

PROTECTING MARINE BIODIVERSITY

by understanding intellectual property rights



UNIVERSITY OF
ABERDEEN

What's the problem?

Marine areas beyond national jurisdiction (ABNJ) are areas of the world's oceans that no one nation has full control of, or responsibility for. Two thirds of the world's oceans are such areas and are home to a wide range of unique species and delicate ecosystems.

Although this marine biodiversity is hugely valuable, it is also highly vulnerable and at risk of degradation, partly due to the fragmented legal frameworks currently in place to manage ABNJ.

What did we do about it?

Combining their multi-disciplinary expertise in law and marine biodiversity, our academics' collaborative approach is providing recommendations on a new process (Biodiversity Beyond National Jurisdiction; BBNJ) that is to be incorporated into the United Nations Convention on the Law of the Sea.

Intellectual property (IP) registration has the potential to concentrate the benefits of innovation based on the unique biology of ABNJ in a few developed countries, since it allows private entities to hold power over IP and benefit from its exploitation. The University researchers aimed to put forward solutions that would allow the benefits of research and development of the marine genetic resources (MGR) found in ABNJ to be distributed fairly and for innovation based on MGR to benefit health, science and society.

Two of our academics, Professor Abbe Brown (Law) and Marcel Jaspars (Chemistry) have therefore been raising awareness of the issue of IP rights with states, international governmental organisations and non-governmental organisations involved in the negotiations at the UN, and suggesting workable solutions which would ensure that the BBNJ negotiations engage appropriately with IP.

The combined expertise, activity and influence of Professor Brown and Professor Jaspars regarding IP and marine biodiversity has changed the negotiating landscape of the emerging BBNJ agreement and has led to IP being embedded in the BBNJ process.

Who was involved?

Professors Abbe Brown and Marcel Jaspars, find out more about their research [here](#).

What's happening next?

The combined expertise, activity and influence of Professor Brown and Professor Jaspars regarding IP and science has changed the negotiating landscape of the emerging BBNJ agreement and has led to IP being embedded in the BBNJ process.

By hosting and contributing to a large number of events for the UN, national governments, non-governmental organisations and other bodies, Professor Brown and Professor Jaspars contributed directly to commentary on the evolving agreement and their contributions have informed delegates, negotiators, intergovernmental organisations, non-governmental organisations, and industry experts about the problems and opportunities that can arise from IP rights.



Road to COP26