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POUR L'APA

2nd ABS Dialogue on Key Challenges and Practical Ways Forward for the Implementation of the Nagoya Protocol, 4-6 August 2014, Goa, India 4-6 August 2014, Goa, India

- Outline -

Background

The ABS Capacity Development Initiative (ABS Initiative) is supporting a series of activities to facilitate the exchange of experiences with Access and Benefit-Sharing (ABS) implementation and support the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from its utilisation (Nagoya Protocol) adopted in 2010.

In collaboration with the governments of Brazil, India and South Africa, the ABS Initiative commissioned national studies in each of these countries with a view to learn from their past experience in ABS implementation.

Against this background, a first dialogue on practical ways forward for the implementation of the Nagoya Protocol was organised by the ABS Initiative and hosted by the Government of South Africa on 30-31 January 2014, in Cape Town, South Africa, with a view to:

- Exchange experiences and lessons learnt with respect to past ABS implementation; and
- Exchange views and discuss approaches and practical ways forward for the implementation of the Nagoya Protocol, in particular its compliance related provisions.

The dialogue included 35 participants including government representatives from Brazil, India, South Africa, Mexico, Ethiopia, Kenya, Namibia, Cameroon, Morocco, Malaysia, Canada, Germany, the Netherlands and the European Union (EU), representatives from Indigenous and Local Communities (ILCs), national research institutes, universities, civil society and the business sector.

Participants appreciated the usefulness of such a dialogue, which provided a unique opportunity for an open exchange amongst government representatives and stakeholders with a view to support implementation of the Nagoya Protocol.

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A Second ABS Dialogue on Key Challenges and Practical Ways Forward for the Implementation of the Nagoya Protocol will take place from 4 to 6 August 2014 in Goa, India, co-organised by the Government of India and the ABS Capacity Development Initiative in cooperation with the GIZ implemented *Indo-German Biodiversity Programme*.

Objectives

The objective of this second dialogue will be to provide an opportunity for further exchange amongst government representatives and relevant stakeholders on the implementation of the Nagoya Protocol.

While the focus of the first dialogue was to learn from past experience with ABS implementation with a view to exchange information regarding preparedness in implementation of the Nagoya Protocol, the second dialogue will focus on the key challenges and the instruments/approaches that are being considered by countries for the implementation of the Nagoya Protocol, taking into account the lessons learned and the new obligations under the Nagoya Protocol.

It will also give an opportunity for participants to further share their thoughts on the challenges related to the implementation of the Protocol and possible options to support a coherent approach for its implementation.

Against this background, Brazil, India and South Africa (and other relevant countries) will be invited to present their views and the approaches being adopted by them towards meeting the obligations of the Nagoya Protocol.

The dialogue will also be an opportunity for participants to discuss common challenges and options in the implementation of the Nagoya Protocol. The following provides an indicative list of issues for discussion in light of the outcomes of the first dialogue:

1) Access

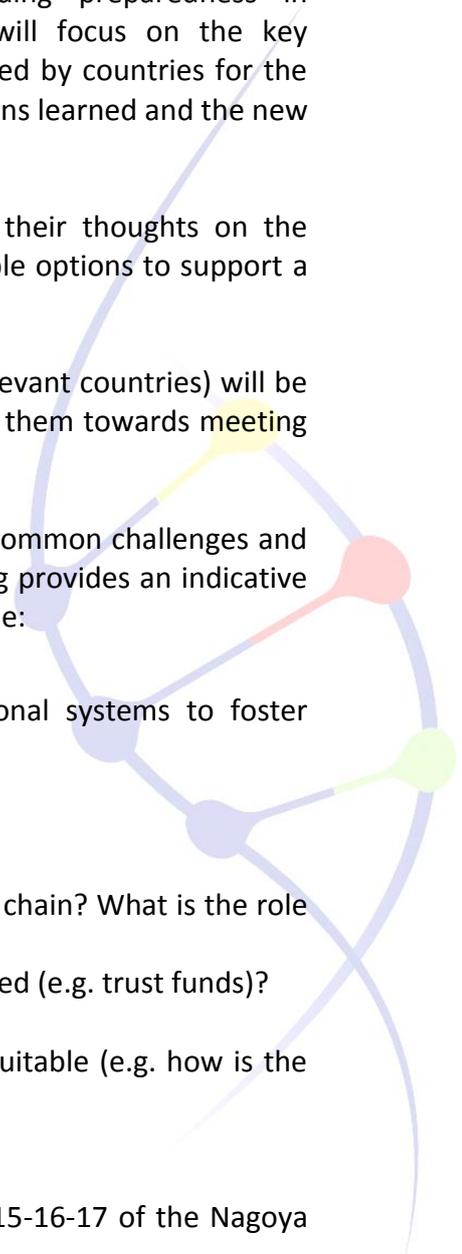
- How to develop simple, clear, efficient, user-friendly national systems to foster innovation?
- How to address access to genetic information?

2) Benefit-sharing approaches

- Who has the responsibility to share benefits along the supply chain? What is the role of intermediaries?
- What types of benefit-sharing mechanisms are being considered (e.g. trust funds)?
- With whom should the benefits be shared?
- When should the benefits be shared and what is fair and equitable (e.g. how is the amount of benefits established)?

3) Approaches to compliance, including monitoring

- What are different policy options for implementing articles 15-16-17 of the Nagoya Protocol on compliance?
- How to harmonize systems for issuing permits and monitoring the use of genetic resources?
- Who has the responsibility for compliance? What is the role of intermediaries?



4) Traditional knowledge associated with genetic resources

- What measures are being developed by Parties to ensure that traditional knowledge associated with genetic resources is accessed with the prior informed consent of these communities, that mutually agreed terms are established and benefits shared fairly and equitably?
- How can the government support the development by indigenous and local communities of community protocols, minimum requirements for mutually agreed terms, and model contractual clauses for benefit-sharing?
- What types of mechanisms can be established by Governments to inform potential users traditional knowledge associated with genetic resources about their obligations?
- How can TK documentation support the protection of TK? Experience of some countries

Participants

Following the format of the first dialogue, participants will include representatives from IBSA countries, participants in the first dialogue, as well as additional representatives from Asian countries to take advantage of the location of the dialogue. The dialogue being held in India will also enable the participation of a selection of Indian representatives from State Biodiversity Boards and local Biodiversity Management Committees.

A maximum of 80 participants is envisaged with a view to maintain a dialogue format.

