



**LUND**  
UNIVERSITY

Faculty of Law

## **JBEN22, Access and Benefit-sharing of Genetic Resources, 15 credits**

*Tillgång och förmånsdelning av genetiska resurser, 15 högskolepoäng*  
Second Cycle / Avancerad nivå

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### **Details of approval**

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2023-02-21 to be valid from 2023-02-21, spring semester 2023.

### **General Information**

The course Access and Benefit-Sharing of Genetic Resources is a freestanding course at advanced level.

The duration of the course is 10 weeks full-time studies.

*Language of instruction:* English

*Main field of studies*

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*Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### **Learning outcomes**

The aim of the course is to provide students with an in-depth knowledge and understanding about Access and Benefit-Sharing of Genetic Resources, ranging from the historical developments to compliance work in practice. The students will gain insights into the policies and conventions that regulate this field, as well as ongoing discussions and perspectives of providers and users.

Other objectives of the course are to strengthen the students' ability to critically reflect and discuss relevant matters in the field of Access and Benefit-Sharing. The course will provide the students with tools that are useful in both academic and professional settings. In addition, the course will develop the students' ability to orally present and collaborate regarding relevant matters in seminars.

### **Knowledge and understanding**

This is a translation of the course syllabus approved in Swedish

To pass the examination the student shall:

- demonstrate knowledge and understanding of the fundamental principles of Access and Benefit-Sharing.
- demonstrate knowledge and understanding of the wider political, historical, and social context within which Access and Benefit-Sharing developed and continues to develop.
- show understanding of the idea behind the legal order of international law.
- demonstrate knowledge and understanding of various alternative approaches to the fundamental concepts discussed in the course.

### **Competence and skills**

To pass the examination the student shall:

- demonstrate the ability to identify the conceptual components of why a system of Access and Benefit-Sharing is necessary in a modern and diverse world.
- demonstrate the ability to communicate, defend and reconsider their own views about how genetic resources shall be used.
- demonstrate the ability to apply the discussed provisions of protocols and conventions related to Access and Benefit-Sharing to real and hypothetical scenarios.
- identify key issues in relation to the various legal areas taught during the course and formulate coherent legal arguments.
- present orally and give productive feed-back to peers.

### **Judgement and approach**

To pass the examination the student shall be able to:

- demonstrate the ability to assess the relative quality of arguments concerning the practice and theory of Access and Benefit-Sharing.
- demonstrate the ability to judge the normative desirability of specific conceptual choices reflected in the contemporary architecture of the Access and Benefit-Sharing system.
- demonstrate an awareness of the significance of choosing approaches to Access and Benefit-Sharing.
- perform independent research and take responsibility for the development of their own knowledge.
- explain and discuss the content of the course during seminars while applying critical perspectives.

### **Course content**

The course is divided into several modules. The modules will give the students an understanding of the history and overview of Access and Benefit-Sharing. Key concepts such as biodiversity and other guiding principles will be discussed and used within the course. The students will get an understanding of why, when and where the development of Access and Benefit-Sharing begun.

The students will get familiar with specific areas of law, including various conventions and other documents within international law. This will enable the students' understanding of valid law and its applicability. Furthermore, the course aims to illustrate bilateral and other forms of cooperation.

### **Course design**

The course objectives are met through active participation in the education, independent studies of the course material and carrying out obligatory elements of the course.

The course is designed using the "flipped classroom"-model, which means that the lectures are web-based. The web-based lectures are paired with obligatory quizzes.

## Assessment

The students' performance will be assessed by participation during two (2) seminars, obligatory quizzes and the final paper. Each seminar is worth one and a half (1,5) credits and the final paper is worth twelve (12) credits. Credits handed out for participation during seminars will be added to the result of the final paper. If a student is unable to participate in a mandatory seminar, supplementary assignments will be available on the course website. The deadline for these assignments will be decided by the examiner.

The final grade is based on a weighted assessment of:

- The student's achieved result of the final paper.
- The student's performance and participation at the seminars.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative, as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflects her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes".

Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his or her knowledge to make a well structured critical and analytical argument and present it in a coherent and well-written final paper.

### **B – Pass**

To obtain a B grade, the student must show basic understanding in the theoretical and practical applications of legal issues regarding Access and Benefit-Sharing of Genetic Resources. The student must demonstrate good knowledge and ability to analyse fundamental principles within the field of study and selected topics.

The student must demonstrate basic understanding and ability to analyse selected

topics in Access and Benefit-Sharing of Genetic-Resources, both orally and written. The student must also show an ability to work both individually and in groups.

The student must demonstrate basic legal argumentation skills as well as good ability to interpret different legal norms and case law within international law.

### **BA – Pass with credit**

To obtain a BA grade, the student must show advanced understanding in theoretical and practical applications of legal issues regarding Access and Benefit-Sharing of Genetic Resources. The student must demonstrate advanced knowledge and ability to analyse fundamental principles within the field of study and selected topics.

The student must demonstrate advanced understanding and ability to analyse selected topics in Access and Benefit-Sharing of Genetic-Resources, both orally and written. The student must also show an ability to work both individually and in groups.

The student must demonstrate advanced legal argumentation skills as well as ability to interpret different legal norms and case law within international law.

### **AB – Pass with distinction**

To obtain an AB grade, the student must show mastery understanding in theoretical and practical applications of legal issues regarding Access and Benefit-Sharing of Genetic Resources. The student must demonstrate mastery knowledge and ability to analyse fundamental principles within the field of study and selected topics.

The student must demonstrate mastery understanding and ability to analyse selected topics in Access and Benefit-Sharing of Genetic-Resources, both orally and written. The student must also show an ability to work both individually and in groups.

The student must demonstrate mastery legal argumentation skills as well as good ability to interpret different legal norms and case law within international law.

## **Entry requirements**

The entry requirements is 150 credits awarded within the Professional Law Degree Programme.

## **Further information**

The course is scheduled to require 10 weeks of full studies. While the lectures are available online, active participation in the seminars is mandatory and required in order to pass the course.

The University views plagiarism as a very serious academic offence and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

## Subcourses in JBEN22, Access and Benefit-sharing of Genetic Resources

Applies from V23

- 2301 Seminar 1, 1,5 hp  
Grading scale: Fail, Pass
- 2302 Seminar 2, 1,5 hp  
Grading scale: Fail, Pass
- 2303 Written assignment, 12,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction