

## **Experiences from the Royal Botanic Gardens, Kew of using model contractual clauses, codes of conduct, guidelines and best practices and standards**

Kew has developed an institutional toolkit to manage its plant collections, address issues related to Access and Benefit Sharing (ABS) under the Convention on Biological Diversity, and to support Kew's vital conservation partnerships. This toolkit includes:

1. Kew's Policy on ABS ([www.kew.org/conservation/docs/ABSPolicy.pdf](http://www.kew.org/conservation/docs/ABSPolicy.pdf)) that includes a commercialisation policy. The policy was written in 1993 and revised in 2004.
2. A dedicated CBD Unit (currently 1.5 FTEs) ([CAPS@kew.org](mailto:CAPS@kew.org)). The team works with a wider cross-departmental group of approximately 20 scientist and horticulturalist to develop Kew's policies and processes, in line with ABS regulations and institutional requirements.
3. An intranet staff guide on ABS setting out best practice for collecting, use and supply of genetic resources and working with Traditional Knowledge (TK) and Indigenous and Local Communities (ILCs)
4. A cross-departmental 'Overseas Fieldwork Committee' responsible monitoring all overseas fieldwork collecting trips by Kew staff (approx 60 – 80 overseas collecting trips per year). The team has an advisory function, to help to ensure that local, national and international ABS laws are understood by Kew staff and followed.
5. Kew template international/bilateral agreements. Kew has drafted Access and Benefit Sharing Agreements (for governmental partners) and Memoranda of Understanding (for institutional partners) to outline the terms of long term collaborative projects with partners institutions (in 2013 there are 63 active agreements)
6. Policies for visiting researchers in all departments for instance see: [www.kew.org/collections/herb\\_conditions.html](http://www.kew.org/collections/herb_conditions.html))
7. Kew's Policy for DNA data, images and information harvesting ([www.kew.org/science-conservation/help-habitats/share-data/](http://www.kew.org/science-conservation/help-habitats/share-data/))
8. A suite of model documents to assist staff and partners (available from [CAPS@kew.org](mailto:CAPS@kew.org)) on request):
  - Kew Donation form (to be signed by provider when genetic material is sent to Kew)
  - Kew Material Supply Agreement to transfer Kew material to third parties
  - Model agreements (MoUs and ABSAs), letters and clauses (see 5 above)
9. Kew staff awareness-raising sessions CITES and CBD. The CITES and CBD Unit offer a daylong session to all Kew staff to outline Kew's policies and best practice guidance. The course runs at least once per year and is attended by over 30 staff per session.
10. Collaboration and information sharing with colleagues in the non-commercial research community to build a harmonised sectoral approach to ABS (for instance the Common Policy Guidelines and Principles on ABS ([www.bgci.org/resources/abs/](http://www.bgci.org/resources/abs/)) and the Consortium of European Taxonomic Facilities (CETAF) ongoing work.