

The “Certificate of Origin/Source/Legal Provenance” in the African ABS Discussion

A workshop hosted by the

Institute for Biodiversity Conservation (IBC)

28th to 30th March 2007, Addis Ababa, Ethiopia

Background

This workshop is part of the **Dutch-German ABS Capacity Development Initiative for Africa**. Background information about the Initiative and full documentation of previous workshops and events is provided on www.abs-africa.info. This website was launched under this Initiative to provide a platform for information exchange and it is envisaged to develop it further into an **ABS Clearinghouse for Africa**.

Within the current CBD debate an “International Certificate of Origin/Source/Legal Provenance” is considered by many a potential ‘pillar’ of the International Regime on Access and Benefit Sharing. In accordance with COP decision VIII/4 C a **Group of Technical Experts** on an internationally recognised certificate of origin/source/legal provenance met from 22nd to 25th January 2007 in Lima, Peru. The Expert Group was tasked to provide technical input to the Ad Hoc Open-ended Working Group on Access and Benefit-sharing (WG-ABS) on the following issues:

1. Consider the possible **rationale, objectives and the need** for an internationally recognised certificate of origin/source/legal provenance;
2. Define the potential **characteristics and features** of different options of such an internationally recognised certificate;
3. Analyse the **distinctions** between the options of certificate of origin/source/legal provenance and the **implications** of each of the options for achieving the objectives of Articles 15 and 8(j) of the Convention;
4. Identify associated **implementation challenges**, including the practicality, feasibility, costs and benefits of the different options, including mutual supportiveness and compatibility with the Convention and other international agreements.

A concise background document which has been prepared by the Secretariat of the CBD is available as <http://www.biodiv.org/doc/meetings/abs/absgte-01/official/absgte-01-02-en.doc>.

Five African experts from Algeria, Ethiopia, Madagascar, Mozambique, and Niger had been nominated as members of this group.

Objectives of the workshop

Against this background and to empower African stakeholders and negotiators to have a “hearable” voice in the upcoming negotiations on the “International Certificate of Origin/Source/Legal Provenance” the strategic objectives of the workshop are as follows:

- Facilitate the information flow to all African stakeholders concerned. As one of the central instruments for the International ABS Regime under discussion, an “International Certificate of Origin/Source/Legal Provenance” will eventually impact on all transactions of genetic resources and associated traditional knowledge as well as permitting and product registration systems including intellectual property registration. Therefore, all stakeholder groups must be able to participate in the discussion on an informed basis.
- Contribute to a common position of the African Group by analysing the Experts Group’s recommendations against African bioprospecting experiences. Such a “reality check” will provide insight into the needs and requirements of African stakeholders to improve ABS towards more equitable and fair transactions of biological/genetic resources and benefit-sharing agreements.

Programme overview

The workshop will consist of the following elements of work:

Report back from Lima

The Secretariat of the CBD is invited to provide an overview on the key findings and recommendations of the Lima meeting. The African representatives in the Expert Group are invited to present their specific perspectives. A first discussion will highlight general points of agreement and concern.

The “reality check”

The “reality check” will provide the opportunity to analyse what difference the experts’ recommendation would have made in real African bioprospecting cases, such as the teff case - an agricultural food crop - from Ethiopia and the hoodia case – on one hand a classical bioprospecting case on the other a case closely linked to biotrade issues - from Southern Africa. The selected cases will be presented to the participants, which in turn will be tasked to analyse the cases in light of the Expert Group’s findings.

Contributions to an African position

Building on the results of the “reality check” participants will develop recommendations and key elements for an African position on the report of the Experts Group which could contribute to an eventual submission of the African Group on the “International Certificate of Origin/Source/Legal Provenance” in accordance with COP decision VIII/4 C5.

Products of the workshop

- Recommendations and key elements for an African position on the report of the Experts Group.
- A report that will be transmitted to the CBD Secretariat for distribution as an information document for the 5th meeting of the Working Group on ABS.
- Depending on the depth of analysis and the results which can be achieved with the “reality check” two studies will be commissioned for further elaboration and submission to the Working Group on ABS in accordance with COP decision VIII/4 C5.

- The workshop results will feed into a side event during one of the next meetings of the Working Group on ABS to present the recommendations to a broad audience in preparation for COP 9, Germany 2008.

Participants

The up to 40 participants include ABS National Focal Points and representatives of Competent National Authorities for ABS, negotiators in the last meeting of the ABS Working Group, staff of national research and development institutions, NGOs from the local, national and regional level, staff of international institutions, as well as relevant private sector representatives including farmers and breeders.

Date and venue

The workshop will be held from 28th to 30th March 2007 at the Institute of Biodiversity Conservation in Addis Ababa, Ethiopia.

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