



# Introduction to ABS and the Nagoya Protocol



**ABS Capacity Development Workshop  
for Indigenous and Local Communities  
10-14 November 2014, Windhoek, Namibia**



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on behalf of the  
ABS Capacity Development Initiative*

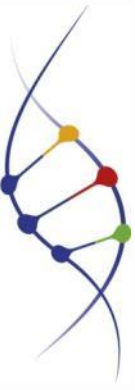
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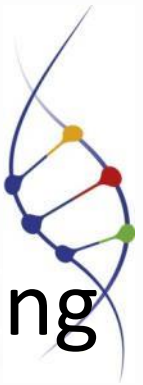


# Overview



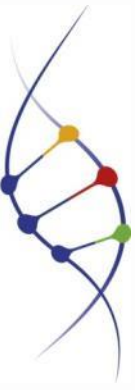
- Introduce basic ABS concepts
- ABS and ILCs
- ILCs in the Nagoya Protocol on ABS
- African Union Guidelines on Nagoya
- Opportunities and challenges for ILCs
- Approaches: responsive or pro-active?
- Realistic expectations, optimistic action

## Basic ABS concepts



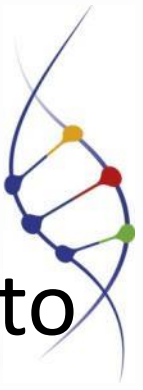
- CBD 3<sup>rd</sup> objective: fair and equitable sharing of benefits arising from utilisation of genetic resources, including through appropriate access, technology transfer and funding
- **A**ccess to Genetic Resources (GR) subject to sovereign rights of States - PIC
- **B**enefit sharing to be agreed - MAT
- **C**ompliance: “user measures” to ensure benefit sharing

# ABS and ILCs



- CBD Article 8(j):
  - “respect, preserve and maintain knowledge, innovations and practices of ILCs” relevant to biodiversity conservation and sustainable use
  - promote wider use with “approval and involvement of holders”
  - encourage equitable sharing of benefits
- Subject to national legislation

# ILCs in the Nagoya Protocol



- NP recognises existing ILC rights “subject to national legislation”
- Provides additional details on ABS involving:
  - GR owned by ILCs who have established rights to grant access
  - Procedures for accessing Associated Traditional Knowledge (aTK)
  - User measures to encourage compliance

# African Union Guidelines on Nagoya



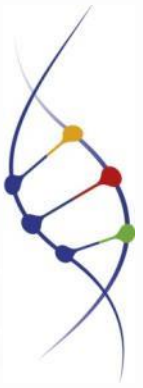
- Guidelines objective: establish framework for coordinated implementation in Africa
- Avoid “race to the bottom”
- Strong support for ILC measures in NP
- Foresees role for governments to support ILCs in negotiating MAT with users
- Encourages African states to strengthen legal rights of ILCs over their GR and aTK
- Capacity development for livelihoods

# Opportunities and challenges for ILCs



- GR and aTK can be leveraged to support socio-economic development, poverty alleviation and livelihood diversification
- **BUT** benefits are not automatic: require PIC and MAT, monitoring, on-going involvement
- Recognition of need to build ILC capacity to participate in ABS value chains
- How can this support be turned into sustainable economic opportunities for ILCs?

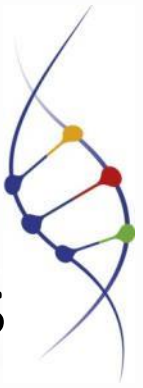
# Approaches: responsive or pro-active?



- Get ready and wait for users to come?
  - Users set agenda, terms of engagement
  - Take it or leave it?
  - Tendency to remain suppliers of raw materials – value added elsewhere
  - Capacity? Sustainable harvesting?
- Or get organised, assert rights, use assets?
  - Need help and partners
  - Positioned to improve value chain power



## Realistic expectations, optimistic action



- Developing sustainable livelihood options based on ABS value chains takes time, perseverance and investment
- Very low chance of winning “jackpot” in the ABS lottery
- Most ILCs (not all) have many different opportunities to take action
- Use GR and aTK as stepping stones towards empowerment and development



# Thank you

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