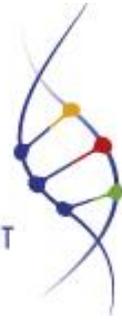


THE **ABS**
CAPACITY
DEVELOPMENT
INITIATIVE



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

Progress Report 2013

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1. Executive Summary

In 2013 the ABS Capacity Development Initiative (ABS Initiative) built upon its former achievements and explored new approaches that led to progressive changes.

Relevant activities and tools once again have proven their usefulness in 2013, e.g. the Pan-African ABS Workshop, the Copenhagen ABS-Business Dialogue Forum and the trainings on the management of multistakeholder processes. Other formats such as the trainings on the importance of intellectual property rights (IPR) in the context of ABS, the workshop on the documentation of traditional knowledge and the experience exchange with global development partners on ABS implementation have been conducted for the first time. This experience exchange was well received by the participating countries and might be leading towards enhancing the effective South-South-exchange on ABS implementation as India and Brazil are offering to host follow-up meetings in the near future in partnership with the ABS Initiative.

With a view to further the synergies between the ABS and protected area components of the EU funded Biodiversity and Protected Areas Management (BIOPAMA) programme, the ABS Initiative participated in the regional inception workshops for West and Central Africa, the Caribbean and the Pacific providing an overview on ABS and the Initiative's activities.

The intensified support for the **ratification process** of the Nagoya Protocol in partnership with the CBD Secretariat is demonstrating impact: Until the end of 2013 thirteen ACP countries have ratified the Nagoya Protocol. At least 27 ACP countries have initiated ratification processes and about half of these countries can be expected to ratify during the first 6 months of 2014.

The inclusion of **stakeholder views** in ABS national strategies and policy documents has been further strengthened. This is for example reflected in the recognition of Biocultural Community Protocols (BCPs) in (draft) ABS regulatory frameworks of seven countries.

Responding to the important **role of indigenous and local communities** as providers of genetic resources and associated traditional knowledge the ABS Initiative is continuing to support the African BCP Initiative of Natural Justice and the ETC Compass. In its second phase, this BCP Initiative is increasingly supporting communities in Ethiopia, Ghana, Kenya, Namibia and South Africa to use their BCPs in dialogue with the government and other stakeholders, thereby contributing to greater recognition of the instrument by governments and users of genetic resources. Furthermore, GEF SGP funded ABS programmes targeting indigenous and local communities could be initiated for Benin, Niger and Vanuatu.

As the key financial and technical partner of the African Union Commission for ABS capacity development the ABS Initiative continued to support the development of the **AU Guidelines on a Coordinated Implementation of the Nagoya Protocol in Africa**.

A series of interlinked studies were initiated to assess the **business potential for the (commercial) utilization** of genetic resources in the six pilot countries (Cameroon, Kenya, Madagascar, Mozambique, Senegal and South Africa) of the UNEP/GEF-4 ABS Capacity Building Project for Africa.

The ABS Initiative was invited to co-operate and to provide input to **different private sector related fora** organized by the SCBD, the GEF, the Union for Ethical BioTrade (UEBT) and the French Cosmetic Valley. These and further exchanges with users – be it applied research, intermediaries in the supply chain or producers of consumer goods – provided in depth opportunities for the ABS Initiative and its constituency to learn about the varying **business models of the relevant sectors** in order to better understand the need for an enabling environment to foster realizing the third objective of the CBD. This led to the joint elaboration and finalization of a concept note in 2013 on a **Public-Private Partnership** with a French cosmetics market leader on establishing ABS compliant value chains in four African countries.

With the EU membership in the ABS Initiative becoming fully operational in 2012, a **series of activities and ABS capacity building processes** have been conducted in **the Caribbean and the Pacific** in 2013. With strong involvement of regional organizations such as the Caribbean Community (CARICOM) Secretariat, the Secretariat of the Pacific Regional Environment Programme (SPREP)



and the Secretariat of the Pacific Community (SPC) government representatives and other relevant stakeholders were informed and updated on the Nagoya Protocol and related international processes during regional workshops. Furthermore, trainings for ILCs in negotiating ABS agreements and on IPRs have been conducted.

Country visits in Micronesia and Cook Islands were used to engage with relevant stakeholders in analyzing the gaps in the relevant national regulatory frameworks and initiated national support processes for implementing the Nagoya Protocol.

Partnerships initiated inter alia at the large international events in 2012, such as CBD COP 11, the Rio+20 Summit, and the IUCN World Conservation Congress led to concrete results in 2013. In order to build ABS related legal capacity in ACP countries, the ABS Initiative agreed to financially and technically support the work of the **International Development Law Organization (IDLO)** and the **Centre for Integrated Sustainable Development Law (CISDL)** on the “Global Partnership on Legal Preparedness for Achieving the Aichi Biodiversity Targets” towards Aichi Target 16. With respect to improving support to African scientists undertaking research on genetic resources and to fostering ABS compliant cooperation with academia and private sector in Europe the ABS Initiative is developing a mutually supportive work programme with the French funded research cooperation programme **Sud Experts Plantes Développement Durable (SEPDD)**.

In line with the regional extension the Initiative’s secretariat hired **additional staff** in 2013 with the goal to strengthen its operational capabilities and expertise. In order to improve internal and external **communication and knowledge management** new communication tools have been introduced, such as the ABS Newsletter and the website of the Initiative is undergoing major restructuring. The new website also reflecting the new corporate design of the Initiative will be online March 2014.

Donors renewed and further expanded their **financial support to the Initiative**. In 2013 the Initiative reached an actual expenditure of 4.3 Mio Euro. Donors are the governments of Denmark, Norway, Germany, the EU and IFDD. UNEP/GEF provided parallel funding for specific projects and activities. The **Agence Française de Développement (AFD)** decided to commit 1.5 Mio Euro for an initial funding period from 2014 and 2015. It is expected that the contribution becomes operational in 2014.

As a routine exercise commissioned by the EU a **Results Oriented Monitoring (EU-ROM)** of the implementation of the ABS Initiative has been carried out in 2013, where consultants have attended activities in Cameroon, Guyana and Cook Islands. According to an OECD standard scheme focusing rather on single country than on initiative’s regional capacity development approaches, advancements have been assessed and recommendations to the Initiative have been made.

Despite visible success the ABS Initiative is still facing **challenges** such as the replacement of national ABS process drivers or political instability in many partner countries. While some capacity gaps have been filled and skills have improved there is still a lack of experience amongst stakeholders in the respective countries. Building on the increased awareness on ABS, in particular at a high political level and in the private sector, the **number of requests to support national implementation** is increasing faster than the ABS Initiative can respond to.

Thus the continuation of targeted and effective activities of the ABS Initiative in 2013 was bringing the process of ratification and national implementation closer to reality.

2. Formation of the ABS Initiative

2005-2008: The Dutch-German ABS Capacity-Building Initiative for Africa

Conscious of the capacity development needs associated with negotiating and implementing an international regime on ABS, and in line with the draft elements for an Action Plan for Capacity-Building for ABS adopted by COP-6 in 2002, the Directorate-General for International Cooperation (DGIS) of the Netherlands Ministry of Foreign Affairs and GTZ¹ came together in 2005 to discuss the

¹At 1 January 2011 the Deutscher Entwicklungsdienst (DED) gGmbH (German Development Service), the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH (German technical cooperation) and InWEnt – Capacity Building International, Germany merged to Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.



joint promotion of capacity development on ABS in Eastern and Southern Africa. As a result, DGIS co-funded GTZ's supra-regional programme "Implementing the Biodiversity Convention" in order to organize a regional ABS capacity development workshop. This multi-stakeholder workshop was held in October 2005 in Addis Ababa, Ethiopia. 50 participants from 15 different countries took stock of bioprospecting in Africa and assessed ABS capacity development needs. The workshop's results were presented at the 4th meeting of the CBD Ad Hoc Open-Ended Working Group on ABS.

Based on the substantive workshop results, participants' encouraging feedback, and the overwhelming interest of stakeholders from all over Africa, DGIS and GTZ agreed to continue their cooperation until 2008 under the framework of the **Dutch-German ABS Capacity-Building Initiative for Africa**. Africa was retained as the priority region since by international comparison this region had the greatest need for capacity development. The Initiative was launched at CBD COP 8 in March 2006 in Curitiba, Brazil, with a view to offer strategic capacity development to African countries regarding both, the implementation of ABS measures at national and sub-regional level as well as the negotiation of the international ABS regime "on eye level" with other negotiating parties. Main instruments at that time were consultative meetings to support necessary Africa-wide multi-stakeholder processes, as well as thematically specific and/or regionally focused studies, workshops and trainings.

2008-2011: The ABS Capacity Development Initiative for Africa

The Initiative has, besides kicking off initial national and regional ABS implementation processes in several African countries, significantly contributed to the increased preparedness of African delegates in the negotiations of the international regime on ABS. Already at COP 9 in Bonn in May 2008, the African Group officially expressed its gratitude for the Initiative's assistance to the region, underlining the necessity for continuous support of ABS capacity development in Africa. Taking into account this request, the Initiative was prolonged until 2011 with increased assistance from additional donors and partners. The *Institut de l'énergie et de l'environnement de la Francophonie* (IEPF)² joined the Initiative that same year to advance the integration of Francophone African countries into the Initiative's activities by contributing 100.000 Euro per year for interpretation in pan-African meetings and workshops and translation of relevant documents and studies. With the commitment of IEPF / IFDD – so far prolonged until 2018 – a first step was undertaken to develop the initially Dutch-German partnership into a multi-donor initiative for concerted ABS capacity development for Africa. As such, the Initiative was renamed into the **ABS Capacity Development Initiative for Africa**, with a core contribution by the BMZ amounting from 500.000 to 850.000 Euro per year since 2008.

In 2009, the Norwegian Ministry of Foreign Affairs joined the Initiative committing 20 Mio NOK (~2.4 Mio Euro) to the budget of the Initiative for the period 2009-2011. As integral part of this contribution the renowned Norwegian think-tank **Fridtjof-Nansen-Institute (FNI)** is funded with 150.000 Euro per year to provide its expertise on ABS and related issues such as intellectual property rights, forest laws and linkages to relevant international instruments. Besides FNI, the ABS Initiative co-operates closely with a further think-tank, the Montreal based **Centre for International Sustainable Development Law (CISDL)** which is kindly offering analytical legal expertise and backstopping activities at special partnership rates.

Also in 2009, Denmark and the European Commission expressed their interest to become permanent donors of the Initiative. To that effect the Danish Government contributed in a first step 3 Mio DKK (~450.000 Euro) to the Initiative for the organization of a pan-African Minister Conference on ABS in partnership with the Namibian Government in 2010. With an additional 530.000 Euro contribution for 2010 and 2011 Denmark became a full member of the ABS Initiative in 2010.

In 2009 as well, the EuropeAid Co-operation Office (AIDCO) started to develop a project proposal which included a contribution of 5 Mio Euro over five years to the Initiative. The Biodiversity and Protected Areas Management (BIOPAMA) project was finally approved by the European Commission in December 2010 as part of the Annual Action Programme 2010 in favour of Intra-ACP³ Cooperation under the 10th European Development Fund. The corresponding financing agreement between the EU

²IEPF was renamed early 2013 into *Institut de la Francophonie pour le développement durable* (IFDD)

³African, Caribbean and Pacific Group of States under the Cotonou Agreement of 2000



and the ACP Secretariat was signed in February 2011. With the signature of the delegation agreement between the EU and GIZ in **September 2011 the EU became full member of the ABS Initiative** and the regional scope of the ABS Initiative was extended to include besides Africa the Caribbean and Pacific member states of the Cotonou Agreement. As a consequence, the Initiative was again renamed into **ABS Capacity Development Initiative**.

2012-2015: The ABS Capacity Development Initiative

Due to the extension of the regional scope of the ABS Initiative from Africa to include the Caribbean and the Pacific the Steering Committee decided during its meeting in March 2012 in Limbé, Cameroon, to establish **three Regional Steering Committees** – one for each of the three regions and that the existing Steering Committee would constitute the African Steering Committee. Furthermore, with a view to facilitate exchange of experiences between the three regions and to allow for a broad discussion of capacity development needs and appropriate approaches it was decided to establish a biannual General Assembly back-to-back with CBD COPs.

Based on an assessment by NORAD, the **Government of Norway agreed to a second funding allocation** to the ABS Initiative. Early August 2012 the Secretariat was informed by the Ministry of Foreign Affairs that 20 Mio Nkr (~2.6 Mio Euro) targeted funding for Africa have been committed as contribution to the Initiative for 2012-2014.

The **Government of Denmark** amended the initial financing agreement of 2009 in several steps and announced that it intends **to provide from 2013 onwards 5 Mio DKK (~670,000 Euro) per year** to the ABS Initiative:

- November 2010 - contributing an additional 2.5 Mio DKK (~335,000 Euro) core funding.
- October 2011 - contributing an additional 4 Mio DKK (~536,000 Euro) core funding.
- December 2011- contributing an additional 570,000 DKK (~76,000 Euro) targeted funding for organizing a business dialogue forum on ABS in mid-2012 in Copenhagen.
- December 2012 – contributing an additional 750,000 DKK (~100,000 Euro) targeted funding for Africa.
- July 2013 – contributing an additional 5 Mio DKK (~670,000 Euro) targeted funding for Africa.

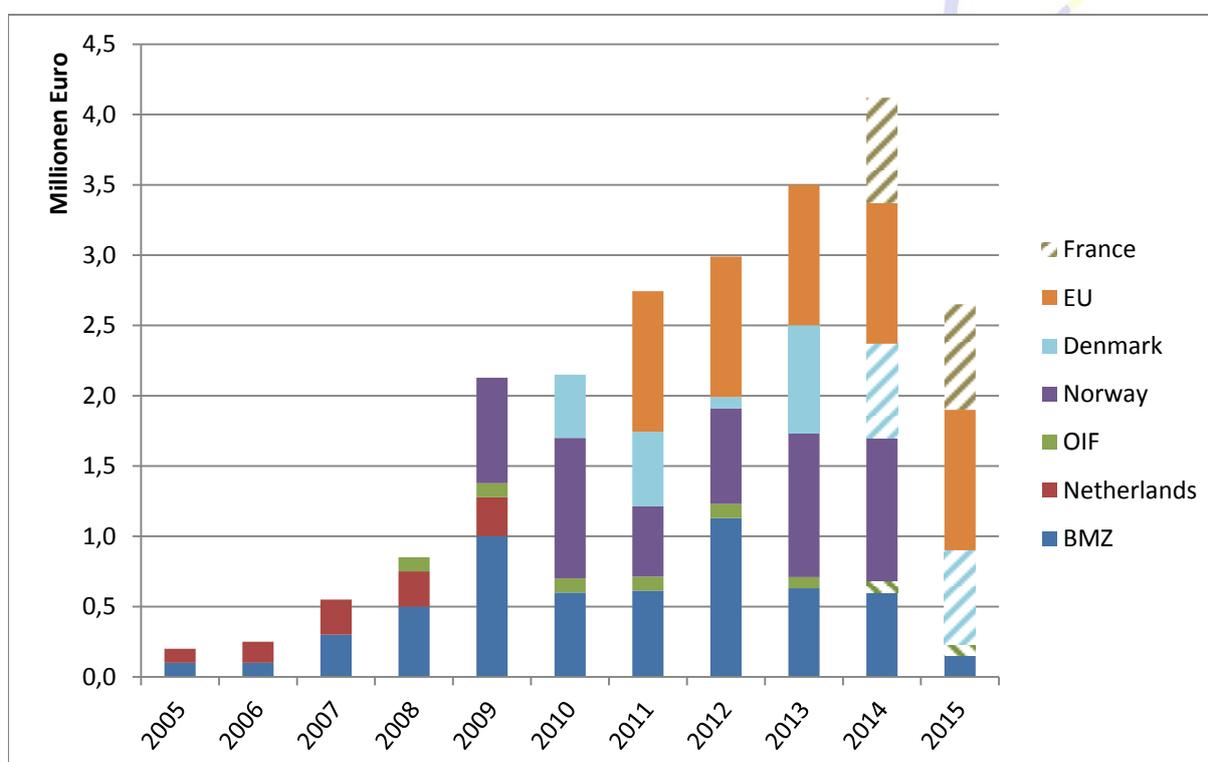


Figure 1– Yearly funding commitments of the members the ABS Capacity Development Initiative since 2005. Until 2013 BMZ funds indicate the actual expenditure, from 2014 onwards estimates of minimum expenditure based on current planning cycles. Funds of other donors are included once financing agreements are signed, i.e. announcements for future commitments are not included.



The **Australian Government** committed parallel funding amounting to 300.000 AUD (~250.000 Euro) for 2012 activities of the ABS Initiative in the Pacific. Despite successful collaboration with the Australian National Focal Point for ABS and requests from National Focal Points of Pacific Island States the Australian Government decided not to continue this partnership.

Furthermore, **IFDD** contributed 80,000 Euro in 2013 to the ABS Initiative and committed the same amount for 2014.

Following the decision of the Steering Committee in March 2013 in Phalaborwa, South Africa, the Secretariat of the Initiative continued the discussion with the **Agence Française de Développement (AFD)** about the intended membership of France in the ABS Initiative. These discussions led to a formal decision of AFD to commit 1.5 Mio Euro for 2014 and 2015 to the ABS Initiative.

Based on the firm commitments and as illustrated in Figure 1 more than 2,5 Mio Euro are secured for implementation in 2014 with the prospect to reach 4 Mio Euro if the proposed financing agreements with Denmark, France and IFDD can be concluded in 2014.

As a multi-donor initiative, the ABS Capacity Development Initiative contributed to the implementation of some key aspects of the Paris Declaration and Accra Agenda for Action, notably to improve donor harmonization and aid effectiveness, and consequently to better valorise the potential for poverty alleviation at the interface of natural resources management, trade and governance. The Initiative is linked to relevant global biodiversity related environmental processes through established cooperation with the Secretariat of the Convention on Biological Diversity in Montreal and the United Nations Environmental Programme in Nairobi.

The importance of this regional capacity development initiative has officially been recognized at several occasions such as

- Statements of the African Group at relevant CBD meetings since 2006 (WGABS 5, 6, 7, 8, 9 and COP 9, 10, 11),
- letter of acknowledgement of the Executive Director of UNEP, dated 6 May 2009, on the role of the ABS Initiative in supporting the African Group in the negotiations for the Nagoya Protocol (see Progress Report 2011 of the ABS Capacity Development Initiative),
- letter of gratitude of the African chief negotiator, dated 20 November 2010, highlighting some of the positive impacts on the African negotiation team and the significance of the ABS Initiative's work (see Progress Report 2011 of the ABS Capacity Development Initiative),
- COP 10 decision on the Integration of Biodiversity into Poverty Eradication and Development (COP decision X/6, para.12),
- the statement on the ABS Initiative in the Note of the SCBD Executive Secretary on ABS capacity building measures (UNEP/CBD/ICNP/1/4, para. 37): "Although limited to the African continent, this initiative constitutes the most comprehensive attempt to build capacity and awareness on ABS."
- the reference in ICNP-1 Recommendation 1/2 on measures to assist in capacity-building and development and the strengthening of human resources and institutional capacities in developing countries and Parties with economies in transition: "*Taking note* of the previous and ongoing ABS capacity-building initiatives supported by the Global Environment Facility, the International Treaty on Plant Genetic Resources for Food and Agriculture and other organizations and institutions, including the ABS Capacity Development Initiative that has expanded from Africa to other regions, and of the experiences and lessons learned from those initiatives,"
- the reference in ICNP-2 Recommendation 2/5 on measures to assist in capacity-building, capacity development and strengthening of human resources and institutional capacities in developing countries and Parties with economies in transition: "*Recognizing* the wealth of experiences and lessons learned as well as instruments and methodologies that have been developed under various ABS capacity development initiatives, such as the ABS Capacity Development Initiative that has expanded from Africa to other regions,"



- letter of acknowledgement of the UNEP Executive Director highlighting the negotiators' capacity building for ICNP-1 / ICNP-2 and calling donors to support the ABS Initiative's work towards capacity development for national implementation of the Nagoya Protocol,
- reporting of SCBD at the meeting of the African Steering Committee, 2-3 March 2013, held in Phalaborwa, South Africa, which re-affirmed the Initiative's significant role in supporting the SCBD in its ABS capacity building workshops and being a key partner to promote ratification of the Nagoya Protocol (see Report of the African Steering Committee Meeting 2013).
- statements and feedback from various private sector and business representatives on the usefulness of the work of ABS Initiative, in particular on the Copenhagen ABS Business Dialogue between the public and private sector (see report of event).
- letter of the AU Commission to AFD dated 18 November 2013 highlighting the need for more support to African countries to implement the Nagoya Protocol reiterating "to all concerned that the ABS Capacity Development Initiative has been a reliable ally in its technical and financial support to the AU Member States in matters of ABS" and further calling "upon development partners such as the French Aid Agency to establish collaborations and/or to continue existing ones to further enable the ABS Capacity Development Initiative sustain its support to Africa thereby continuing to impact on the existing gaps towards realizing ABS in the region"
- letter of the Executive Secretary of the CBD expressing his "deep appreciation for the admirable and important contributions of the ABS Capacity Development Initiative in engaging countries in access and benefit-sharing activities" (see Annex A).

The high recognition is further reflected by the interest of other relevant players at the international level to collaborate with the ABS Initiative in various forms. For example, representatives of ARIPO, AUC, FAO/ITPGRF, EU, UNEP, UNESCO, UNCTAD, WIPO, GEF, SCBD, SADC, UNU, IUCN, AFD, AusAID, SECCO, OAPI, MNHN, or ICC are pleased to participate in the Initiative's various events and cooperate on relevant issues and projects

Further, relevant government authorities of, Brazil, India, Malaysia and Mexico expressed their interest to share their experiences and to practically exchange on ABS policies and capacity development towards the national implementation of the Nagoya Protocol. In order to make the valuable ABS implementation experiences of these countries also accessible to Africa, the ABS Initiative prepared in 2013 a **Dialogue on Practical Ways forward for the implementation of the Nagoya Protocol** – with country studies on India, Brazil and South Africa – as basis for a workshop, hosted by the South African Department of Environment in Cape Town at the end of January 2014.

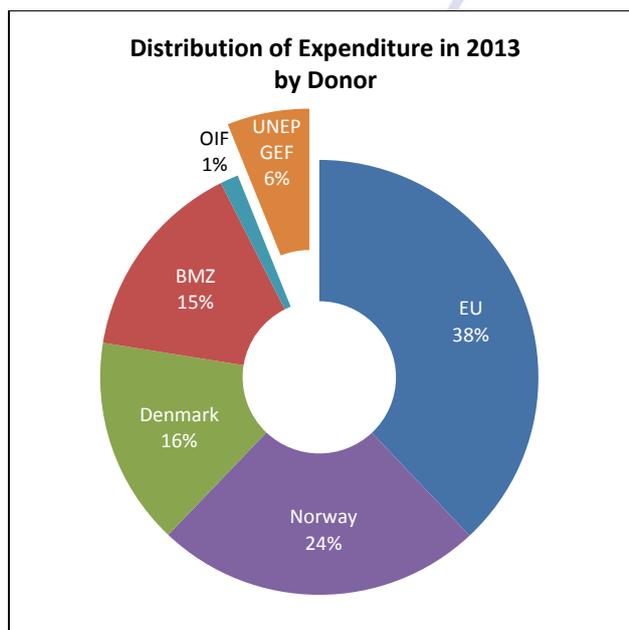


Figure 2 – Distribution of total expenditure (4.3 Mio €) of the ABS Initiative in 2013 by donor. UNEP/GEF funds are managed separately, i.e. parallel funds to the ABS Initiative budget.

3. Finances: Budget and Expenditure in 2013

The projected budget for planned activities in 2013 amounted to 4.6 Mio Euro whereas the actual expenditure amounted to a total of 4.3 Mio Euro, composed of:

- Core-funding contributions of BMZ and the EU.
- Funding contributions of Norway and Denmark targeted for Africa.
- Targeted funding contribution of IFDD for interpretation and translation.
- Targeted and monetarised in-kind contributions of BMZ.



- Parallel funds of the regional UNEP/GEF project for ABS capacity development in Africa.

Further details about the expenditure are provided in the detailed account in Annex B. The yearly GIZ internal audit took place in May 2013 and was passed as previously without prudential complaints.

All budget allocations for activities were managed by the Secretariat in accordance with the Work Plan and Budget 2013 endorsed by the Steering Committee during its meeting at 2 and 3 March 2013 in Phalaborwa, South Africa, and email silence procedure in May 2013 after the Danish Funding contribution for 2013 was confirmed. Donors are always duly mentioned in all documents of the ABS Initiative – by name and/or by logo as appropriate.

As in previous years, the SCBD contributed in-kind to the ABS Initiative by actively participating in and contributing to a number of workshops, with logistical support in the context of different meetings and providing substantive advice on technical documents being developed by the Initiative.

4. Implementation of the Work Plan 2013: Challenges and Changes

As in the previous reports the major challenge of structuring the work plan for ABS capacity development lies in the fact that many activities carried out by the Initiative are designed to contribute to more than one indicator or even to more than one outcome or one objective. Responding to the discussions at the meeting of the African Steering Committee in March 2013, the majority of activities are outlined in chapter “6. Assessment of Impacts”. This chapter is highlighting activities with significant changes in either the timing or design as compared to the Work Plan 2013.

In addition, **new activities** which have not been included in the original Work Plan are also described here. Again, a significant amount of additional funds was made available mid-2013 by the BMZ to GIZ implemented projects. Some of these funds could be accessed by the ABS Initiative allowing e.g. to enable the AU Commission to take the lead in coordinating the drafting process of the African Union Guidelines for a Coordinated Implementation of the Nagoya Protocol in Africa, to support the African Group’s preparation and coordination for ICNP-3 and COP-12. This was done without formal adoption by the Regional Steering Committee for Africa, as concept papers – being generally in line with the Initiative’s programme document – had to be submitted at very short notice.

All relevant details about the different activities are documented on the Initiative’s website <http://www.abs-initiative.info>.

National / regional implementation

Liberia: No progress towards the finalization of the draft national ABS bill and subsequent implementation by the Environmental Protection Agency (EPA) can be reported. Obviously other priorities have prevented EPA to follow up with the ABS Initiative on the continuation of the national support (see Chapter 6, Outcome 2.1).

Within the framework of the **UNEP/GEF-4 African ABS Capacity Building Project Cameroon, Madagascar, Senegal and South Africa** finalised successfully the implementation of their country components. The financing agreements with **Kenya** and **Mozambique** have been extended into 2014 to allow them to finalise the planned activities and achieve the intended outcomes.

Role of ILCs in national implementation of the Nagoya Protocol: This workshop was postponed to May 2014 and instead the Initiative organized a training on IPRs and TK for ILCs, in collaboration with Natural Justice. This was done by request of ILCs through the partner networks IIN and IPACC.

Value chain establishment

Burkina Faso – “International Forum Africa and Beauty” (FIAB): Regional security concerns which were triggered by the political unrest in Mali early 2013 led to the decision of the organizers to postpone FIAB to February 2014.

Understanding the business potential of GR and aTK: The late start in drafting the terms of reference for the assessment of ABS related business opportunities in the six countries under the



UNEP/GEF-4 project (see Outcome 2.1 and 3.1) turned into a chance to significantly upscale the scope of the study, also due to BMZ funds that were made available at short notice mid-2012. The study is being conducted by consultants and consists of three parts:

- Legal assessment with a view to estimate transaction costs for users and providers.
- Overview appraisal of commercial value of genetic resources based on a patent analysis and breakdown of market potentials.
- Assessment of enabling environments (actors, institutions) conducive for ABS agreements.

Due to its nature the progress and success of the study is heavily dependent on the feedback from the respective country authorities to the consultants which partially reverted very tardily. However, it is planned to present the studies at the margins of COP 12.

Study – Negotiations between companies and ILCs: Due to heavy workload in 2013 Natural Justice is now planning to finalize the study in time for COP 12.

Amplifying ABS processes

Integrating ABS in the German bilateral (financial) development cooperation programme in Namibia is making slow progress. With some delay – due to change of the terms of reference during the study phase a pre-feasibility study on a R&D platform targeting at the identification of active elements for the valorisation of genetic resources from Namibia and other Southern African countries has been finalized, determining a possible legal setup of the platform, management and governance options. This serves as a basis for the actual feasibility study of the platform in 2014, commissioned by the Namibian Ministry of Environment and Tourism, which has been agreed upon at the German-Namibian negotiations end of 2013. At the time of editing this progress report a call for tender to conduct the feasibility study was published.

(Sub-)Regional capacity development and coordination for relevant international processes

The finalisation of the **AU Guidelines on a Coordinated Implementation of the Nagoya Protocol in Africa** was scheduled for the verification workshop in October 2013. The delegates decided that they could not finalise the Guidelines without having discussed all three parts of the document. Due to delays in writing the Guide for Implementation and the MAT Templates, the workshop could only be provided with the part 1, the Policy Framework. A second meeting to discuss the Guide was scheduled for February 2014, the verification of all three parts is scheduled for a workshop in July 2014. The adoption of the AU Guidelines by AMCEN is foreseen to happen in September 2014.

Linking ABS with protected area management – BIOPAMA: Obviously the number of suitable cases is not sufficient to provide a sound basis for a broader analysis. Therefore, the IUCN World Parks Congress in November 2014 in Sydney, Australia, will provide a forum to further conceptualize with relevant partners the study on the legal interfaces between ABS, protected area management and forest governance which was planned as a follow-up of the expert workshop “The Nagoya Protocol: Opportunities and Challenges for Protected Area & Forest Governance” (organized by the Initiative in November 2012 in Eschborn, Germany).

Due to the heavy workload of the ABS team the policy briefs addressing the common governance challenges and opportunities of funding PAs through ABS as well as the guidelines for PA managers could not be finalized in 2013. It is now planned to have the policy briefs and the guidelines ready for CBD COP 12 and World Parks Congress in October and November 2014 respectively.

ABS and intellectual property rights (IPRs): The Portuguese course for ABS National Focal Points on the basics of IP instruments and challenges of integrating IPRs in PIC and MAT had to be postponed to January 2014 due to timing constraints of the training team. For the same reason the French course is now scheduled for the first week of April 2014.

Legal & Technical Skills Training Course: The second course envisaged to focus on marine bioprospecting and to take place in November 2013 in Mauritius has been rescheduled to the first week of May 2014 in Zanzibar.



5. Steering Committees and General Assembly

Africa

The annual meeting of the Steering Committee (SC) for Africa took place on 2 and 3 March 2013 in Phalaborwa, South Africa, back-to-back with the 7th Pan-African ABS Workshop. As in previous years, donor representatives used the opportunity to participate for at least a few days in the 7th Pan-African ABS Workshop, to intensify their exchange with African stakeholders and to get first hand impressions and feedback on the capacity development needs.

The discussions during the meeting focused on (1) the cooperation of the ABS Initiative with national and regional GEF (NPIF and STAR) projects and GEF SGP country programs, and (2) the interest of AFD to become a member of the ABS Capacity Development Initiative. After some clarifications regarding the regional and intervention process related focus – value chain development in Africa – of the French contribution, the SC members welcomed the interest of AFD and mandated the Secretariat to finalize the discussion with AFD if possible before the end of the year in order to ensure planning security for 2014 and 2015.

As agreed by the SC the Secretariat invited

- Prof Ahmed Birouk (Laboratoire Phytogénétique et Biotech. Végétale Hassan II Université, Rabat), representing research and
- Mr Moscow Marumo (DEA, South Africa) representing a Competent National Authority, and
- Mr Attari Boukar (Conseil National de l'Environnement pour un Développement Durable, Niger) representing a ICNP ABS National Focal Point

as members of the African Steering Committee of the ABS Capacity Development Initiative. The invitations were accepted. Furthermore, it was suggested that a representative of the country hosting the African SC meeting should be invited to the meeting.

After the 2013 SC meeting, work plan and budget 2013 for Africa were revised by the Secretariat of the Initiative according to the decisions of the SC and approved by the SC via email. As requested by the African SC members the Secretariat prepared a short paper outlining the governance structure of the ABS Initiative, the function of the different bodies and the criteria for SC membership. The paper was approved in September 2013 by the Joint Steering Committee via email silence procedure and can be downloaded at http://www.abs-initiative.info/uploads/media/Governance_Structure_ToR.pdf.

Caribbean

The Caribbean Steering Committee met back-to-back with the 2nd Caribbean ABS Workshop in November 2013 in Kingston, Jamaica. The meeting developed and adopted the 2014 Caribbean ABS Roadmap, based on the results of the preceding workshop. In addition, the Steering Committee suggested convening a regional conference bringing together scientists, economists, and lawyers from public and private entities as well as regulators with a view to enhance the mutual understanding of the needs and operations of the different actors in the value chain, supporting the creation of enabling legal ABS frameworks, and supporting compliance with such frameworks by all actors. For raising funds for such a conference the Initiative cooperates with the GIZ implemented project Blue Solutions.

The next regional workshop and Steering Group meeting is planned for November 2014 in St. Lucia. The CARICOM Secretariat is still contemplating whether the ToR of the Steering Group need to be amended to meet the requirements of CARICOM Steering Committees. A draft MoU has been submitted to the cooperating CARICOM partners and is under consideration.

Pacific

Back-to-back with the 4th Pacific ABS Workshop in Suva, Fiji, the Initiative organized the second meeting of the Pacific Steering Committee on 30 November 2013. Discussions focused on how to best continue supporting the implementation of the Nagoya Protocol at national level. With a view to cost effectiveness it was agreed that the next regional workshop should be scheduled back-to-back with the World Parks Congress in November 2014 in Sydney, Australia. Responding to the high interest on



the presentations on marine bioprospecting held by the ABS Initiative in the context of the 4th Pacific ABS Workshop it was suggested by the SC members that more research about the status of marine bioprospecting should be initiated by the Initiative and presented at the next regional workshop.

SC members appreciated the close collaboration between the ABS Initiative and UNDP/SGP which led to the development and approval of two GEF-SGP funded projects (FSM and Vanuatu) in 2013.

The work plan and budget for the Pacific in 2014 were discussed and agreed upon. The documents were finalized after the meeting by the Secretariat of the Initiative and approved by the Pacific SC via email.

General Assembly

No meeting of the General Assembly was scheduled in 2013.

6. Assessment of Impacts

Responding to the request of the Steering Committee, the report on the implementation of the Workplan 2013 is structured along the outcome indicators as listed in the Programme Document 2012-2015 and thus provides directly an overview on the **project impacts achieved until the end of 2013**.

6.1 Outcome 1.1 – Support for ratification

Objective 1: ACP countries have ratified the Nagoya Protocol and benefit after its entry into force from its compliance mechanisms at the international as well as national levels.	
Outcomes	Indicators and Means of Verification (MoV)
1.1 Partner countries of the Initiative have acquired the analytical and communication skills as well as the essential information necessary for the timely ratification of the Nagoya protocol (in close cooperation with SCBD)	At least 8 African and 2 CP countries are using the CEPA material including the CEPA toolkit developed by the ABS Initiative. <i>MoV: Reports of meetings; Interviews</i>
	CEPA Guide launched and copies distributed at COP 11; Triggered by the Multistakeholder Training in Paris (see Outcome 5.1) a process for communication and the involvement of stakeholders in the development of the national ABS strategy has been initiated in Benin (see Outcome 2.1); New corporate design; information/dissemination tools (ABS News Digest, Flickr, ABS calendar)
	At least 20 African and 6 CP countries have initiated ratification related consultation processes until 12/2013. <i>MoV: Number of ratifications</i> Status: Benin, Botswana, Burkina Faso, Comoros, Côte d'Ivoire, Egypt, Ethiopia, Gabon, Guinea-Bissau, Mauritius, Rwanda, Seychelles, South Africa – Fiji, Micronesia

CEPA materials: Significant changes and innovations were initiated in 2013 to further to strengthen the Initiative's role as an information and knowledge broker on ABS and to create a sound basis for communication and knowledge management of the ABS Initiative in the coming years:

- The Initiative updated its corporate design. So far, the feedback has been very positive.
- More than 1.000 documents have been produced by the Initiative and its partners during the past eight years – reports, presentations, policy briefs, technical briefs, guidebooks and peer review publications etc. All these information resources will now be made available to different stakeholders according to their needs through the newly created website of the ABS Initiative which will be launched in March 2014. Photos from the different events can now be viewed and downloaded from the newly established Flickr site.
- The weekly ABS News Digest was launched in September 2013 and is reaching more than 1.100 subscribers. In addition to the regular content, at least three organizations/individuals request to have their information posted in each edition.
- Based on the positive feedback about the usefulness of the first ABS calendar which was produced in 2012 a new edition of the calendar highlighting national and regional ABS experiences has been produced in 2013. 1.900 copies of the calendar have been disseminated among stakeholders.



Africa

Central Africa: The COMIFAC Secretariat organized in April 2013 a Central African Parliamentarians (REPAR) briefing on the Nagoya Protocol in Burundi. The ABS Initiative provided technical support in developing the agenda of the briefing. Furthermore, the CEPA material produced by the Initiative was used and disseminated.

Maghreb: In partnership the SCBD and the ABS Initiative ran a session on the ratification of the Nagoya Protocol during the workshop “The Nagoya Protocol and Access and Benefit-Sharing : example for the implementation of NBSAPs” which was also organized in April 2013 by the GIZ implemented Regional Project Silva Mediterranea (SilvaMed) in Algiers, encompassing Morocco, Algeria, Tunisia and Lebanon.

The Initiative supported in 2013 two AU meetings on ABS NP guidelines where AUC repeatedly encouraged African MS to ratify the NP, making reference to the **African Ministerial Conference on the Environment (AMCEN)** in Arusha, Tanzania, in September 2012. In their decision, ministers were calling upon the member states to ratify the Nagoya Protocol and endorsed the ABS Initiative supported process of developing guidelines for a coherent implementation of the Nagoya Protocol in Africa.

In order to support this process, targeted bilateral consultations on the ratification of the Nagoya Protocol took place with key decision makers (Ministers, State Secretaries, Heads of Agencies, Permanent Secretaries, Commissioners, Parliamentarians, etc.) in Cameroon, Namibia, South Africa, Morocco, Kenya, Seychelles and Egypt.

Further, at all major activities conducted or organized by the ABS Capacity Development Initiative, representatives of the SCBD, whenever possible, made reference to the importance of ratifying the Nagoya Protocol as the major international legal framework for ABS (e.g. at the 7th Pan-African ABS Workshop, the Dialogue on Practical Ways Forward for the Implementation of the Nagoya Protocol).

These events, as well as the ABS related capacity development activities during the last years contributed to the fact that a large number of African countries initiated their ratification processes. Until the end of 2013, thirteen African countries have ratified the Nagoya Protocol (see list above) and according to SCBD Statements at ICNP 3 ratification is expected to occur soon in:

- Chad, DR Congo, Ghana, Kenya, Liberia, Namibia, Niger, Madagascar, Tanzania, Togo and Uganda

Caribbean

Based on the mandate of the **39th Special Meeting of the Council for Trade and Economic Development (COTED) - Environment and Sustainable Development** from 2012 encouraging the ratification of the Nagoya Protocol by CARICOM Member States and requesting the CARICOM Secretariat to collaborate with the ABS Initiative an overview of the state of ABS policies and regulations in the Caribbean states was compiled by the Initiative and presented at the **2nd regional ABS workshop** in November 2013 revealing that 9 out of 16 Caribbean ACP-countries are progressing with ratification of the Nagoya Protocol:

- Antigua & Barbuda, The Bahamas, Cuba, Dominica, Grenada, Guyana, Jamaica, St. Lucia, República Dominicana

The Initiative supported the Caribbean states in the ratification process through a financial and expert contribution to the CARICOM **Training Workshop on Drafting Legislation for the Implementation of the Nagoya Protocol** in June in Dominica. This workshop was convened by the CARICOM Secretariat through its ACP-EU program on Capacity Development for the Implementation of Multilateral Environmental Agreements.



Pacific

Support for national consultation processes: In 2013 country visits in the Cook Islands, Micronesia and Vanuatu provided ample opportunities to brief stakeholders about ABS in general and the Nagoya Protocol specifically.

The regional Training on ABS and IPR in August 2013 in Nadi, Fiji, and the 4th Pacific ABS Workshop in November 2013 in Suva, Fiji, provided, beside the formal update on the ratification process, many opportunities for the Focal Points to discuss and exchange about the challenges and practical approaches towards ratification.

These events and activities contributed to the initiation of the ratification processes by the following Pacific countries joining those countries who had already ratified/acceded/accepted/approved the Nagoya Protocol:

- Cook Islands, Kiribati, Marshall Islands, Palau, Papua New Guinea, Samoa, Vanuatu

6.2 Outcome 2.1 – National political, legal and institutional environments

Objective 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.	
Outcomes	Indicators and Means of Verification (MoV)
2.1 Partner countries have created and improved the necessary political, legal and institutional environments through national and regional dialogue processes involving relevant stakeholders for the valorisation of genetic and biological resources (government, private sector, research, ILCs, etc.).	At least 20 African and 6 CP countries have ABS related draft policies formulated. <i>MoV: Published policy</i> Status: Cameroon, Central African Republic, Gabon, Kenya, Madagascar, Morocco, Namibia, Rwanda, – Cook Islands, Micronesia
	At least 15 African and 4 CP countries have ABS regulations enacted. <i>MoV: Gazetted ABS regulations</i> Status: Ethiopia, Kenya, Mozambique, Namibia, Seychelles, South Africa, Uganda
	At least 8 African and 2 CP countries are implementing ABS regulations. <i>MoV: Commercial and non-commercial bioprospecting agreements under negotiation and/or signed</i> Status: Cameroon, Ethiopia, Gabon, Kenya, Madagascar, Malawi, Namibia, Seychelles, South Africa, Uganda – Cook Islands, Micronesia
	At least 5 African and 2 CP (sub-)regional organizations or networks have developed ABS related strategies / policy recommendations. <i>MoV: Policy documents</i> Status: COMIFAC ABS strategy; SADC Biodiversity Strategy; AU Guidelines (draft under development; see Outcome 5.3); PhytoTrade Africa - SPREP

The level of progress of the national implementation of the Nagoya Protocol and the types of support processes provided by the ABS Initiative vary from country to country.

Africa

Benin: The ABS Initiative continued to support the national consultation process on ABS with the objective to build capacity and develop the national ABS strategy, legislation and institutional framework. To this end, a financing agreement with the national NGO CESAREN supports activities for awareness raising, stakeholder consultation and pilot measures with local communities. A briefing of parliamentarians in partnership with the SCBD contributed to Benin's ratification of the Nagoya Protocol. Building on Benin's participation in the workshop on managing multi-stakeholder processes (see Outcome 5.1), the Initiative also facilitated an interactive meeting of key stakeholders to kick-start the development of Benin's ABS strategy and form a core group of motivated actors for the ABS process. The model for the interactive meeting will be replicated in other African countries.

Cameroon: Implemented by GIZ and with support of the ABS Initiative, including parallel funds of a regional UNEP/GEF project, stakeholder consultations and ABS related studies have been conducted, e.g. on traditional knowledge and on the national legal framework. The outcomes fed into a national ABS strategy published in early 2013. Further, an ABS committee comprising various ministry and civil society representatives was established to deal with national ABS implementation issues. This committee has already started working successfully, establishing a national bioprospecting roundtable.



Inclusive stakeholder consultations with respect to developing a comprehensive national ABS legal framework are being supported. In order not to stall ongoing negotiations of bioprospecting and ABS agreements, the ABS Initiative is technically supporting in parallel the **drafting and adoption of an interim ABS regulation**. The Initiative works closely together with the national GIZ implemented project ProPSFE and the Cameroonian Ministries of Forest and Environment towards the ratification (expected in spring 2014) and implementation of the NP, as well as with respect to ABS compliant value chains.

South Africa: As functioning South African ABS regulations are not only crucial for the country's providers and users, but due to numerous transboundary value chains, shared genetic resources and traditional knowledge also for the entire SADC region, the ABS Initiative reinforced 2013 its cooperation with stakeholders in South Africa – reaching from government over NGOs, research institutions and the private sector. Supporting the current revision of the RSA ABS regulations – with a view to make them more practical – the Initiative organized capacity building activities together with the Department of Environment (DEA) on experience exchanges with other countries and value chain analyses with the private sector (see also Outcome 3.1) and the Department of Science and Technology (DST) on the documentation of traditional knowledge. South Africa has requested further technical assistance from the ABS Initiative in order to further develop and implement their Biodiversity Economy Strategy, fostering R&D cooperation with respect to genetic resources and promoting international as well as national ABS compliant value chains. On the other hand, DEA has also offered to share their ABS implementation experiences with neighboring countries and to cooperate with the ABS initiative in regional capacity development.

Côte d'Ivoire: Côte d'Ivoire ratified the Nagoya Protocol in September 2013. The ABS Initiative is supporting an ABS approach for protected areas contributing to an innovative funding strategy for the world-renowned Taï National Park. Partners are the French National Museum of Natural History (MNHN), the Environment Ministry in Côte d'Ivoire, the national protected areas agency OIPR and the GIZ implemented programme PRODEMIR. Goals are the integration of ABS into the management of the park, the repatriation of biodiversity data from Taï Park and other areas by MNHN and the use of this data to enhance the management of protected areas and to engage with potential commercial users. In 2013 a technical coordination meeting was held at the MNHN with partners from Côte d'Ivoire to discuss the aims and needs of a database to host the repatriated data.

Liberia: A national consultant started to finalize the draft regulations based on the outcomes of the regional and national consultations which had been organized by the Environmental Protection Agency in 2011. In parallel the consultant began drafting implementing guidelines explaining the regulatory framework to the different stakeholders. However, no progress towards the finalization of the draft national ABS bill and subsequent implementation by the Environmental Protection Agency (EPA) can be reported. Obviously other priorities have prevented EPA to follow up with the ABS Initiative on the continuation of the national support.

Malawi: In order to facilitate the development of ABS agreements with foreign users of genetic resources from Malawi, the Environmental Affairs Department engaged in identifying appropriate approaches for streamlining the existing research approval process under the National Commission for Science and Technology (NCST) and related collection and export permitting processes involving different government agencies. The outcomes of a workshop in Mangochi in December 2012 lead 2013 to the initiation of the development of distinct national ABS regulations within the framework of the draft Malawian Environment Bill. With support of the ABS Initiative a study has been conducted to identify the weaknesses and gaps of the current Malawian laws and permitting systems including the lacking participation of local communities and TK holders in the negotiation of ABS agreements (see Outcome 4.1).

Morocco: The ABS Initiative supported in 2013 various meetings of Moroccan ABS stakeholders, led by the Ministry of the Environment and the Nature Protection Agency in order to fine tune the scope and working approach of the ABS component of the German Moroccan bilateral project *Adaptation to Climate Change and Valorisation of Biodiversity* (ACCN). For both ABS related clusters of activities –



the establishment of a national legal and institutional framework, as well as developing ABS compliant value chains in two pilot regions (see Outcome 4.1) – basic institutional arrangements were defined.

Namibia: Backstopped by the ABS Initiative the Namibian Ministry of the Environment and Tourism has finalized its draft ABS bill which has been submitted for parliamentary approval in late 2013. However, even without the legal framework formally approved, ABS regulations have already been implemented. For instance, with support of the German Federal Ministry for Economic Cooperation and Development (BMZ) and the ABS Initiative, benefit sharing agreements for indigenous natural products, such as *Marula* and *Commiphora*, have been developed, others are about to be brought forward.

UNEP/GEF-4 Capacity Building Project for Africa: Within the framework of the UNEP/GEF-4 Capacity Building Project for Africa, national measures for ABS regulations are being supported in Cameroon, Kenya, Madagascar, Senegal and South Africa. Activities in the countries are being implemented based on financing agreements between GIZ and the respective national executing agencies.

- **Cameroon:** The national ABS strategy has been completed and validated. An ABS capacity development approach was developed and activities were implemented for stakeholder consultation and information, as well as training of key actors. With that the project activities have been completed. For activities building on the outcomes of the UNEP/GEF project see Outcome 2.1 (above), 3.1 and 4.1.
- **Kenya:** For several reasons, including administrative delays in Kenya, activities are still very slow in implementation and will need to be completed in the extended project period in 2014; a gap analysis on expertise and capacity needs has been conducted; terms of reference were developed and a call for consultants has been issued for the development of a manual/toolkit and information materials on ABS. For activities linked to the UNEP/GEF project see Outcome 3.1 and 3.2.
- **Madagascar:** Communication plans and targeted tools were developed and used for each stakeholder group, and trainings for key actors were held. A gap analysis of existing legislation was conducted and the existing draft law was revised. In addition, activities towards a capacity development strategy, ABS toolkit and CHM have been implemented. The project activities have been completed. For activities building on the UNEP/GEF project see Outcome 3.1.
- **Mozambique:** The administrative difficulties for the start of the project were finally resolved in 2013. Activities are expected to be implemented in 2014.
- **Senegal:** Project activities are almost complete. National and provincial awareness raising workshops were held, a national ABS committee was created, and CEPA-activities were implemented including through national media. Activities towards ratification of the NP and the development of a national ABS strategy are under way.
- **South Africa:** Guidelines for the implementation of the South African Bioprospecting and Access and Benefit Sharing Regulations (BABS) of 2008 have been developed, translated into for South African official languages (Africans, TshiVenda, IsiXhosa, Sesotho) and disseminated. Awareness raising materials have been developed, such as a film explaining the national regulatory ASB framework and a booklet on FAQ about the BABS. Awareness among key stakeholders, such as ILCs, academia, private sector and other government authorities has been raised through target group specific workshops. The project activities have been completed. For related activities linked to the UNEP/GEF project see Outcome 2.1 (above), 3.1 and 3.2.

Caribbean

With a view to promote the agenda setting of ABS in the relevant national policy processes of the Member States, the **CARICOM Secretariat** is cooperating closely with the ABS Initiative. A draft Joint Declaration of Intent was submitted to the CARICOM Secretariat and the BMZ and is under consideration.

Awareness on ABS and national implementation of the Nagoya Protocol in the Caribbean is in its initial phase. **Antigua & Barbuda, Grenada and the Dominican Republic** signed the Nagoya Protocol.



With the support of the CARICOM Secretariat **Antigua & Barbuda, Dominica, St. Lucia** and the **Dominican Republic** drafted ABS bills in 2013. With ABS regulations from the 1990s is **Cuba** the only Caribbean country with a functioning ABS system; the updating with regard to the new provisions of the Nagoya Protocol is under way.

The Bahamas: At the IUCN organized BIOPAMA inception workshop early 2013, the ABS Initiative proposed marine bioprospecting as a main topic in national and regional ABS support. Continued access to a soft coral species in The Bahamas with subsequent R&D, patents and successful development of cosmetic products could be identified as a potential case study. The discussion with experts from The Bahamas and the UNEP office Washington resulted in the decision of The Bahamas to apply for a GEF MSP on ABS and involving the ABS Initiative as partner. A first planning workshop took place in January 2014.

Guyana: The Amerindian Act of 2006 gives indigenous peoples full land and resource rights. By consequence, their PIC is required and they have the task to negotiate MAT. The Environmental Protection Agency (EPA) is in the process to update an existing draft ABS Bill in light of the new requirements of the Nagoya Protocol, aligning it with the Amerindian Act. At the same time, the Bill is being integrated into the national low carbon development strategy aiming to develop a functional ABS system for genetic resources of the state and of indigenous peoples including their associated traditional knowledge. The Initiative offered its support for this process to EPA.

St. Lucia: Initial discussions on possible support by the ABS Initiative resulted in the decision to start concrete activities supporting the implementation of the Nagoya Protocol in 2014.

Pacific

Cook Islands: Triggered by discussions at the margins of the Oceania Biodiscovery Forum (see Outcome 3.1) in November 2012 the development of a GEF NPIF proposal was initiated to adapt the draft ABS Bill (Biological Research and Benefits Bill) of 2006 to the provisions of the Nagoya Protocol based on the lessons learned from the ABS agreement negotiated between Cook Islands Medical Technologies (CIMTECH) Pty Ltd and the Koutu Nui (legally recognised assembly of traditional leaders and healers). Stakeholder consultations were conducted with the support of the ABS Initiative in November 2013 to inform about the Nagoya Protocol and identify gaps in the proposed access and PIC procedures.

Micronesia (Federated States of): FSM ratified the Nagoya Protocol in January 2013 and conducted soon after national stakeholder consultations and a gap analysis regarding the implementation of the Protocol. In parallel the National Focal Point requested technical support from the ABS Initiative for formulating an ABS policy and a roadmap for developing the federal and state level regulatory ABS framework. In August 2013 the FSM Department of Resources and Development organized a national ABS Capacity and Policy Development Workshop in Pohnpei and a workshop on Drafting of an Access and Benefit Sharing Policy in November 2013 in Chuuk. Representatives of the ABS Initiative attended both events as resources persons and trainers.

Palau: Based on a series of consultative meetings together with the Australian ABS NFP in May 2012, with stakeholders (government authorities, ministers, the President, the Traditional Council of Chiefs, research institutions and civil society), recommendations for the implementation of the Nagoya Protocol were developed and submitted to the ABS National Focal Point of Palau. No follow up took place in 2013.

Samoa: Briefing meetings with representatives of the Ministry of Natural Resources and Environment and the Scientific Research Organization of Samoa were held in March and May 2012 jointly with representatives of the SCBD and the Institute of Advanced Science of the United Nations University (UNU/IAS). With the support of UNU/IAS Samoa continued in 2013 the ratification and national implementation process.

Vanuatu: A series of consultative meetings with relevant government authorities was held in March 2012 jointly with a representative of UNU/IAS and a researcher of the University of New South Wales



(UNSW) in order to identify support needs in Vanuatu on its way towards ratification and implementation of the Nagoya Protocol. Further consultative meetings were jointly held with civil society organisations, the Department of Environment and Conservation and a representative of the GEF UNDP Small Grant Programme (GEF SGP) in November 2012 leading to the development of a GEF SGP funded ABS CEPA programme for Vanuatu's local communities which was approved in 2013. The Vanuatu NGO Network (VANGO) will start with the implementation of the project in 2014 and be technically supported by the ABS Initiative.

6.3 Outcome 2.2 – Stakeholder views are reflected

Objective 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.	
Outcomes	Indicators and Means of Verification (MoV)
2.2 Stakeholder views are reflected in ABS related national strategies and/or policy documents.	BCPs or equivalent community level procedures are recognized in ABS regulatory frameworks in at least 5 African / 2 CP countries. <i>MoV: Regulatory frameworks</i> Status: Liberia (draft), South Africa, AU Guidelines under development – Cook Islands (draft), Vanuatu (draft)
	Interests of national research organisations, academia and the private sector are reflected in ABS regulatory frameworks in at least 5 African and 2 CP countries. <i>MoV: Interviews with stakeholder representatives (e.g. ILC, private sector, academia, negotiators, legislators)</i>

In partnership with GEF SGP, the capacity of national SGP focal points and committees was built regarding ABS and community level procedures, such as BCPs, in order to generate SGP-funded projects at community level (see Outcome 4.1):

- In Africa, grants were approved in Benin and Niger, submitted in South Africa and are being discussed in Cameroon.
- In the Pacific, a strategic grant was approved in Vanuatu.
- In the Caribbean, a draft proposal is under discussion in Saint Lucia.

Africa

Supported by the ABS Initiative, **Natural Justice and ETC-COMPAS** are implementing the **African BCP Initiative**. In its second phase, this BCP Initiative is increasingly supporting communities to use their BCPs in dialogue with the government and other stakeholders, thereby contributing to greater recognition of the instrument (see Outcome 3.2).

Furthermore, **support activities at national and regional level** are directed towards a better understanding of stakeholder perspectives and interests in regulatory ABS frameworks. Examples are:

- Defining a **multi-stakeholder vision and process** for the development of the national ABS policy in **Benin** (see outcome 2.1).
- **Inclusive briefing on ABS with traditional leaders** of all provinces in **Cameroon** as well as **dialogue/negotiation meetings** between user, providers, civil society and national authorities in Cameroon in view of negotiating an ABS agreement (see outcome 3.1). These exchanges are taking place in parallel to the development of a national ABS regulatory framework and are informing that process.
- **Consultative meetings with all relevant stakeholders in Morocco**, including research institutions, private sector and cooperatives in the development of the national ABS strategy and the project design of the GIZ implemented bilateral project *Adaptation to climate change – implementing Nagoya Protocol* (see outcome 4.1)
- The development of the **Research and Development Platform for Southern Africa in Namibia** in collaboration with PhytoTrade Africa, relevant Namibian government authorities, and further stakeholders from research, private sector and civil society
- **ABS Business Dialogue** in Copenhagen in September 2013 (see Outcome 3.1)



- “**Public-private sector exchange** on ABS in Southern Africa – Developing Policy and Implementing Best Practices” based on ABS regulation and value chain analysis (see Outcome 3.1)
- **The meeting on TK Documentation in Africa** fostered a discussion of representatives from global, regional and national governmental institutions on environment, research, technology and intellectual property with holders of traditional knowledge (TK) on appropriate protection, conservation and utilization of TK associated with genetic resources (see Outcome 5.1)

Caribbean

The **Jamaican SGP** representative was invited to participate at the 2nd Caribbean ABS Workshop. It was agreed with CARICOM that national **SGP representatives and organisers of biodiversity-related SGP projects** will be invited for future workshops and activities. The planned ABS project in **St. Lucia** should be used to initiate a closer cooperation with SGP projects, especially because St. Lucia provides a vibrant system of local communities.

Concrete support activities of the ABS Initiative in Guyana started in 2013 with a cooperation of the non-governmental **Justice Institute Guyana** convening a workshop on **empowering indigenous and local communities to use the Nagoya Protocol** in December 2013 (see Outcome 3.2.).

Pacific

The **Oceania Biodiscovery Forum** in November 2012 (see Outcome 3.1) contributed to improve the understanding of Pacific ABS National Focal Points and representatives of relevant regional organisations how academic biodiversity research, biodiscovery and development of commercial products, based on biological and genetic resources, are interrelated. This triggered concrete requests from Cook Islands and FSM for supporting the national consultation and implementation processes in 2013 (see Outcome 2.1).

Triggered by the expert workshop on the coherent national implementation of the Nagoya Protocol and the ITPGRFA in Rome in January 2013 organized by the Initiative in collaboration with the SCBD and the Treaty Secretariat, the curators of the PGRFA and the Pacific tree gene bank at the **Secretariat of the Pacific Community (SPC)** approached the Initiative for support in aligning their material transfer agreements to the requirements of the Nagoya Protocol for those species and crops which are not accessed with the SMTA under the Treaty (see Outcome 5.2).

6.4 Outcome 3.1 – ABS partnerships between providers and users

Objective 3: Valuation of genetic resources in provider countries is improved and functioning ABS agreements contribute to biodiversity conservation and livelihoods of rural populations.	
Outcomes	Indicators and <i>Means of Verification (MoV)</i>
3.1 Pilots and models for ABS partnerships between ‘providers’ and ‘users’ for specific value chains have been developed and disseminated.	ABS agreements are in place in at least in 5 African and 2 CP countries. <i>MoV: Commercial and non-commercial bioprospecting agreements</i> Status: Malawi (draft), Cameroon (draft), Namibia, South Africa (non-disclosure agreement), PPP for ABS agreements in Morocco, Burkina Faso, Gabon and Madagascar under preparation

The dialogue with users of genetic resources from the private sector and from applied research was intensified during 2013. Both, individual exchanges with companies and associations, as well as targeted workshops and meetings such as the Copenhagen Business Dialogue or the Public-Private Sector Exchange in Southern Africa, allowed for a better understanding of business models and R&D schemes with regard to the utilization of genetic resources.

These deliberations lead 2013 to spelling out first common pilot project approaches with the private sector – be it on a basis of open cooperation (Cameroon), in preparing a GEF-NPIF project (Cook Islands) or in developing a comprehensive public-private partnership agreement between GIZ and a French cosmetic holding (Morocco, Burkina Faso, Gabon, Madagascar).

Other evidences of private sector demand for cooperation with the ABS Initiative in 2013 are



- the invitation of a French natural pharmaceutical/cosmetics leader to the management of the initiative to join their advisory board in order to recommend on corporate ABS issues,
- the request of the Danish Industry Association to – jointly with the ABS Initiative – sketch out an explorative visit of their members to the Southern African region in order to identify possible ABS partnership projects,
- the suggestion by the International Chamber of Commerce and the German Biotechindustry Association to develop in cooperation with the ABS Initiative technical briefing papers that explain sectoral R&D and business models for better informed MAT negotiations.

Africa

Relevant progress has been made on the dialogue and co-operation with the private sector on ABS. At the third **ABS Business Dialogue** “The Nagoya Protocol on ABS – Implementing the Green Economy” in September 2013 in Copenhagen, Denmark, representatives from a variety of sectors and business areas discussed selected business and R&D models utilizing genetic resources. Updates on relevant developments around ABS were provided. Attendees identified ways that CSR policies could integrate ABS. Findings from the technical discussions were conveyed to high-level representatives of governments from North and South, relevant business and industries and other international institutions.

At the 2013 ABS Business Dialogue in Copenhagen the French cosmetic and luxury goods Holding **LVMH** has announced the elaboration of a **Public Private Partnership (PPP) with the ABS Initiative**, to be executed by GIZ and co-financed by BMZ. The draft project proposal was developed at various meetings with LVMH in 2013 and comprises the establishment of ABS compliant value chains for cosmetic products – including bioprospecting elements – in four African countries. A further element of the PPP which is expected to be signed in 2014 is the elaboration of ABS guidelines and standards for the entire LVMH group and their supplying small and medium sized companies.

The ABS Initiative **consulted with industry on ABS approaches** at several events, such as the In-cosmetics fair, the annual meeting of the Responsible Ecosystems Sourcing Platform (RESP), the UEFT Annual General Meeting (all April 2013), the PhytoTrade Africa Annual Meeting (June 2013), the SCBD Global Partnership Meeting on Business and Biodiversity (November 2013) and the GEF high level meeting on “Private Sector and Biodiversity Based Innovation”. This resulted in a number of concrete follow-up meetings on **cooperation possibilities with the ABS Initiative and provider countries**.

Supported by the Initiative, UEFT and PhytoTrade Africa implemented a project designed to **improve the business engagement for ethical sourcing of African biodiversity**. The Initiative’s continuing engagement supported building ABS related capacities of the members of UEFT (European users of genetic resources) and PhytoTrade Africa (Southern African users and providers of genetic resources) and to integrate ABS requirements into supply chains of UEFT member companies. In 2013, more than 80 industry representatives were informed about the progress of Nagoya Protocol implementation in Africa and discussed sourcing possibilities at the UEFT annual meeting in Paris.

The project **ABS in Southern Africa – Developing Policy and Implementing Best Practices** (implemented by PhytoTrade Africa) started 2013 and will be continued in 2014. Its objective is to support the **development of regulations and procedures for the national implementation of the Nagoya Protocol based on practical case studies on current value chains** as well as utilisation schemes of biological and genetic resources in the Southern African region. Particular attention is given to transboundary aspects of product value chains and the resulting challenges for national ABS systems and regulators. Based on country and utilisation assessments, as well as a gap analysis on existing relevant laws and regulations in the Southern African region in 2013, a workshop was held mid-February 2014 in Pretoria, South Africa, to elaborate recommendations for an improved cooperation between the private sector, research, governments and the SADC Secretariat.

In **Cameroon**, the Initiative is supporting dialogue and negotiations for the signing of an ABS agreement and the establishment of a value chain based on an *Asteraceae* species. A preliminary “PIC” agreement was signed between the provider community, the user (a French fragrance



company⁴) and the supporting local NGO. Negotiations are underway for the signing of an ABS agreement conferring Cameroon's PIC for the utilization of the resource in a research phase and outlining MAT for that phase. The process is an opportunity for national authorities to reflect on institutional arrangements to be put into place for granting access to GR in the future. This in turn is informing the drafting of a national interim decree regulating ABS until legislation can be enacted.

In **Madagascar** the Initiative has supported and facilitated in September 2013 an ABS round table with the private sector, civil society and parastatal actors with the objective to define ABS minimum conditions – such as codes of conduct – in the absence of ABS regulations and a functioning government. Furthermore, the ABS Initiative advises the GIZ-implemented **Programme Almano-Malgache pour l'environnement (PGM-E)** on the integration of ABS into their portfolio (see Outcome 4.1).

In **Kenya** the ABS Initiative was invited to provide input to a workshop on research activities in the Soda Lakes in December 2013 – a hotspot for extremophile bioprospecting by academia and industry. Access to these genetic resources and subsequent R&D are unsatisfactorily addressed by the current Kenyan ABS regulations and only partially covered by ABS agreements. In order to unfold the ABS potential of these and other Kenyan ecosystems, Kenya Wildlife Service (KWS) and the National Environmental Management Authority (NEMA) have requested the ABS Initiative to support the revision of the national regulations and the elaboration of sound and tailor made ABS agreements with academic and industrial users. In this context the Initiative has been asked to advise on the development of a GEF-NPIF project supporting an ABS agreement covering microbial biotechnology and its industrial application (see also Outcome 2.1).

Assessing and identifying ABS related value chains and business opportunities: In early 2013 the terms of reference for a study assessing ABS related business opportunities in the six countries under the UNEP/GEF-4 project (see Outcome 2.1) have been developed. The analysis is being carried out since mid-2013 by consultants and comprises three components: (1) a legal assessment with a view to estimate transaction costs for users and providers, (2) an overview appraisal of commercial value of genetic resources based on a patent analysis and breakdown of market potentials, and (3) an assessment of enabling environments (actors, institutions) conducive for ABS agreements. It is planned to present the methodology and the content of the studies at a side event at COP 12.

Pacific

The Australian Government, the Secretariat of the Pacific Regional Environment Programme (SPREP) and the ABS Initiative organized jointly the **Oceania Biodiscovery Forum** at the Eskitis Institute of the Griffith University in Brisbane, Australia, in November 2012. Participants from the Pacific islands developed a better understanding of the global standards for the use of genetic resources and the need and interests of the users of GR and associated TK, i.e. academic or research institutions and industry.

Triggered by discussions at the margins of the Oceania Biodiscovery Forum the development of a **GEF NPIF proposal for the Cook Islands** was initiated

- to adapt the draft ABS Bill (Biological Research and Benefits Bill) of 2006 to the provisions of the Nagoya Protocol based on the lessons learned from the ABS agreement negotiated between Cook Islands Medical Technologies (CIMTECH) Pty Ltd.
- to revisit the ABS agreement between CIMTECH and the Koutu Nui – council of traditional leader and healers – to ensure that it is compliant with the new ABS Bill ensuring technology transfer to the Cook Islands and investment of monetary benefits in biodiversity conservation (see also Outcome 2.1).

⁴For confidentiality reasons names of individual companies cannot be disclosed in the report at the stage of initial discussions or exchanges with the Initiative.



6.5 Outcome 3.2 – BCPs or equivalent community level procedures

Objective 3: Valuation of genetic resources in provider countries is improved and functioning ABS agreements contribute to biodiversity conservation and livelihoods of rural populations.	
Outcomes	Indicators and Means of Verification (MoV)
3.2 BCPs or equivalent community level procedures function as pilot interfaces between ILCs and bio prospectors acknowledging local level rights.	ABS relevant BCPs or equivalent community level procedures are in place in at least 5 African and 2 CP countries. <i>MoV: Signed BCP Documents</i> Status: Ethiopia, Ghana, Kenya, Namibia, South Africa

Africa

Supported by the ABS Initiative **Natural Justice, ETC-COMPAS** and **CIKOD** are implementing the **African BCP Initiative** with the goal to support further development of biocultural community protocols in Africa and to work towards their legal recognition. In its second phase, this initiative has been able to support local communities in the implementation of their BCPs – some of them still in draft form due to ongoing community processes – in dialogues and negotiations with governments and other actors:

- In **South Africa**, the **Kukula Traditional Healers Association** is using its BCP in negotiations with Park authorities to regain access to traditional harvesting areas of medicinal plants. An initial non-disclosure agreement signed 2013 with a local cosmetics company for research on TK unfortunately did not develop into a fully-fledged ABS agreement. However the Association will approach entities such as CSIR and MSP in 2014 to propose agreements on the use of their TK. The process has also demonstrated the importance of instruments such as BCPs to ensure the resilience of local structures when a first agreement with a user is discontinued. At the national level, the Khoi-San Council, who is mandated by the government to conduct negotiation on behalf of its member communities, is using a BCP-process to get a locally legitimized mandate for this leadership from the communities. One ABS agreement has been signed on the use of Buchu between the Council and a national business, Cape Kingdom, and a second agreement is being negotiated on Roiboos with Nestlé.
- In **Namibia**, the **Khwe communities** in Bwabwata National Park are mapping their resources and associated TK as part of their BCP-process and are exploring the possibilities of ABS agreements based on this TK.
- In **Kenya** and **Ethiopia**, several BCP processes have revolved mostly around issues of community lands and land tenure and have supported dialogue on recognition with government entities. Important lessons are emerging regarding proper BCP processes in situations with urgent timelines (such as large-scale development projects but also private sector interest in GR and associated TK).
- In **Ghana**, the BCP process in **Shea-harvesting communities** in northern Ghana is continuing with the inclusion of larger groups of farmers and will be exploring opportunities in biotrade and ABS in 2014.
- A further component of the BCP Initiative, to analyze existing mechanisms for community involvement in value chains and the development of “biocultural dialogues” with user companies, will be underway in 2014.

Largely as a result of the partnership of the Initiative with the **GEF UNDP SGP** (see outcome 4.1), GEF Small Grants have been approved in **Benin** (for the development of BCPs, documentation of TK and ABS capacity development of custodians in two sacred forests) and **Niger** (for TK documentation through the national association of traditional healers); a third grant was submitted by the Kukula Traditional Healers Association in **South Africa**, and a new grant is being discussed in **Cameroon** for ABS capacity building in the community involved in the value chain based on an *Asteraceae* species (see outcome 3.1).

In **Cameroon**, the Initiative also co-organized a national meeting of traditional leaders in November 2013 to raise awareness on ABS and discuss the role of traditional authorities in ABS processes.



Caribbean

Guyana: The training “Empowering indigenous and local communities to use the Nagoya Protocol” took place in December 2013 in Georgetown. It was hosted by the country’s Justice Institute and focused on procedures for Free and Prior Informed Consent related to access to genetic resources and associated traditional knowledge, as well as how to obtain a fair share of the benefits. A key outcome of the event was the recommendation from participants that Guyana should accede to the Nagoya Protocol and a list of ABS elements to be integrated into national and local activities strengthening indigenous and local communities. The following meeting of the Executive Committee of the National Tosaos Council – elected representatives of indigenous communities – acknowledged the role of the ABS Initiative in capacity building for indigenous and local communities. A further cooperation with the Justice Institute and the Initiative was recommended.

Pacific

In partnership with **GEF UNDP SGP** (see Outcome 4.1), a **strategic small grant was approved for Vanuatu** for awareness raising on ABS including the need to define community procedures including BCPs. Further grants are being discussed in Fiji and Samoa.

The Initiative, UNDP GEF SGP and Natural Justice organized a **specific ABS session at the 9th Pacific Islands Conference on Nature Conservation and Protected Areas**, 2-6 December 2013 in Suva, Fiji. National SGP coordinators, representatives of NGOs, ILCs, academia and international organizations were present at this and the many other events of the conference.

6.6 Outcome 4.1 – Amplifying ABS capacity development

Objective 4: National, bilateral and international partners are supporting ABS implementation at national and (sub-) regional level.	
Outcomes	Indicators and Means of Verification (MoV)
4.1 Government and non-government organizations including funding agencies have integrated ABS implementation in relevant sectors of their work programmes such as environment, agriculture, trade, governance, etc.	X institutions / organisations recognize ABS as an opportunity for (supporting) sustainable development. <i>MoV: Statements, integration in policy documents and concept notes, websites, etc</i> Status: AU, AMCEN, EAC, SADC, SPREP, IUCN, CI, Danish Industry Association, German Biotechindustry Association, PhytoTrade Africa, SEPDD, UEBT
	x institutions / organisations conduct support activities for ABS implementation <i>MoV: Reports</i> Status: AU, COMIFAC, CARICOM, SADC, SPREP, PhytoTrade Africa, SEPDD, UEBT
	x institutions / organisations are cooperating with the ABS initiative <i>MoV: Written agreements for cooperation, co-funding and/or parallel funding</i> Status: GEF/UNEP, GEF/UNDP, GEF SGP, SCBD, AusAID, KfW, Bioversity International, Gov. India, Gov. South Africa

Linking up with the GEF Secretariat and the GEF Implementing Agencies: Concrete options for aligning technical support activities of the ABS Initiative and financial support under GEF 5 and NPIF are being developed in The Bahamas, Cameroon, Cook Islands, Morocco, and Namibia. A GEF Medium-Sized Project proposal is being developed with Natural Justice and UNDP for capacity development of local communities involved in ABS value chains. Working relations with UNEP, UNDP and the GEF Secretariat have been strengthened. The Initiative participated in the Inception workshop for the UNEP-implemented regional GEF Medium-Sized Project to support the ratification and entry into force of the Nagoya Protocol in May 2013 in Addis Ababa, Ethiopia and provided space during the 4th Pacific ABS Workshop in November 2013 in Suva, Fiji, to consult with Pacific stakeholders about the national priorities to be addressed under this project.

Collaboration with the UNDP implemented **GEF Small Grants Programme (SGP)** was continued in 2013, including the secondment of a New York based staff member of Natural Justice funded by the ABS Initiative on a part time basis (one day per week) to the UNDP GEF SGP Head Quarter. The objective of the secondment is to integrate ABS capacity development at the local level into the national programming of GEF SGP and to fund national and regional NGOs which can provide the necessary support to indigenous and local communities to actively participate in a meaningful manner



in the national implementation of the Nagoya Protocol, including by developing ABS relevant BCPs or equivalent community level procedures. For impacts refer to Outcomes 2.2 and 3.2 and to the MSP proposal mentioned above. At the regional and international level, SGP national coordinators participated in several events of the ABS Initiative, and joint side events were held at the 9th Pacific Islands Conference on Nature Conservation and Protected Areas and at CBD COP 11 in Hyderabad.

Linking up with capacity development processes for the ITPGRFA: Coherent implementation of the International Treaty for Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the Nagoya Protocol at the national level is essential for the establishment of transparent regulatory ABS frameworks, which minimize transaction costs and contribute to legal certainty for providers and users. The Initiative, in collaboration with the CBD and the Treaty Secretariats, conceptualized and organized an **expert workshop in Rome** in January 2013, hosted by Bioversity International. The expert workshop helped to better understand the inter-linkages between the instruments and identify approaches for a mutually supportive and coherent national implementation of both. Further joint workshops and capacity development activities at national and (sub-)regional level were agreed.

In addition, the ABS Initiative provided technical and negotiating support, particularly on ABS and the interface with the Nagoya Protocol, to African delegates at the 14th meeting of the FAO Commission on Genetic Resources for Food and Agriculture in Rome in April 2013.

Furthermore the ABS Initiative was present on the Fifth Session of the Governing Board of the ITPGRFA in September in Oman and gave a major presentation at a side-event on the mutually supportive implementation of the ITPGRFA's multilateral system and the ABS mechanism under the CBD.

Africa

As a result of the Gap Analysis of the AU Model Law on ABS, the **Department for Human Resources, Science and Technology of the African Union Commission** requested the ABS Initiative to extend its financial and technical support and to fund and coordinate the drafting of Guidelines for a Coordinated Implementation of the Nagoya Protocol in Africa (see Outcome 5.3). A Memorandum of Understanding with the AUC has been developed and is pending signature in 2014 to foster cooperation towards achieving the Aichi Targets and specifically Aichi Target 16 on ABS.

The **Government of India** jointly financed with the ABS Initiative a knowledge exchange workshop for African ABS National Focal Points and ILC representatives to India to learn about TK documentation and the functioning of the Indian Traditional Knowledge Digital Library.

The **Government of South Africa** co-funded 2013 several activities of the ABS Initiative: Pan-African ABS Workshop in Phalaborwa, TK Documentation Workshop in Cape Town, Dialogue on Practical Way of Implementing the Nagoya Protocol in Cape Town, ABS Best Practices in Southern Africa, Pretoria.

The ABS Initiative continued to provide technical input to the meetings of the **Central African Working Group on Biodiversity (GTBAC)** and advice for the national implementation of the **Regional ABS Strategy for the COMIFAC** (see Outcome 5.3).

In order to support African scientists undertaking research on genetic resources, as well as to foster ABS compliant cooperation with academia and private sector in Europe, the ABS Initiative is partnering with the French funded research cooperation programme **Sud Experts Plantes Developpement Durable** (SEPDD). A joint side-event on ABS at SBSSTA 17 targeted the conservation oriented and the scientific community of the CBD. The ABS Initiative is invited to be on the advisory board of SEPDD and mutually supportive work programmes are being developed.

Integrating ABS in bilateral development cooperation programmes: In the context of German bilateral development cooperation, ABS is being integrated in the following technical and/or financial development cooperation programmes:



- **Cameroon:** Sparked by a multi-stakeholder kick-off meeting in July 2011 (advised by the ABS Initiative, financed by UNEP/GEF) an interministerial process on ABS between the Ministry of Environment, Nature Protection and Sustainable Development and the Ministry of Forests and Wildlife was initiated. The GIZ implemented project ProPSFE, which is counterpart to both ministries, has agreed in 2013 to integrate in its workplan the facilitation of an inter-governmental ministerial process of establishing a legal framework and the possible application of ABS mechanisms in the NTFP value chains supported by ProPSFE, including the consideration of PPPs.
- **Côte d'Ivoire:** The bilateral GIZ implemented **Programme de Développement Economique en Milieu Rural (PRODEMIR)**, which is also supporting the management of the Tai National Park, started to support the building of ABS capacity at OIPR (the national parks agency) and the integration of ABS in the business plan of the Tai Park as part of its activities. This is an outcome of discussions around the development of an ABS based funding strategy for the Tai National Park in cooperation with the MNHN (see Outcome 2.1).
- **Morocco:** Building on a continuous support and advisory services of the ABS Initiative to Morocco, the country has requested to integrate ABS in the German-Moroccan development portfolio. In 2013, the project **Adaptation to Climate Change and Valorisation of Biodiversity (ACCN)** started with two components targeting the implementation of the Nagoya Protocol (2 Mio € for ABS out of 6 Mio € of the BMZ contribution for the entire ACCN). The ABS component supports the development of an administrative/legal framework at national level and the establishment of ABS compliant value chain in the pilot regions of the Arganeraie and Grand Atlas Mountains (see also 3.1). In 2013 the ABS Initiative supported ACCN consultative meetings with governments, research institutions and private sector representatives.
- **Namibia:** Besides backstopping the creation of the national Namibian ABS Bill (see objective 2.1) the Initiative is supporting the establishment of a **R&D platform targeting at the identification of active elements for the valorisation of genetic resources** from Namibia and other Southern African countries. A pre-feasibility study on determining a possible legal setup of the platform, management and governance options has been finalized in August 2013. This serves as a basis for the actual feasibility study (incl. draft business plan) of the platform in 2014, commissioned by the Namibian Ministry of Environment and Tourism, which has been agreed upon at the German-Namibian negotiations last year. The R&D platform is foreseen to be financed by BMZ through the German KfW Development Bank.
- **COMIFAC:** Having successfully supported the development of a regional ABS strategy in the context of the GIZ implemented COMIFAC Support Programme (see Progress Report 2012 of the ABS Capacity Development Initiative) the Initiative is backstopping the translation of the regional strategy into national ABS implementation programmes in the 10 member countries. A preparation mission for a **new ABS component of the GIZ implemented project in support of the COMIFAC** was conducted in June 2013 by the Initiative. This component will start in 2014 and will provide regional capacity development and dialogue, technical support to the 10 COMIFAC countries for national implementation and more in-depth capacity development in three "pilot" countries to be determined. Activities will include outreach, training, developing legal and institutional frameworks and establishing partnerships with the research and private sector.
- **Maghreb:** In the context of the GIZ-implemented **SILVAMED programme**, a regional workshop covering Algeria, Morocco, Tunisia and Lebanon on the integration of ABS in forest management and valorisation approaches for NTFPs took place in May 2013 in Algiers (see Outcome 5.1.). The ABS Initiative provided backstopping in the workshop design and delivered input on ABS-relevant value chain development and interfaces with the national NBSAP processes. As an outcome of the workshop, a **regional ABS project proposal to GEF and GIZ SILVAMED** as well as an **ABS project proposal for Algeria** were developed.

Caribbean

Based on its interest in ABS and through its ACP-EU programme on capacity building for the implementation of MEA, **CARICOM** convened a **Training Workshop on Drafting Legislation for the Implementation of the Nagoya Protocol** in Dominica in June 2013. The ABS Initiative took part at the workshop, provided input and supported it financially.



Responding to a request of the **Dominican Republic** the ABS Initiative agreed to support initial activities for the implementation of the Nagoya Protocol. Furthermore, the **GIZ office** in the Dominican Republic has been contacted to explore the possibilities of engaging a national GIZ implemented programme in ABS support activities.

Pacific

Based on the initial exchange in 2011 the **Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC)**, the Competent National Authority for ABS in Australia, developed a proposal for parallel funding of the activities of the ABS Initiative encompassing the joint organization of two Pacific ABS Workshops (see Outcome 5.1) and the Oceania Biodiscovery Forum in 2012 (see Outcome3.1). For details on the events refer to the Progress Report 2012. Despite the successful collaboration in 2012 and requests from National Focal Points of Pacific Island States the Australian Government decided not to continue this partnership.

The **Secretariat of the Pacific Regional Environment Programme (SPREP)** is strongly involved in the capacity development activities in the region. SPREP is organising the regional workshops and trainings of the ABS Initiative and will be executing agency for the regional UNEP/GEF MSP in the Pacific. Furthermore with its headquarters in Apia, SPREP is organizing national consultations and briefing meetings in Samoa on the ratification and implementation of the Nagoya Protocol.

6.7 Outcome 5.1 – Skills of relevant stakeholders improved

Objective 5: Approaches for implementing the Nagoya Protocol are regionally coordinated and harmonized with other processes and fora relevant to ABS in order to increase transboundary cooperation and to address legal gaps.	
Outcomes	Indicators and Means of Verification (MoV)
5.1 Concepts regarding the implementation of the NP are developed, experiences, lessons learned and best practices are exchanged.	Policy briefs on at least 5 ABS relevant topics. <i>MoV: Policy briefs published and disseminated</i> Status: BCPs (Natural Justice), IPRs (FNI), Forests and ABS (CISDL), diverse briefs by UEBT, Sectoral Business Models (under development)
	At least 3 ABS relevant analyses and background studies. <i>MoV: Analyses published and disseminated</i> Status: Various publications and research papers by CISDL, FNI, IDLO (draft), Natural Justice, UNSW, Justice Institute Guyana (draft), not yet published country studies on national ABS implementation (India, Brazil, South Africa), not yet published patent analyses for 6 African countries on use of BR/GR
	Stakeholders are capacitated on ABS relevant topics. <i>MoV: Workshop evaluations</i> Status: to be assessed

Interfaces between the Protocol, PAs and Forests: As it was recommended at an informal expert meeting in the end of 2011, the Initiative organized a larger workshop on The Nagoya Protocol: Opportunities and Challenges for Protected Area & Forest Governance in November 2012 in Eschborn, Germany. As one of the results it was agreed to create **an analysis paper** in which the main issues serve as basis for further approaches and cooperation, as well as **policy briefs on the interfaces between the frameworks**. Due to the heavy workload the policy briefs could not be finished in 2013. It is now planned to have the policy briefs and guidelines for protected areas managers ready for CBD COP 12 and World Parks Congress in October and November 2014 respectively. Furthermore, the number of suitable cases is obviously not sufficient to provide a sound basis for a broader analysis. Therefore, the IUCN World Parks Congress in November 2014 in Sydney, Australia, will provide a forum to conceptualize with relevant partners the study on the legal interfaces between ABS.

Based on the funding support of the ABS Initiative two analyses and background studies have been published by the Fridtjof Nansen Institute in 2013 and can be downloaded from the FNI website http://www.fni.no/projects/abs_research_project.html:

Andersen, Regine and Tone Winge. Access and Benefit Sharing Agreement on Teff. Trade Insight, No 1, 2013, pp. 29-31.



Medaglia, Jorge Cabrera, Morten Walløe Tvedt, Frederic Perron-Welch, Ane Jørem and Freedom-Kai Phillips. The Interface between the Nagoya Protocol on ABS and the ITPGRFA at the International Level: Potential Issues for Consideration in Supporting Mutually Supportive Implementation at the National Level. FNI Report 1/2013. Lysaker, FNI, 2013, 59 p. (also available in French).

The results of the UEBT and PhytoTrade Africa implemented project to **improve the business engagement for ethical sourcing of African biodiversity** have been published and can be downloaded from the UEBT website <http://ethicalbiotrade.org/resources>:

Union for Ethical BioTrade (UEBT). Benefit-Sharing in Practice: Advancing equitable benefit-sharing in Africa. Amsterdam, 2013, 5 p.

Union for Ethical BioTrade (UEBT). Fair and equitable benefit sharing: Manual for the assessment of policies and practices along natural ingredient supply chains. Amsterdam, 2013, 39 p. (also available in Spanish and Portuguese)

Africa

ABS and intellectual property rights (IPRs): After initial support in the previous years for the coordination of African negotiators in the WIPO IGC process, a training course on ABS and IPRs has been conducted in April 2013 in Botswana and January 2014 in Cape Verde. This training, which combines theoretical learning with practical group exercises, increased the awareness and understanding of mainly National Focal Points of the opportunities and challenges of IPRs and their linkage to ABS.

A second training on IPRs took place in September in Addis Ababa. It targeted representatives of ILCs, who were trained specifically on the **linkages between IPR, ABS and Traditional Knowledge**, as well as the use of BCPs for the protection of TK and negotiation of ABS agreements.

The Initiative supported the participation of a group of representatives from the research community and from ILCs to a **workshop by the Indian National Biodiversity Authority on ABS and TK Documentation** for African countries in February 2013. Subsequently the ABS Initiative commissioned and funded the French Museum National d'Histoire Naturelle (MNHN) to carry out a study on the documentation of TK, mapping stakeholders and access conditions regarding in-situ and ex-situ collections, in three Francophone countries (Senegal, Cameroon and Benin).

The ABS Initiative, the South African Department for Science and Technology (DST), the Intellectual Property Law and Policy Research Unit of the University of Cape Town and Natural Justice held a **meeting on TK Documentation in Africa** in Cape Town in December 2013. Experiences and inputs were provided by representatives from India, South Africa and Peru, local community representatives as well as WIPO, ARIPO and OAPI. The MNHN study was presented and discussed. Participants reflected on the objectives, risks and options of documenting TK in Africa and made recommendations on TK documentation for an effective national implementation of the Nagoya Protocol. The workshop was held in conjunction with the **3rd Global Congress on Intellectual Property and the Public Interest and Open A.I.R. Conference on Innovation and Intellectual Property in Africa**. Following the workshop, a booklet based on the outputs, experiences and ideas shared during the workshop will be produced (see also Outcome 2.2).

Building on the success and high demand in 2012, the training course **“Managing Multistakeholder Processes in the ABS Arena”** was offered again to teams of participants from five or six countries each. One course was held in English in November 2013 and one in French in January 2014.

The project **ABS in Southern Africa – Developing Policy and Implementing Best Practices** launched in 2013 is focussing on transboundary value chains and coordinated regulatory and permitting systems – with a special focus on South Africa. Here relevant stakeholders are cooperating based on legal and economic studies to develop a regional approach with the SADC Secretariat (see also Outcome 3.1).



Caribbean

The 2nd regional ABS workshop was jointly organized with the Secretariat of the CARICOM and the SCBD in Kingston, Jamaica and hosted by the Ministry for Water, Land, Environment and Climate Change of Jamaica. Representatives from 13 Caribbean states discussed opportunities for the implementation of the Nagoya Protocol. As main results, elements for a roadmap towards the implementation of the Protocol were developed and the importance of national ABS laws and regulations was underlined. Further it became clear that the countries don't have sufficient knowledge and experience to negotiate with commercial partners on the utilization and commercialization of research results with Caribbean genetic resources and associated traditional knowledge.

In Guyana the training “Empowering indigenous and local communities to use the Nagoya Protocol” took place in December (see Outcome 3.2).

Based on its interest in ABS and through its ACP-EU programme on capacity building for the implementation of MEA, CARICOM convened a **Training Workshop on Drafting Legislation for the Implementation of the Nagoya Protocol** in June in Dominica. The ABS Initiative took part at the workshop and supported it financially

Pacific

The 4th Pacific ABS Workshop, co-organised by the ABS Capacity Development Initiative, SCBD and SPREP, was held in November in Suva, back-to-back with the 9th Pacific Island Conference on Nature Conservation and Protected Areas. Building on the outcomes of previous workshops, a particular focus of this workshop was on supporting ratification and the first steps of implementing the Nagoya Protocol at national level, i.e. developing an ABS policy and a roadmap towards ratification.

Training course “ABS and Intellectual Property Rights”: The training in August in Nadi, Fiji, National Focal Points and representatives from national and regional authorities were familiarized with the linkages between ABS and IPRs and the role IPRs may play in negotiating ABS agreements.

6.8 Outcome 5.2 – Interfaces to ABS relevant processes

Objective 5: Approaches for implementing the Nagoya Protocol are regionally coordinated and harmonized with other processes and fora relevant to ABS in order to increase transboundary cooperation and to address legal gaps.	
Outcomes	Indicators and Means of Verification (MoV)
5.2 Interfaces to ABS relevant processes are established at international and national level	Joint training programmes are established with at least 2 ABS relevant international organisations. <i>MoV: Training reports</i> Status: IUCN/JRC (under consideration), IDLO, WIPO (under consideration)
	Coordination meetings are taking place between negotiators of relevant fora. <i>MoV: Meeting reports</i> Status: WIPO, CGRFA
	Approaches for the design and implementation of regulatory frameworks among relevant sectors at national level are developed. <i>MoV: Studies, policy papers, meeting reports</i> Status: Algeria, Benin, Cameroon, Côte d'Ivoire, Kenya, Madagascar, Morocco – Cook Islands

The EU funded BIOPAMA Project provides a platform to cooperate with IUCN and the Joint Research Center of the European Commission (JRC) to deepen the understanding of the interface between ABS and protected areas (PA) management and to integrate ABS into capacity development programmes for PA managers. Therefore, the ABS Initiative participated in the following Inception Workshops:

- for the Caribbean in January 2013 in Bridgetown, Barbados
- for the Pacific in February 2013 in Suva, Fiji
- for West and Central Africa in February 2013 in Dakar, Senegal

These events were used to present the ABS topic and its linkages to Protected Areas to an audience of regional conservation professionals. Implementation of capacity development activities for protected



area managers in the regions has not yet reached a level where joint activities between the two components seem useful. It was however reiterated at the BIOPAMA Steering Committee that linkages should be further explored.

At COP 11 the ABS Initiative was invited to participate in the **Global Initiative on Legal Preparedness for Achieving the Aichi Biodiversity Targets** which is implemented by the International Development Law Organization (IDLO) and the CISDL. In order to build the ABS related legal capacity in ACP countries, the ABS Initiative entered into a financing agreement with IDLO in March 2013 support the work of IDLO and CISDL towards Aichi Target 16 in 2013 and 2014. The ABS Initiative is represented at the Expert Advisory Panel of the Global Initiative and the Target 16 Expert Review Committee. A series of country studies (including Ethiopia, Kenya, Namibia and South Africa) is being prepared by specifically trained local lawyers. The individual country studies are compiled, and analysed in the draft guidebook “Achieving Target 16 – New Guidance for Legal Preparedness: Guiding Action through Country Experiences” which will be presented and discussed during an expert consultation at ICNP 3 with the view to publish the results the latest at COP 11. Furthermore, legal country briefs are planned to be released in 2014 and train-the-trainer course will be conducted by IDLO to broaden the relevant legal expertise in developing countries.

The ABS Initiative and its partners are actively involved in, and in some cases even trigger, the development of **practical approaches for the implementation of the Nagoya Protocol** at (sub-)regional and national level. The studies listed under Outcome 5.1 provide the analytical and scientific basis for this work, whereas the dialogue fora especially with the private sector, as mentioned under Outcome 3.1, and the work under the African BCP Initiative (see Outcome 3.2), provide input on e.g. business models and R&D models in different user sectors or the practicality and transparency of proposed PIC procedures. At the same time, the Initiative gets feedback on the practicality of any proposed approaches.

Africa

African ABS negotiators have been supported to participate in **relevant meetings under WIPO and FAO** to coordinate positions with their African colleagues.

6.9 Outcome 5.3 – Coordinated approaches in Africa

Objective 5: Approaches for implementing the Nagoya Protocol are regionally coordinated and harmonized with other processes and fora relevant to ABS in order to increase transboundary cooperation and to address legal gaps.	
Outcomes	Indicators and Means of Verification (MoV)
5.3 African countries follow a co-ordinated approach in implementing and further developing the international regime on ABS.	Guidelines for a regionally harmonized approach approved by relevant regional bodies. <i>MoV: Meeting reports</i> Status: COMIFAC ABS Strategy, AU Guidelines (draft under development)
	Strategies for coordinated implementation of the NP are developed by relevant national institutions/organisations. <i>MoV: Strategy documents</i> Status: Côte d’Ivoire, Morocco, Rwanda, South Africa
	Joint positions are developed and articulated in relevant fora. <i>MoV: Submissions and interventions by the African Group</i> Status: Coordination meetings prior to ICNP 2, ICNP 3 and COP 11, ILC Preparatory WS prior to COP

After a gap analysis of the AU Model Law in 2011, the 2012 pan-African ABS workshop in Limbé mandated the drafting of the new AU guidelines. A summary was presented at the 2013 pan-African ABS workshop in Phalaborwa and circulated for stakeholder comments. The feedback received was then used to draft an **AU Policy Framework for the Coherent Implementation of the Nagoya Protocol on ABS**, which was discussed in detail and modified at a technical workshop held in Addis Ababa at the end of October 2013. The modified Policy Framework and its accompanying Step-by-step Guide were circulated for further national and regional consideration and consultation in early December 2013 and were subject of an Expert Workshop in February 2014, with a formal verification meeting planned for mid-2014, allowing AMCEN in September 2014 to discuss and endorse the Policy



Framework and its accompanying Step-by-step Guide. In addition it is envisaged that AUC present at least the Policy Framework to the Ministers of Justice meeting in autumn 2015 for formal adoption. The AU Summit in January 2016 could then take note of the document.

Towards the end of the online consultations on **Article 10 of the Nagoya Protocol (Global Multilateral Benefit Sharing Mechanism)** organised by the SCBD, a core group of African ABS negotiators met in Addis Ababa in May 2013 to draft a joint African Group “closing submission” responding to the online discussions, which was then submitted on behalf of the group by the African ABS coordinator. The Ad Hoc Technical Experts Group (AHTEG) on Article 10 was informed on the African position and agreed to recommend to ICNP3 that parties should be invited to submit scenarios on the implementation of the Global Multilateral Benefit Sharing Mechanism.

Technical support, particularly on the interface with the Nagoya Protocol, was provided to African Group negotiators at the **WIPO IGC 23rd meeting in February 2013, dealing with genetic resources, and 25th meeting in July 2014**, dealing with traditional cultural expressions and stocktaking for the way forward. This support helped creating momentum for the African approach to disclosure of origin and source in intellectual property applications involving GR and associated TK.

Supporting the coordination of the African Group: A new financial agreement was concluded with the AUC giving it the full responsibility to prepare and organize the coordination meetings of the African Group in February 2014 before ICNP-3 in South Korea. In the context of this agreement, also the above mentioned activities on concluding the AU Guidelines on ABS will be undertaken by the AUC.

7. Lessons Learned

The **multi-stakeholder approach** remains useful to develop a common understanding and create an open, productive and bridge building learning environment. With national implementation in the focus, this approach has to be supplemented by **specific training elements**, building the relevant management and technical skills at the personal and institutional levels. In establishing links to other relevant topics, such as protected area management or ABS under the ITPGRFA, **expert workshops** proved to be a useful format for identifying key issues at the specific interface and developing initial ideas on how to address these in future work. As legal and technical advice needs to be very specific when developing national regulatory systems, **tailored analytical studies** are becoming more relevant.

Awareness on ABS at the high political level is **significantly higher** as compared to the beginning of the Initiative. However, political instability in some countries has delayed ABS implementation. The **AUC** has been mandated to take a stronger role in political coordination of biodiversity related negotiations and is taking a **stronger role in political coordination and guidance** for the harmonized implementation of the Nagoya Protocol in Africa.

The engagement with the **private sector** is slowly but steadily developing to a point where the ABS Initiative is accepted as honest broker in the process of developing concrete ABS agreements and to facilitate the public-private dialogues on regulating and implementing ABS both at international as well as at country level. In this regard – in order to enable providers to negotiate successfully ABS agreements with adequate monetary and non-monetary benefits – **enhanced understanding of the R&D and the business models** of the different user sectors of genetic resources is indispensable. Thus, further and increased capacity development on private sector “functioning” for ILCs, academia and governments of ACP countries is required.

National ABS processes are slow and require considerable backstopping, in particular with a view to the ratification of the Nagoya Protocol. Some “old” ABS experts have left their positions (retirement or new assignments) causing **capacity gaps** in relevant line institutions, while new and inexperienced actors in this matter, for example representatives of Foreign Affairs, Treasury or Parliamentarians, who are involved in the relevant decision-making processes, have stepped in. They need to be briefed and



informed accordingly. This entails long consultation and decision making processes in the development phase of ABS frameworks, which makes it often difficult for the private sector to engage effectively. This remains a challenge.

In the **Caribbean and Pacific** any capacity development programme must consider that due to the small populations and economies, a **very limited number of experts** are working on biodiversity-related issues and the governments exercise a high degree of priority setting. The regional and country experts for biodiversity-related issues are in general well trained, but in both regions the process of regional integration is not as advanced as in Africa.

During the various coordination efforts and activities with **CARICOM and the Caribbean ACP-countries** in 2013, it became clear that the experiences gained and specifically the approaches developed in Africa can only be transferred to a limited extent to the Caribbean region. The efforts to put ABS higher on the political agenda have resulted in some, but limited success during 2013. In light of these region-specific experiences, the ways to plan and conduct regional cooperation and specifically workshops will be revised in 2014.

The capacity development work in the **Pacific** is benefitting from the African experiences and provides new opportunities for South-South exchange. Unique is the high level of community governance and presence of traditional governance schemes in most of the Pacific countries which offers opportunities to learn and showcase how the ILC related provisions of the Nagoya Protocol can be implemented in a politically enabling environment.

8. External Evaluation of the ABS Initiative

At the meeting of the Steering Committee for Africa the donors to the ABS Initiative discussed the importance of a **“mid-term” evaluation of the performance of the ABS Capacity Development Initiative** and instructed the Secretariat to prepare for the conduction of such a study. The ToR have been approved by the donors of the Initiative in October 2013, and after a tendering process in November 2013 an independent consulting firm has been selected which is carrying out the evaluation until end of February 2014 – in order to present the results at the Steering Committee for Africa back-to-back with the 8th Pan African Workshop in Benin.

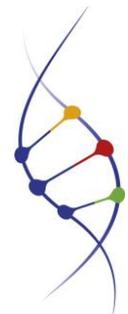
Furthermore, the EU commissioned a **Results Oriented Monitoring (ROM)** of the ABS Initiative in 2013. ROM is a review tool for projects and programmes which provides recommendations for improvement and an overview of EuropeAid's portfolio's quality and is based on short, focused on-site assessments by independent experts of projects and programmes which are appraised – using a highly structured and consistent methodology.

For the ROM of the ABS Initiative one country per ACP region was selected to be monitored, i.e. Cameroon, Guyana and Cook Islands. The results are summarized in the following table:

OECD DAC Criteria	Cameroon	Guyana	Cook Islands	Overall
Relevance and quality of design	B / B	A / B	B / B	B
Efficiency of implementation to date	B	B	A	B
Effectiveness to date	C	C	B	C
Impact prospects	B	C	B	C
Potential sustainability	C	C	B	C
a = very good; b = good; c = problems; d = deficiencies				

Based on the three monitoring missions the following recommendations are provided by the ROM:

1. Advocate the mobilisation of sustainable financial resources and expertise at the national level;

- 
2. Develop concrete case studies presenting the monetary flow that in principle might arise from ABS application;
 3. Make a clear distinction between cases where traditional knowledge is involved and those where it is not;
 4. Clarify the knowhow transfer requests in relation to the necessary patent protection;
 5. Involve the national research institutions;
 6. Prepare simple presentations regarding different biological material applications and possible research results and technological transfers;
 7. Prepare simple presentations regarding the role of biodiversity in ecosystems dynamics;

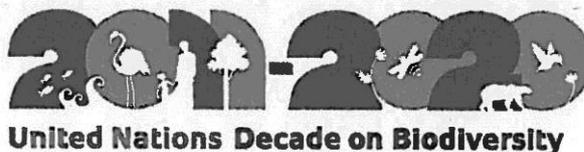
From the perspective of the ABS Initiative the ROM approach – designed for monitoring the progress of projects at country level – raises the question of appropriateness as review tool for a complex capacity development programme covering all ACP countries and North Africa.

Conclusions and recommendations with respect to the work of the ABS Initiative covering Africa, the Caribbean and the Pacific are drawn from just three countries samples and in the case of Guyana and Cook Islands based on the participation of the respective monitor in regional workshops in Jamaica and Fiji – and in the case of Cameroon on the participation of the monitor in a national awareness raising workshop for traditional leaders and a national bioprospecting round table organized by the ABS Initiative. In the case of the Cameroon ROM this resulted in a lack of clarity regarding the regional scope of many statements within the Cameroon ROM, i.e. with respect to national, Central African and African findings and conclusions. In essence large sections of the reports may create a misrepresentative picture of the work of the ABS Initiative by not sufficiently taking into account the regional approach of many interventions and the just beginning support at national level in Guyana.

Furthermore, the three country reports as well the overall report contain some factual errors – such as the too low stated number of ratifications and implementation processes of the Nagoya Protocol – which particularly gave a misleading impression of the effectiveness and efficiency of the ABS Initiative when (wrongly) correlated with only Central Africa and not the entire African Region as regional scope and intervention space of the ABS Initiative.

These concerns have been forwarded to the EU with the request for a revision of the narrative sections of the reports.

Annex A: Letter of acknowledgement of Braulio Ferreira de Souza Dias, Executive Secretary of the CBD



Ref.: SCBD/ABS/SBG/ABA/83068

16 January 2014

Dear Mr. Drews,
Dear Mr. al-Janabi,

Thank you for your letter of 15 December 2013, sharing recent developments within the ABS Initiative including your growing team and enhanced website. I wish to express my deep appreciation for the admirable and important contributions of the ABS Capacity Development Initiative in engaging countries in access and benefit-sharing activities. The Secretariat is pleased to join you in celebrating the success of the Nagoya Protocol in 2013 and joins you in hoping that this success will pave the way for the Protocol's entry into force in 2014.

We are encouraged by your commitment to capacity development and we are optimistic that through our working traditions of cooperation and mutual support, we will welcome the Nagoya Protocol's entry into force in 2014.

The Secretariat looks forward to more collaboration in the coming years as our focus shifts from entry into force to implementation.

Yours sincerely,



Braulio Ferreira de Souza Dias
Executive Secretary

Mr. Andreas Drews
Manager
ABS Capacity Development Initiative
Eschborn, Germany

Mr. Suhal al-Janabi
Co-Manager
ABS Capacity Development Initiative
Eschborn, Germany
E-mail: Info-abs@giz.de



Convention on
Biological Diversity

Secretariat of the Convention on Biological Diversity
United Nations Environment Programme
413 Saint-Jacques Street, Suite 800, Montreal, QC, H2Y 1N9, Canada
Tel : +1 514 288 2220 Fax : +1 514 288 6588
secretariat@cbd.int www.cbd.int



Annex B: Expenditure for the implementation of the ABS Capacity Development Initiative in 2013



Expenditure for activities of the ABS Initiative in 2013 (in Euro)

Budget lines marked with an * support directly or indirectly ratification

	Overall costs (€)	Expenditure (€) ABS Initiative						Parallel funds (€)	
		Total	BMZ	OIF	Norway	Denmark	EU	UNEP	
0 Secretariat / Management									
0.1 Staff									
Manager (80%)	61 019	59 403	59 403						1.616
Project Officers (3 x 100%, 2 x 50%)	260 578	258 802	85 224		77 025	43 848	52 706		1 776
Travel and Workshop Manager (2 x 100%)	114 077	114 077					114 077		
Finance administrator (50%)	27 599	27 599							
Sub-total: Staff	463 275	459 882	172 227	0	77 025	43 848	166 783		3 392
0.2 Consultants									
Co-Management and ExpertPool	115 865	115 865			6 138	22 875	86 852		
Evaluation	18 104	18 104			15 000		3 104		
Audit	4 695	0							4 695
Sub-total: Consultants	138 664	133 969	0	0	21 138	22 875	89 956		4 695
0.3 Running costs:									
Office rent, communication, ..(month)	54 267	54 267	18 780		8 087	5 282	22 119		
Sub-total: Running costs	54 267	54 267	18 780	0	8 087	5 282	22 119		0
0.4 Travel secretariat:									
Tickets	15 020	15 020	3 851		3 500	304	7 365		
Travel secretariat staff	7 859	7 859			2 100	678	4 681		
Sub-total: Travel Secretariat	22 879	22 879	3 851	0	5 600	1 182	12 245		0
0.5 Procurement:									
Office equipment (server, computer..)	5 412	5 412	1 045		4 306		62		
Sub-total: Procurement	5 412	5 412	1 045	0	4 306	0	62		0
0 Sub-total: Secretariat / Management	684 497	676 410	195 903	0	116 155	73 187	291 165		8 087
- share of Africa	587 084	578 996	156 722	0	116 155	73 187	232 932		8 087
- share of Caribbean	48 707	48 707	19 590	0	0	0	29 116		0
- share of Pacific	48 707	48 707	19 590	0	0	0	29 116		0
1 AFRICA									
1.1 Support to ratification									
Development of the ABS CEPA Guide	0	-4 860			-4 860				4 860
Support for national consultation processes	8 253	8 253			3 492	4 273	488		
Sub-total: Support to ratification	8 253	3 393	0	-4 860	3 492	4 273	488		4 860
1.2 National / regional implementation									
Consultants: General support for national implementation	39 195	39 195				10 600	28 595		
* Benin	79 796	79 796					79 796		
* Cameroon	15 001	10 057				10 057			4 944
* COMIFAC	20 514	20 514	20 514						
* Côte d'Ivoire	13 983	13 983				13 314	669		
* Kenya	1 392	1 318					1 318		75
* Madagascar	29 948	0							29 948
* Malawi	0	0							
* Mozambique	378	0							378
* Senegal	34 241	0							34 241
* South Africa	99 383	0							99 383
Workshop: Role of ILC in national implementation of the NP	34	34			34				
FNI studies - Australia as user and provider	100 403	100 403			100 403				
BCP project implemented by Natural Justice	0	0							
IDLO Legal preparedness for Aichi Target 16	138 738	138 738			137 215		1 523		
Sub-total: National / regional implementation	573 006	404 038	20 514	0	237 652	33 972	111 900		168 968
1.3 Value chain establishment									
International Forum Africa and Beauty, Burkina Faso	236	236				236			
ABS and Business Dialogue ("Copenhagen 3")	121 702	121 702			202	87 990	33 510		
Madagascar (value chains)	1 563	1 563					1 563		
Namibia (R&D platform)	0	0							
Assessing ABS related value chains and business opportunities: various studies	87 874	40 633			550	4 347	35 737		47 241
Study: Distinguishing ABS and Biotope	5 800	5 800					5 800		
FNI study- Practical learning book on ABS contracts	31 258	31 258			30 025		1 233		
Natural Justice study – Negotiations between companies and ILCs	0	0							
Engaging business in ethical sourcing (UEBT / PhytoTrade Africa)	25 478	25 478	14 600			3 607	7 271		
ABS in Southern Africa (Phytotrade Africa)	7 532	7 532	3 700		3 832		0		
Business and Biodiversity SCBD Workshop	3 881	3 881					3 881		
Sub-total: Value chain establishment	285 324	238 083	18 300	0	34 609	96 180	88 994		47 241
1.4 Amplifying ABS processes									
Integrating ABS in the country programming of GEF SGP	14 995	14 995				9 000	5 995		
Integrating ABS in bilateral development cooperation programmes									
* - Cameroon	7 673	7 673				1 318	6 355		
* - COMIFAC	6 030	6 030	5 100			465	465		
* - Maghreb (SILVAMED)	4 195	4 195				4 195			
* - Morocco	2 583	2 583	800				1 783		
Sub-total: Amplifying ABS processes	35 475	35 475	5 900	0	0	14 978	14 597		0
1.5 (Sub-)Regional capacity development and coordination for relevant international processes									
Pan-African ABS Workshop incl. SC Meeting	361 665	361 665		28 076	165 945	7 542	160 101		
AU Commission: Supporting the development of the AU Guidelines	309 137	309 137	79 089	3 654	200 874	7 828	17 693		
Validation Workshop AU Guidelines	156 896	156 896		4 726	2 518	118 142	31 510		
MNHN workshop TK documentation	172 283	172 283	143 048		7 586	17 149	4 500		
Expert workshop implementation NP and ITPGRFA + follow-up activities by FNI/CISDL	50 174	50 174			26 099		24 075		
* Trainings on ABS and intellectual property rights (IPRs)	295 886	295 886		15 034	70 213	90 917	119 722		
Basic ABS training for "young" professionals	91 308	91 308					91 308		
* Training courses "Management of Multistakeholder Processes"	109 398	109 398			60 388		49 010		
Consultants: Advice to African Group, reporting, translations etc.	107 608	107 608			538	88 043	19 027		
Coordination / preparation for ICNP 2 (2012) and 3 (2014)	6 761	6 761		2 638			4 123		
Expert WS ABS_PA Management & Forest Governance (11/2012)	3 629	3 629					3 629		
Regional WS for Anglophone and Francophone Africa (10/2012)	242	242					242		
Sub-total: (Sub-)Regional capacity development and coordination for relevant international processes	1 664 988	1 664 988	222 137	54 128	534 161	329 621	524 941		0
Sub total: AFRICA incl. share of secretariat costs	3 154 129	2 924 973	423 574	49 268	926 070	552 209	973 852		229 156

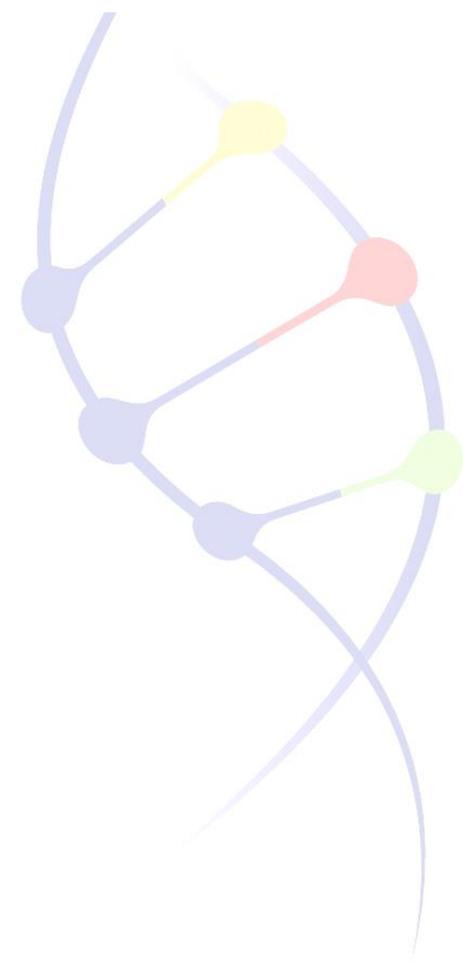


Expenditure for activities of the ABS Initiative in 2013 (in Euro)

Budget lines marked with an * support directly or indirectly ratification

	Overall costs (€)	Expenditure (€) ABS Initiative					Parallel funds (€)	
		Total	BMZ	OIF	Norway	Denmark	EU	UNEP
2 Budget Caribbean			0	0	0	0		
2.1 Support to ratification								
CARICOM MEA drafting WS, Dominica	41.802	41.802				10.229	31.573	
2.2 National implementation + value chain establishment								
Regional stock taking study	17.506	17.506					17.506	
Bahamas: Support for development of GEF Proposal	3.871	3.871					3.871	
Guyana ILC Training	27.557	27.557					27.557	
2.3 Regional capacity development, training and coordination for relevant international processes								
2nd Caribbean ABS Workshop, Jamaica	105.616	105.616					105.616	
Subtotal: Caribbean incl. share of secretariat costs	245.059	245.059	19.590	0	0	10.229	215.240	
3 Budget Pacific			0	0	0	0		
3.1 Support to ratification								
Awareness raising at relevant regional meeting	15.719	15.719					15.719	
3.2 National / regional implementation + value chain establishment								
Initial support to selected countries	24.492	24.492					24.492	
3.3 (Sub-)Regional capacity development and coordination for relevant international processes								
ABS and IPR Training Course	120.410	120.410		19.111			101.300	
3rd Pacific ABS Workshop	106.387	106.387					106.387	
Oceania Biodiscovery Forum (11/2012)	17.621	17.621					17.621	
Subtotal: Pacific incl. share of secretariat costs	333.336	333.336	19.590	0	19.111	0	294.635	
4 Supra-regional (AFRICA, CARIBBEAN, PACIFIC)								
South-South exchange on monitoring and compliance	95.672	95.672	92.432			775	2.465	
Knowledge management through the website	24.667	24.667			62	24.037	567	
Sub total: Supra-regional (AFRICA, CARIBBEAN, PACIFIC)	120.338	120.338	92.432	0	62	24.812	3.032	
Total costs of projekt activities	3.852.863	3.623.707	555.186	49.268	945.243	587.250	1.486.760	229.156
<i>Overhead costs covered by co- and parallel funding donor **</i>	<i>261.721</i>	<i>236.543</i>		<i>7.060</i>	<i>66.167</i>	<i>59.243</i>	<i>104.073</i>	<i>25.178</i>
<i>Overhead costs covered by BMZ</i>	<i>223.707</i>	<i>223.707</i>	<i>74.950</i>	<i>0</i>	<i>26.516</i>	<i>27.086</i>	<i>95.155</i>	<i>0</i>
Total overhead costs	485.429	460.250	74.950	7.060	92.683	86.329	199.228	25.178
Total project costs	4.076.571	3.847.415	630.136	56.328	1.011.410	646.453	1.590.833	254.335

** Overhead costs as agreed by donors in the respective financing agreements





Annex C: List of workshops, trainings and conferences organized and attended by the ABS Initiative

Events not organized by the Initiative are listed in blue italics.

- 22.-24.01.13 *BIOPAMA Inception Workshop for the Caribbean, Bridgetown, Barbados*
- 29.-31.01.13 Expert Workshop “The International Treaty and the Nagoya Protocol: Supporting mutual supportiveness in the implementation of both instruments at the national level”, Rome, Italy
- 04.-06.02.13 *BIOPAMA Inception Workshop for the Pacific, Suva, Fiji*
- 04.-07.02.13 *BIOPAMA Inception Workshop for West Africa, Dakar, Senegal*
- 04.-08.02.13 Basic ABS Training Course, Gaborone, Botswana
- 11.-13.02.13 *National Biodiversity Authority Capacity Development Workshop for African representatives on Access and Benefit Sharing, Traditional Knowledge and Nagoya, Bengaluru, India*
- 25.02.-01.03.13 7th Pan-African ABS Workshop, Phalaborwa, South Africa
- 18.-22.03.13 *ABS Workshop of the regional GEF ABS Project implemented by IUCN, Havana, Cuba*
- 19.03.13 *EU Parliament Workshop on the Proposal for an EU ABS Regulation, Brussels, Belgium*
- 08.-12.04.13 Training Course “ABS and IPR”, Gaborone, Botswana
- 23.-25.04.13 National Workshop for the development of an ABS strategy, Cotonou, Benin
- 28.-30.04.13 *Workshop “The Nagoya Protocol and Access and Benefit-Sharing: example for the implementation of NBSAPs” organized by Regional Project Silva Mediterranea (SilvaMed), Algiers, Algeria*
- 07.-10.05.13 *Inception Workshop for the UNEP GEF project to support the ratification and entry into force of the Nagoya Protocol in 30 Countries, Addis Ababa, Ethiopia*
- 13.-15.05.13 African Coordination Meeting on Article 10, Addis Ababa, Ethiopia
- 17.05.13 *86th Meeting of the ACP Sub-Committee on Sustainable Development, Brussels, Belgium*
- 03.-05.06.13 *Expert Meeting to Develop a Draft Strategic Framework for Capacity-Building and Development in Support of the Effective Implementation of the Nagoya Protocol, Montreal, Canada*
- 26.-28.06.13 *CARICOM ABS Workshop, Roseau, Dominica*
- 08.-09.08.13 *National ABS Consultation, Palikir, Federated States of Micronesia*
- 12.-16.08.13 ABS and IPR Training, Nadi, Fiji
- 04.-05.09.13 3rd Business Dialogue Forum on ABS, Copenhagen, Denmark
- 23.-27.09.13 ABS and IPR Training for African ILCs, Addis Ababa, Ethiopia
- 23.-27.09.13 *Regional Forestry Meeting, Nadi, Fiji*
- 24.-28.09.13 *5th Session of the Governing Body of the International Treaty for Plant Genetic Resources for Food and Agriculture, Muscat, Oman*
- 01.10.13 *BIOPAMA Steering Committee, Brussels, Belgium*



- 02.-03.10.13 *Global Business Partnership, Montreal, Canada*
- 28.-30.10.13 Validation Workshop AU Guidelines for the Coordinated Implementation of the Nagoya Protocol on ABS, Addis Ababa, Ethiopia
- 11.-15.11.13 Anglophone Training Course “Managing Multi-stakeholder Processes in the ABS Arena”, Bonn, Germany
- 12.11.13 *GEF high level meeting “Private Sector and Biodiversity-based Innovation: Forward Looking”, Washington, DC, USA*
- 19.11.13 *National ABS Consultations, Avarua, Cook Islands*
- 19.11.13 *Round table “Pilot project for the ABS compliant valorization of an Asteraceae species”, Yaounde, Cameroon*
- 20.11.13 *CEPA WS for Traditional Chiefs of Cameroon, Yaounde, Cameroon*
- 20.-22.11.13 *Meeting on the Drafting of an ABS Policy, Chuuk, Federated States of Micronesia*
- 25.-29.11.13 2nd Caribbean ABS Workshop, Kingston, Jamaica
- 25.-29.11.13 4th Pacific ABS Workshop, Suva, Fiji
- 02.-06.12.13 *9th Pacific Island Conference on Nature Conservation and Protected Areas, Suva, Fiji*
- 05.-06.12.13 *International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) Meeting, Suva, Fiji*
- 03.-05.12.13 National training for ILC, Georgetown, Guyana
- 12.-14.12.13 Workshop “Documentation of Traditional Knowledge in Africa”, Cape Town, South Africa
- 29.-31.01.14 Dialogue on Practical Way for the Implementation of the Nagoya Protocol, Cape Town, South Africa
- 05.-07.02.14 Expert Workshop on the AU Guidelines for the Coordinated Implementation of the Nagoya Protocol on ABS, Addis Ababa, Ethiopia
- 13.-14.02.14 ABS Best Practices in Southern Africa, Pretoria, South Africa

