MIRRI
MICROBIAL RESOURCE
RESEARCH INFRASTRUCTURE

MIRRI – ABS Expert Cluster

D. Martin

Veranstaltung: Genetische Ressourcen, Gesetze & Gute Praxis
Wege zur Umsetzung des Nagoya-Protokolls in Deutschland

Ort: Botanischer Garten u. Botanisches Museum Berlin, 02.03.2016

ESFRI European Strategy Forum on Research Infrastructures

This project has received funding from the European Union's Seventh Framework Programme for research, technological development and demonstration under grant agreement no 312251.

The pan-European project MIRRI
(Microbial Resource Research Infrastructure)

- MIRRI was **launched in 2012** and is a **pan-European distributed research infrastructure** in its Preparatory Phase and is part of the BioMedical Research Infrastructure (RI) ESFRI * landscape. (Grant Agreement: 3,2 Mio €)

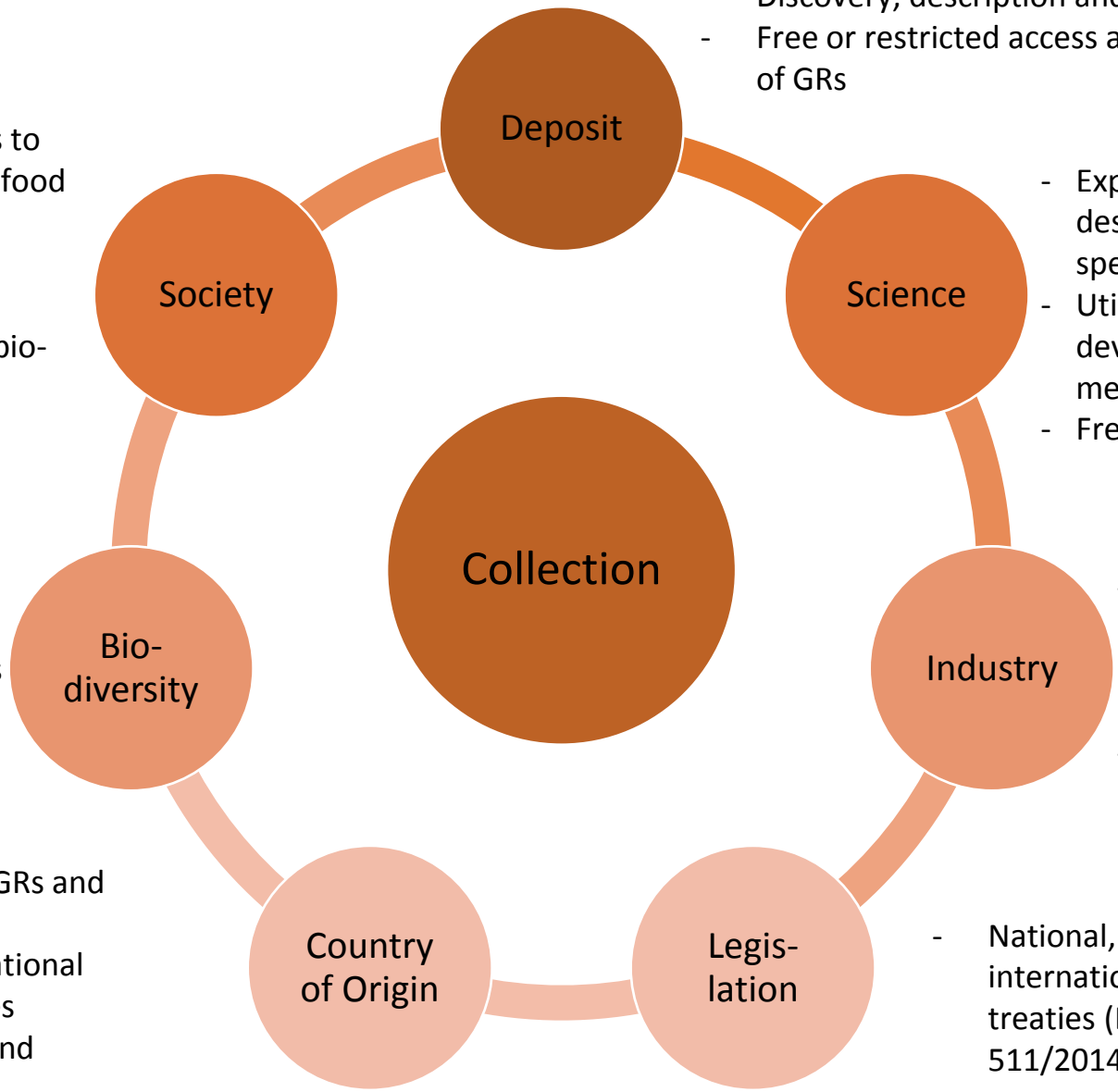
- Currently, more than **40 public culture collections and research institutes** from 19 European countries collaborate to establish this infrastructure.

- MIRRI
  - will **generate solutions** to societal challenges by stimulating **interaction between academia and bioindustry**

  - aims to **provide a collaborative work environment** inspiring excellence and to drive collaboration **across borders and disciplines -> example: ABS Expert Cluster**

* ESFRI = European Strategy Forum on Research Infrastructures

Collections as Intermediary in Exploration and Utilization of Genetic Resources



- Discovery, description and deposit of GRs
- Free or restricted access and utilization of GRs

- Exploration & description of new species
- Utilization & development of methods
- Free access to GRs

- Research & development of products and services
- Quality controls

- National, regional and international laws and treaties (EU No 511/2014, CBD, NP)

- Protection of local GRs and habitats
- Strengthening of national scientists / institutes
- national ABS laws and measurements

- Exploration of biodiversity
- Sustainable preservation of GRs
- Availability and access to GRs

- Contribution of GRs to solutions in health, food and environmental challenges
- Strengthening of national / regional bio-economy and bio-science

MIRRI Expert Cluster on Access and Benefit Sharing (launch: end of March 2016)

- **Community Tool**:
  - Public Threats
  - Secured Threats
  - Specialists, Experts
- **Contact list to experts**

- **Processes & Workflows**
  - Sampling
  - Research
  - Development
  - Collections
- **Manuals**

Expert Community

Best Practice

MIRRI
MICROBIAL RESOURCE RESEARCH INFRASTRUCTURE
ABS Expert Cluster

Information

Legal Affairs

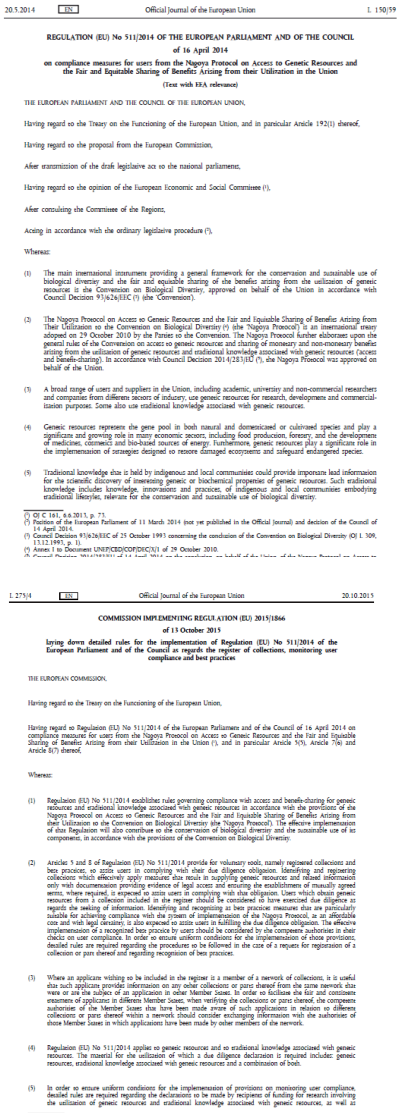
The MIRRI expert cluster will be **designed as a virtual platform** accessible via www.mirri.org (release 03/2016)

MIRRI seeks to serve the **value chain of GRs and cross-sectoral** user communities

- **General**:
  - Literature, meetings, workshops & conferences
- **Organizations, Authorities**

- International, regional and national **laws**
- **Model clauses** and contracts
- Model **PICs and MATs**

MIRRI ABS Activities



20.5.2014 EN Official Journal of the European Union L 150/59

REGULATION (EU) No 511/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 16 April 2014
on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee (1),

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure (2),

Whereas:

(1) The main international instruments providing a general framework for the conservation and sustainable use of biological diversity and the fair and equitable sharing of the benefits arising from the utilisation of genetic resources is the Convention on Biological Diversity, approved on behalf of the Union in accordance with Council Decision 93/626/EEC (3) (the 'Convention').

(2) The 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 (4) (the 'Nagoya Protocol') is an international treaty adopted on 29 October 2010 by the Parties to the Convention. The Nagoya Protocol further elaborates upon the general rules of the Convention on access to genetic resources and sharing of monetary and non-monetary benefits arising from the utilisation of genetic resources and traditional knowledge associated with genetic resources (access and benefit-sharing). In accordance with Council Decision 2014/283/EU (5), the Nagoya Protocol was approved on behalf of the Union.

(3) A broad range of users and suppliers in the Union, including academic, university and non-commercial researchers and companies from different sectors of industry, use genetic resources for research, development and commercialisation purposes. Some also use traditional knowledge associated with genetic resources.

(4) Genetic resources represent the gene pool in both natural and domesticated or cultivated species and play a significant and growing role in many economic sectors, including food production, forestry, and the development of medicines, cosmetics and bio-based sources of energy. Furthermore, genetic resources play a significant role in the implementation of strategies designed to restore damaged ecosystems and safeguard endangered species.

(5) Traditional knowledge that is held by indigenous and local communities could provide important lead information for the scientific discovery of interesting genetic or biochemical properties of genetic resources. Such traditional knowledge includes knowledge, innovations and practices, of indigenous and local communities embodying traditional lifestyles, relevant for the conservation and sustainable use of biological diversity.

(1) OJ C 161, 6.6.2013, p. 73.
(2) Position of the European Parliament of 11 March 2014 (not yet published in the Official Journal) and decision of the Council of 14 April 2014.
(3) Council Decision 93/626/EEC of 25 October 1993 concerning the conclusion of the Convention on Biological Diversity (OJ L 309, 13.12.1993, p. 1).
(4) Annex I to Document UNEP/CBD/COP/DEC/X/1 of 29 October 2010.

L 275/4 EN Official Journal of the European Union 20.10.2015

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1866
of 13 October 2015
laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (1), and in particular Article 5(5), Article 7(6) and Article 8(7) thereof,

Whereas:

(1) Regulation (EU) No 511/2014 establishes rules governing compliance with access and benefit-sharing for genetic resources and traditional knowledge associated with genetic resources in accordance with the provisions of the 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 (the 'Nagoya Protocol'). The effective implementation of that Regulation will also contribute to the conservation of biological diversity and the sustainable use of its components, in accordance with the provisions of the Convention on Biological Diversity.

(2) Articles 5 and 8 of Regulation (EU) No 511/2014 provide for voluntary tools, namely registered collections and best practices, to assist users in complying with their due diligence obligation. Identifying and registering collections which effectively apply measures that result in supplying genetic resources and related information only with documentation providing evidence of legal access and ensuring the establishment of mutually agreed terms, where required, is expected to assist users in complying with that obligation. Users which obtain genetic resources from a collection included in the register should be considered to have exercised due diligence as regards the seeking of information. Identifying and recognising as best practice measures that are particularly suitable for achieving compliance with the system of implementation of the Nagoya Protocol, as an affordable cost and with legal certainty, is also expected to assist users in fulfilling the due diligence obligation. The effective implementation of a recognised best practice by users should be considered by the competent authorities in their checks on user compliance. In order to ensure uniform conditions for the implementation of those provisions, detailed rules are required regarding the procedures to be followed in the case of a request for registration of a collection or part thereof and regarding recognition of best practices.

(3) Where an applicant wishing to be included in the register is a member of a network of collections, it is useful that such applicant provides information on any other collections or parts thereof from the same network that were or are the subject of an application in other Member States. In order to facilitate the fair and consistent treatment of applicants in different Member States, when verifying the collections or parts thereof, the competent authorities of the Member States that have been made aware of such applications in relation to different collections or parts thereof within a network should consider exchanging information with the authorities of those Member States in which applications have been made by other members of the network.

(4) Regulation (EU) No 511/2014 applies to genetic resources and to traditional knowledge associated with genetic resources. The material for the utilisation of which a due diligence declaration is required includes: genetic resources; traditional knowledge associated with genetic resources and a combination of both.

(5) In order to ensure uniform conditions for the implementation of provisions on monitoring user compliance, detailed rules are required regarding the declarations to be made by recipients of funding for research involving the utilisation of genetic resources and traditional knowledge associated with genetic resources, as well as

(1) OJ L 150, 20.5.2014, p. 59.

To **support the actual developments on ABS in the European Union** (EU Regulation 511/2014) MIRRI achieved a 6 month prolongation lasting from 12/2015 – 05/2016. The activities are assigned to the following activities:

- participation at the **development of the sectorial guides** for the EU Regulation on ABS
  - ABS Consultation Forum 21st January at the EC in Brussels together with ECCO and WFCC representing "Microbial BioBanks"

- Implementation of a first prototype of an **ABS expert cluster**

- Development of an **ABS Best Practice Manual for collections**
  - Procedures
  - Workflows
  - Recommended data sets

Thank you

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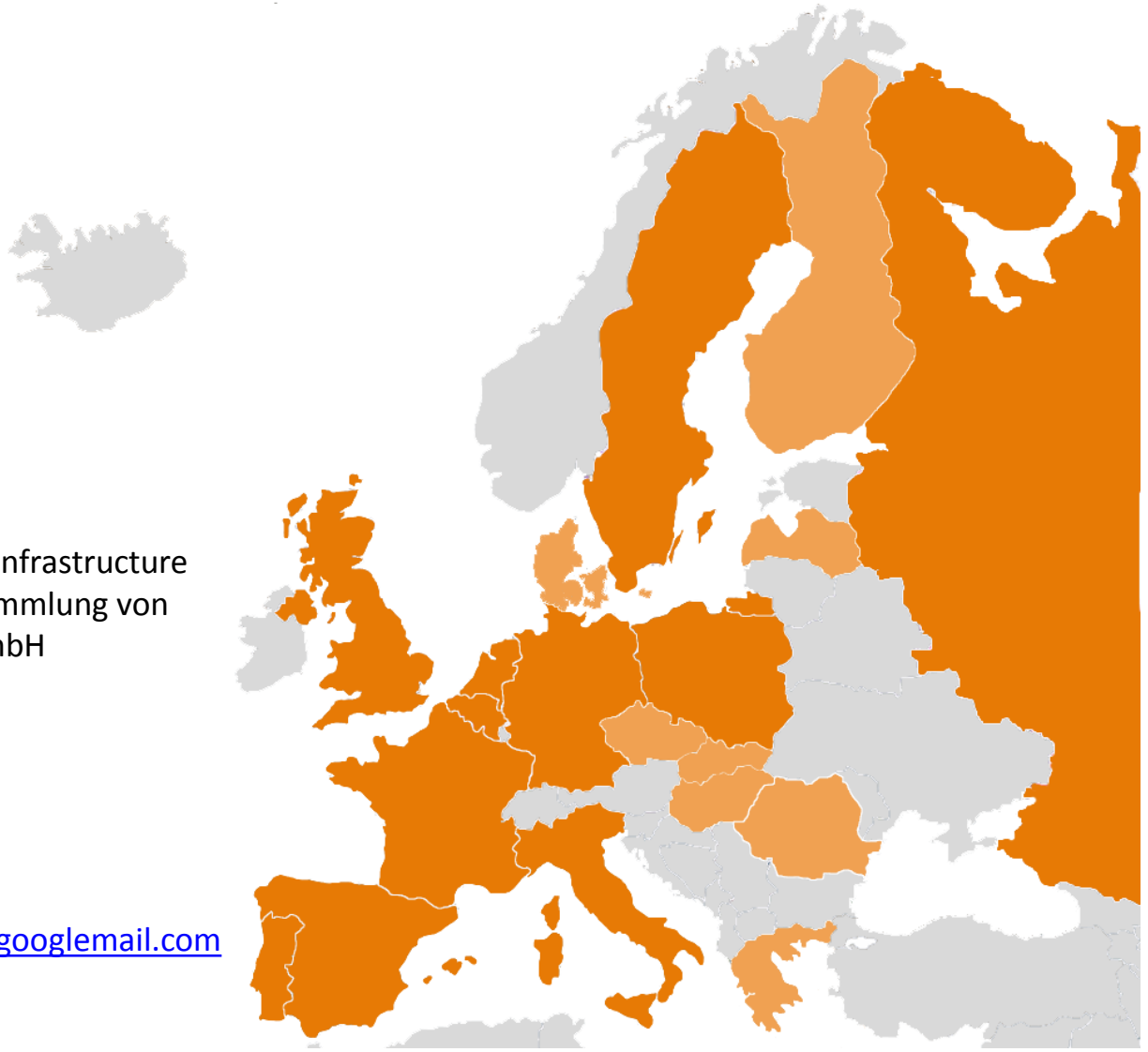

The preparatory phase of MIRRI supported by the European Commission (grant agreement no. 312251)