



Ministry of Environment and Tourism
Republic of Namibia

THE **ABS**
CAPACITY
DEVELOPMENT
INITIATIVE



L'INITIATIVE DE
RENFORCEMENT
DES CAPACITES
POUR L'**APA**

Workshop

ABS Implementation for Indigenous Peoples and Local Communities

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REPORT



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Table of Contents

Background..... 4

Outcomes 6

Process..... 8

Presentations..... 25

Annotated Agenda 26

List of Participants 30

Contact 36

Annex 1: Preparatory Work for Selected Participants 37

Annex 2: Pacte de Solidarité Windhoek 39

Annex 3: Déclaration de Windhoek..... 40

Background

Since its formation in 2006, the ABS Capacity Development Initiative (ABS Initiative) has convened various workshops and training sessions specifically targeting Indigenous Peoples and Local Communities (IPLCs) from African countries, supporting their understanding of and involvement in processes and tools surrounding the negotiation and ratification of the Nagoya Protocol and Access and Benefit-sharing (ABS) in general.

As a growing number of African countries are now in the process of developing their domestic ABS policies and legislations, IPLCs have increasingly asked for support in strategy development regarding these implementation processes on the one hand and support for coordination of activities at the national level on the other hand.

The regional ABS workshop for IPLCs took place at a critical juncture in the life of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilisation (Nagoya Protocol) to the Convention of Biological Diversity (CBD), as it happened shortly after the Protocol entered into force on the 12th of October 2014 and after the successful conclusion of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP 1) held from the 13th to the 17th of October 2014.

In the light of these developments, supporting the active involvement and participation of IPLCs in the establishment of national ABS regimes is critical to achieve the potential of the unique and rich biodiversity of African countries as well as to conserve and protect these resources and the traditional knowledge associated with their use for the generations to come. IPLCs are often the custodians of natural resources, and traditional knowledge systems bear great potential for research and innovation and the generation of economic benefits for knowledge holder communities. The Nagoya Protocol explicitly requires their involvement in the development of national ABS systems as well as in ABS practice. Hence, IPLCs have an important role to play in discussing and identifying relevant ABS strategies at national, sub-regional, and regional levels for a coherent and effective implementation of the Nagoya Protocol.

Objectives

Being one of the most advanced countries in the region with respect to ABS implementation and community involvement, Namibia was chosen as host country for the workshop. The overall aim of the workshop was to strengthen IPLCs' coordination and engagement in ABS policy development and implementation. Accordingly, more specific objectives were:

- Build awareness of the opportunities the Nagoya Protocol offers to IPLCs and provide an overview of the status of ABS implementation in participants' countries;
- Discuss and identify goals and demands of IPLCs regarding ABS implementation;

- Discuss and develop strategies and tools for effective advocacy and participation of IPLCs in ABS implementation;
- Strengthen IPLCs' coordination at national and regional level and explore existing means of support and sources of funding for activities in the countries; and
- Develop a common vision of African IPLCs in the implementation of ABS on the continent as well as concrete action plans for the next steps at country level.

Participants

The workshop brought together 40 participants from nine African countries, namely, Benin, Cameroon, Kenya, Madagascar, Namibia, Niger, Senegal, South Africa and Uganda. Upon application, up to eight people were selected from each country to attend the workshop and participate as a country team. Each team generally consisted of local community members, traditional healers, traditional leaders, community facilitators and non-governmental organisation representatives.

Each country team was required to do some preparatory work before attending the workshop to ensure a good level of discussions and to increase the benefit each and every participant could gain from the event. Each participant was therefore strongly recommended to link with the other participants from his/her own country, in person, via e-mail or telephone and do the preparatory work as a team. This work consisted in answering a series of questions assessing the status of ABS implementation in their country and whether IPLCs had rights over their genetic resources and/or traditional knowledge, with a particular emphasis placed on genetic resources and/or traditional knowledge being used outside their country by the private and research sectors. To help them in their task, participants were further advised to consult their national ABS Focal Point to obtain further information on these issues and get a broader picture of ABS in their country. More detailed information about the preparatory work is available in Annex 1 of this report.

Outcomes

The active involvement of the participants contributed to the success of this workshop and provided a good basis for fruitful and practical discussions on the participation of IPLCs in the implementation of the Nagoya Protocol in their respective countries. During the five days of the workshop, participants exchanged views on the development of policies and strategies for a more coordinated and effective engagement of IPLCs in the national ABS implementation process while sharing valuable experiences and identifying priority areas for action at the political, technical and administrative level. The workshop also provided an opportunity to explore possibilities for support and funding for IPLCS at the national level in order to initiate longer-term activities. The field trip to the National Botanical Garden Research Institute and to the Katutura Artisans' Project allowed the participants to examine in great detail the Namibian approach to ABS, giving them the opportunity to learn about the multiple aspects of the utilisation of genetic resources and associated traditional knowledge in Namibia and discuss directly with communities and other stakeholders involved in the ABS national implementation process. The workshop ended with a two-day session exclusively focusing on practical approaches and methods of advocacy, collective organising and strategic communication for ABS. During this time, participants were familiarised with several communication tools and good communication practices that they will be able to apply and adapt to promote IPLC participation in ABS implementation in their respective countries.

Through constructive exchanges and group work, the participants:

- Acquired a better understanding of issues associated with ABS implementation in their respective countries;
- Enriched themselves with knowledge and multi-country experiences of ABS implementation and related challenges;
- Gained a better knowledge and common understanding of ABS related issues in general and of existing means of support and sources of funding for activities in the different countries and regionally;
- Discussed and exchanged experiences on how to protect traditional knowledge associated with genetic resources while benefiting from its utilisation (value chain, research and development, etc.);
- Gained a better understanding of the benefits of a regional approach to the implementation of the Nagoya Protocol;
- Acquired skills and tools to enhance and support IPLC participation in ABS national implementation;
- Identified short to mid-term objectives and developed elements for an action plan for national implementation of the Nagoya Protocol in their respective countries;
- Suggested the development of a regional IPLC strategy on ABS and resource valorisation;

- Proposed the development of communication tools that will allow them to cooperate and collaboration on ABS matters relevant to IPLCs, starting with the launch of an email platform soon after the closure of the workshop to foster the exchange of knowledge and experiences and keep the positive momentum of this workshop; and
- Suggested the organisation of additional ABS workshops for ILPCs.

Finally, the Francophone participants took the opportunity of the workshop to form a new network for IPLCs of African Francophone countries and formalised this initiative in the “Déclaration de Windhoek”. Similarly, traditional chiefs and holders of traditional knowledge present at the workshop initiated a network of traditional authorities for the implementation of the Nagoya Protocol, as laid out in their declaration “Pacte de Solidarité Windhoek”. The two declarations are available in Annex 2 and 3 of this report.

Process

Introduction to Access and Benefit-Sharing and Status of Implementation

Introduction

The objectives of this first day were to provide the participants with a better and common understanding of ABS and to review the status of ABS implementation in each country represented in the workshop. A short introductory exercise enabled to take stock of the different levels of knowledge on ABS among the participants and gave an indication of the extent of their awareness of the different issues associated with national ABS implementation. The exercise also allowed the participants to express and formulate their expectations of the workshop. These expectations reflected the various levels of experience and understanding of ABS and can be summarised as follows:

- To be introduced to ABS and the Nagoya Protocol;
- To build IPLCs' capacity with respect to ABS to ensure their effective participation in the implementation of the Nagoya Protocol in their respective countries;
- To discuss and exchange experiences on how to protect traditional knowledge held by IPLCs and associated with the use of genetic resources and how to benefits from such use;
- To develop a common understanding of ABS related issues as they converge and a common message to take back to the IPLCs so that their expectations are conveyed as clearly as possible to governments;
- To encourage governments to ratify the Nagoya Protocol through effective communication as well as other relevant conventions for the benefits of IPLCs.

Introduction to Access and Benefit-Sharing and the Nagoya Protocol

This opening presentation along with the screening of the movie "People, Plants and Profit" introduced the basic principles of ABS in the context of the Nagoya Protocol. It was highlighted that the Nagoya Protocol recognises and reinforces the existing rights of IPLCs over their genetic resources and associated traditional knowledge, thereby strengthening the opportunities for IPLCs to benefit equitably from the use of their knowledge, innovations and practices. However, such rights are still subject to national legislation. It is therefore important that countries do recognise those rights in their ABS national legislation. Similarly, IPLCs must realise the critical role they can play in ensuring that their interests are reflected in national ABS legislation. The presentation also highlighted that there was no mechanism in the Nagoya Protocol to monitor the use of traditional knowledge. However, IPLCs could request that such a mechanism be included in national legislation.

Participants were then brought up-to-date on the latest developments on the soon to be adopted African Union Guidelines for a Coordinated Implementation of the Nagoya Protocol in Africa (AU Guidelines). The AU Guidelines have been developed to assist Member States in their implementation of the Nagoya Protocol. In so doing, the AU Guidelines foresee the importance of the role of governments

to facilitate the negotiation of ABS agreements between IPLCs and users of genetic resources and encourage African States to strengthen the legal rights of IPLCs over their genetic resources and associated traditional knowledge.

The presentation further highlighted that although utilisation of genetic resources and associated traditional knowledge may offer opportunities to support socio-economic development, poverty alleviation and livelihood, the sharing of the benefits resulting from their utilisation was not automatic. It requires the establishment of Prior Informed Consent (PIC), Mutually Agreed Terms (MAT) and continuous monitoring as well as on-going involvement and participation of IPLCs in ABS value chains. This can only be enabled by ensuring that the capacity of IPLCs is built or strengthened. To harness the potential of the utilisation of genetic resources and associated traditional knowledge, IPLCs can adopt either a reactive or a proactive approach. A reactive approach is highly dependent on users who determine which genetic resources are used and the terms of engagement to be negotiated. In contrast, a proactive approach provides an opportunity for IPLCs to get organised, identify and realise the potential of their resources while asserting their rights and the rules on how to use their assets. Obtaining legal and trade advice on these matters will improve IPLCs' bargaining position in ABS value chains. The presentation concluded by stressing that it takes time and perseverance to develop sustainable ABS value chains. It is therefore important to have realistic expectations, especially in terms of monetary benefits.

Plenary Discussion

The following highlights some key issues discussed by the participants:

- *Being more proactive:* It is essential that IPLCs become more proactive in organising themselves, and in getting their government to know more about the potential of their resources to be developed into a value chain and in asking for some relevant support such as legal advice, market expertise, etc. In turn, governments could set up special programmes to investigate such potential and develop them on behalf of the country.
- *Getting appropriate legal advice:* Human rights lawyers are not necessarily proficient enough in ABS related matters. Complementary legal advice could be obtained from experts in intellectual property rights, from commercial and contract lawyers or from organisations such as PhytoTrade Africa which have some experience in dealing with ABS related issues.
- *Establishing PIC with IPLCs or the government:* Ideally, IPLCs should be giving their PIC to access their genetic resources and associated traditional knowledge. Indeed, the Nagoya Protocol requires its Parties to ensure, through appropriate measures, that traditional knowledge associated with genetic resources held by IPLCs is accessed with their approval and involvement and that PIC and MAT have been established. Yet, for this requirement to be fulfilled it must be translated into national legislation which has to recognise the rights of IPLCs over their genetic resources and associated traditional knowledge. There is currently an emerging consensus in the international discussion that genetic resources belong to the communities that hold the traditional knowledge. As this issue remains unclear, it is essential that the requirement to request the consent of the communities is translated into legal measures in national legislation.

As already mentioned, IPLCs have an important role to play to ensure that national ABS legislation reflect such requirements to protect their interests. When there is no traditional knowledge associated with genetic resources or when no community can be associated with a particular traditional knowledge, PIC remains a prerogative of governments.

- *Dealing with transboundary traditional knowledge*: Benefit-sharing must be fair and equitable between all the sources. Because it is a very complex undertaking, it is important for the IPLCs to be proactive and secure a position in the value chain.
- *Dealing with retroactivity*: The Nagoya Protocol does not apply to genetic resources accessed prior to its entry into force, although the ABS regime included in the CBD still applies to resources accessed after the entry into force of the CBD. However, it is important to note that the requirement of establishing PIC and MAT for new utilisations of such resources is an emerging principle of the AU Guidelines.
- *Dealing with genetic information*: Genetic information as such is not included in the Nagoya Protocol (it applies to genetic resources and their derivatives). The discussions about this issue have just been initiated. However, genetic information related issues can be covered in ABS contracts.
- *Dealing with Genetically Modified Organisms (GMOs)*: It is important to get legal commercial and contractual advice in order to include all potential possibilities to use genetic resources in ABS agreements. For example, in the teff case, the contract did not include GMOs. Furthermore, the Nagoya Protocol specifies that the utilisation of genetic resources is subject to the legislation of the provider country. This is therefore another reason why it is important that provider countries issue comprehensive national legislation.

The Eight Fields of Action – Unpacking Access and Benefit-Sharing

This presentation aimed to introduce the Eight Fields of Action for ABS Implementation which were identified during the Fifth Pan African ABS Workshop, held in Marrakech in 2011. To unfold and prosper, ABS requires actions in several policy areas. The Eight Fields of Action were designed to assist the national implementation of the Nagoya Protocol. Although these fields of action might not cover all issues or areas, they are a good indication of where to start and what to do when initiating the ABS/Nagoya Protocol implementation process. The Eight Fields of Action are not sequential or exclusive but complementary. The field of action titled 'stakeholder engagement' is a cross-cutting issue which undergirds the importance of involving all relevant stakeholders, especially IPLCs, in every step of the implementation process. This field therefore holds importance in every other fields of action, underlining the important role IPLCs have to play in each field of action.

The Eight Fields of action are the following:

- *Ratification of the Nagoya Protocol*: Analysing the political feasibility of the ratification and getting approval from national parliament to become a Party to the Protocol.
- *Defining an overall ABS policy and strategy*: Defining what ABS means for a country.

- *Putting in place domestic ABS legislation and regulations*: Analysing existing law and identifying gaps while deciding on developing an ABS law or harmonising existing laws and regulations.
- *Establishing institutional arrangements*: Designating an ABS National Focal Point, one or multiple Competent National Authorities and checkpoints.
- *Dealing with traditional knowledge*: Identifying traditional knowledge, discussing the possibility of documenting it and regulating its access, all of which necessitates building the capacity at local level.
- *Dealing with transboundary issues*: Managing genetic resources and associated traditional knowledge that is found in different countries through coordination, collaboration and regional communication.
- *Defining a valorisation strategy*: Understanding the value of a country's resources and how to valorise genetic resources while defining monetary and non-monetary benefits.
- *Stakeholder engagement (relevant for each field of action)*: Ensuring adequate participation and cooperation with the relevant stakeholder groups in each of the other seven Fields of Action.

Taking Stock – Status of ABS Implementation in Countries

Country Group Exercise

Based on their preparatory work, each country group was first asked to assess the status of ABS national implementation in their respective countries and to identify the corresponding field of action and the various actors concerned or involved for each activity. Each country group was then asked to indicate where IPLCs had been involved and to identify three major challenges.

Group Work Results Summary

The results showed that, overall, all countries had implemented or were in the process of implementing some activities corresponding to the Eight Fields of Action. In most countries, ratification of the Nagoya Protocol and the development of ABS policies and strategies had been completed or were at an advanced stage. All other fields of action, with the exception of the field dealing with transboundary issues, were reported as being addressed, but at different stages of implementation. The results also showed that, generally speaking, efforts were made, in most countries, to adopt a multi-stakeholder approach to the Protocol implementation, which in most cases included the participation of IPLCs. On the other hand, the level of engagement and participation of the various stakeholders usually varied from one field to the next and from one country to another. Despite the efforts made, most countries identified a number of major challenges. These were, among others, the low level of commitment of governments towards ABS, the lack of communication plans for the implementation of each field of action, the lack of communication tools adapted to IPLCs, the absence of any mechanism to document and set up an inventory of existing traditional knowledge, the lack of specific legislation on traditional knowledge, ensuring the consistency and the alignment of existing legislation with the Nagoya Protocol,

the lack of reliable and sustainable funding, limited capacity building programmes and poorly organised and structured communities.

Field Trip

Introduction

The objectives of the field trip were threefold. First, provide the participants with an overview of the Namibian approach to valorisation of indigenous plants, with a particular attention placed on the successfully implemented Community Based Natural Resource Management (CBNRM) approach to biodiversity management, protection and conservation and the on-going process of developing an ABS system on this foundation. Second, provide participants with concrete examples of successful utilisation of genetic resources and associated traditional knowledge that involved the full participation of IPLCs. Third, provide participants with the opportunity to interact directly with the different stakeholders involved in the valorisation and ABS implementation processes in Namibia in order to understand their views and relationships among each other. The field trip consisted of an introductory session to CBNRM and ABS in the Namibian context and two consecutive site visits to the National Botanical Research Institute (NBRI) and the Katutura Artisans' Project (KAP), both located in Windhoek. The field trip was concluded by two panel sessions which focussed alternatively on the role of the various stakeholders in the development of the Namibian approach to the valorisation of indigenous plants and of the emerging ABS system in Namibia with a particular attention placed on the role of the research and development sector and the level of involvement of IPLCs.

Introduction to Access and Benefit-Sharing in Namibia

Community Based Natural Resource Management and the Namibian Pipeline Approach to the Valorisation of Indigenous Plants

The purpose of this preparatory presentation session was to provide the participants with background information on the CBNRM approach implemented in Namibia and its implications for the approach to the valorisation of indigenous plants which formed an important basis for the country's emerging ABS system. CBNRM was described as a powerful tool that allows developing strong conservation strategies while at the same time unlocking and harnessing the potential of the country's biodiversity. The *raison d'être* of CBNRM is to empower local communities to make their own decisions about natural resources management and protection while simultaneously enabling them to benefit from the utilisation of these resources in a sustainable way. To provide a structure for the CBNRM concept to develop, Namibia passed the 1996 Communal Conservancy Act, which gave organised communities legal rights to benefit directly from wildlife and tourism, and the 2001 Forestry Act, which replicated the approach for Community Forests. In the context of this development, several projects emerged to generate income for communities from indigenous plants, namely the marula oil or the devil's claw project. As a result of their successful outcomes, the government established the Indigenous Plant Task Team (IPTT) in 2000. The IPTT was tasked with developing and coordinating the implementation of a national strategy for the promotion of products from indigenous plants and fruits. To address its mandate, the IPTT developed a

pipeline approach which, combined with a 12 Step IPTT Strategy, provides an inclusive, participative and systematic approach to the valorisation and commercialisation of natural products. This innovative approach aims to proactively create sustainable economic opportunities based on harvesting, processing and trading indigenous plants and natural products. It prioritises natural products with large and relatively quick market potential and promotes their commercial development through an integrated, holistic strategy that addresses the entire value chain from harvesting to retail sales in commercial partnership with the private sector. An Interim Bio-Prospecting Committee (IBPC) was further established in 2007 to control and promote bio-prospecting and biotrade until the national ABS legislation is passed. It is hoped that enough capacity and skills will be in place by then.

Case Studies

National Botanical Research Institute

The visit to the NBRI allowed the participants to see and gather further information on the various indigenous plants that became part of the Namibian ABS related value chains, in particular *Commiphora wildii*, devil's claw, *Hoodia gordonii* and the marula tree. The NBRI, which has the mission to promote the conservation and sustainable use of Namibian plants, plays a pivotal role in improving the exploitation of indigenous plants resources and the socio-economic role of plants harvested by local communities through the development of plant-based products. The overall objective is to create alternative incomes for the benefit of smallholder farmers and IPLCs throughout the regions of Namibia. Thanks to some inputs provided by community representatives, participants learnt that for example, the *Commiphora* resin, used as essential oil to fragrance cosmetic products, has a great potential for ABS with a very clear identification of the communities holding the traditional knowledge. In contrast, the devil's claw, widely known for its analgesic and anti-inflammatory properties, represents one of the oldest and well-known cases of biopiracy. Lessons learnt from the *Hoodia gordonii* case and issues related to transboundary traditional knowledge were also discussed. Finally, marula illustrated one of the first resources successfully developed in Namibia for ABS.

Katutura Artisans' Project

The visit to the KAP, a self-sustaining research and development and service centre run by CRIAA SA-DC¹ as a not-for-profit project, provided the participants with the opportunity to explore in detail how the innovative cold press technology for obtaining marula oil was developed. Participants learnt that the aim of the centre was to provide appropriate technical solutions and back-up support to artisans, rural communities and small and medium enterprises in Namibia and the Southern Africa Development Region, with the view to improve traditional income generating activities and developing novel businesses. When the local and export markets became self-supporting, the marula oil processing technology developed was transferred to the primary producer organisation, the factory of the Eudafano Women's Cooperative in Ondangwa, in the north of Namibia. While the international market for marula oil is growing, The Body Shop International, which played a key role in the commercial success of marula oil, remains Namibia's main customer.

¹ Centre for Research Information Action in Africa Southern African Development and Consulting.

Panel Discussion

The Namibian Approach to Valorisation

The first panel discussion focussed on the Namibian approach to the valorisation of genetic resources and associated traditional knowledge with a particular attention placed on the views and roles of the different actors involved in the process. Looking back at the pipeline concept developed by the IPTT, the discussion first concentrated on Namibia's commitment to ABS. Participants learnt that Namibia's strong involvement in conservation and ABS originated from the desire of communities to sell their indigenous natural products. Initially, women producer groups approached the Presidency to solicit some support to process and commercialise marula oil. Such demand then led to more studies, funding, technology development and market research. Through a process supported by CRIAA-SADC, the Eudafano Women's Cooperative was formed and consisted in nine founding marula women producer associations. Its main purpose was to coordinate collation and marketing of marula kernels and other natural products on behalf of its members. Today the cooperative comprises twenty four women producer associations who received training and capacity building in various areas to be able to expand the business. The discussion then moved on to the development of conservancies which illustrated another way to develop sustainable value chains while at the same time providing socio-economic benefits to rural communities. For example, communities who traditionally harvest the resin of *Commiphora wildii* came together and registered themselves as conservancies to sell the resin and get better deals. Further details were then given on the different aspects of the involvement of the NBRI in ABS processes. Among others, the role of the NBRI in administering access permits for the use of genetic resources and material transfer agreements, managing research programmes with universities, providing expert support to the IPTT and carrying on research to identify existing traditional knowledge associated with resources. The latter function still remains one of the biggest challenges. Finally, the discussion highlighted the role of the IPTT in the development of value chains and in obtaining financial support to projects such as the marula project.

Research and Development and the Namibian ABS System

The second panel discussion examined the role of the research and development sector and the level of involvement of the various stakeholders, especially IPLCs in the development of the Namibian ABS system. While previous discussions and presentations revealed that to date, Namibia has regulated ABS through existing laws, contracts and the establishment of the IPTT and the IBPC, this last panel discussion also provided complementary information on the state of the current draft ABS and future regulations as well as on the role and level of involvement of the various stakeholders in this process. The discussion highlighted that the draft ABS Bill had emerged after a long and continuous consultation process which started in 1999. Participants learnt that rules and procedures such as PIC and MAT or benefit-sharing mechanisms will be detailed in the accompanying regulations to facilitate the adoption of any amendment if required. The panellists further highlighted that the IPLCs participated in the legislation development process since the very beginning and that they indicated to the government which areas and elements with respect to traditional knowledge were essential. The second part of the discussion focussed on the involvement of the research sector in providing inputs on what should be in the draft bill

to promote research and development in Namibia. At the same time, it was highlighted that if any research based on traditional knowledge were successful, benefits would be shared with the IPLCs who gave the lead. However, it was noted that until now, because of the uncertainty around how to deal with traditional knowledge, the industry had avoided any research associated with traditional knowledge. Finally, the discussion concluded by clarifying that the IBPC was not designed to deal with biopiracy but to provide certainty to the industry. Indeed, the IBPC is currently looking at applications that involve traditional knowledge.

Plenary Discussion

The following is a summary of the main issues raised by the participants:

- *The inventory of indigenous plant species in Namibia*: This is an on-going process. Any species is recorded regardless of its potential. The current records provide a good indication of what is potentially out there.
- *The level of involvement of IPLCs in any business plan developed for the potential exploitation of a given plant associated with traditional knowledge*: In the frame of the pipeline approach, a business plan would not be developed in isolation but with the participation of IPLCs and any other party concerned. Although not involved in the business of selling or buying, both the government and the IPTT are supportive of such activities.
- *Payment for raw material*: With respect to the marula oil, the cooperative pays each association which then distributes the amount amongst the women members of the different associations. A share on the benefits generated by the final product should also be distributed. Some work is currently done to elaborate a system that provides for that. As for the *Commiphora* resin, harvesters are paid on the spot.
- *Intellectual property rights (IPRs) in Namibia and biopiracy*: Namibia subscribes to the World Intellectual Property Organisation (WIPO) and must therefore address its obligation under this system. Namibia does not have any policy to deal with cases of biopiracy. Mandatory disclosure of the source as applied in South Africa is useful to prevent misappropriation but it only works if traditional knowledge has already been documented. Furthermore, there are different purposes of patent applications. For example, some patents are only filed to prevent other patents from being claimed or applied to. This is called defensive patenting or speculative patenting but there are also other forms of intellectual property such as trade secret. Namibia is trying to understand these various forms of intellectual property and how to use them effectively. This indeed shows that ABS is a market-based instrument.

Indigenous Peoples and Local Communities Involvement in Access and Benefit-Sharing: Developing Goals and Objectives

Introduction

Based on the lessons and activities of the introductory sessions and the field trip, this workshop day was dedicated to initiating a strategic process. After a brief recap session on the field trip and an introduction to Biocultural Community Protocols (BCP), participants used the output and experiences of the past two

days to develop a common vision for ABS, as well as concrete goals and objectives for their respective country groups.

Recap of the Field Trip

The aim of this session was to further discuss and reflect upon the lessons learnt from the Namibian resources valorisation system and the experiences of communities and stakeholders encountered during the field trip.

Group Guided Discussion

Participants were divided into three Francophone and four Anglophone groups and asked to share their impressions of the Namibian valorisation system and discuss the learning outcomes. The following guiding questions were provided to assist each group in their deliberations:

- What are the good elements of the Namibian approach?
- What could be improved?
- What are the main lessons you are taking home?

Results of the Group Exercise

Across all groups, participants highlighted the good elements of the Namibian system as being:

- The integration of all stakeholders, including IPLCs who played an active role;
- The legislation and institutional arrangements that set up an enabling environment for the valorisation of genetic resources and the development of a comprehensive ABS framework based on experiences and lessons learnt which will further lead to an effective implementation of the Nagoya Protocol;
- The effective identification of valuable genetic resources and the development of sustainable value chains, including the strengthening of research capacity;
- The empowerment of communities, especially women.

Participants suggested that some improvements could be done in terms of:

- The integration of ABS mechanisms in the valorisation process of genetic resources, especially with respect to traditional knowledge;
- Communication and awareness-raising on ABS for IPLCs in all the regions of Namibia;
- Capacity building on ABS at all levels;
- Support provided to the communities to interact with businesses and research institutions;
- Benefit-sharing: ABS contracts should also provide IPLCs with a fair share of the benefits generated throughout the value chain and the sale of final products;
- Transparency in relation to the distribution of benefits;
- The level of involvement and participation of IPLCs.

Finally, participants pointed out that the main lessons learnt were:

- Namibian communities have developed a high level of organisation and took a very proactive approach towards the valorisation of their resources and knowledge and ABS;

- It is important to have adequate legislation at national and regional level to achieve a successful ABS implementation;
- There was a strong commitment to involving and coordinating all relevant stakeholders;
- The goodwill of the Namibian Government and the level of trust that was developed between the government and the IPLCs are success factors for implementing ABS;
- Technology transfer can be a valuable part of benefit sharing;
- The projects that were presented during the field trip made the potential of biological resources visible and improved the livelihoods of rural communities, especially women;
- It is crucial to maintain capacity building efforts throughout the entire ABS implementation process.

Biocultural Community Protocols

This session provided a closer look at the way IPLCs can get organised and be more proactive through the use of a BCP. The purpose of a BCP is to assist IPLCs to establish clear guidelines on how access to their traditional knowledge and the resources they manage should happen in order for them to benefit from the utilisation of these resources and avoid misappropriation.

The presentation illustrated how a BCP, a community-led instrument, can be deployed to engage government and other stakeholders to secure community well-being and address a number of key challenges, including ABS related issues. A BCP is developed through culturally rooted and participatory decision-making processes and it is based on communities' customary norms, values and laws. BCPs usually define who the IPLCs are as a community and what their governance structure is. They include, among others, obligations regarding the conservation and sustainable use of biodiversity, challenges faced by the communities, a reference to relevant rights in national and international law and elements of PIC, MAT and benefit-sharing. BCPs are referred as community protocols in Article 12 of the Nagoya Protocol which places an obligation on its Parties to support the development of such an instrument in relation to access to traditional knowledge associated with genetic resources. Community protocols are also acknowledged in the African Model Law on ABS and in some domestic legislation. A BCP is therefore a tool that can assist IPLCs to articulate clear conditions, procedures and rules of engagement for external actors such as companies, academics and research institutes who seek to access traditional knowledge associated with genetic resources for research and development and commercialisation. The presentation concluded by putting theory into practice with the presentation of the BCPs developed by the Kukula Traditional Healers Association of Bushbuckridge in South Africa and by the communities of the Bwabwata National Park in Namibia. These two concrete examples highlighted how the process of developing a BCP enabled both communities to assert their rights over their genetic resources and associated traditional knowledge, build their legal capacity around ABS issues and participate in the development of sustainable value chains bringing economic opportunities and the generation of benefits while at the same time using their ecological knowledge to foster the conservation and sustainable use of biodiversity in their surrounding environment. As a result of this process, both communities also decided to document their traditional knowledge associated with plant resources in order to protect it from misappropriation and ensure its transmission to younger generations.

Plenary Discussion

Participants discussed how traditional healers of Bushbuckridge, through the development of a BCP, have learnt to organise themselves into one legal structure which is recognised by the South African law. In the case of the Bwabwata National Park, participants learnt that the development of a BCP also served in reviving traditional knowledge and customary practices among marginalised IPLCs living inside the park and, in the process, restored their identity and dignity as a people while securing their livelihood inside the park. Both communities emphasised the issue of first protecting the resources themselves by initiating some training and educating foreigners on how to pick plants to avoid overexploitation. A training programme was also developed for the local communities in the Bwabwata Park to help them identify which resources they could harvest and commercialise to make an income. Finally, the discussion highlighted that while the rights of these communities to live their way of life was increasingly recognised internationally, a BCP will affirm such rights, especially if those are already recognised in national law.

Defining Goals and Objectives

Based on the experiences from the previous sessions, participants spent this session developing concrete goals and objectives regarding the implementation of ABS and IPLC involvement.

Country Group Exercise

Phase one

The first part of this exercise aimed to build a common vision of an ideal national ABS system. To do so, participants were invited to reflect individually on how an 'optimal national ABS system' would look like and share their thoughts with the plenary.

The results revealed that an 'optimal national ABS system' as envisioned by the participants was a national ABS system that:

- recognises and respects the rights of IPLCs in national legislation;
- has ratified the Nagoya Protocol;
- has developed and implemented a sound ABS policy and strategy along with a comprehensive ABS legislative and regulatory framework enabling the valorisation and the protection of genetic resources and associated traditional knowledge as well as a the fair and equitable sharing of the benefits arising from their utilisation;
- has designated a national ABS Focal Point and Competent National Authorities to facilitate ABS processes and support (without imposing) IPLCs in negotiating just and comprehensive ABS agreements with research institutions and other relevant actors;
- is supported by functioning governance structures and strategy development at community level;
- has all stakeholders involved in ABS related processes and represented in relevant decision making bodies and authorities
- invites IPLCs to be involved and participate actively in the ABS related processes;

- has developed and implemented effective and operational monitoring and compliance systems;
- makes funds available for the implementation of ABS also at the local level;
- has developed databases documenting traditional knowledge associated with genetic resources;
- has identified genetic resources with high potential and developed a valorisation strategy to create economic opportunities for IPLCs, including the founding of own businesses to promote value-adding and marketing also within the country;
- provides capacity building and on-going dialogue across all levels, especially for IPLCs;
- all in all, contributes to the sustainable management of natural resources and functioning ecosystems.

To conclude, the final indicator of an excellent national ABS system would be where IPLCs would make a living from their biodiversity and the knowledge associated with it while adding value to and participating in the national economy.

Phase Two

Participants reconvened in their country groups and were asked to assess the state of ABS processes in their respective countries on a scale from 1 to 10 against the ‘optimal national ABS system’ described in the common visionary exercise (with 1 being “no system in place at all” and 10 equalling the “ideal ABS system”). To help them in this task, each group was invited to look back at the status of ABS implementation in their countries that they had outlined on the first day of the workshop and based on the Eight Fields of Action. The country groups reconvened in the plenary at which point the results of their deliberations were presented and briefly discussed.

Phase Three

As each country group had determined a grade with respect to the performance of their own country in terms of ABS implementation, each group was invited to reflect on what needed to happen in their country to add one point to their grade and define up to three objectives to achieve this goal. Each group was then asked to share these objectives with the other groups in the plenary.

Phase Four

Finally, each country group was asked to consider the objectives they set up and identify up to three feasible actions for the coming 6 to 12 months to achieve each objective. Each country group was also tasked to identify who would be the different stakeholder groups involved and which stakeholder groups needed more targeted advocacy. As previously, groups reconvened in the plenary to share and briefly discuss the results of their work.

Plenary Discussion

Participants discussed the practicality of these exercises to support their efforts to advance the implementation of the Nagoya Protocol in their respective countries and enhance IPLCs’ participation in this process. Some participants highlighted that the exercise provided them with the opportunity to interrogate what had happened since the last time they had done this series of exercises in a previous

ABS workshop. Others pointed out that the process made them realise that considerable amount of work still needed to be done to achieve the domestication of the Nagoya Protocol in their countries. Some others stated that this 'daytime dreaming' session gave them a method for in depth thinking to achieve their ABS goals from an IPLC perspective and increase women's participation in these processes. A group of participants also emphasised that they planned to replicate this approach in their country in order to raise awareness on the importance of ABS among all actors concerned, especially IPLCs and relevant government authorities. Finally, participants reiterated the necessity of associating IPLCs with national ABS processes as well as with the management, conservation and sustainable use of biodiversity.

Advocacy, Strategy for Mobilisation and Communication Strategies

Introduction

The objectives of this day were to introduce the participants to collective organising and strategic communication while facilitating the sharing of experiences and best practices on how to do successful advocacy.

Collective Organising

While previous sessions and exercises aimed to support participants in developing concrete goals and related actions for the implementation of the Nagoya Protocol in their countries, this session explored opportunities and tools for collective action that could assist them in putting their ideas into practice. To do so, it is essential that a collective group be established and work to influence national practices, policies, and legal frameworks that take into consideration the needs and interests of IPLCs. The first necessary step for IPLCs to become better advocates and better organised is therefore to define the role and responsibilities of the collective group and to set out concrete objectives. The second step is to set up a list of actions to be taken to achieve those objectives and identify who else (allies, policy makers, experts, lawyers, etc.) need to be brought on board to help the collective group achieve its goals and the change that needs to happen within the country for an effective implementation of the Protocol. The next step is to define who the people are that need to be influenced (policy makers, research institutions, private sector, etc.) and develop a targeted communication accordingly. Effective communication within the collective group and with allies and to the primary target group is also paramount.

Country Group Exercise

Country groups were asked to reflect on the following questions:

- Who are we?
- What are the roles and responsibilities of the platform/collective created to advance/establish ABS national systems?
- Who are our allies?
- Who/what is/are the targets of our actions?

As it had been done for the previous series of exercises, country groups shared and discussed their results with each other.

Strategic Communication

Based on the Communication, Education and Public Awareness Guide for ABS,² this session offered some advice about the role, relevance and use of strategic communication for implementing national ABS systems. Strategic communication requires knowledge, motivation and cooperation on the side of many different individuals. The knowledge, attitudes and perceptions of the different actors regarding ABS and their roles in the ABS implementation process can differ considerably. An effective communication helps to build trust among the stakeholders. It is therefore essential to identify all the actors involved in the ABS implementation process and develop a specific communication approach for each of the actors identified in each field of action. Strategic communication helps to know each stakeholder, set goals and adapt each communication approach to the needs and interests of each target and to the context of each country. It should also involve various stakeholders at different levels in order to establish the same level of knowledge across all boards. The stakeholder map usually consists of three main groups: the private sector, civil society and the state with primary and secondary stakeholders. Stakeholder assessment is therefore the necessary point of entry of any effective communication. The communication model in terms of ABS includes ten strategic steps which build on and refer to each other. These are divided into four main stages:

- 1) The assessment or analysis stage (information collection):
 - Analyse the context and the role of the communication
 - Identify stakeholders and analyse target groups
 - Define communication objectives
- 2) The planning (who to involve and what media to choose):
 - Drafting a communication strategy
 - Participation of strategic groups
 - Selection of communication channels
- 3) Production:
 - Message design
 - Producing media and preparing dialogue
- 4) Action and reflection:
 - Managing multi-channel communication strategy
 - Monitoring and evaluation.

Country Group Exercise

Each group was asked to first reflect on the change that they wanted to achieve and then define the communication objectives for at least three of the stakeholders they had identified in the exercise on

² Kathrin Heibrink & Manfred Oepen "Strategic Communication for ABS: A Conceptual Guide and Toolkit for Practitioners" (2012) ABS Initiative, Germany.

collective organising. Second, each group was asked to formulate one key message that they wanted to address for each stakeholder they had selected, taking into account the communication objectives they had set and agreed upon. Third, each group was asked to develop messages to each target selected. At the end of the exercise each country group shared the results in the plenary.

Exchange of Good Practice in Advocacy

Country Group Exercise

Participants were asked to share, within their country group, their personal experience of an advocacy work or campaign that had been successful to serve as an example and help their fellow participants to articulate a positive advocacy strategy on ABS. Each country group then shared in the plenary the best examples discussed in their group.

Plenary Discussion

Participants were invited to share their first impressions regarding the exercise on strategic communication for ABS. The general feeling was that the exercise was useful not only to learn how to communicate effectively with the diversity of stakeholders involved in the national ABS implementation process but also to identify the strengths and weaknesses of each country. Some participants further indicated that the exercise helped them to understand the importance of elaborating the right message for each target group, its function and its power. Other participants highlighted the difficulty to distinguish between the overall communication objectives and the objectives of action plan. Some participants supported this last comment by underlining the difficulty of formulating different messages for each stakeholder groups in each field of action. They concluded that such an exercise required more time and the support of communication experts.

The Way Forward

Introduction

The main objective of this last day was to provide the participants with a better understanding of the various elements of an action plan. To do so, participants were provided with a space where they could start developing an action plan specific to their country circumstances by using the various tools on which they were trained and outputs they had developed during the week. This last day also served to inform the participants on potential sources of support and how to make use of such opportunities to support their ABS related activities and projects.

Developing Action Plans

Country Group Exercise

The primary focus of this last exercise was to provide an opportunity for the participants to reflect on and identify what they could do, as IPLCs, to support and advance the Nagoya Protocol national implementation process in their respective countries. Country groups were invited to refine the results of the previous exercises and develop national action plans. They were advised to first review the

objectives set previously and establish a list of actions to achieve them. The next step was to identify a range of practical activities to implement during the next 6 months up to a year to realise these actions. Participants were advised to focus on activities that could be implemented without external support. Finally, participants were asked to identify various allies and review target groups already singled out during the exercises on collective organising and strategic communication. As a general advice, country groups were encouraged to formulate their objectives, actions and activities in a SMART way, i.e., to make them Specific, Measurable, Attractive, Realistic and Time Bound.

Each country group was tasked to select a presenter and share the results of their work using the Airport Talk method. This method, building on the elevator speech technique, consisted in inviting the participants to imagine that they were meeting a group of IPLC representatives from their own country while waiting in an airport lounge. With the aim of broadening their network and convincing potential supporters, they had five minutes to explain what the objectives of their action plan were and what steps they were planning to take to move forward the Nagoya Protocol implementation in their country. Each country group was very successful and creative in providing a short summary of their action plans and highlighting the crucial steps they were going to take to make change happen in the way ABS was implemented in their respective countries. They were also very successful in taking advantage of the variety of tools, methods, lessons learnt and experiences shared throughout the week's workshop and encapsulate them into their action plans.

Plenary Discussion on the Way Forward

Participants were invited to share their impressions and thoughts on the necessity of carrying on this type of workshop and staying in touch as a group. They were also invited to make suggestions to the ABS Initiative on the kind of capacity building they further needed. Some participants felt that this type of workshop was essential, especially for countries where the political situation is detrimental to ABS implementation processes. A number of participants suggested identifying actions and activities that could be done without raising funds such as using an email list or social media like a Facebook page to keep interacting and networking with one another, circulating information, cooperating and collaborating. Some then suggested exploring the possibility to develop such a tool via the ABS Initiative's website while other participants indicated that such a tool was already operational in Benin and was also open to Anglophone African countries. Others highlighted the necessity to develop a regional IPLC strategy on ABS and resource valorisation to expand this initiative at continental level which in turn would also strengthen actions at national level. Indeed, very soon after the workshop, participants created an e-mail platform for African IPLCs with the view to enhance information, skills and experience sharing on traditional knowledge and advocate for increased ABS as ascribed in the Nagoya Protocol and adopted by African Nations. A number of participants suggested mapping the various skills existing in the room and use them to support each other, thus building up a network of "IPLC experts". A particular emphasis was put on strategic communication expertise. A few participants stated that fundraising was also necessary. They further suggested applying the technique of collective organising to fundraising, i.e. crowd funding, and asking the support of the ABS Initiative in this regard. All participants agreed that it was critical to use any development funds received more wisely and in a more effective manner. Finally, some participants observed that this type of workshop was important because it

contributed to poverty reduction. As such, any tool or action resulting from it should therefore be encouraged.

Sources of Support

The final presentations of the workshop focussed on providing the participants with comprehensive information on the various sources of support and funding opportunities that could help IPLCs to play a more effective role and increase their participation in the national implementation of the Nagoya Protocol. Information on technical support through capacity building and training by the ABS Initiative as well as support for the development of BCPs provided by Natural Justice was also provided. Furthermore, participants were informed that ABS small scale projects could be financed by the GEF Small Grants Programme (as well as the French Global Environmental Facility, or *Fonds Français pour l'Environnement Mondial*, Small-Scale Initiatives Programme). Grants from this programme are not provided to governments but to community-based organisations or NGOs and place a particular attention on capacity building.

Final Discussion and Closure

The workshop closed with some reflections on the outcomes of the week. The overall feeling was that the workshop was beneficial on many levels. Some participants highlighted how the various activities carried out during the week had empowered them and widened their knowledge of what ABS is all about while at the same time providing useful tools for the participants to replicate in their country. Others felt that one of the major long-term benefits of this type of workshop was the unlocking of IPLCs' capacity not only in proactively engaging in ABS national implementation but also in participating in the development of value chains and negotiating ABS agreements for fair and sustainable returns and economic opportunities at the local level. Participants also expressed their appreciation of being able to share their experiences and exchange lessons learnt with IPLCs from other countries so that they could learn from one another and develop best practices. Further, a group of traditional chiefs and holders of traditional knowledge took the opportunity of this discussion to announce the formation of "Baobab", a network of traditional authorities. Their declaration, the "Pacte de Solidarité Windhoek", is available in Annex 2 of this report. Similarly, an initiative of Francophone participants launched the formation of a network for IPLCs from Francophone Africa; their "Déclaration de Windhoek" is available in Annex 3 of this report. Finally, there was a consensus that the highlight and real added value of this workshop was that each country group set up a strategy and an action plan that they could implement to move forward the ABS implementation process in their countries.

To conclude, the representatives of the ABS Initiative encouraged the participants to use the momentum and plans generated at this workshop to engage proactively at national level. As the Initiative will be refocusing its activities from the regional to the national level in the coming years, providing particularly intensive support to a number of pilot countries in their national implementation processes. This will also include, in accordance with the National ABS Focal Point, support to IPLCs. Participants were encouraged to keep in touch with each other and the ABS Initiative on their activities and the progress made.

Presentations

The full list of presentations made during the workshop is available [here](#) for download.

Day 1

Introduction to ABS and the Nagoya Protocol – [Pierre du Plessis, Centre for Research Information Action in Africa Southern African Development and Consulting \(CRIA SA-DC\), Namibia on behalf of the ABS Capacity Development Initiative](#)

Day 2

Community Based Natural Resource Management in Namibia – [Maxi Pia Louis, Namibian Association of CBNRM Support Organisation \(NASCO\), Namibia](#)

Namibian Approach to Unlocking the Value of Biodiversity Assets – [Pierre du Plessis, CRIA SA-DC, Namibia on behalf of the ABS Capacity Development Initiative](#)

Day 3

Biocultural Community Protocols – [Lesle Jansen, Natural Justice, Lawyers for Communities and the Environment, South Africa](#)

Day 4

Collective Organising – [Esther Mwaura-Muiru, GROOTS \(Grassroots Organisations Operating Together in Sisterhood\), Kenya](#)

Communication Stratégique pour la Mise en Oeuvre de l'APA – [Mouhamed Drabo, Burkina Faso](#)

Day 5

Sources of Support – [Lena Fey, ABS Capacity Development Initiative](#)

GEF Small Grant Programme and ABS – [Nickey L. //Gaseb, National Coordinator of the Global Environment Facility Small Grants Programme \(GEF-SGP\), Namibia](#)

Annotated Agenda

Monday, 10th November 2014

Introduction to ABS and Status of Implementation	
08.30	Registration
09.00	Welcome and Introduction Getting to Know Each Other <i>Esther Mwaura-Muiru & Mouhamed Drabo, facilitators</i>
10.30	Coffee / tea
11.00	Introduction to ABS and the Nagoya Protocol <i>Pierre du Plessis, ABS Initiative</i>
12.30	Lunch
14.00	Introduction to ABS and the Nagoya Protocol (cont.): the 8 Fields of Action – Unpacking ABS <i>Barbara Lassen, Natural Justice</i> Group Work: Status of Implementation in Countries <i>Facilitators</i>
15.30	Coffee / tea
16.00	Group Work: Status of Implementation in Countries (cont.) <i>Facilitators</i>
17.30	End of Programme
19.00	Official Opening and Evening Reception, organised by the Ministry of Environment and Tourism, Namibia <i>Teofilus Nghitila, Ministry of Environment and Tourism</i> <i>Christian Grün, Embassy of the Federal Republic of Germany in Namibia</i> <i>Mohamed Ewangaye Didane, Indigenous Peoples of Africa Co-ordinating Committee (IPACC)</i> <i>Suhel al-Janabi, ABS Initiative</i>

Tuesday, 11th November 2014

Field Trip – ABS in Namibia	
8.00	Introduction to the Field Trip <i>Maxi Pia Louis, Namibian Association of Community Based Natural Resource Management (CBNRM) Support Organisations (NACSO)</i> <i>Pierre du Plessis, ABS Initiative</i>
9.30	Coffee / tea
10.00	Departure <ul style="list-style-type: none"> • Visit to the Botanical Garden, Windhoek • Visit to Katutura Artisans' Project, Windhoek
14.00	Lunch at Habitat Research and Development Centre
15.00	Panel Session 1: The Namibian Approach to Valorisation of Indigenous Plants <i>Lion Kasupi, Kunene Conservancy</i> <i>Sylvia Uugwanga, Eudafano Women's Cooperative</i> <i>Pierre du Plessis, CRIAA SA-DC and Indigenous Plants Task Team (IPTT)</i> <i>Steve Carr, National Botanical Research Institute (NBRI)</i> <i>Moderator: Suhel al-Janabi, ABS Initiative</i>
16.00	Coffee / tea
16.30	Panel Session 2: R&D and the Namibian ABS System <i>Lazarus Kairabeb, Nama Traditional Leaders Association, Namibia</i> <i>Percy Chimwamurombe, University of Namibia (UNAM)</i> <i>Martha Kaukungwa, PhytoTrade Africa, Namibia</i> <i>Pierre du Plessis, CRIAA SA-DC/ABS Initiative</i> <i>Moderator: Suhel al-Janabi, ABS Initiative</i>
18.00	End of programme
19.00	Dinner in Katutura: Xwama Cultural Village and Traditional Restaurant

Wednesday, 12th November 2014

ILC involvement in ABS – Developing Goals and Objectives	
9.00	Recap Field trip <i>ABS Initiative/Facilitators</i>
10.30	Coffee / tea
11.00	Biocultural Community Protocols <i>Lesle Jansen, Natural Justice</i>
12.30	Lunch
14.00	Defining Goals and Objectives: Group Exercise <i>ABS Initiative/Facilitators</i>
15.30	Coffee / tea
16.00	Defining Goals and Objectives: Group Exercise (cont.) <i>ABS Initiative/Facilitators</i>
17.30	End of programme

Thursday, 13th November 2014

Strategies for Mobilisation and Communication	
9.00	Introduction to Collective Organising <i>Esther Mwaura-Muiru</i>
10.30	Coffee / tea
11.00	Collective Organising continued <i>Esther Mwaura-Muiru</i>
12.30	Lunch
14.00	Introduction to Strategic Communication for ABS <i>Mouhamed Drabo</i>

15.30	Coffee / tea
16.00	Exchange of Good Practice in Advocacy <i>Facilitators</i>
17.30	End of programme

Friday, 14th November 2014

Way Forward	
9.00	Group Work: Developing Action Plans <i>ABS Initiative/Facilitators</i>
10.00	Coffee / tea
10.30	Presenting Action Plans Discussion: Way Forward <i>ABS Initiative/Facilitators</i>
12.00	Lunch
13.00	Sources of Support <i>ABS Initiative</i> <i>Nickey L. //Gaseb, The Global Environment Facility Small Grants Programme (GEF-SGP), Namibia</i> Feedback Closing
16.00	End of programme

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Annex 1: Preparatory Work for Selected Participants

As announced in the call for applications, all participants were required to do some preparatory work before the workshop. This was to ensure a good level of discussions during the workshop and to increase the benefit every participant would gain from this event. Therefore, the activities in the workshop programme were partly built upon such preparatory work.

Hence, for the workshop to be a success, participants were kindly asked to dedicate some time to reflect on the series of questions listed below. To do so, participants were strongly recommended to link up with the other participants from their country, be it in person or via e-mail or telephone, and they were encouraged to do the preparatory work as a team.

Furthermore, participants were strongly recommended to contact their national ABS Focal Point as he or she would be able to help them answering the series of questions and get a broader picture of ABS implementation in their country.

Participants were kindly asked to try to find answers, as far as possible, to the following series of questions:

1. Find out about the status of ABS implementation in your country:

- Has your country signed the Nagoya Protocol?
- Has your country ratified the Nagoya Protocol?
- Is there a national ABS committee or a similar sort of body to implement ABS?
- What has been done so far? For example, is there an ABS policy/strategy, ABS legislation or communication strategy in place or under development?
- Which institutions, which people were involved in this process, and how? (For example workshops, public awareness campaigns, ...)
- Have IPLCs been involved in any of these activities so far? If yes, how?

2. Find out about the situation of genetic resources, traditional knowledge and IPLCs in your country:

- Do IPLCs have rights over genetic resources and/or traditional knowledge in your country?
- Do you know any examples of genetic resources or traditional knowledge associated with genetic resources from your country being used outside of your country? (For example, by companies or researchers from pharmaceutical or cosmetic sector). If you do, please try to get as much information as you can. For example: Who is involved? Was a benefit-sharing agreement signed? Did the community benefit until now?

Participants were encouraged to write the answers down or to draw diagram or bring documents although this was not mandatory. The objective was that they should be prepared (i.e. to have dealt with the above questions to a certain extent) and be able to share this knowledge orally at the workshop, whether during a group work or as part of a small group presentation. Finally, participants were also encouraged, if possible, to visit the website of the Convention on Biological Diversity to gain more

knowledge about ABS and the Nagoya Protocol at <https://www.cbd.int/abs/awareness-raising/default.shtml> and/or watch the following movies explaining ABS:

- <http://www.abs-initiative.info/video-abs-simply-explained.html>
- <http://www.abs-initiative.info/video-people-plants-and-profit.html>

Annex 2: Pacte de Solidarité Windhoek



PACTE DE SOLIDARITE WINDHOEK

Nous, Chefs coutumiers et détenteurs des savoirs traditionnels d'Afrique, ayant participé à l'Atelier à la mise en œuvre APA pour les Communautés Autochtones et Locales (CALs) à Windhoek, Namibie,

- Conscient du non prise en considération des droits des autorités et détenteurs des savoirs traditionnels notamment en matière de la médecine traditionnelle et dans les aspects culturels,
- Conscient du rôle primordial que les détenteurs de savoir traditionnel dans le cadre du processus APA, ainsi que leur rôle respectif dans la société,
- Considérant que l'union et la solidarité de tous les Détenteurs de Savoirs traditionnels et les Chefs coutumiers d'Afrique est un pilier considérable dans l'atteinte des objectifs de réintégration de la valeur ancestrale dans le développement,

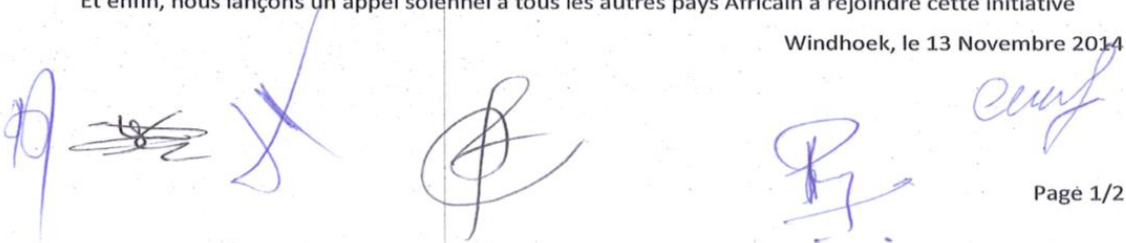
Ont convenu de mettre en place un réseau des autorités coutumières et des détenteurs de connaissances traditionnelles d'Afrique « BAOBAB » dont les objectifs sont de :

- Unir les chefs coutumiers et tradipraticiens du continent dans le processus APA
- Plaidoyer à l'endroit des partenaires et autorités de nos pays respectifs à ratifier le Protocole de Nagoya,
- Lutter pour la valorisation des connaissances traditionnelles et les produits traditionnels améliorés sur tous le continent,
- Mettre en place des herboristeries témoin dans tous les pays en vue de promouvoir nos connaissances valorisées,
- Etablir un échange de bonne pratique afin de faciliter la mise en place des remèdes traditionnels améliorés dans chaque pays,
- Valoriser tous les sites de Forêts Sacrés dans tous les pays
- Créer des musées de la Médecine Traditionnelle
- Organiser un système de formation, communication et d'information en matière de savoir traditionnelle et d'aspect socioculturel.

Le siège du réseau BAOBAB est au Cameroun et ne pourra être changé que par adoption à l'Assemblée générale. La mise en œuvre du présent pacte dans chaque pays devra être réalisée avec l'avis des Autorités nationales compétentes.

Et enfin, nous lançons un appel solennel à tous les autres pays Africain à rejoindre cette initiative

Windhoek, le 13 Novembre 2014



Annex 3: Déclaration de Windhoek

DECLARATION DE WINDHOEK

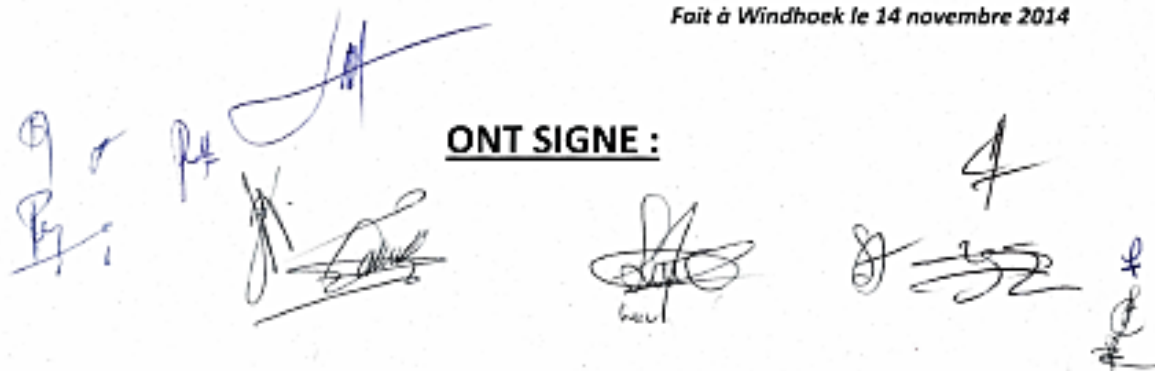
- Considérant l'importance de plus en plus croissante des Ressources Génétiques et des Connaissances Traditionnelles dans le mécanisme APA (Accès et Partage des Avantages) de la Convention sur la Biodiversité (CBD) ;
- Considérant la faible implication des Communautés Autochtones Locales (CALs) dans le mécanisme APA ;
- Considérant la nécessité d'une synergie d'actions afin de maintenir la solidarité au sein des participants francophones dans le mécanisme APA ;
- Considérant la faible présence des francophones et l'usage limité du français dans les conférences et rencontres sur la scène internationale, y compris dans le mécanisme APA ;

Nous, ressortissants des pays de langue française, participants au mécanisme APA, déclarons nous engager pour :

- Mener un plaidoyer auprès de nos pays respectifs pour une ratification rapide du protocole de Nagoya relatif au mécanisme APA ;
- Mobiliser nos Communautés Autochtones Locales afin qu'elles s'organisent et défendent le patrimoine génétique à fort potentiel dans le but d'en tirer le meilleur avantage ;
- Démarcher nos pays pour une meilleure prise en compte des Communautés Autochtones Locales et de leurs connaissances traditionnelles ;
- Promouvoir le partage d'informations utiles sur le mécanisme APA dans le cadre d'un réseau des Communautés Autochtones Locales créés à cet effet ;
- Nous appuyer mutuellement afin de créer une dynamique d'ensemble des participants francophones au mécanisme APA ;
- Mener un lobbying dans le système international pour un usage accru du français dans les conférences et rencontres et les publications y afférentes ;

Fait à Windhoek le 14 novembre 2014

ONT SIGNE :

A collection of approximately ten handwritten signatures in blue ink, arranged in a loose horizontal line below the 'ONT SIGNE :' heading. The signatures vary in style, some being more legible and others more stylized or cursive.

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