

CABI ABS Policy

CABI is an international not-for-profit organization that uses genetic resources in its mission to improve people's lives by providing information and applying scientific expertise to solve problems in agriculture and the environment. This is achieved through knowledge sharing and the application of scientific research to improve global food security and safeguard the environment. CABI has implemented practices to ensure compliance with 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. This policy was accepted in principle by representatives of its 48 Member Countries at its 19th Review Conference held in the UK in July 2016, on the condition that CABI would seek appropriate National agreements¹. CABI makes a commitment in this policy to use genetic resources in compliance and undertakes that it:

- will deliver the benefits described below to its provider countries but requires a less burdensome negotiation process for access to genetic resources. CABI is seeking provider country approval (primarily its member countries) to allow its scientists to access the genetic resources it needs in its work outlined below (mainly invertebrates, insects, microorganisms) without having to negotiate the terms and conditions of use each time such access is needed. This will reduce administrative burden for both CABI and provider country. Access excludes resources covered by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) or other overriding international conventions and will be compliant with Provider Country National Law.
- will not exploit genetic resources for monetary gain without involving the provider country; direct contact with the National Focal Point (NFP) will be made and for those countries that have no access procedures in place and do not want arrangements they will not be further contacted, and
- will be transparent in all its uses, reporting at least annually what materials CABI holds for each country and what use they are being put to.

How CABI uses genetic resources

In its work, CABI accesses biological and genetic resources and undertakes sampling and collection of biological materials for:

- diagnosis and identification of pests and diseases, so that appropriate management recommendations can be made;
- rapid identification of newly introduced alien species to facilitate containment and management; CABI is aware of sensitive issues around finding new pests, invasive pathogens and work with national authorities on such issues;
- studies to assess impact of land-use and climate change on biodiversity and ecosystems services which often involves finding species new to science;
- developing microbial solutions to improve health and nutrition security;
- combatting threats to livelihoods, agriculture and the environment from pests and diseases;
- developing biological control agents for the management of invasive species, reduction of crop losses and minimisation of unnecessary pesticide use; and
- increasing and improving access to agricultural and environmental scientific knowledge.

¹ CABI is negotiating access agreements with provider countries; to date a Memorandum of Understanding has been signed with Ghana to access genetic resources for the uses listed above. If the use falls within these categories CABI staff can access materials on the condition that the listed benefits above are shared and that if permits to collect are required these will be sought in advance and the monitoring process and reporting outlined below are followed. CABI staff are appraised when such agreements are in place with a Provider Country.

Benefits CABI provides from its use of genetic resources

CABI delivers benefits to farmers around the world through its mission-driven activities by helping them grow more and lose less of what they produce. CABI's aims in the use of biological and genetic resources of plant, animal or microbial origin are to engender trust, to facilitate science, and to ensure that benefits are shared. When accessing or transferring biological and genetic resources CABI seeks to provide recipients with legal clarity in use. CABI will perform due diligence regarding access and benefit sharing in all its activities involving those resources. Commercial opportunities/products rarely develop in this work but if this is the intention or the potential arises during CABI's work, CABI will return to the provider country to negotiate new use and agree terms on benefit sharing, if this is not already addressed in the Mutually Agreed Terms (MAT).

Member countries agreed at CABI's 13th Review Conference in 1996 that CABI's obligations for Access and Benefit Sharing in accordance with the Convention on Biological Diversity is met by CABI devoting any proceeds from commercialisation of genetic resources collected from its member countries to support the 'not-for-profit' mission driven activities of the organisation. In addition CABI's activities result in significant non-monetary benefits or contributions to the local economy for its member countries, including:

- sharing of research and development results relevant to country priority needs;
- collaboration in education, training, scientific research, development programmes and individual training related to use of genetic resources;
- joint authorship of publications and joint ownership of intellectual property rights;
- access to *ex situ* facilities and to databases;
- transfer of scientific information, knowledge and technology; and
- institutional capacity-development to help build or maintain local collections

In light of the Nagoya Protocol, CABI wishes to ensure it complies with any additional measures which may be needed. CABI will negotiate an agreement with each Member and/or Provider Country to ensure its ABS policy and practices are compliant with national law and ABS requirements. This agreement could take the form of a Memorandum of Understanding or other preferred document.

In providing samples to third parties in the course of CABI's work or service provision, CABI does not assign rights for commercial applications and requires the recipient to comply with the terms and conditions of the provider country through a Material Transfer Agreement (MTA – see Annexe 1 of the CABI Best Practices for CABI generic version) containing reference to the original MAT.

Consistent with Article 20 in the Nagoya Protocol, CABI has developed and adopted Best Practices for Access and Benefit-Sharing to implement this policy. CABI staff understand their rights and responsibilities which are defined under the national laws implementing appropriate treaties and relationships with Providing Countries of genetic resources. All CABI staff will abide by relevant laws and regulations in their work; that genetic resources are to be obtained with appropriate legal certainty; and that CABI shares appropriate benefits for access with the Provider Country of the Genetic Resources. CABI staff understand that Genetic Resources are acquired in two main ways: collecting in the field (*in situ*) and from *ex situ* sources such as collaborating scientists, institutions or collections in a Providing Country. CABI best practice has been provided to CABI staff to ensure this policy is implemented in their work with genetic resources and traditional knowledge.