



Rie Funabiki

**International Affairs Division, Biological Resource Center,
National Institute of Technology and Evaluation (NBRC, Japan)
Chief, 2005 to 2017**

Professional Experience:

- Dealing with international collaboration projects between NBRC and other biological resource centers in Asia.
- Actively involved in development of new scheme related to transfer and sustainable utilization of microbial resources in multilateral settings.
- Actively involved in negotiations and information-sharing arenas of the “Convention on Biological Diversity” and 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”
- Serving as the Secretariat of the “Asian Consortium for the Conservation and Sustainable Use of Microbial Resources (ACM)”

Participation in ABS-related Conferences:

- 10th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP10) October 2010
- The Third Meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ICNP-3) Feb, 2014
- 12th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP12) October 2014
- First meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (MOP1) October 2014
- 13th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP13) December 2016
- Second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (MOP2) December 2016

Education:

- Western Illinois University
- Bachelor of Science in Psychology (2001); Master of Science in Psychology (2005)

Rie Funabiki

Biological Resource Center, National Institute of Technology and Evaluation (NBRC, Japan)

Japan's Domestic Measures for Access and Benefit-sharing

Introduction

Japan ratified the Nagoya Protocol (the Protocol) on May 22, 2017 and became a Party on August 20, 2017. With a view to effectively implementing the Protocol as a Party, Japan exerted efforts to lay down adequate domestic measures, which resulted in the “Guidelines on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization” (the “ABS Guidelines”). The ABS Guidelines entered into force on August 20, 2017, the same day Japan became a Party to the Protocol.

The ABS Guidelines serve as measures governing compliance with the provisions of the Protocol as well as securing its steady and smooth implementation.

Outline of the ABS Guidelines

- Compliance Measures (corresponding to Art.15, 16, 17 of the Protocol)

To address compliance with ABS legislation/regulatory requirements of a provider country, the following modi operandi are set forth in the ABS Guidelines:

Report concerning the lawful access to genetic resources and associated traditional knowledge
Submission of relevant information related to the utilization of genetic resources
Provision of reported information (1 and 2 above) to the Access and Benefit-sharing Clearing-House and posting of the said information on the website of the Ministry of the Environment of Japan
Cooperation concerning alleged violation of ABS legislation/regulatory requirements of a provider country

- Access Measures (corresponding to Art.6 of the Protocol)

The ABS Guidelines clearly state that Japan decides not to take access measures as provided for in Article 6(1) of the Protocol, meaning that prior informed consent is not required for the access to genetic resources existing in Japan, therefore an internationally recognized certificate of compliance (IRCC) will not be generated for genetic resources accessed in Japan.

- Encouragement of ABS frameworks (corresponding to Art. 5, 9, 17, 19, 20 of the Protocol)

The ABS Guidelines also set forth the following modi operandi to promote the ABS frameworks:

Issuance of documents concerning the acquisition of genetic resources in Japan
Encouragement of concluding contracts which contain provisions on the fair and equitable sharing of benefits
Allocation of benefits arising from the utilization of genetic resources/associated traditional knowledge to the conservation and sustainable use of biological diversity
Encouragement of information-sharing concerning the implementation of a concluded contract
Development of model contractual clauses, voluntary codes of conduct, guidelines, best practices, and standards concerning ABS

Conclusion

Now as a Party to the Protocol, Japan endeavors to continue its contribution towards attainment of the objectives of the CBD and the Protocol. Furthermore, experiences of implementing the national ABS measures, the ABS Guidelines, need to be shared among other Parties to best serve the effective implementation of the provisions of the CBD and the Protocol.