

ABS Guide Book

To Research Genetic Resources From Your Country in Japan

ver. 0.1



ABS Support Team for Academia
National Institute of Genetics

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Nagoya Protocol and Scientists

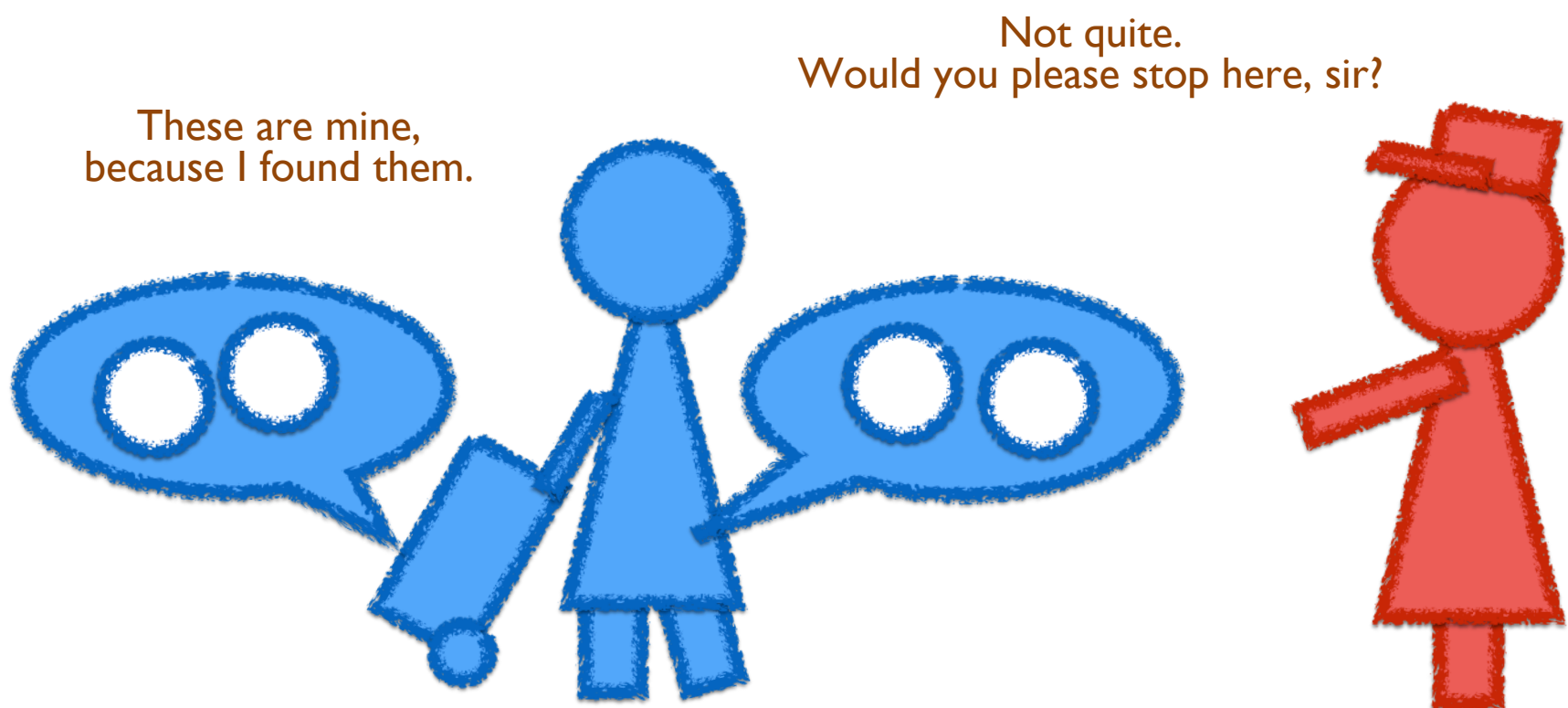
Are there any consequences?

→ **Yes, there are!**

When you study in Japan using **Genetic Resources (GRs) from overseas**, procedures for ABS are required in compliance with the Convention on Biological Diversity (CBD), Nagoya Protocol (NP) and laws in GR providing countries.

Without proper procedures for ABS, you should not study GRs from overseas, **even from your own country**, in Japan. You may also have troubles, if you just bring GRs from your former research institute, without permission.

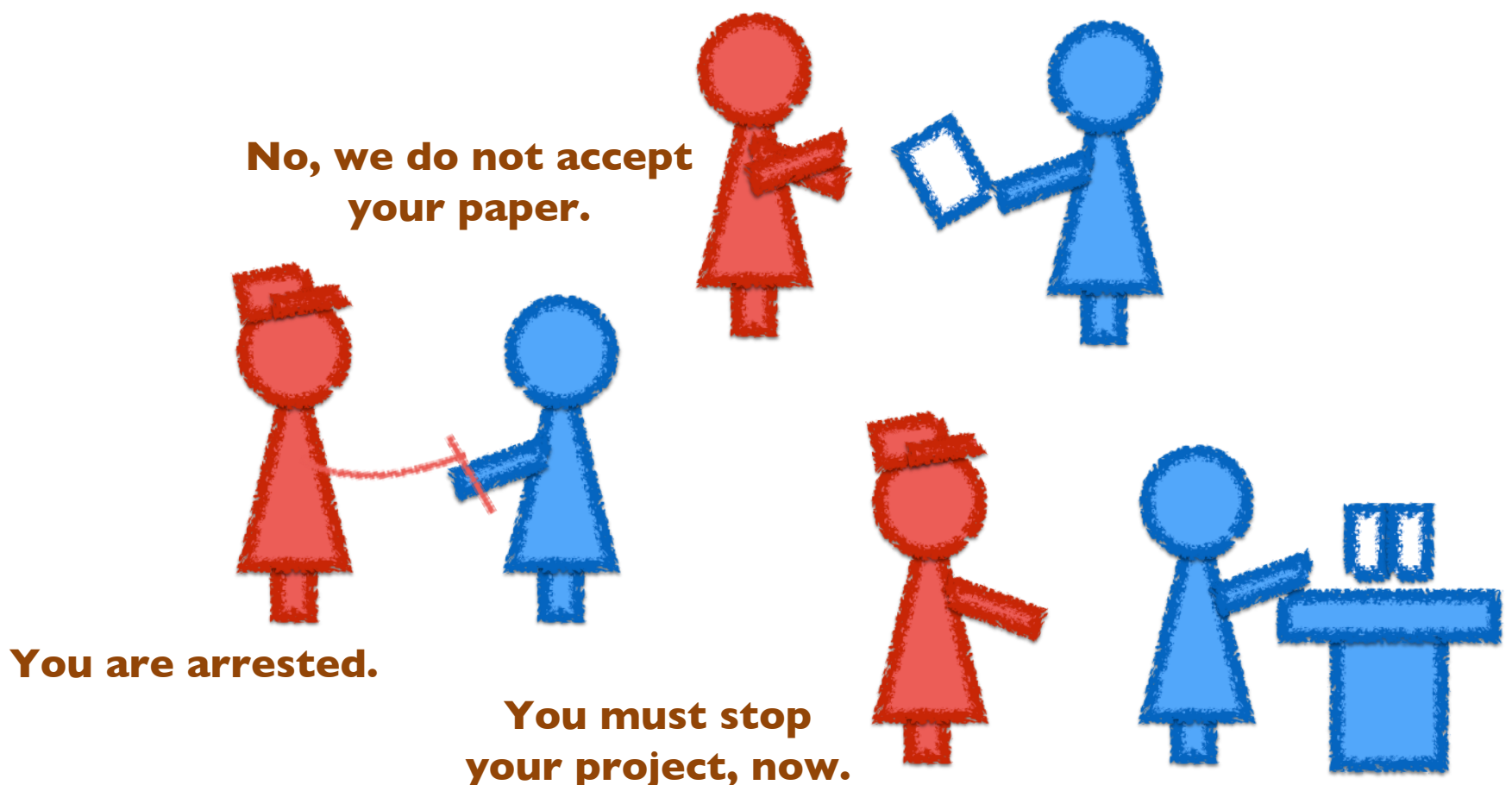
Research materials are one of the most important factor for science. **Scientists** must use GRs from overseas obtained by complying with **laws of providing countries** and the necessary **procedures for ABS**.



If you do not follow the laws/regulations in the providing countries, the following may occur in the worst case...

- 1) You may be **arrested** in GRs' providing country.
- 2) Your **research** may be suspended or interrupted.
- 3) Your application for **grants** will not be accepted.
- 4) Your paper may be **rejected** by journals.
- 5) Your results may **not be publicly presented**.
- 6) You and your host institute may **not be able to access** samples in a providing country in the future any more.
- 7) You cannot apply for **patents** using the samples.
- 8) These may cause serious effect for your **Ph.D. degree**.

Your **research** and your **Ph.D. degree** may be seriously impacted, if you use GRs transferred from overseas into Japan, without proper procedures for ABS.



To prevent such risks,

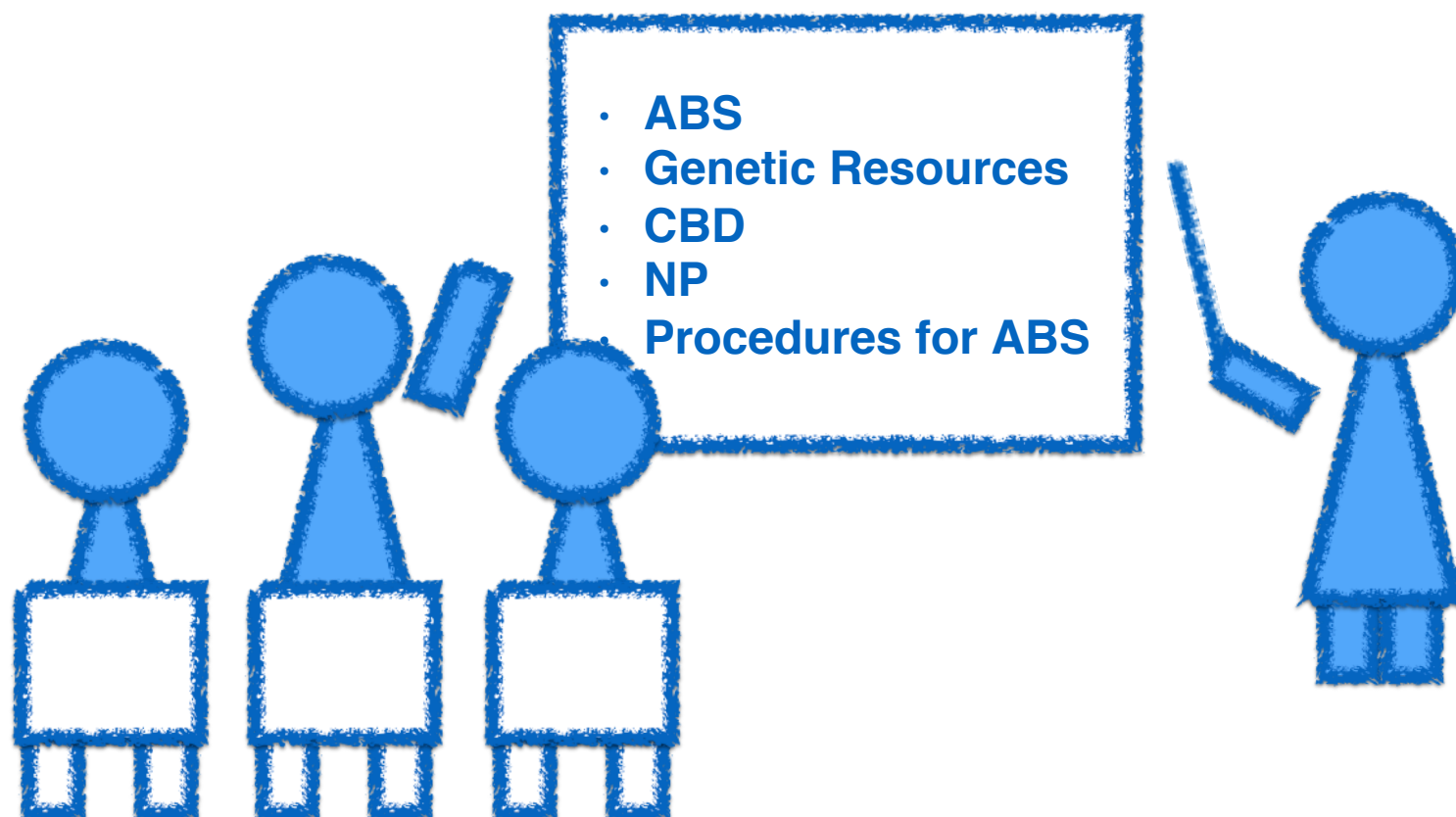
What can we do for ABS?

Simple answers are: 1) comply with **laws of providing countries** and, and 2) follow proper **procedures for ABS**, in collecting biological samples abroad. However, it does not go that simple in reality, since each country has different laws, where procedures can differ depending on species and purposes.

Complicated! What can we do, after all?

Read this booklet and get an overview of ABS

At first, what is "**ABS**"? What is genetic resources (**GRs**)? What is the Convention on Biological Diversity (**CBD**), and the Nagoya Protocol (**NP**), which are the basis of ABS? What is the **procedures for ABS** necessary to access foreign GRs? Please read through the following pages once.



To be continued
(coming soon!)

Please check our flyer for ABS.

Japan has ratified Nagoya Protocol!

Are there any consequences for scientists?

Your research may be seriously impacted, if you use biological resources transferred from overseas into Japan, without adhering to the necessary ABS* procedures. (*please see the reverse side for details)

In the worst case...

- You may be subject to arrest and prosecution in the resource providing country.
- Your research may be suspended or interrupted.
- Your application for some grants will not be accepted.
- Your paper may be rejected by some journals.

You need to be particularly careful in the following situations:

Collecting biological sample overseas

You need to have permission from the government of the resource providing country for the investigation and/or collection of biological samples.



Biological samples, brought into Japan, from your home country

ABS procedures are necessary for the transfer of samples to Japan from your country, even if such samples were included in your previous research materials, while in your own country.



Exporting biological samples from overseas

Organisms are the property of the providing country. You may face criminal charges, if you export them from the providing country, without proper authorization.



Receiving or purchasing biological samples from overseas

We must pay attention to biological samples sent by your collaborators overseas, or foreign-origin samples purchased in the market in Japan.



When you utilize biological materials from overseas (the countries outside of Japan, including your own home country) for your research, ABS procedures* are required, in compliance with the Convention on Biological Diversity and the Nagoya Protocol. (*please see the reverse side for details)

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Any questions? Please contact the ABS Task Force Team for Academia, National Institute of Genetics.

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ABS Task Force Team
for Academia,
National Institute of
Genetics



National Institute of Genetics,
Research Organization of
Information and Systems

NBRP

National
BioResource
Project



Japan Agency for
Medical Research
and Development

What is the Convention on Biological Diversity (CBD), and what is the Nagoya Protocol (NP)?

The Conservation of Biological Diversity (CBD) is an international convention established for the following purposes:

1. the conservation of biological diversity
2. the sustainable use of its components
3. the fair and equitable sharing of benefits arising from the use of genetic resources.

The Nagoya Protocol (NP) is a supplementary agreement to the CBD to implement purpose #3, which is referred to as ABS (Access and Benefit Sharing). Among states which are parties to the CBD and NP, organisms are treated as properties of the country where they originate, and both countries providing and countries utilizing genetic resources shall share the benefits arising from utilization of these resources.

Since Japan has ratified the NP, the ABS procedures, outlined below (A-C) have become essential to compliance with the CBD and the NP.

- (A) MOU/MOA (memorandums of understanding/agreement) should be concluded between your and your collaborator's institutes in the country providing the genetic resources (providing country). In the MOU/MOA, you should describe the MAT (mutually agreed terms for ABS), including benefit sharing (i.e. co-authorship of papers, transferring experimental technology, etc.).
- (B) PIC (prior informed consent) should be obtained from the government of the providing country, before studying, acquiring and transporting samples.
- (C) After step (A) and (B), if an IRCC (Internationally Recognized Certificate of Compliance) is acquired from the ABS-Clearing House (ABS-CH), you should follow the ABS-guideline from Japanese government.

Japan has issued a domestic ABS measures (ABS-guidelines) to secure an accurate and smooth implementation of the NP and, in so doing, contributes to the conservation and sustainable use of biological diversity. (<http://www.env.go.jp/press/104061.html>)

What is a "genetic resource"?

In CBD, a "genetic resource" is defined as any material of plant, animal, microbial or other origin (including viruses), containing functional units of heredity, which possess actual or potential value.

"Genetic resources" include living or dead organisms and parts thereof, frozen, dried or powdered materials of them, and their DNA/RNA extracts. ABS procedure are required to transfer those materials from the country of origin into Japan.

In some country, derivatives (naturally occurring biochemical compounds) may be considered as included within the scope of "genetic resources." (please contact ABS task force team (abs@nig.ac.jp) for details)

Are the ABS procedures necessary for basic science?

Although basic research normally is not pursued for financial benefit, ABS procedures are necessary to access overseas biological resources, to observe the requirements of the CBD and NP.

To share the "benefit" arising from the use of genetic resources for basic science, you can offer the counterpart non-monetary benefits, by sharing research results (i.e. co-authorship of papers), cooperation in education and training, providing lab equipment and books, or invitations for researchers and students.

What the ABS task force team can do for you?

Since each country has different laws, regulations and rules for the handling of genetic resources, we often face difficulties in completing ABS procedures.

The ABS task force team for academia in National Institute of Genetics is the primary contact point for all the issues involving ABS, NP and CDB. They will advise and support you in the preparation of documents for MAT/PIC, to access and obtain the genetic resources overseas, and in constructing an ABS-responsive framework in universities and research institutes.

**Before acquiring genetic resources from overseas, please
contact the ABS task force team for academia in NIG!**

abs@nig.ac.jp

**Questions?
Contact here!**