

Test your knowledge

These questions are designed to test your level of knowledge of the international framework for Access and Benefit Sharing for plant genetic resources. They form part of BGCI's ABS learning package and relate specifically the presentation and associated notes on the International Framework also provided in this package.

1 Which of the following are within scope of the CBD and Nagoya Protocol? (choose all examples that could be covered)

- a) Living plants
- b) Animal bones
- c) Herbarium specimens
- d) Anything containing non-human genetic material
- e) Human DNA

2 Which statement is correct?

- a) The Nagoya Protocol provides all of the legislation for implementation by each Party to the Protocol
- b) Each Party to the Protocol develops its own legislative, administrative or policy measures to implement the Protocol
- c) The Protocol is a code of conduct with no legal standing

3 Users of genetic resources should follow ABS laws and measures of a provider country...

- a) Only if the Provider country is a Party to the Protocol
- b) Only if the Provider country is a Party to the CBD
- c) Only if the user's country and the provider country are both Parties to the Protocol
- d) Whether or not that country has ratified the Protocol

4 How does the Nagoya Protocol define 'utilization' of genetic resources?

- a) Any type of research on genetic resources and derivatives of genetic resources
- b) Research and development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology
- c) Commercially-oriented research and development on genetic resources; non-commercial research is excluded

5 Regarding benefit-sharing, which statements are true? (select all that apply)

- a) All possible benefits are specified by a list in the Protocol and users need to pick at least 5 types from the list
- b) Benefit-sharing only involves benefits that are generated from actual utilisation of the genetic resources
- c) Benefit-sharing may involve benefits that are generated before utilisation, such as collaborative fieldwork and research
- d) Benefit-sharing refers to the sharing of monetary benefits as dictated by the Nagoya Protocol
- e) Benefit-sharing may involve monetary and/or non-monetary benefits

6 Important sources of information and advice on national ABS measures include: (select all that apply)

- a) The ABS Clearing-House
- b) The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)
- c) Competent National Authorities
- d) The Global Multilateral Benefit-Sharing Mechanism
- e) National Focal Points

7 Which statement is correct?

- a) The Nagoya Protocol does not cover any agricultural plant genetic resources, as these are covered by the ITPGRFA
- b) The ITPGRFA Multilateral System may apply instead of bilateral national ABS arrangements for certain crops and for certain uses
- c) The Nagoya Protocol is more recent and so supersedes the ITPGRFA for any recently-collected crop material

8 When should the Standard Material Transfer Agreement be used? (select all that apply)

- a) Transfer of any genetic resources between Parties to the ITPGRFA
- b) Transfer of any plant genetic resources for agricultural purposes
- c) Transfer of Annex 1 taxa between ITPGRFA Parties for purposes of food or agriculture
- d) Transfer of Annex 1 taxa between ITPGRFA Parties for non-agricultural purposes

9 Which of the following does your data management system need to keep records of? (select all that apply))

- a) Documents setting out Prior Informed Consent and Mutually Agreed Terms (permits, certificates, agreements)
- b) The number of times each scientist has looked at a herbarium specimen
- c) Terms of use including any restrictions
- d) Unique identifiers supplied with the material (e.g. Internationally Recognised Certificate of Compliance numbers)
- e) The country from which the material was collected

10 When you wish to obtain traditional knowledge associated with genetic resources... (select all that apply)

- a) You do not need to worry about benefit-sharing, since the Nagoya Protocol only covers actual genetic resources
- b) As long as you obtain the prior informed consent of at least one person from the community, you can proceed with your research
- c) You need to find out about national and customary laws, relevant protocols and codes of conduct
- d) You need to find out who the rightful holders of the knowledge are and who has authority to provide prior informed consent

1

a, b, c, d.

If it contains DNA, it is very likely covered. However, human genetic resources are excluded from the scope of the CBD and the Nagoya Protocol.

2

b.

The Nagoya Protocol provides a framework for national implementation, but it does have certain key requirements. Parties must comply with the Protocol and develop measures related to each Article.

3

d.

Users should (of course!) follow the laws of any country where they are accessing material. Many non-Nagoya and even non-CBD Parties have ABS legislation.

4

b.

This is the wording used in the Nagoya Protocol. The Protocol's scope includes non-commercial research – if such research involves investigating the genetic and/or biochemical composition of genetic resources. However, the Protocol also requires Parties to promote non-commercial research that supports conservation and sustainable use, and to develop simplified access procedures.

5

c, e.

The Annex to the Nagoya Protocol provides an indicative list, but many other shareable non-monetary and monetary benefits could arise through utilisation and the whole process of working ethically and collaboratively.

6

a, c, e.

National Focal Points and Competent National Authorities are important sources of national-level ABS information, as is the ABS Clearing-House, which is where you will find their contact information. The Global Multilateral Benefit-Sharing Mechanism has not yet been established and is unlikely to hold significant national-level information. The ITPGRFA, an international treaty, does not provide information on national ABS measures.

7

b.

Annex 1 does not include all crop species. The ITPGRFA Multilateral System covers the transfer of crop/forage material listed in Annex 1 (and some IARC collections) for food/feed purposes. Many ITPGRFA Parties consider that in these particular circumstances, their Nagoya-related national processes do not apply. The date of collection is not important for material in the Multilateral System.

8

c.

The ITPGRFA (and its MLS and SMTA) applies only to plant, not animal or microbial, resources. It also applies only to food or agricultural purposes. The SMTA is designed to be used for material in the Multilateral System (Annex 1 and some IARC collections).

9

a, c, d, e.

Your system should be able to keep track of sources and ABS-related documents, and obligations/restrictions they specify, as well as any unique identifiers, as they help to keep ABS information linked to material as it is transferred or used by others. Although you should keep track of utilisation, it is unlikely that you would need to track every single time you or others use a specimen for other research, e.g. simply consulting/measuring a specimen, unless such uses and record-keeping were specified in the terms of use!

10

c, d.

The Protocol covers traditional knowledge associated with genetic resources. Although national authorities may or may not inform you about procedures to obtain PIC from Indigenous peoples or local communities, you must be very careful not to assume that anyone can share TK, find out about local protocols and authorities, and follow them respectfully.

Please note that some of the questions have been drawn from BGCI's ABS e-learning modules, which are available on the policy section of BGCI's website. Additional questions can be found with these modules.