

Access and Benefit Sharing

ABS Capacity Development Initiative

ABS: Three letters for development

"The fair and equitable sharing of benefits arising from the utilization of genetic resources" is one of the three objectives of the Convention on Biological Diversity (CBD) and intends to close the equity gap resulting from centuries of transfer of genetic resources between the South and the North without appropriate compensation. Its overall purpose is to:

- Generate benefits for poverty alleviation and nature conservation;
- Support capacity development by transferring technologies, knowledge and skills;
- Enhance social development;
- Ensure accountability and good governance at all levels.

The Nagoya Protocol on ABS

The Nagoya Protocol, adopted in October 2010 under the auspices of the CBD, is a milestone representing for its Parties an internationally agreed and binding framework for access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation. It enhances legal certainty and transparency for users and providers, by:

- Creating predictable conditions for accessing genetic resources and traditional knowledge associated with them;
- Promoting adequate benefit-sharing where genetic resources leave the territory of the provider country and associated traditional knowledge is being utilized;
- Supporting mechanisms to monitor and ensure stakeholders' compliance with mutually agreed terms and national ABS regulatory frameworks.

The Nagoya Protocol can be regarded as a key element in designing a global framework for sustainable development. By valuing biodiversity in a market economic approach it further represents a building block for a global green economy.

Facts & Figures

Core funding for previous phases: 8,7 Mio Euro

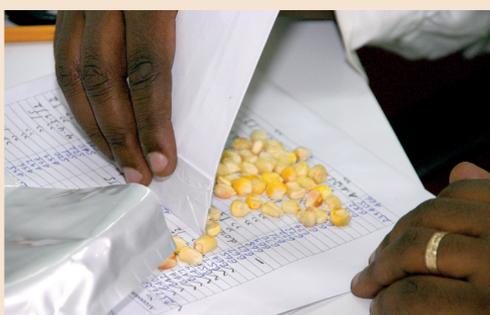
Core funding for current phase: 8,2 Mio Euro (as of March 2012) by German Federal Ministry for Economic Cooperation and Development (BMZ) Institut de l'Énergie et de l'Environnement de la Francophonie (IEEP) Norwegian Ministry of Foreign Affairs Ministry of Foreign Affairs of Denmark European Union

Implementing agency: Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Co-operating partners: African Union Commission (AUC) Australian Agency for International Development (AusAID) Caribbean Community (CARICOM) Secretariat Centre for International Sustainable Development Law (CISDL) Fridtjof Nansen Institute (FNI) International Union for Conservation of Nature (IUCN) Natural Justice - Lawyers for Communities and the Environment Secretariat of the Convention of Biological Diversity (SCBD) Secretariat of the Pacific Regional Environment Programme (SPREP) United Nations Environment Programme (UNEP)

Time-span: Pilot phase 09/2005 – 08/2006 First Phase 09/2006 – 12/2008 Second Phase 01/2009 – 12/2011 Current Phase 01/2012 – 12/2015

1. The ABS Capacity Development Initiative



Agricultural diversity in developing countries continues to play a key role in securing food for the population. This sweet corn is being checked for its quality before being deposited in the gene bank of the Ethiopian Institute for Biodiversity Conservation for future breeding.



Only approximately 2 million out of worldwide roughly 30 million estimated species are known to science. As here in the rainforest of Gabon researchers from commercial and academic institutes are biospecting ecosystems for unknown plants, animals and their genetic codes – for using it in the food, pharmaceutical or cosmetic sector.



At fieldtrips the chain between genetic resources and final products is analysed. Focus here at Mt. Cameroon: Prunus africana – a basis for prostate disease remedies.

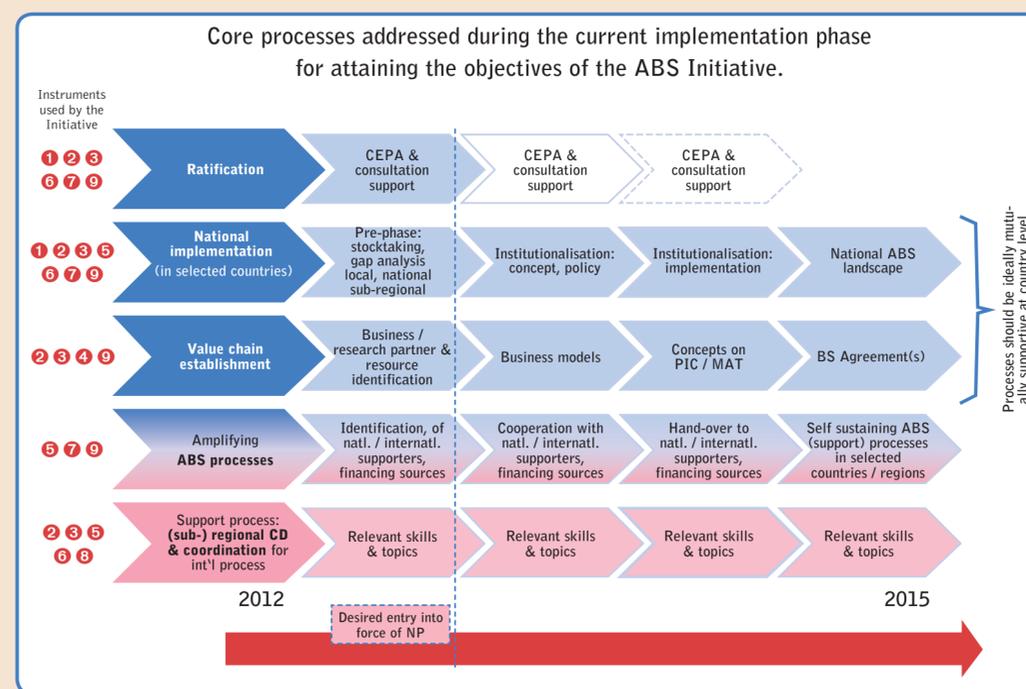


Marine genetic resources are subject to research and biodiversity and form a basis for commercial product development in e.g. the pharmaceutical and the body care sector. Especially for (island) countries with vast coast lines and waters under national jurisdiction – such as in the Caribbean and Pacific States – developing enforceable and ABS regulations will be a challenge.

The ABS Capacity Development Initiative's overall goal is to contribute – based on business partnerships between South and North at a "level playing field" – to poverty reduction, food security, technology transfer, social development and biodiversity conservation through implementing the Nagoya Protocol and the third objective of the CBD in its entirety.

With the adoption of the Nagoya Protocol the ABS Initiative focuses now on supporting the ratification and implementation process of the Nagoya Protocol in Africa and since 2012 also in the Caribbean and Pacific countries by attaining the following objectives:

- (1) African, Caribbean and Pacific (ACP) countries ratify the Nagoya Protocol and benefit after its entry into force from its compliance mechanisms at the international as well as national levels.
- (2) Enabling transparent and accountable national ABS policies and regulatory frameworks are developed and implemented which allow stakeholders of Africa and ACP countries to enter into equitable ABS partnerships with the research community and the private sector.
- (3) Valuation of genetic resources in provider countries is improved and functioning ABS agreements contribute to biodiversity conservation and livelihoods of rural populations.
- (4) National, bilateral and international partners are supporting ABS implementation at national and (sub-)regional level.
- (5) Approaches for implementing the Nagoya Protocol are regionally coordinated and harmonized with other processes and fora relevant to ABS in order to increase transboundary cooperation and to address legal gaps.



Instruments used by the Initiative

Guided by the elevator principle the ABS Capacity Development Initiative successfully targets its objectives by linking the local level with UN negotiations promoting the broadest possible interaction of all relevant stakeholders:

- 1 Multi-stakeholder workshops to discuss emerging ABS issues using a participatory approach to define priorities for capacity development
- 2 Thematic and/or stakeholder-focused training courses to provide regionally tailored trainings on negotiation skills, legal issues, outreach, monitoring and project planning
- 3 Peer-to-peer knowledge transfer at national and local levels between partner countries as well as on a global level (e.g. through South-South-exchange), e.g. amongst administrators, private-sector representatives or decision-makers at the governmental level
- 4 ABS best practices with the private sector, including lessons learned in order to identify additional participants and potential investors with a view to initiate fair and equitable ABS business projects
- 5 Information exchange and knowledge management within the different stakeholder groups at the national level and on a regional / global level to e.g. develop a database on biospecting issues (incl. political and legal aspects)
- 6 Technical papers and studies to stimulate substantive discussion and give support to the decision making process
- 7 Communication, Education and Public Awareness (CEPA) for ABS with a view to developing strategies, tools and outreach materials for communicating ABS to different target group.
- 8 Active participation of and/or substantial inputs by partner country representatives to important ABS meetings at UN level – providing methodological guidance and thematic input to the international negotiation process through preparatory meetings and delegate's briefings
- 9 Targeted consultations with relevant stakeholders and gate keepers in ABS relevant decision making processes at national and sub-regional levels

2. Results / Milestones

- By consensus of all stakeholders – local communities, academia, administration, NGO and the private sector – a common »Vision for ABS in Africa« and a road map were created
- Effective coordination of Francophone and Anglophone African countries towards a common position contributed to improved preparedness of the African Group in the international ABS negotiations (Multi-stakeholder WS; concerted African submissions and delegation briefings prior to ABS WGs, COP 9 and 10; African Ministers Meetings on ABS prior to COP 9 and 10)
- Africa tackles emerging issues in the new phase, such as communication and cross-sectoral aspects of ABS: CEPA, forest governance, ABS and ILCs, sectoral approaches, ABS Business Dialogue, user country measures in Africa, IPRs etc.
- Several studies on relevant issues inform related processes: for example, a study on relevant legislation in the COMIFAC countries provided the basis for a regional strategy for ABS implementation
- Increased international awareness about the need for capacity development towards national ABS implementation has been created.

3. Challenges ahead

Supporting partner countries in the ACP regions in timely ratification and implementation as well as participatory domestication of the Nagoya Protocol, including creating ABS value chains in cooperation with the private sector, will be the main challenge for the next years. In balancing conservation and market facilitation, new partnerships and appropriate ABS implementation concepts that are nationally and internationally coordinated need to be developed.