

15 August 2012

The Director

Protected Area Policy and Biodiscovery Section

Department of Sustainability, Environment, Water, Population and Communities

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**Implementation of Nagoya Protocol on  
Access to Genetic Resources**

Dear Sir/Madam,

Thank you for the opportunity for CAMD to comment on the implementation of the Nagoya Protocol on access to genetic resources. As indicated in earlier correspondence to the Department, CAMD supports the full ratification and implementation of the Protocol, understanding its importance to the protection and sharing of genetic resources and the conservation of biodiversity. Our concerns at this stage relate to the administrative and legal processes attending its implementation.

CAMD's members manage a number of museums for which biological collections and biodiversity are key priorities. These include the:

- Australian Museum;
- Museum and Art Gallery of the Northern Territory;
- Museum Victoria;
- Queen Victoria Museum and Art Gallery;
- Queensland Museum;
- South Australian Museum
- Tasmanian Museum and Art Gallery; and
- Western Australian Museum.

Genetic information is vital to the biodiversity research undertaken by these museums and is used in areas such as:

AUCKLAND WAR MEMORIAL MUSEUM • AUSTRALIAN CENTRE FOR THE MOVING IMAGE • AUSTRALIAN MUSEUM • AUSTRALIAN NATIONAL MARITIME MUSEUM • AUSTRALIAN WAR MEMORIAL • CANTERBURY MUSEUM • HISTORIC HOUSES TRUST OF NSW • HISTORY TRUST OF SOUTH AUSTRALIA • MUSEUM OF APPLIED ARTS AND SCIENCES (POWERHOUSE) • MUSEUM OF NEW ZEALAND • TE PAPA TONGAREWA • MUSEUM VICTORIA • MUSEUMS AND ART GALLERIES OF THE NORTHERN TERRITORY • NATIONAL MUSEUM OF AUSTRALIA • NATIONAL SCIENCE AND TECHNOLOGY CENTRE • OTAGO MUSEUM AND DISCOVERY WORLD • QUEEN VICTORIA MUSEUM AND ART GALLERY • QUEENSLAND MUSEUM • SCITECH DISCOVERY CENTRE, PERTH • SOUTH AUSTRALIAN MUSEUM • TASMANIAN MUSEUM AND ART GALLERY • THE SOVEREIGN HILL MUSEUMS ASSOCIATION • WESTERN AUSTRALIAN MUSEUM

- species identification (for taxonomic and biosecurity purposes);
- population genetics work (in relation to conservation management); and
- phylogenetic analysis (to assist in working out evolutionary relationships).

This list, of course, does not include other relevant applications that are likely to arise in the future as DNA work expands. It is also important to note that this work does not target direct commercial outputs such as the production of speciality, enzymes, drug or chemical development. The work undertaken is generally made available through globally accessible databases such as GenBank.

As part of in-house biodiversity research and as a contribution to such work on an international scale, many of the above museums have long maintained a system of loans and exchanges whereby specimens are sent around Australia, the Pacific region, Southeast Asia and to other international museums and research institutions. For example, in 2010/11 the Australian Museum processed some 395 loans comprising 16,421 biological specimens sent to other research institutions in Australia and overseas.

CAMD is concerned to ensure that the legal and administrative processes surrounding the implementation of the Nagoya Protocol do not unwittingly impede the valuable genetic data collection, analysis and exchange currently carried out by and between museums for non-commercial purposes. There is a potential for a system which requires decisions by a 'competent national authority' on an individual transaction basis, to seriously impede the ability of museums to service both internal and external loan demands in a timely fashion and, in turn, to place a heavy administrative load on the national authority.

CAMD would recommend that either a permit-based scheme or an institutionally-based accreditation scheme be explored in order to ensure that exchanges and loans continue to flow for non-commercial research. If a system of institutional accreditation was considered, it could be based for example on the current Convention on International Trade in Endangered Species (CITES) registration scheme. Additionally long lead times would be required to ensure the institutions involved are appropriately registered.

CAMD would be happy to discuss this matter and its resolution further with your staff or to provide a representative to any relevant working party which may be addressing the issue. If further information or a representative is required please feel free to contact me by phone (02-9412-4256) or email at [mfolwil@bigpond.net.au](mailto:mfolwil@bigpond.net.au)

Yours sincerely



Meredith Foley  
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