



The Nagoya Protocol simply explained

Do I have obligations related to Access and Benefit-Sharing (ABS)?

Scientists who use non-human genetic resources (and/or associated traditional knowledge) for their research might have obligations under the Nagoya Protocol (NP) to share benefits with the countries where the material comes from.

In addition, researchers working at German institutions might also have obligations under the EU ABS Regulation (No. 511/2014) if ALL of the following questions are answered with "Yes":

Material

- Are you working with material (dead or alive) of plant, animal, microbial or other (non-human) origin containing functional units of heredity (i.e. DNA/RNA) and/or their derivatives (proteins, lipids, others)? Are you using traditional knowledge associated with the material?

Utilization

- Are you carrying out research and/or development (or biotechnology) on the genetic and/or biochemical composition of the genetic resource, or on derivatives of the genetic resource?

Date

- Was the genetic material originally obtained on or after October 12, 2014?

Location

- Is the country providing the genetic resources a Party to the Nagoya Protocol? Is there a national ABS legislation in place?

Attention

1. If the research/utilization (as a non-commercial laboratory analysis) is being conducted in Germany, the EU ABS Regulation also applies to research projects carried out jointly with partners from third countries.
2. Whenever scientists are involved as co-authors, they are considered users in the sense of the EU ABS Regulation.
3. For some countries "access" could mean when you start utilizing the material (even if it was collected and left the provider country long ago).
4. National ABS legislation in provider countries might apply to you even if the EU ABS Regulation does not.

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