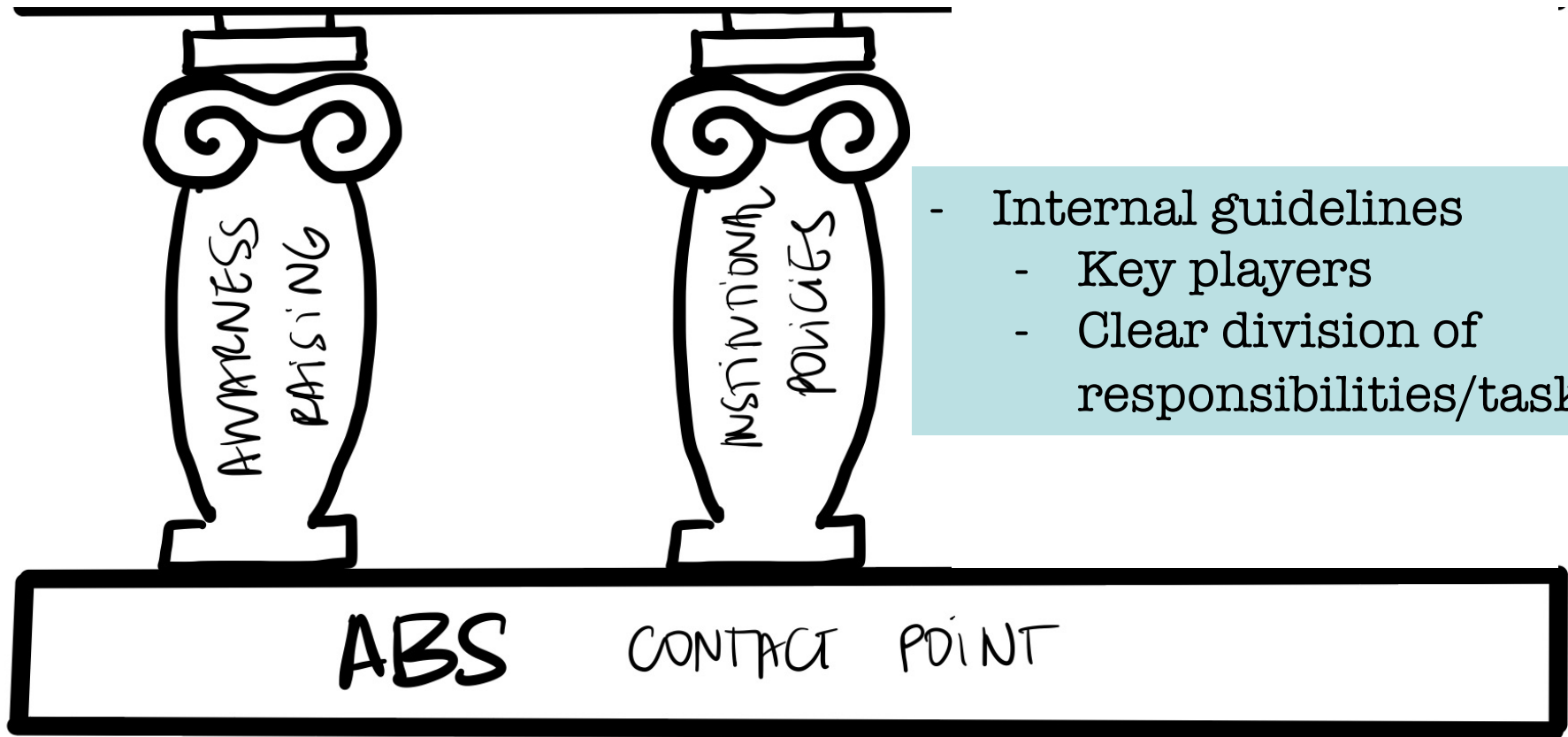
Checklist

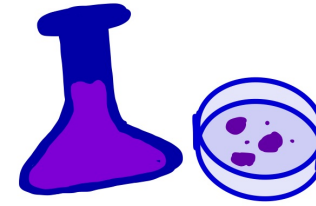
SCOPE		YES	NO
Material	<p>Are you working with any material of plant, animal, microbial or other (non-human) origin containing functional units of heredity (i.e. genes), including derivatives (i.e. proteins, enzymes, metabolites)?</p> <p>Anything containing DNA, dead or alive, and its derivatives. This <i>excludes</i> organisms covered by specialized treaties (e.g. International Treaty on Plant Genetic Resources for Food and Agriculture and Pandemic Influenza Preparedness) and any type of human material but <i>includes</i> human pathogens. See definitions 1, 2 & 3.</p>		
Utilization	<p>Are you conducting research AND/OR development on the genetic and/or biochemical composition (or derivative*) of a genetic resource? (including the application of biotechnology)</p> <p>This category assumes that the research is being conducted at Kiel University. See definitions 3, 6 & 7.</p>		
Temporal	<p>Was the genetic material accessed in the Provider Country (country of <i>in situ</i> collection) ON or AFTER the 12th of October 2014?</p> <p>See definition 4.</p>		
Geographic	<p>Is the Providing Country of the genetic resources party to the Nagoya Protocol?</p> <p>To check for this use: ABS Clearing House website</p>		
	<p>Does the Providing Country of the genetic resources have national ABS regulation?</p> <p>To check for this use: ABS Clearing House website If information about this is not clear or even missing on the ABS Clearing House website then contact the National Focal Point (NFP) of the Providing Country of the genetic resources asking for clarification (contact the Nagoya Protocol Compliance Officer for an email template).</p>		

- 
- To researchers & staff
 - Website and checklist
 - Tech Transfer collaboration
 - Targeted emails

ABS

CONTACT POINT





NP relevant case?

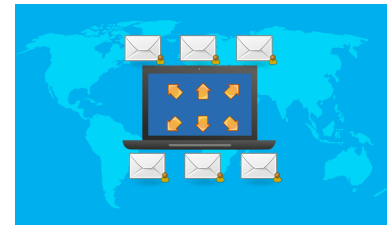
No:



Yes: go to Step



NFP info



- Centralized DECLARE account



ABS

CONTACT POINT

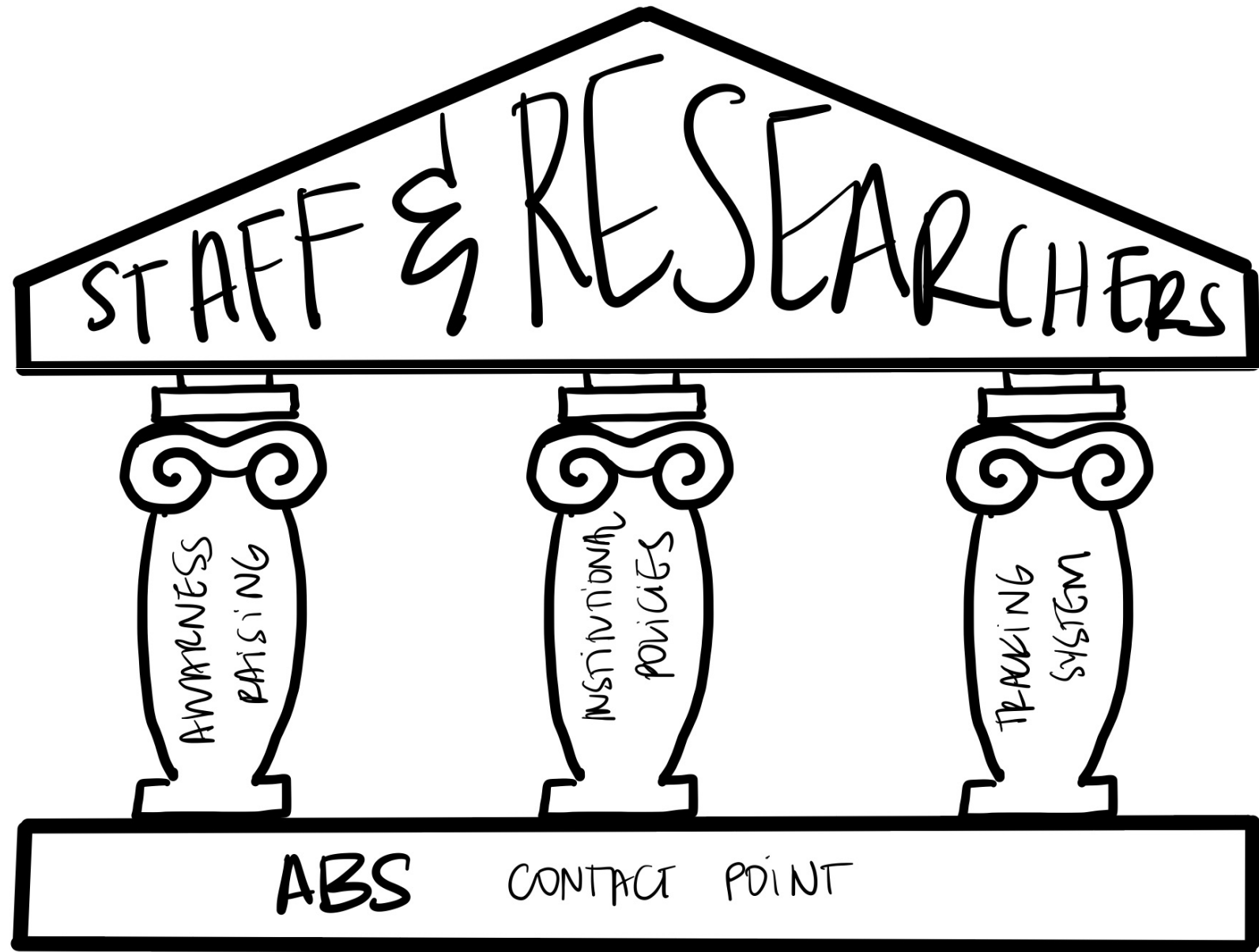


- Centralized DECLARE account
- Document storage decentralized
- Specific NP MTA (with TT)
- Legal support at Uni for contracts



ABS

CONTRACT POINT





German
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Protocol
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“I used to think that communication was key until I realized **comprehension** is. You can communicate all you want to someone, but if they don’t understand it, it wont reach them the way you need it to.”

Thank you for your attention!



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@scarsett84



ABS contact points **Understand ABC of ABS** **Know resources**

**develop
institutional
tools to
disseminate
available ABS
resources**

**develop
institutional
policies to
address ABS
issues**

**develop
institutional
tools to track
PIC/MAT/MTA**

**educate
researchers**

educate staff

