



MICROBE
the Microbiome
Biobanking (RI)
Enabler

Let us pave the way
for microbiome
biobanking

MICROBE training sheet

How to do the
Nagoya Protocol

Introduction and summary

Research on microorganisms increasingly reveals the crucial role these genetic resources play in human health, biodiversity, ecosystem services, climate change mitigation, and biotechnological innovations. To access these microbial resources, microbiologists must navigate a wide range of obligations, including the Convention on Biological Diversity and its Nagoya Protocol (NP), an international legal framework recognizing each nation's sovereign rights over their own genetic resources. Although the NP has been in force since 2014, many microbiologists remain poorly informed about NP obligations, for example, mistakenly believing that academic research is exempt or that only researchers from third countries accessing genetic resources from another country require permits. These misconceptions are widespread, yet the consequences of non-compliance are concrete and significant, ranging from manuscript rejection and grant revocation to formal legal sanctions and lasting reputational damage. This document concisely addresses common misconceptions and provides a practical five-step guide to NP compliance, in support of equitable collaboration and sustainable innovation. For further insight, two resources developed by the MICROBE consortium are referenced at the end of this document.



Overview and background

The life sciences, including microbiology, microbiome research, and biobanks, must comply with various international regulatory frameworks. The 1992 Convention on Biological Diversity (CBD) recognizes each country's sovereign rights over its own biodiversity, allowing them to regulate access to genetic resources (GR), defined as any non-human biological material containing functional units of heredity. The Nagoya Protocol (NP) to the CBD, which entered into force on October 12, 2014, provides a binding international legal framework on access to and use of GR, including the use of GR derivati-

ves such as proteins, lipids, and metabolic compounds. Due to this broad scope of application, the use of the vast majority of microbial isolates obtained from a NP signatory country falls under its legal obligations.

The NP is based on three pillars:

- access, benefit-sharing, and compliance
- its bilateral nature requires negotiated agreements between provider country and user of GR
- wide variability in national implementation, makes it particularly difficult for researchers to navigate.

The MICROBE project has therefore developed two complementary documents: the first provides a high-level overview of the international regulatory frameworks relevant to microbiologists, addressing the broader legal landscape in which life sciences operate; the second focuses specifically on the NP, offering concrete "best practices" guidance on how to navigate its complex legal requirements. The key recommendations on how to comply with the Nagoya Protocol are summarized below.

The 5 key "DOs" promoted by the MICROBE project

DO 1: Non-commercial academic research is subject to ABS obligations

Regardless of purpose, any research involving GR falls under NP obligations.

DO 2: Researchers must follow ABS laws of the country where the genetic resource was originally collected—not where it was cultivated or stored

ABS obligations are determined by the country of original collection, regardless of where the material was subsequently cultivated, isolated, or stored.

DO 3: ABS laws often apply to national researchers

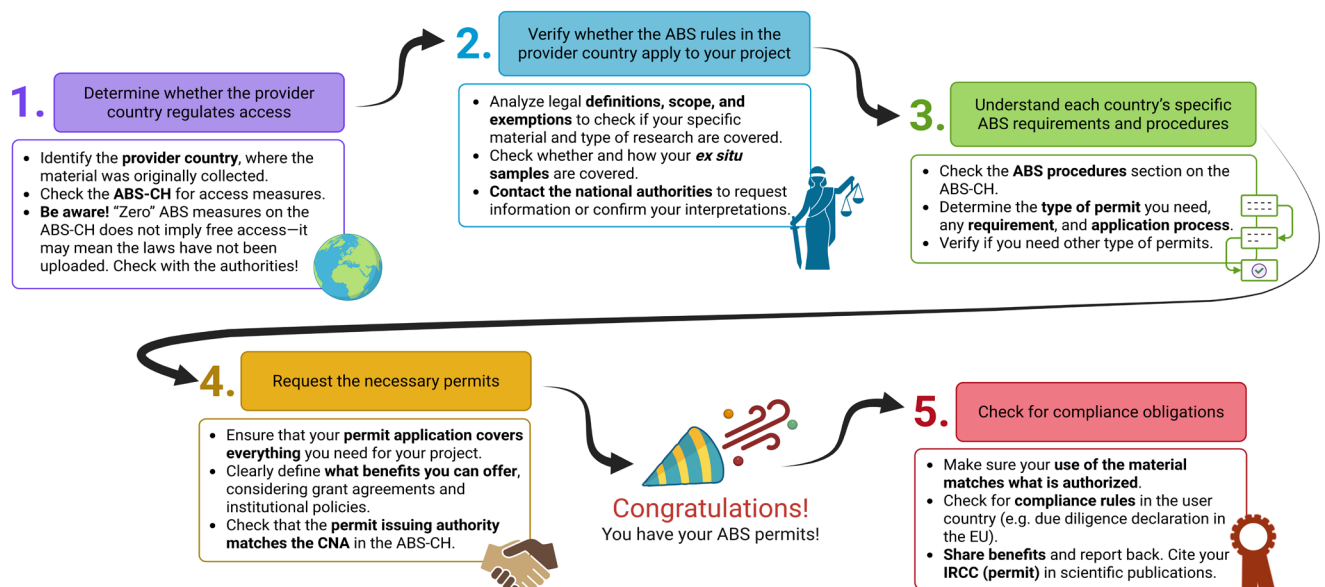
In many countries, domestic and foreign researchers are subject to the same ABS requirements, though some nations offer simplified procedures for their own nationals.

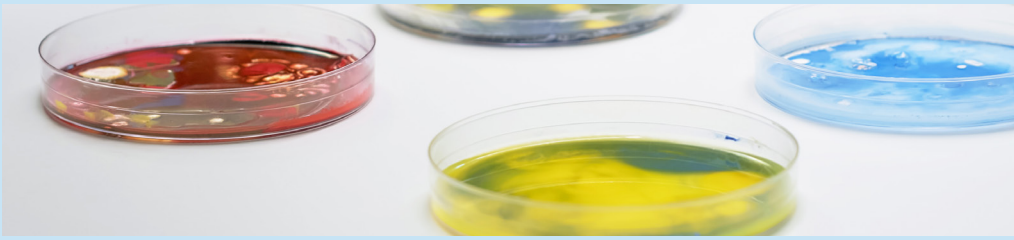
DO 4: Researchers from countries that are not a Party to the CBD should still "do Nagoya"

Researchers based in countries that have not ratified the NP remain bound by provider countries' ABS rules, and EU-based researchers carry additional compliance obligations including those based in non-NP-Parties.

DO 5: Utilizing commodities for research purposes changes their intended use and can trigger ABS obligations

When commodities are used for research and development rather than their original purpose (trade and exchange), their intended use changes, potentially triggering ABS obligations and requiring contact with the provider country to determine permit requirements.



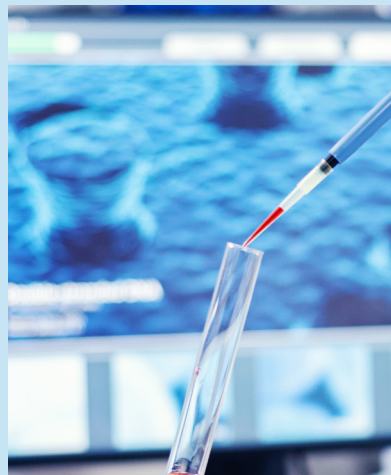


Advantages for users and stakeholders

This guide is intended for a broad audience, including researchers, scientists, microbiologists, biobank managers, and any life sciences professionals working with genetic resources.

Involved experts (partners)

Leibniz Institute DSMZ-German Collection of Microorganisms and Cell Cultures GmbH
MICROBE Consortium



Links & further information

1. Davide Faggionato, Melania Muñoz-García, Tanja Kostic, Mariana L Ferrari, Pascale Vonaesch, Mathilde Poyet, Perrine Portier, Matthew J Ryan, Djamila Djeddour, Cornelia Stumptner, Giovanna Cristina Varese, Aurora Zuzuarregui, Mathieu Groussin, Michael Schloter, Robert D Finn, Aylin S Haas, Ian Probert, Gerard Verkley, Jörg Overmann, Amber H Scholz, *Policy Briefing: from access to use—untangling the international legal frameworks that govern microbial resources*, **Sustainable Microbiology**, Volume 3, Issue 1, 2026, qvag005. - [LINK](#)
2. Davide Faggionato, Melania Muñoz-García, Tanja Kostic, Mariana L Ferrari, Pascale Vonaesch, Mathilde Poyet, Perrine Portier, Matthew J Ryan, Djamila Djeddour, Cornelia Stumptner, Giovanna Cristina Varese, Aurora Zuzuarregui, Mathieu Groussin, Michael Schloter, Robert D Finn, Aylin S Haas, Ian Probert, Gerard Verkley, Jörg Overmann, Amber H Scholz, *Policy in practice: How to “do” the Nagoya Protocol: common misconceptions, challenges and best practices for access and benefit-sharing compliance*, **Sustainable Microbiology**, 2026, qvag007. - [LINK](#)



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