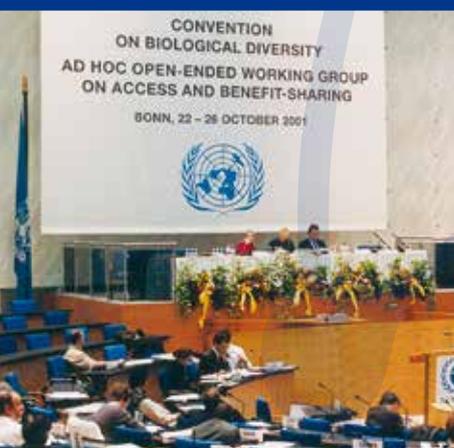
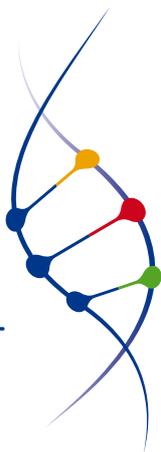


THE **ABS**
CAPACITY
DEVELOPMENT
INITIATIVE



From Global to Local: ABS Capacity Development Initiative

A multi-donor initiative spanning nature conservation,
poverty alleviation and governance

www.abs-initiative.info



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ABS: three letters for development

For centuries, societies across the globe have **transferred and traded biological resources**. In doing so, they have drawn from the indigenous knowledge related to using those resources. Today, industries such as pharmaceuticals, cosmetics, plant or animal breeding keep searching globally for genetic resources to develop or enhance their products. Yet, the gains and benefits arising from those transfers have hardly ever been shared with the communities of origin. Until recently, developing countries had no recourse to ensure that the use of their genetic resources and traditional knowledge would be recompensed.

The **Access and Benefit-sharing (ABS)** principle of the CBD provides development opportunities in this regard. It aims at ensuring a fair and equitable sharing of the benefits arising from the use of genetic resources. This means that, where genetic resources are used for scientific or commercial purposes, the country of origin is to be recompensed. Overall, the purpose of ABS 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 core mechanisms of ABS, and the basis for any agreement between users and providers of genetic resources, are **Prior Informed Consent (PIC)** and **Mutually Agreed Terms (MAT)**.

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 utilised;
- Supporting mechanisms to monitor and ensure stakeholders' compliance with mutually agreed terms and national ABS regulatory frameworks.

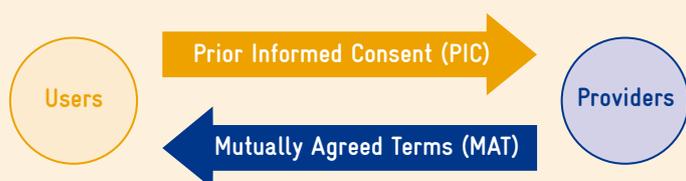
The Nagoya Protocol can be regarded as a key element in designing a global framework for sustainable development. By valuing biodiversity in a market economic approach it further represents a building block for a global green economy.

The ABS Initiative: unleashing the potential of ABS

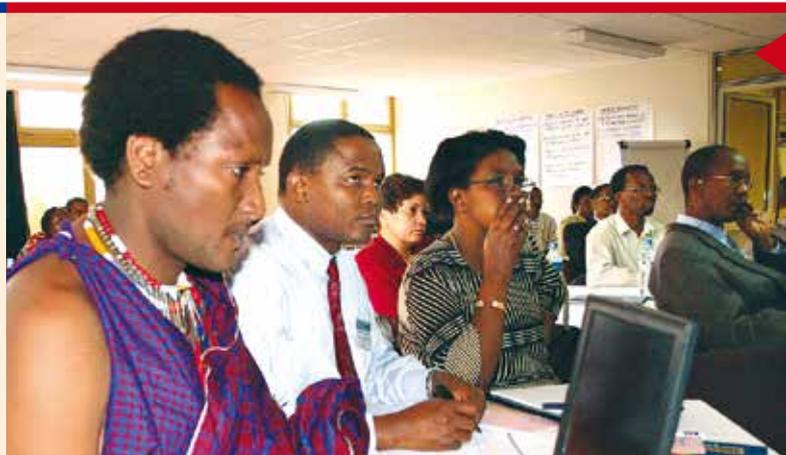
Not everybody at the political-administrative level is yet aware of the development opportunities that ABS provides. Few countries have functioning national ABS regulatory frameworks in place, and where they exist, countries tend to have problems with implementation. Dialogues between stakeholders ought to be strengthened, so as to promote awareness of their mutual and often common interests. Also, regional approaches to ABS should be harmonised, including inventories and information on the value of genetic resources.

The adoption of the Nagoya Protocol makes it all the more important to develop the necessary skills to fully harness the potential of ABS, and the **ABS Capacity Development Initiative** addresses this challenge. It aims at bringing different ABS stakeholders together for the purpose of negotiating agreements, and for supporting them in developing the capacities that are necessary to achieve mutually satisfactory outcomes. These include training in communication and negotiation skills, as well as sharing knowledge, information and best practice.

Resource-rich countries ("Providers") shall facilitate access to genetic resources



Technology-rich countries ("Users") shall share benefits arising from genetic resources; facilitate the access to technologies and means important for conservation and use



Objectives and milestones of the Initiative

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 of the Nagoya Protocol in Africa and since 2012 also in the Caribbean and Pacific countries by attaining the following objectives:

1. Africa and 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 harmonised with other processes and fora relevant to ABS in order to increase transboundary cooperation and to address legal gaps.

To attain these objectives core processes of implementation address ratification, national implementation, value chain establishment, and amplification of ABS processes at different levels, as well as (sub-)regional capacity development and coordination for international processes as support process.



Only approximately 2 million out of world-wide roughly 30 million estimated species are known to science. As in the rainforest of Gabon researchers from commercial and academic institutes are bioprospecting ecosystems for unknown plants, animals and their genetic codes.

Milestones to date include:

- Stakeholder representatives from Africa's different sub-regions elaborated and agreed on an ABS vision for Africa, setting themselves a clear goal to achieve.
- Africa as a negotiating group in the UN context defended its position with one voice for the international regime negotiations. African positions are clearly reflected in the Nagoya Protocol.
- Africa and ACP countries tackle emerging cross-sectoral aspects of ABS, such as communication, education and public awareness (CEPA), forest governance, ABS and ILCs, sectoral approaches, ABS business dialogues, user country measures, and intellectual property rights (IPRs).
- Studies on relevant issues inform related processes: for example, the interface of ABS and forest legislation/regulation.
- The African Union Commission requested the ABS Initiative to support the drafting of Guidelines for a Coordinated Implementation of the Nagoya Protocol on ABS in Africa.
- The COMIFAC has adopted a regional strategy for the development of harmonised national ABS policies.
- ABS is very well integrated in bilateral development cooperation projects in many countries, such as Morocco and Namibia.
- Private Public Partnerships have been initiated to improve the business engagement for ethical sourcing of African biodiversity, and increase the understanding by relevant African policy makers.

Local contributions to global processes: points of view of indigenous and local communities are crucial to be reflected in national and international ABS governance schemes.

Business is getting ready for ABS: At the Danish Ministry for Environment in Copenhagen the ABS Initiative convened a one day Public - Private Sector Exchange. The meeting aimed at determining what kind of partnerships and enabling conditions would be necessary to foster ABS agreements in developing countries – and which supportive investments are to be made by the private and/or public sectors of developed countries.

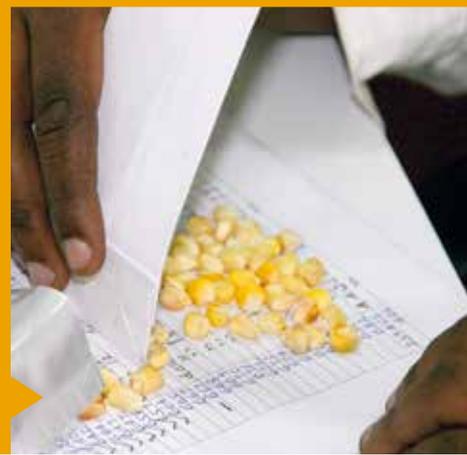


Marine genetic resources are subject to research and biodecovery, already being used as a basis for commercial product development in e.g. the pharmaceutical and the body care industries. Especially for (island) countries with vast coast lines and waters under national jurisdiction – such as in the Caribbean and Pacific regions – the development of enforceable ABS regulations will be a challenge.



Bringing negotiators in the bush: Lead by the co-ordinator of the Madagascar International Co-operative Biodiversity Group (ICBG) some 80 participants of the 3rd Pan-African Workshop practised the ICBG random bioprospecting methodology during a full day fieldtrip.

Agricultural diversity continues to play a key role for food security in developing countries. 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.



- The work and impacts of the ABS Initiative have been acknowledged in decisions made by the Parties to the CBD at several occasions.

The ABS Initiative is committed to continue supporting stakeholders in the pursuit of equitable ABS agreements and facilitating ABS negotiations that promote development and poverty alleviation.

The relevance of ABS

Several cases have helped to add substance to the ABS principles. Three examples:

Hoodia gordonii is a well-known appetite suppressant. It originates from Southern Africa and has been used for centuries by the San and Nama communities. Today, pharmaceutical products that are based on Hoodia are hoped to generate millions of dollars on the global market. Based on negotiated ABS agreements, the San now receive 6% of royalties and 8% of milestone income, for which a specific San-Hoodia-trust was established. In terms of non-monetary benefits, there have been local training and skills development activities.

Argan is an endemic tree of Morocco. Its products serve a variety of purposes, the most important ones being food, pharmaceuticals and cosmetics. Increasing international demand has given rise to a

whole local industry. Development efforts so far have focused on women's cooperatives that engage in the fair trade of Argan products. Still untapped, however, is the potential for benefit-sharing agreements for Argan. International companies are currently engaging in research and development of its biochemical ingredients. In this process, researchers are using Morocco's genetic resources and the associated local knowledge. If the country develops a national ABS legislation, local providers could benefit from monetary and/or non-monetary compensation for their resources and knowledge.

The bark and stemwood of the **Mamala tree** in Samoa is traditionally used to treat infectious diseases, such as hepatitis. This knowledge was taught to a researcher of UC Berkeley by two local healers. The Samoan government, together with local chiefs and healers, granted PIC to three US research institutes to study medicinal plants in Samoa. Experiments showed that the active component of Mamala, Prostratin, may be effective in fighting the HIV virus. Based on MAT, a drug was developed which could help the efficiency of AIDS fighting drugs. The agreement ensures that proceeds from any commercial revenues of Prostratin-derived drugs will be shared with the Samoan people who helped discover the tree and its properties. Non-monetary benefits include sharing of scientific knowledge with local people, and acknowledgment of their intellectual contribution to this research in scientific publications.

All cases represent some of the challenges in negotiating functioning ABS agreements. The actors and issues involved tend to vary considerably according to the genetic resource, the traditional knowledge, the involvement of communities and the cultivation and usage of the resource. A further challenge, especially in the pharmaceutical sector, is the extensive time required for research and development, before a product can successfully be brought onto the market.



How the Initiative works: the elevator principle for ABS capacity development

Guided by the “elevator principle”, the ABS Capacity Development Initiative links the local level with UN negotiations and uses regional and sub-regional activities as kick-off platforms.

The elevator principle promotes the broadest possible interaction and ensures that all relevant stakeholders from partner regions to the Initiative (Africa, the Caribbean, Pacific) have an opportunity to dialogue and negotiate.

Detailed information on planned and implemented activities can be found on the website of the Initiative: www.abs-initiative.info

Level of intervention	Preparation of national ABS authority	Other stakeholders	Main instruments
UN level	International negotiations	ABS authorities of other countries	<ul style="list-style-type: none"> 8 Stakeholder inputs on ABS to relevant meetings 6 Technical papers and studies 7 CEPA for ABS
(Sub-) Regional level	Harmonisation of regulatory frameworks	ABS authorities of other countries	<ul style="list-style-type: none"> 1 Multistakeholder workshops 5 Information exchange / CHM 2 Issue based trainings 6 Technical papers and studies 4 Best practices with research / private sector 7 CEPA for ABS 9 Targeted consultations
	Regional cooperation	Research Private sector Communities	
National level	Laws and regulations	Research Private sector Communities	<ul style="list-style-type: none"> 9 Targeted consultations 1 Multistakeholder workshops 3 Peer-to-peer knowledge exchange 4 Best practices with research / private sector 7 CEPA for ABS
Local level	Implementation and monitoring	Communities Research Private sector	<ul style="list-style-type: none"> 4 Best practices with research / private sector 9 Targeted consultations 3 Peer-to-peer knowledge exchange 7 CEPA for ABS

Developing recommendations

Developing and implementing recommendations

- 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) amongst administrators, private-sector representatives or decision-makers at the governmental level etc.
- 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 bioprospecting 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 groups
- 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

Inspiration from outside: international involvement in the ABS Initiative

To help optimise governance and accountability, a range of international experts – both academic and professional - are also involved in the ABS Initiative. Facilitators, mediators and trainers can assist local governments and communities in implementing the principles of the Nagoya Protocol.

This follows the recommendations of the CBD Action Plan on Capacity-Building for ABS and is to support the vision of turning ABS into a powerful instrument to contribute to poverty reduction in Africa.

Governance and organizational structure

- **Host** of the Initiative is the German Federal Ministry of Economic Cooperation and Development (BMZ).
- **Membership** is open to all institutions and organisations which commit to contribute significantly to the budget of the Initiative.
- **Partnerships** are being established with other donors/donor institutions and international organisations that work on relevant issues and have a clear vision for complementarities and synergies in ABS capacity development.
- **Three regional Steering Committees (SCs)** consisting of one designated person per member, appointed stakeholder representatives (government, indigenous/local communities, academia), representatives of the partners to the Initiative and the Co-ordinator of the Initiative.
- **The Secretariat** of the Initiative – commissioned to Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH – is the central management and implementation unit and serves as the focal point for relations with members and partners.



The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization was adopted on 29 October 2010 in Nagoya, Japan.

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