

THE **ABS**  
CAPACITY  
DEVELOPMENT  
INITIATIVE



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

## Progress Report 2020

The ABS Initiative is funded by



Federal Ministry  
for Economic Cooperation  
and Development



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Swiss Confederation

Federal Department of Economic Affairs,  
Education and Research EAER  
State Secretariat for Economic Affairs SECO

and implemented by



Deutsche Gesellschaft  
für Internationale  
Zusammenarbeit (GIZ) GmbH



## Table of Contents

1.	Executive Summary .....	1
2.	Background: Current status of ABS in ACP countries.....	6
3.	Financial status and perspective .....	9
4.	Outcomes and outputs .....	12
4.1	Support to partner countries (Africa) and cooperation countries (ACP-wide) .....	14
4.2	Support to cooperation countries.....	26
4.2.1	African cooperation countries with GIZ-implemented projects addressing ABS .....	26
4.2.2	African cooperation countries without GIZ-implemented projects addressing ABS .....	33
4.2.3	Caribbean (cooperation countries) .....	33
4.2.4	Pacific (cooperation countries) .....	34
4.2.5	Asia .....	35
4.3	Support at (sub-)regional and international level .....	35
4.3.1	Core implementation processes.....	35
4.3.2	Auxiliary processes .....	37
4.4	Steering and guiding processes .....	42
4.4.1	Steering Committees .....	42
4.4.2	Project management.....	42
4.4.3	(Sub-)regional management .....	43
4.4.4	External evaluation 2020 .....	43
5.	Challenges and opportunities in ABS implementation .....	43
5.1	Key challenges.....	44
5.1.1	Designing ABS systems / regulatory frameworks.....	44
5.1.2	Indigenous peoples, local communities and governance .....	44
5.1.3	Digital Sequence Information (DSI) .....	45
5.1.4	Developing specific regulations and procedures .....	45
5.1.5	Negotiations and clauses of ABS contracts.....	46
5.1.6	Monitoring of ABS contracts.....	47
5.1.7	ABS compliant value chain development .....	47
5.2	Momentum and opportunities .....	49
Annex A:	Expenditure Report 2020 .....	51
Annex B:	Definitions for indicators as provided in the Addendum of the Progress Report 2015 .....	54
Annex C:	Overview about outcome and output indicators 2015 - 2020 .....	55
Annex D:	Outline of the ABioSA sub-project .....	57
Annex E:	List of workshops, trainings and conferences (co-)organised, (co-)financed or attended by the ABS Initiative .....	58
Annex F:	Letters of appreciation.....	60



## 1. Executive Summary

In 2020, the ABS Capacity Development Initiative (ABS Initiative) continued contributing to the establishment of functioning ABS agreements between providers and users and supported its partners in designing and implementing the required regulatory frameworks. But unlike during the previous years, extent and character of activities agreed upon by the Steering Committee were challenged and finally transformed under the pressure of the various measures fighting the Corona pandemic. The pandemic's impact on the ABS Initiative's work has been and will continue to be twofold:

- The **timing** of many key activities of the ABS Initiative depends on international events, especially on the relevant meetings of the CBD and the Nagoya Protocol. This was the case in 2020, when CBD COP 15 – foreseen to develop a new global biodiversity framework – was postponed repeatedly. The ABS Initiative initially reacted by postponing its related physical workshops before decisions were taken to transform the face-to-face formats into virtual formats, following the recommendations of the African Steering Committee Meeting in March 2020. This reaction allowed the ABS Initiative to continue its work on the various urgent topics such as DSI and deliver capacity development opportunities for its partners.
- Therefore, the second effect of the pandemic was the reorientation of the ABS Initiative's **mode of delivery** towards online formats of capacity development and peer-to-peer exchange. Within a short period of time, the ABS Initiative and its partners tested new IT tools and capacity building concepts and have been continuously improving and adapting them to the audiences' needs. The development and future application of our new formats also provides a **chance for innovation and learning**.

In 2020, the management of the ABS Initiative focussed on developing online meeting formats to enable the continuous support of the partners at national, regional and international level. While these efforts paid off to ensure information flow and exchanges, virtual meetings cannot replace physical meetings aiming at discussing matters of strategic and political importance or negotiations. We note that negotiations of ABS contracts in the countries came to a standstill, new negotiations were postponed. At the international level, many countries oppose starting negotiations leading towards the Global 2020 Global Biodiversity Framework.

As in the previous years, the Initiative provided support to its partner countries along the three core processes of the ABS Initiative's intervention logic: **(1) national institutional and regulatory ABS frameworks, (2) effective participation of IPLCs based on BCPs or other relevant community procedures, and (3) development of ABS agreements**. For an overview about the development of the respective outcome and output indicators from 2015 to 2020 see Annex C.

**1) With respect to ABS frameworks, Benin** uploaded a detailed description of its interim ABS system, including a detailed visualisation of the ABS process, on the ABS Clearing House and has initiated the process of elaboration of a specific ABS law. In **Côte d'Ivoire** the ABS Initiative has supported the drafting and the validation of the decree on ABS. The draft of the *arrêté* determining the ABS Check Points has been developed. The visualisation of the foreseen ABS system is currently being developed. In **Kenya**, the programming work for single window IT-based ABS application, permitting and monitoring system was concluded. In 2020, in-house IT-based permitting systems as prerequisite for the central coordinating system were developed or upgraded in four partner institutions. The connection of all systems and hand-over is planned for 2021. In **Cameroon**, a ministerial decision for an interim ABS regulatory framework has been adopted in December 2020. The ABS Initiative also supported the development and adoption of ABS legal measures in other **COMIFAC** member states. After the adoption of the interim ABS regulation in **Madagascar** by Cabinet in 2017, the ABS Initiative provided backstopping support towards the finalisation of the *textes d'application* between the different ministries to guide the proper implementation of the decree. The *textes d'application* were adopted and approved by the Government in September 2020.



**Table 1 - Progress against outcome indicator 1 (regulatory ABS frameworks)**

**Outcome:** Stakeholders in partner and cooperation countries (governments, indigenous and local communities, public research organisations, private sector and NGOs) as well as regional and international organisations use the contributions of the ABS Initiative for operationalizing access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation.

**Outcome Indicator 1:** In 4 (non-GIZ supported) partner countries of the ABS Initiative ABS National Focal Points / Competent National Authorities have **submitted drafts to the relevant decision makers** for the institutional and legal framework of ABS on the national level.

Baseline: 3 drafts (2 pre- and 1 post-Nagoya) Target: +4 post-Nagoya drafts – **Status: +9 drafts**

#### **Status overview - Outcome Indicator 1**

**Benin:** Interim legal framework in force; ad-hoc committee acting as Competent National Authority.

**Côte d'Ivoire:** The draft inter-ministerial ABS decree was developed and validated in October 2020.

A draft arrêté determining the ABS checkpoints was developed in December 2019 and January 2020.

**Kenya:** 2019: The National Commission of Science, Technology and Innovation (NACOSTI) relaunched its online applications system RIMS for research permits supported by the advice and work of the ABS Initiative. This system is the entry point for the new ABS IT System.

2020: Institutional IT systems for ABS(-related) permits developed for NEMA, KWS and KFS

**South Africa:** Reviewed NEMBA is at cabinet level for approval.

#### **Overall progress in Y5 towards attaining indicator**

(the rating “very good” reflects the progress made so far in reaching 4 drafts in March 2022)



**very good  
(almost)  
achieved**



**good  
(on track)**



**Problems  
(partially)  
delays in  
implementation**



**Deficiencies  
(Risk to fail)**

**2) Regarding the support of ABS agreements,** the ABS Initiative supports the matchmaking and/or negotiation of ABS agreements in **Kenya**. In 2020, the PIC between providers from Baringo County and a Chinese company, which intends to use Aloe in biotechnology applications was signed. In **Benin**, 2 new ABS permits were issued and 8 ABS agreements were signed. In **Côte d'Ivoire**, 2 ABS permits have been granted in. All access requests are being analysed by the national ABS Committee with the technical support of the ABS Initiative. In **South Africa**, 1 new ABS agreement was concluded. Furthermore, stakeholder consultations on the development of the Marula Sector Development Plan took place. In **Madagascar**, the ABS Initiative advised the CNA in analysing access demands with respect to benefit sharing and monitoring obligations and continued supporting the CNA in exchanges with European private sector on new ABS agreements. In **Namibia**, the support on developing ABS-compliant biodiversity-based value chains in 2020 was mainly given by the BioInnovation Africa project.



**Table 2 - Progress against outcome indicator 2 (ABS agreements)**

**Outcome Indicator 2:** In 4 partner countries and at least 5 cooperation countries of the ABS Initiative 20 new ABS agreements have been established.

Baseline: *no baseline* - Target: *+20 ABS agreements* – Status: **+31 ABS agreements**

**Status overview – Partner countries:**

**Benin:** By January 2021, 12 ABS permits were issued (2 of them in 2020) and uploaded to the ABSCH. All of them are permits for non-commercial use, although in four cases the ABS Committee identified a commercial potential. They include international (e.g. Belgium, Sweden, Germany, India and others) and national users and concern research activities such as mushroom ecology and taxonomy, research on malaria and human parasites or on yam landraces. In addition, 8 ABS agreements have been signed in 2020 for which the permits are about to be issued, all of them non-commercial cases as well.

**Côte d'Ivoire:** During the working sessions of the ad hoc ABS Committee, five international access demands have been discussed and two permits have been granted in 2020, while the upload on the ABS CH is still pending.

**Kenya:** A German university was advised on procedures and possibilities for non-monetary benefit sharing related to an ABS agreement (Kilifi County).

**South Africa:** Five ABS agreements with support of ABS Initiative established.

**Status overview – African cooperation countries:**

**Algeria:** One ABS agreement between an Algerian company and a cooperative for lentisk oil has been elaborated and signed with support of the ABS Initiative.

**Cameroon:** Two ABS agreements with support of the ABS Initiative established between a French fragrance company and a local community.

**Malawi:** The ABS Initiative and Malawi have worked together on ten contracts have been discussed, improved and processed. Several of them are in final stage.

**Mauritania:** The negotiation of an ABS agreement with the German research institution GEOMAR for marine research was supported. Because the draft ABS contract was not finalised and signed, GEOMAR decided to abandon the research in Mauritania.

**Overall progress in Y5 towards attaining indicator**

(the rating "very good" reflects the progress made so far in reaching 20 agreements in March 2022)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>very good (almost) achieved</b>	<b>good (on track)</b>	<b>Problems (partially) delays in implementation</b>	<b>Deficiencies (Risk to fail)</b>

**3) In recognition of the role of indigenous peoples and local communities as providers of genetic resources and associated traditional knowledge**, the ABS Initiative supported the elaboration of the Bonou BCP in **Benin** which was used and adapted by 12 communities to finally sign 15 memorandums of understanding / community PIC+MAT. One of these memorandums was specifically signed by and for the benefit of women. In **Kenya**, Natural Justice supported the Endorois Welfare Council in completing the BCP for the Endorois community, the uptake as annex to the local Biodiversity Management Plan was discussed in 2020. Furthermore, the Ogiek community has requested guidance to expand and strengthen sections of their BCP in relation to traditional knowledge and ABS.



**Table 3 - Progress against outcome indicator 3 (ABS agreements based on BCPs)**

**Outcome Indicator 3:** In 4 partner countries and at least 3 cooperation countries of the ABS Initiative 12 ABS agreements are based on Biocultural Community Protocols (BCPs) or comparable instruments (CI) and promote the inclusion and participation of women in benefit-sharing.

Baseline: *no baseline* – Target: *+12 ABS agreements* – **Status: +26 ABS agreements**

**Status overview – Partner countries:**

**Benin:** Twelve different communities have been involved in ABS agreements so far. With them 15 memorandums of understanding / community PIC+MAT were signed (one per genetic resource) as stipulated in Benin's ABS framework. The communities used and adapted the existing Bonou BCP for the respective processes. One of these memorandums was specifically signed by and for the benefit of women, as the related research focuses on a pathogen and its incidence among pregnant women.

**Côte d'Ivoire:** So far, no work on BCPs and/or ABS agreements with communities has started.

**Kenya:** A BCP by the Endorois Welfare Council in Baringo County was adopted. One ABS agreement under negotiation in Laikipia County will benefit women producer groups.

**South Africa:** One ABS agreement between National Khoisan Council and the South African rooibos industry and other companies; two further ABS agreements between the Cape Bush doctors and other companies. One agreement including the Heuningvlei community on the Clanwilliam Cedar. All agreements will impact directly or indirectly positively on women's livelihoods.

**Status overview – African cooperation countries:**

**Cameroon:** One ABS agreement based on intense exchanges with and amongst the providing community feeding into a national discussion on the establishment of BCP procedures has been finalised. More than 40% of beneficiaries in the supply chain of the resource are women.

**Madagascar:** 5 biotrade agreements between communities and users have been established based on the commercialization of Saro Oil. All of them have respected the BCP of the communities. A provision on ABS have been integrated in these agreements.

**Malawi:** One ABS contract between IPLCs and foreign users is finalised, a second one is currently under negotiation.

**Overall progress in Y5 towards attaining indicator**

(the rating "very good" reflects the progress made so far in reaching 12 agreements in March 2022)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
very good (almost) achieved	good (on track)	Problems (partially) delays in implementation	Deficiencies (Risk to fail)

In South Africa, several inception meetings were jointly hosted by DEFF, ABioSA and Natural Justice with national and regional stakeholders on the planned BCP activities around three key species, (i) Buchu, (ii) Marula and (iii) *Aloe ferox*. This process also led to the co-development and co-signing of a "**BCP Code of Ethical Conduct**" in August 2020 which will form the basis of further engagement with regional partners and IPLCs, but is also seen as a milestone for such partnerships that the ABS initiative will use as a **blueprint for engagements with its partners** in other regions and countries.





In several of the reported ABS negotiations, IPLCs are included. Two main challenges in drafting of ABS contracts that include associated traditional knowledge have been identified: One is describing the subject matter regulated by a contract in a manner that allows to enforce it in the context of a contract (which of course need to be enforceable in all its elements). The other arises when biotrade is leaning on associated traditional knowledge. This second challenge is particularly strong when biotrade does not require ABS permits or ABS contracts. One lesson learned is that an ABS-biotrade contract tool needs to reflect aspects related to IPLCs and aTK in a clear and systematic manner. Work on such a tool started in 2020 in the context of the BioInnovation Africa project.

The Initiative continued to provide **ad hoc support to cooperation countries in Africa, the Caribbean and the Pacific as well as countries or projects in other regions** – including advice on emerging ABS cases (e.g. Ethiopia, Malawi, Palau and Vanuatu).

Based on the decisions taken by the African Steering Committee meeting in March 2020 reacting on the **global COVID-19 pandemic** and the resulting postponement of several national and regional capacity building activities, a cluster of remote support and virtual capacity building / coordination measures were approved by the Regional Steering Committee for Africa of the ABS Capacity Development Initiative. These include: **(1) mapping and fostering the implementation of the Nagoya Protocol in Africa**; (2) knowledge generation on Mutually Agreed Terms (MAT) and benefit sharing; (3) contribution of ABS to conservation and sustainable use; and **(4) outreach and capacity development on Digital Sequence Information (DSI) in Africa**. The ABS Initiative convened a series of webinars covering topics (1) and (4) based on the ABS Initiative's publication "ABS Implementation Options" against the backdrop of the African Union ABS Guidelines for the coordinated implementation of the Nagoya Protocol in Africa and the results of the 1<sup>st</sup> Global Dialogue on DSI. The transformation of face-to-face meeting into virtual formats proved to be demanding and required substantial input in terms of work time. At the end of 2020, the ABS Initiative build up various online formats to convene virtual information meetings, expert discussions, workshops etc.

A specific focus of the work in 2020 was on developing a concept and approaches to convene **the 2<sup>nd</sup> Global Dialogue on DSI in virtual form**. The complexity and controversial nature of the topic poses strong challenges for online discussions. First preparatory webinars were conducted in December 2020 in cooperation with the CBD secretariat, the virtual dialogue itself will take place in mid-2021.

Also due to COVID restrictions, the annual Paris based **Beauty of Sourcing with Respect (BSR) Conference** and its Exchange Forum with the private sector – conjointly organized by UEBT and the ABS Initiative – went online also. Two events of the 2020 Digital Dialogue Series were specifically dedicated to topics related to ABS and the Nagoya Protocol, discussing ABS trends and emerging issues.

The draft text of the **monitoring framework for the Post-2020 Global Biodiversity Framework** presented ABS-goals and indicators which sparked intense discussions amongst stakeholders. Under the auspices of the CBD secretariat, the ABS Initiative initiated exchanges between stakeholders and CNAs to discuss how to bring together the need to show measurable progress in benefit sharing with the fact that many ABS agreements, especially the commercial ones leading to monetary benefit sharing, are confidential.

The ABS Initiative managed to strengthen its role as a **globally significant knowledge broker and communicator on ABS**. While the COVID restrictions occurred to be a challenge in the beginning, the work undertaken helped to establish the ABS Initiative as a strong force in generating knowledge in the digital sphere with the well-received webinars being proof. In 2020, the webinars replaced some of the originally planned on-site workshops. The transformation of training courses into blended-learning or completely virtual formats is ongoing and will be finalised in 2021. The ABS Initiative is convinced that in the long run a blended approach between online and on-site events is crucial for effective knowledge generation.



The COVID pandemic added to the challenges, the ABS Initiative and its partners are facing in implementing the Nagoya Protocol and national ABS frameworks. At the international level, **negotiations towards the Post-2020 Global Biodiversity Framework came to a standstill** and the discussions of benefit sharing mechanisms in the context of using DSI did not progress. At the national level, countries face difficulties in the context of negotiating and concluding effective ABS agreements due to **still unclear procedures and insufficient ABS and contract law capacities among legal experts**. A key issue that also needs to be resolved is how to match **understaffed and/or insufficiently capacitated government agencies operating on basis of new and often only partly functional ABS frameworks with the requirements of academia and the private sector**. Adding to that, a proper implementation of the Nagoya Protocol is limited through the fact that still many countries with a functioning ABS system in place do not provide the relevant information on the ABS Clearing-House and , thus, do not support the global compliance and monitoring system. The continuation of targeted activities of the ABS Initiative and its partners in the coming year is unarguable necessary.

## 2. Background: Current status of ABS in ACP countries

As of 31 December 2020, 128 countries are members of the Nagoya Protocol, an increase of 7 compared to 2019 (Greece, Montenegro, Nicaragua, Oman, Saudi Arabia, Solomon Islands, Tonga). The two new pacific Parties to the Nagoya Protocol were included in the capacity development activities conducted by the ABS Initiative. With this, most of the world's countries are integrating the principles of ABS into their national environmental and policy frameworks, making the Nagoya Protocol a key international treaty.

95 Member States are classified as developing countries (OECD DAC classification) and represent the vast majority (74%) of Parties to the Nagoya Protocol. This underscores the importance that the so-called 'provider countries' are attaching to the ABS mechanism. Among them, Africa counts 45 Parties to the Protocol, which equals 83% of all AU member states. This reflects Africa's strong commitment as well as expectations towards ABS as an instrument to support national conservation and sustainable development agendas. In line with this, the African Group continues to play a visible and active role in the negotiations at the international level. As table 4 shows, Caribbean and Pacific countries are less advanced in the ratification process, although progress can be observed in these regions, too. For instance, many C/P countries are still developing domestic legislation, which in many cases is a precondition for acceding to international instruments. Nevertheless, a major obstacle slowing down these processes especially in SIDS countries are the limited human capacities of small administrations.

Ratifications have remained at a relatively low level during the last three years. This slow pace seems to reflect the challenges the actual **implementation** of the Nagoya Protocol at the

**Table 4 – Status of membership to the Nagoya Protocol on ABS among ACP countries and Northern Africa (source: ABS-CH as of 31 December 2020).**

	ACP Region + Northern Africa			Total
	Africa	Caribbean	Pacific	
Parties	45	5	9	59
Ratified, not yet Party	0	0	0	0
Non-Party, signatory	6	1	0	7
Non-Parties	3	10	6	19
Total	54	16	15	85





national level still faces in most countries. While most of the ACP Parties (apart from Eritrea, Tonga, Solomon Islands) have designated **national focal points**, only 19 African and three Caribbean Parties have listed their **competent national authorities** on the ABSCH, and only three ACP Parties (Kenya, Mauritania, South Africa) have designated **checkpoints**. In their Interim National Reports on the Implementation of the Nagoya Protocol submitted to the CBD Secretariat in 2017, 27 African and four Caribbean countries report that they have taken **legislative, administrative and policy measures** on ABS, with 19 African and two Caribbean Parties having listed such measures on the ABS-CH by the end of 2020. A large portion of these measures date from before the Nagoya Protocol's adoption, and in most ACP countries, policy development, the revision of existing legislation and/or the drafting of new measures as well as related consultation processes are still ongoing. Not surprisingly, information on ABS agreements in accordance with the Nagoya Protocol is still scarce. Kenya (70, No. 5 worldwide), South Africa (33, No. 7 worldwide), Benin (12, No. 9 worldwide) – all three partner countries of the ABS Initiative – as well as Guyana (5), the Dominican Republic (2), Saint Kitts and Nevis (2) and Ethiopia (1) have so far created 125 (6%) out of 2,086 **internationally recognised certificates of compliance (IRCCs)**. In their Interim National Reports, some further countries specify that they have granted a certain number of **permits** and 24 state that **benefits** have been shared, but the respondents underline that many of these cases cannot be viewed as ABS cases in the narrow sense of the Nagoya Protocol.

As the Interim National Reports reveal (and the ABS Initiative's experiences confirm), especially the Protocol's **compliance system** is still insufficiently understood and addressed by many ACP countries. Yet, the so-called '**user measures**' implemented by countries such as the EU member states, Switzerland and Japan are taking effect and thus help raise awareness of this issue in countries providing genetic resources. As the ABS Initiative's partners confirm, users interested in genetic resources and/or associated TK are increasingly approaching national focal points and CNAs in ACP countries for information on their domestic measures, as they are now obliged to comply with these measures and provide evidence of PIC and MAT in the countries where the utilisation is taking place. At the same time, as the institutional setup is evolving, communication between CNAs of different ('user' and 'provider') countries across the world is slowly improving.

However, with legal frameworks and the related institutions not being (fully) operational yet, authorities in many ACP countries often feel uncomfortable to engage in ABS cases and do not always respond to users' requests. In the research and business communities, this causes frustration and has a negative effect on research cooperation. Upcoming business opportunities are in danger of not being realised, and even existing value chains contributing to biodiversity conservation, rural development and technology transfer are put at risk. Therefore, action for the implementation of the Protocol is still urgently needed at the national level. This support should focus on supporting the institutional and administrative effectiveness of national ABS systems and on the exchange of information via the ABS-CH which is crucial for the international compliance system set up by the Nagoya Protocol. Lessons learnt in some countries show that many users still follow a 'business as usual' approach and are reluctant to accept contract clauses in the negotiation with providers. Awareness raising is still needed amongst researchers using genetic resources to enter into ABS negotiations.

Such challenges aside, the data summarised above also show that more and more countries are developing their national ABS systems and gaining first concrete experiences. With this, the **interfaces** between general ABS rules formulated under the Nagoya Protocol and **measures and practices in other sectors**, some of which are driven by international negotiations around instruments like FAO-ITPGRFA, WHO-PIP or UNCLOS, are increasingly emerging as important issues. In most countries, the implementation of ABS in the sense of the CBD and the Nagoya Protocol is the responsibility of the (often comparatively weak) ministry of environment, while agricultural and forestry resources, marine resources and pathogens are the respective domains of the (usually stronger) ministries of agriculture, fisheries, forestry and health. The Interim National Reports submitted by ACP countries



indicate that cooperation between these sectors is still weak and that specialised measures for basic research, genetic resources for food and agriculture or for pathogens, as required by Art. 8 of the Nagoya Protocol, have hardly been developed so far, which can have severe implications for international research e.g. in health and agriculture. In 2020, the COVID-19 pandemic with its urgent need for rapid exchange of virus material between countries and the challenges providing access to vaccines to developing countries exposed deficits in national coordination and in integration of international frameworks into a pandemic response system that realises ABS principles.

The dependency of epidemiological analyses and vaccine development on access to and use of SARS-CoV-2 nucleic acid sequences brought the issue of **digital sequence information (DSI)** to the centre of worldwide attention. ACP countries, too, became aware of the importance of DSI and the way it is addressed under the CBD post-2020 Global Biodiversity Framework as well as other international forums such as the WHO PIP Framework, the FAO ITPGRFA and the UNCLOS BBNJ negotiations. Ironically, the pandemic-related restrictions stopped international DSI negotiations almost completely at the same time. DSI has implications for ABS across all the above-mentioned sectors, with its relevance for taxonomy, basic and applied research as well as commercial applications. However, many countries lack the appropriate institutional arrangements necessary for the long and sometimes complicated consultations between different authorities required to adequately address issues like DSI in legislation and contracts. In all these cases, the dynamic situation at the international policy level can severely test the limits of national technical and legal capacity, sometimes resulting in legal uncertainty and/or institutional paralysis. Based on the results of ongoing global discussions, it became clear that national, bilateral approaches aiming at regulating benefit-sharing based on the use of DSI show a very limited effectiveness. So far, access to DSI in databanks and its use by third parties escapes bilateral benefit-sharing obligations, if existing, due to the lack of a missing international governance system for the use of DSI. African countries will play a driving role in the international DSI negotiations as they put the topic on the CBD agenda in 2016. The request for focussed capacity development led to the initiative by Norway and South Africa to provide (Norwegian) funding to the ABS Initiative for organising the **Global Dialogues on DSI**, starting in 2019 and intensifying in 2020. The 1<sup>st</sup> Global Dialogue on DSI convened in Pretoria in November 2019 resulted in the formulation of five policy options for benefit sharing in the context of using DSI in non-commercial and commercial R&D as well as product development and marketing. The dialogue also drafted “points for consideration” which might be used for evaluating such policy options in future policy development and adoption. Both results were highly appreciated by stakeholders worldwide and disseminated widely.

All these developments in the political and institutional spheres of ABS are met with a steadily growing awareness among stakeholders in ACP countries that the **valorisation** of biodiversity and traditional knowledge can and should be approached in a pro-active and strategic manner. More and more actors of existing value chains, including from biotrade projects that do not necessarily involve research and development, are beginning to include ABS considerations in their activities, and political frameworks promoting biodiversity-based innovation and valorisation are increasingly linked with the emerging ABS frameworks. This has led to a growing demand for technical and legal support to valorisation-related work, such as value chain configuration, business planning and contract negotiation, across the ABS Initiative’s partner and cooperation countries. This demand has also prompted a debate among support institutions about how they can best deliver such support, and while some best practices have been identified, the matter is still far from being resolved.

Another recurring issue raised in this context by both governments and local stakeholders is the question of how ABS can be operationalised for the case of **traditional knowledge associated to genetic resources**, addressing matters of intellectual property as well as cooperation and benefit-sharing across country borders. In this regard, further practical experiences must be generated and shared. Regulatory arrangements are urgently needed to enhance legal certainty for both the holders and potential users of traditional knowledge.



All in all, the rich biological diversity and the related traditional knowledge and cultural practices across ACP countries bear enormous potential for the conservation and sustainable use of biodiversity, as well as for the development of local livelihoods. Stakeholders in these countries increasingly recognise this potential and start acting upon it, and slowly the respective regulatory and administrative frameworks are evolving. If these developments receive the required support at the international, national as well as local levels, this prepares fruitful ground for benefits to be generated and shared in the spirit of ABS.

### 3. Financial status and perspective

In 2015, the German Federal Ministry for Economic Cooperation and Development (**BMZ**) commissioned GIZ for additional three years to implement the ABS Capacity Development Initiative (2 Mio Euro for 04/2015-03/2018). In early 2017, BMZ made an additional amount of 750,000 Euro available to the ABS Initiative for expenditure until 03/2018, thus maintaining a sufficient level of funding to address immediate needs for capacity development. In June 2018, the Ministry granted an additional amount of 2.4 Mio Euro and extended the commission until March 2022; in 2019 an additional 2.7 Mio Euro were allocated to the ABS Initiative and commissioned in February 2020.

A second round of funding was approved by the relevant EU bodies in December 2016 under the **11<sup>th</sup> European Development Fund (through the ACP-EU Partnership Agreement)**. After conclusion of the necessary agreements between the Commission and the ACP Secretariat, a *Delegation Agreement* between the Commission and GIZ was established, making 5 Mio Euro available to the ABS Initiative for expenditure until 03/2022.

Unfortunately, **OIF/IFDD** could not continue its long-standing support to the ABS Initiative from 2008 until 2019. We want to express our gratitude for this commitment, which contributed to the full inclusion of Francophone Africa in African events and bi-lingual delegates briefings before CBD meetings and translation of technical briefs, policy papers etc. of the ABS Initiative.

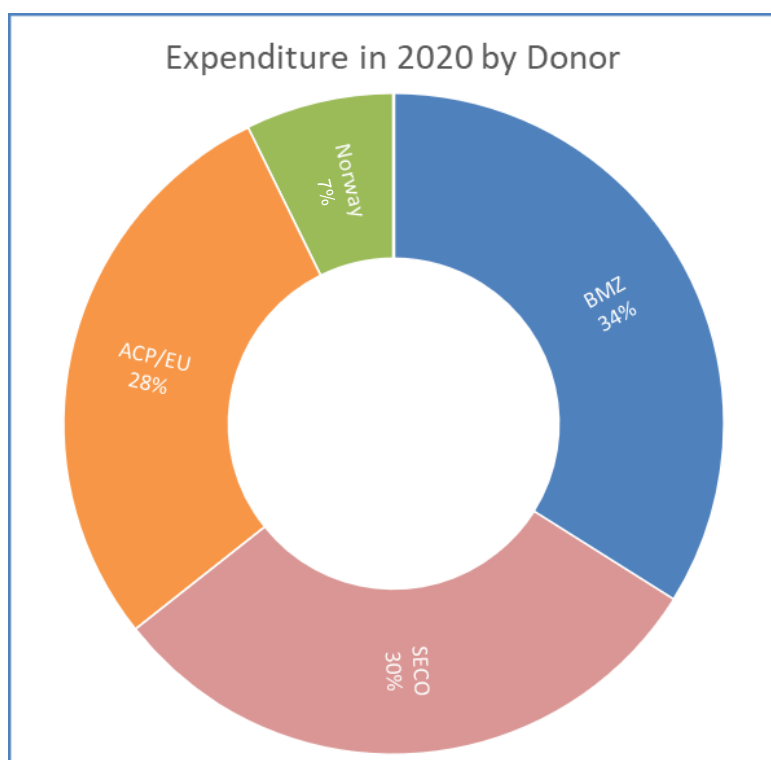
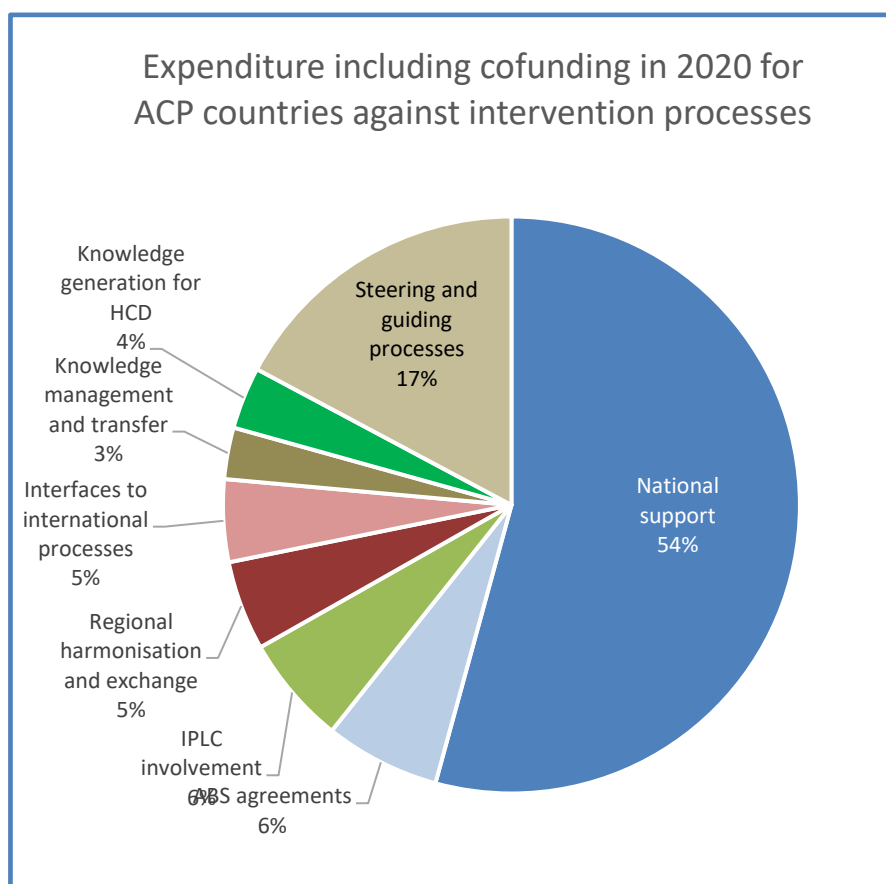


Figure 1 - Donor contributions to the actual expenditure of 3,124,112 Euro in 2020 (see also expenditure report in Annex A).



**Figure 2- Expenditure including co-funding against intervention processes (for details see Annex A). As in previous years, support for developing regulatory frameworks was provided in 2020 exclusively through national support to CNAs and ABS NFPs.**

In a financing agreement the **Swiss State Secretariat for Economic Affairs (SECO)** made available 3 Mio CHF (2.67 Mio EUR) for 3.5 years to GIZ, earmarked for the project “ABS Compliant Biotrade in South(ern) Africa” (ABioSA). The project is focused on South Africa and the southern African region and started in February 2018. Annex D provides an overview on project objectives and components. Implementation is guided by a project steering committee with representatives of the donor, the South African Department for Environment, Forests and Fisheries and the ABS Initiative. In order to compensate for some delays caused by COVID-19, SECO agreed to a no-cost extension of the project until 31.10.2021. In addition, a 2<sup>nd</sup> project phase with similar budget and project duration is under consideration. Based on an initial concept note the development of a full proposal has been started late 2020 for submission to SECO during the 2<sup>nd</sup> quarter 2021.

As a result of a series of exchanges with the **Norwegian Ministry of Foreign Affairs** and the **Norwegian Ministry of Climate and Environment** in 2018, an additional amount of 5 Mio NOK (approx. 500,000 EUR) were made available in 2018 and another 2.5 Mio NOK (approx. 230,000 EUR) in 2020 under the Delegated Cooperation Agreement between BMZ and the Ministry of Foreign Affairs. With the amendment in 2020 NORAD became the contractual partner on the Norwegian side. This renewed engagement of the Government of Norway is directly linked to Norway’s environmental cooperation with South Africa and is targeting capacity development on DSI and the role of ABS in the CBD post-2020 agenda.

Despite COVID-19 and the resulting uncertainties on the duration of the resulting limitations for physical meetings and international travel expenditure in 2020 remained high at 3.1 Mio Euro. With a view to maintaining key processes and keeping partnerships ongoing, operational expenditure in 2020 was focused on:

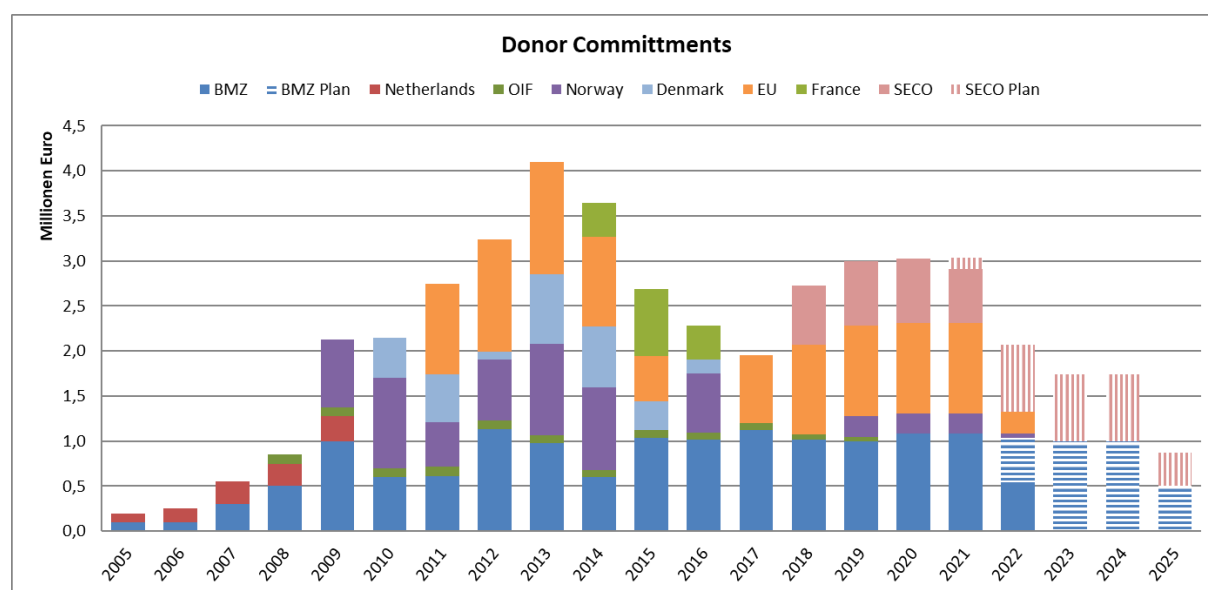
- core activities – i.e. supporting partner countries in the implementation of the national ABS roadmaps developed and updated since 2015,



- providing a 2<sup>nd</sup> round of grants to South and Southern African SMEs and supporting sector wide approaches for marula, buchu, baobab, honey bush and selected essential oils addressing natural resource management, IPLC participation, market access and ABS compliance;
- supporting regional exchange through a webinars series with simultaneous interpretation focusing on national implementation challenges and options;
- supporting the SCBD and UNDP in conceptualising the virtual celebrations of the 10<sup>th</sup> anniversary of the Nagoya Protocol;
- conceptualising and conducting the first of three webinars organised by the SCBD on DSI
- Knowledge generation, management and transfer in the fields related to:
  - conceptualising, conducting or finalising different DSI studies;
  - developing and producing the short video “DSI Simply Explained”;
  - continuing the documentation of ABS cases and best practices;
  - finalising the CEPA tools for IPLCs;
  - revamping the ABS Initiative website;

With basically only the 2<sup>nd</sup> meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework taking place from 24-29 February 2020 in Rome, Italy, and one regional training taking place financed and organised as a physical event by the ABS Initiative – the ABS Valorisation Training, 09-11 March 2020, in Windhoek, Namibia – the distribution of funds across the different areas of work changed significantly as compared to the previous years with an increase of expenditure for the three core processes and decrease in expenditure for the auxiliary processes (regional exchange and international events):

- 66% (52% in 2019, 59% in 2018, 38% in 2017, 39% in 2016 and 45% in 2015) of the expenditure directly contributed to national support for the development of institutional and regulatory frameworks (54%), ABS agreements (6%) and IPLC involvement (6%), i.e. the core processes of the ABS Initiative’s intervention logic. The significant increase in 2018 must be attributed to some extent to the start of SECO co-funding for the ABioSA project. Funds of the ABS Initiative core budget were used to support partner and cooperation countries in implementing the established national ABS road maps including providing funds to partners in delivery, such as the Union for Ethical BioTrade (UEBT), the Fridtjof Nansen Institute, Natural Justice, CeSaReN and the University of New South Wales.



**Figure 3 - Yearly funding commitments of the donors to 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: future commitments still lacking signed financing agreements are ruled.**





- 19% (32% in 2019, 24% in 2018, 41% in 2017, 47% in 2016 and 30% in 2015) of the expenditure was directed to the auxiliary processes, such as regional harmonisation and exchange (6%), interfaces to international processes (6%), knowledge management and transfer (3%) and knowledge generation for human capacity development (HCD) (4%). The higher share in 2019 as compared to 2018 responds to the intensified efforts – based on the additional Norwegian co-funding – to improve technical understanding of digital sequence information (DSI) of and to create space for informal exchange among the relevant stakeholders.
- 17% (16% in 2019 and 2018, 21% in 2017, 16% in 2016 and 25% in 2015) of the expenditure was used for the necessary **steering and guiding processes**.

Through the partnership with the **University of New South Wales (UNSW)** in Sydney, Australia, parallel funding is available through a research grant (568,796 AUD, appr. 360,000 EUR) that was awarded in 2017 to UNSW by the **Australian Research Council** for a 5-year project seeking to identify ways to protect biodiversity-related Indigenous knowledge in Vanuatu, Cook Islands and Northern Australia.

Efforts will be continued for maintaining beyond 2021 the funding level of the last years of more than 3 Mio EUR to be able to respond in an appropriate manner to the capacity development needs in the global south for the efficient and effective implementation of ABS and the Nagoya Protocol. To this end, current donors need to renew their commitments and in parallel efforts have to be intensified to broaden and thus improve the collaborative and funding base of the ABS Initiative. SECO has already expressed strong interest to fund a 2<sup>nd</sup> phase of ABioSA and BMZ intends to include a 3-year continuation of the ABS Initiative into its 2022 budget plans. Discussions with Norway and the EU need to be intensified after the report of the external evaluation is available in the 2<sup>nd</sup> quarter of 2021.

In addition, the Secretariat of the Initiative continued in 2020 and will continue in 2021 its outreach activities to other donors, such as Canada, France and Denmark.

#### 4. Outcomes and outputs

The implementation of the workplan for 2020 was heavily influenced and partly blocked by the global **COVID-19 pandemic**. The pandemic has been largely preventing international and, in many cases, national travel and the organisation of events since March 2020, causing substantial changes for the work of literally every organisation, not only in international cooperation. The pandemic's impact on the ABS Initiative's work has been and will continue to be twofold:

- The **timing** of many key activities of the ABS Initiative depends on international events, especially on the relevant meetings of the CBD and the Nagoya Protocol. This was the case in 2020, when CBD COP 15 – foreseen to develop a new global biodiversity framework – was postponed repeatedly. The ABS Initiative initially reacted by postponing its related physical workshops before decisions were taken to transform the face-to-face formats into virtual formats, following the recommendations of the African Steering Committee Meeting in March 2020. This reaction allowed the ABS Initiative to continue its work on the various urgent topics such as DSI and deliver capacity development opportunities for its partners.
- Therefore, the second effect of the pandemic was the reorientation of the ABS Initiative's **mode of delivery** towards online formats of capacity development and peer-to-peer exchange. Within a short period of time, the ABS Initiative and its partners tested new IT tools and capacity building concepts and have been continuously improving and adapting them to the audiences' needs. While this change has been a challenge making some activities impossible and others clearly more difficult, it has also provided a **chance for innovation and learning**: The online formats have proven to be useful and will be used in the future as an addition to on-site events and in the form of self-learning modules. This work will certainly benefit from the ongoing dynamic in the IT sector where interesting tools are rapidly evolving.





As outlined in the programme document, the focus of the Initiative's activities in Africa is to support partner countries along the three core processes, following national ABS road maps elaborated in collaboration with the partners (see table 5). Support in South Africa remained comparatively high in 2020 due to the implementation of the ABioSA sub-project which contributes to the outcome indicators 2 and 3 of the ABS Initiative on the number of ABS agreements and ABS agreements based on BCPs. For a description of the project component and its objective, see Annex D.

In African cooperation countries with GIZ-implemented partner projects, support is provided based on the respective operational planning of and upon request by the GIZ-implemented projects. A flexible budget is available for on-demand support to other African countries (cooperation countries).

Funding available for activities in the **Caribbean** and **Pacific** does not allow the ABS Initiative to engage in individual countries at a comparable level to the African partner countries. Therefore, as a general rule, support in the Caribbean will rather be delivered based on regional-level activities, whereas in the Pacific, due to considerably high intra-regional travel costs support activities are responding within the budgetary limits to specific requests from countries. In both regions, all support is aligned as much as possible with the respective regional GEF/UNEP-funded ABS projects and national GEF/UNDP-funded ABS projects.

In response to the diverging understanding and interpretation of some technical terms, during its meeting in 2016, the Steering Committee of the ABS Initiative discussed and clarified what should be counted and what does not qualify to be counted by the outcome indicators of the ABS Initiative. For ease of reference, the relevant qualifications are provided in Annex B. To better reflect and account for the support provided to cooperation countries especially in the Caribbean and the Pacific, but also in Africa (funded through the "flexible country budget"), the Steering Committee decided in its meeting in 2017 to amend outcome indicators 2 and 3 to include progress in cooperation countries, too. The team was requested to propose target values to the Steering Committee for decision at COP 14 in November 2018, also considering the ABioSA sub-project. The approved values are provided in the respective tables below.

**Table 5 – Country-specific work packages based on the national ABS road maps, established following the country diagnostics conducted by the ABS Initiative in 2015 and 2019 (for Côte d'Ivoire).**

<b>Work packages in African partner countries</b>	<b>Benin</b>	<b>Côte d'Ivoire</b>	<b>Kenya</b>	<b>South Africa</b>
Interim ABS regulations	x	x		
Revision of existing ABS framework			x	x
Development of legal TK framework				
Explore valorisation potentials	x	x	x	x
Assess national R&D capacities	x			
ABS valorisation cases	x	x	x	x
BCP development	x			x
Transboundary guidelines				x
Technical/legal trainings	x	x	x	x



## 4.1 Support to partner countries (Africa) and cooperation countries (ACP-wide)

**Outcome:** Stakeholders in partner and cooperation countries (governments, indigenous and local communities, public research organisations, private sector and NGOs) as well as regional and international organisations use the contributions of the ABS Initiative for operationalizing access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation.

**Outcome Indicator 1<sup>1</sup>:** In 4 (non-GIZ supported) partner countries of the ABS Initiative ABS National Focal Points / Competent National Authorities have **submitted drafts to the relevant decision makers** for the institutional and legal framework of ABS on the national level.

Baseline: 3 drafts (2 pre- and 1 post-Nagoya) Target: +4 post-Nagoya drafts – Status: +9 drafts

### Status overview - Outcome Indicator 1

**Benin:** Interim legal framework in force; ad-hoc committee acting as Competent National Authority.

**Côte d'Ivoire:** The draft inter-ministerial ABS decree was developed and validated in October 2020. A draft arrêté determining the ABS checkpoints was developed in Dec. 2019 and Jan. 2020.

**Kenya:** In 2019, the National Commission of Science, Technology and Innovation (NACOSTI) relaunched its online applications system RIMS for research permits supported by the advice and work of the ABS Initiative. This system is the entry point for the new ABS IT System.

In 2020, Institutional IT systems for ABS(-related) permits were developed for NEMA, KWS and KFS.

**South Africa:** Reviewed NEMBA is at cabinet level for approval.

### Overall progress in Y5 towards attaining indicator

(the rating "good" reflects the progress made so far in reaching 4 drafts in March 2022)



**very good  
(almost)  
achieved**



**good  
(on track)**



**Problems  
(partially)  
delays in  
implementation**



**Deficiencies  
(Risk to fail)**

**Output A:** Draft institutional and legal frameworks including roadmaps for ABS implementation at national and (sub-) regional level.

A.1: Drafts / concepts for the institutional and legal ABS framework at national level are formulated by partner countries.  
Baseline: 3 drafts (2 pre- and 1 post-Nagoya)

Key activities supporting achievement of the indicator:

#### Benin – Baseline: 0, Status: 4

- The interim legal framework for ABS, which was developed in 2016 with the ABS Initiative's support, was adopted in March 2017. The national *Directives* define the obligations of users and providers of genetic resources and associated traditional knowledge in the ABS process and provide templates for access demand forms and elements of mutually agreed terms. The *Directives* are meant to implement the ABS systems of both the Nagoya Protocol and the ITPGRFA in a mutually supportive manner. They were therefore

<sup>1</sup> For an overview about the fulfilment of all outcome and output indicators from 2015 to 2020 see Annex D.



<p>Target: 4 post-Nagoya drafts in 4 partner countries</p> <p><b>Status: 15 drafts (post-Nagoya) in 4 partner countries</b></p>	<p>made legally binding by an <u>inter-ministerial decree</u> of the two ministries in charge (environment and agriculture), which was signed by the President in September 2018.</p> <ul style="list-style-type: none"> <li>• For the time being, the role of a Competent National Authority is assumed by an <u>ad-hoc committee</u> composed of representatives of the ministries relevant to the respective access requests. The committee is coordinated by the ABS focal point and has already started working with the Initiative's financial support.</li> <li>• In order to fulfil the monitoring and compliance requirements of the Nagoya Protocol, the ABS Initiative's partners in Benin organised a workshop that created a national consensus on the roles and responsibilities of checkpoints in the national ABS system. The workshop was held in July 2020 with the financial and technical (virtual) support of the ABS Initiative. Based on its outcomes, the development of two related implementing measures (arrêtés) has been initiated.</li> <li>• Now that an interim system is in place, Benin has developed a <u>plan for the development of a specific ABS law</u>. The related process has been started in Q1 2021.</li> </ul> <p><b>Côte d'Ivoire – Baseline: 0 (pre-Nagoya), Status: 3 (post-Nagoya)</b></p> <ul style="list-style-type: none"> <li>• Before Côte d'Ivoire became a partner country of the ABS Initiative, an inter-ministerial ABS decree was elaborated, technically validated in June 2017 and introduced into the 9 concerned Ministries for signature. It specified the obligations of each actor and the rules and procedures to be followed with regard to ABS. After 5 Ministries had already signed, a governmental restructuration took place and the process of signatures had to be started again.</li> <li>• In the meantime, Côte d'Ivoire was chosen as partner country and with the support of the ABS Initiative, activities on several implementing regulations (<u>arrêté on check points</u>), the respective <u>model documents</u> (<u>access demand form, permit, declaration receipt</u>) have been developed. <u>An overall visualisation of the Ivorian ABS system</u> is currently being developed. The legal framework is currently implemented: the ABS draft decree was substantially revised and technically validated in October 2020.</li> <li>• Currently an ad-hoc committee acts as the future scientific committee analysing the access demands.</li> </ul> <p><b>Kenya – Baseline: 1 (pre-Nagoya), Status: 4 (post-Nagoya)</b></p> <ul style="list-style-type: none"> <li>• Due to the progress in institutional consultations and coordination after the planning workshop 2015, the idea to convene a national coordination forum was abandoned.</li> <li>• Instead, Phases 1 and 2 of the establishment of a single-window IT based ABS application, permitting and monitoring system integrating six major institutions National Environment Management Authority, Kenya Wildlife Service, National Commission for Science, Technology and Innovation, Kenya Forest Service, Kenya Plant Health Service and Department of Veterinary Services was undertaken.</li> <li>• The Ministry of Environment and Natural Resources, backed by 20 national institutions, endorsed the results of Phases 1 and 2 and asked for the implementation of the IT system in May 2018</li> <li>• Due to institutional and technical challenges the central backbone system could only be finalised in Dec 2019, the necessary institutional IT systems were built in 2019 and 2020.</li> </ul>
---	---



	<ul style="list-style-type: none"> <li>• NACOSTI, with support of the ABS Initiative, developed <u>a new IT-based IT permitting system as entry point for the IT ABS system.</u></li> <li>• KWS, NEMA and KFS, with the support of the ABS Initiative amended or developed IT permitting systems to link to the central backbone</li> <li>• Kenyan Wildlife Service drafted two post-Nagoya ABS regulations: The Wildlife Conservation and Management (Access, Incentives and Benefits Sharing) Regulations, 2016 and the Wildlife Conservation and Management (Bio-prospecting) Regulations, 2016, which were presented in public consultations; the Initiative and Natural Justice commented on the drafts. The process was stopped later.</li> <li>• The ABS Initiative took part in a stakeholder validation for the Kenya National Biosciences Bill 2018 with ABS provisions</li> </ul> <p><b>South Africa –Baseline: 1 (post-Nagoya), Status: 4 (revision)</b></p> <ul style="list-style-type: none"> <li>• During the country assessments of 2015 a methodological approach has been developed to inform and support DEA in revising South Africa’s ABS laws (National Environmental Management Biodiversity Act, 2004) and regulations (Bioprospecting, Access and Benefit Sharing Amendment Regulations) to ensure they are compatible with the Nagoya Protocol, supportive of its new national Biodiversity Economy Strategy (BES) and efficient with respect to transaction costs.</li> <li>• Based on a ministerial decision the law and regulations should be amended based on a draft, to be developed by mid / end 2018. During 2017, SA authorities and stakeholders held a variety of stakeholder fora and convened meetings of the NEMBA review task team in order to identify and elaborate on elements that would require modification. <u>A draft amendment has been established in 2018 and is currently at government level circulated for comments.</u> Approval of the draft bill for parliament adoption is expected for 2020.</li> <li>• Once the amended NEMBA will be in force also the ABS regulations (BABS) will be amended accordingly, taking into account feedback from past and future stakeholder consultations as well as other considerations, (e.g. related to the monitoring and permitting processes, developments at CBD level, relevant new regulations such as the aTK act etc.).</li> <li>• The ABS Initiative <u>has been providing input and support to several consultations</u> related to the revision of the ABS framework and also accompanied and advised the process at the level of the DEFF<sup>2</sup>.</li> <li>• In light of the relevance of the 2019 Act on Protection, Promotion, development and Management of Indigenous knowledge (IK act) for the implementation of ABS in South Africa <u>overview analysis of touchpoints</u> of the IK act to the biotrade sector is being carried out.</li> <li>• In order to inform DEFF on successful ABS implementation approaches of other governments a SA focussed <u>best practices and lessons learnt</u> analysis of the revised Brazilian ABS legislation is being finalized.</li> </ul>
--	---

<sup>2</sup> After the elections in 2019, the Department of Environmental Affairs was renamed the Department of Environment, Forestry and Fisheries (DEFF) in June 2019, incorporating the forestry and fisheries functions from the previous Department of Agriculture, Forestry and Fisheries.



<p>A.2: Roadmaps for ABS implementation in partner countries and (sub-)regions include budget allocations</p> <p>Baseline: <i>1 partner country and 0 (sub-) regions</i></p> <p>Target: <i>4 partner countries and 2 (sub-) regions</i></p> <p><b>Status: 6 roadmaps in partner countries and 0 (sub-) regions</b></p>	<p>Key activities supporting achievement of the indicator:</p> <p><b>Benin – Baseline: 0, Status: 1</b></p> <ul style="list-style-type: none"> <li>The ABS Initiative is continuing its support to the NGO CeSaReN through grant agreements. The <u>grant agreement relevant for this reporting period contains a detailed work plan with budget allocations</u> for the period from February 2019 to April 2020, based on the outcomes of past activities and the road map that was elaborated in 2015. Due to the COVID-19 pandemic, the implementation of the grant was slowed down and thus extended until August 2020. In mid-2020, the NGO started to develop a proposal for the continuation of the collaboration and a new grant agreement was signed in December 2020. The roadmap for the elaboration of the ABS law is a key element under this new grant agreement.</li> </ul> <p><b>Côte d’Ivoire – Baseline: 0 (pre-Nagoya), Status: 1 (post-Nagoya)</b></p> <ul style="list-style-type: none"> <li>One of the first activities supported by the ABS Initiative in Côte d’Ivoire was the <u>development and adoption of a workplan 2020-2025, including budget allocations</u>. This work plan was developed during the workshops in October and November 2019.</li> </ul> <p><b>Kenya – Baseline: 0, Status: 2</b></p> <ul style="list-style-type: none"> <li>Workshop/meetings in April 2015 refined the <u>2015 work plan and budgets</u> laying foundations for activities on BCPs and the IT monitoring system.</li> <li>Phases 1 and 2 for the establishment of the IT System convened from February to December 2018 in a highly integrative manner involving five core and up to 15 other national institutions with seven technical workshops and three workshops for the CEOs of the involved institutions (May and December 2017, May 2018).</li> <li><u>The Workplan 2018-2019 including a budget</u>, developed through a stakeholder workshop in May 2018, focuses on supporting Kenyan pilot counties in ABS issues, ensuring IPLC participation and establishing a science-business-forum to foster ABS compliant biodiversity-based value chains.</li> </ul> <p><b>South Africa – Baseline: 0, Status: 2</b></p> <ul style="list-style-type: none"> <li>A Letter of Intent between the Initiative and the S.A. Department of Environmental Affairs has been signed, <u>outlining potential clusters for collaboration and making reference to resource allocations</u> to further advance the implementation of the national ABS system. Due to the enlarged partnership between GIZ / the ABS Initiative and DEA under the ABioSA project (which started in June 2018) and the BioInnovation project (to start in July 2019) a new cooperation agreement <u>has been drafted and technically agreed upon between DEFF and the ABS Initiative. It currently awaits the approval of DEFFs legal department.</u> A key goal of the renewed letter of intent is to ensure complementarity of activities carried out and financed by DEFF (defined in the annual business plan) and the ABS Initiative respectively.</li> <li>Besides a variety of ABS stakeholder meetings (e.g. half yearly Bioprospecting Forum), further consultation support at community level for Benefit-sharing agreements (such as in the Rooibos case), as</li> </ul>
--	---



	<p>well as sub national awareness raising campaigns two major events in 2018 (Biodiversity Economy Indaba in March, Biodiversity Economy Operation Phakisa in August) were financed by SA government, as part of DEFF / other agencies budget allocations.</p>
<p>A.3: The drafts/concepts in partner countries include the feedback from IPLCs as well as other relevant stakeholders. Baseline: 1 draft Target: Concepts in 4 partner countries with feedback from stakeholders Status: 4 concepts in 3 partner countries with feedback from stakeholders</p>	<p>Key activities supporting achievement of the indicator:</p> <p><b>Benin – Baseline: 0, Status: 1</b></p> <ul style="list-style-type: none"> <li>• <u>Representatives of IPLCs (traditional healers, CBOs, farmer organisations) as well as from academia and the private sector are members of the national ABS committee</u>, which was involved in the validation and finalisation of the interim framework described above.</li> <li>• Benin’s interim legislation recognises the right of communities to their traditional knowledge and provides that rules stipulated in biocultural community protocols must be respected.</li> <li>• In the course of the community-level activities supported by the ABS Initiative, the partners piloted a community PIC &amp; MAT (“MoU”) for the transfer of genetic resources.</li> </ul> <p><b>Côte d’Ivoire – Baseline: 0, Status: 0</b></p> <ul style="list-style-type: none"> <li>• At the beginning of the development of the draft ABS decree, representatives of traditional healers took part in the work and workshops. However, when the ABS Initiative started working in Côte d’Ivoire, the ad hoc ABS committee did not include a representative from IPLC. Upon a recommendation made during the first meeting for the elaboration of the ABS Action Plan, an IPLC representative was identified and has been invited to several meetings ever since but has not yet participated in any of the meetings.</li> </ul> <p><b>Kenya –Baseline: 0, Status: 1</b></p> <ul style="list-style-type: none"> <li>• The ABS Initiative and its partner Natural Justice commented on the two draft ABS regulations, Natural Justice participated in the public hearings in November 2016. The drafts have been withdrawn in 2017.</li> <li>• The Workplan 2018–2019, developed through a stakeholder workshop including representatives from Counties and IPLCs in May 2018, <u>focuses on supporting Kenyan pilot counties in ABS issues, ensuring IPLC participation.</u></li> </ul> <p><b>South Africa –Baseline: 1, Status: 2</b></p> <ul style="list-style-type: none"> <li>• <u>Representatives of IPLCs, industry, including SMEs, and academia are involved in developing ABS-related laws</u> and regulations through direct consultations with government, the NEMA revision task force and the Bioprospecting Forum.</li> <li>• At 12<sup>th</sup> Pan-African ABS Workshop stakeholders, incl. IPLCs, commented on South Africa’s regulatory approach on ABS and the Biodiversity Economy. This feedback was welcomed by DEFF.</li> <li>• The IK – biotrade touchpoint overview (see A.1) will be shared with <u>IPLC and industry stakeholders for feedback.</u></li> </ul>
<p>A.4: Concepts for ABS-relevant measures are developed in sectors other than the environment sector</p>	<p>Key activities supporting achievement of the indicator:</p> <p><b>Benin – Baseline: 0, Status: 1</b></p>





<p>(e.g. agriculture, forest, marine, IPR, TK)</p> <p>Baseline: <i>1 draft</i></p> <p>Target: <i>4 concepts with requirements for sectors other than environment</i></p> <p>Status: <b>4 concepts with requirements for sectors other than environment</b></p>	<ul style="list-style-type: none"> <li>• The national ABS Committee, which was established with the help of the Initiative, regularly gathers representatives of nine Ministries to jointly discuss ABS-related activities and planning.</li> <li>• The interim ABS legislation is meant to implement both the Nagoya Protocol and the ITPGRFA in a mutually supportive manner and <u>was adopted through an inter-ministerial decree by the ministries of environment and agriculture</u>. This process was partly supported through activities under the DFID-funded pilot project under the Darwin Initiative on mutually supportive implementation of the Nagoya Protocol and the ITPGRFA, executed by the Initiative and Bioversity in collaboration with the AU Commission and the relevant ministries in Benin and Madagascar. This project was concluded in June 2018.</li> <li>• Supported by the Initiative, a process was started in 2016 to identify structures at the national, regional and local levels that are mandated to represent local communities in ABS-related matters. In a dialogue process with relevant stakeholders, appropriate structures were defined, but remain to be implemented. Furthermore, it was decided that the <i>Association Nationale d'Accès et de Partage des Avantages</i> (ANAPA), which was established at the national level, will act as IPLC competent national authority. Internal statutes and rules for these structures were developed and technically validated in 2018. Activities regarding the political validation and the full establishment of ANAPA are included in the new grant agreement with CeSaReN concluded in December 2020.</li> <li>• With the financial support of the ABS Initiative, CeSaReN supported the development of a template for community PIC ("memorandum of understanding") for the involvement of the local level in ABS cases.</li> <li>• Benin intends to continue its work on traditional knowledge and its documentation, which started in 2015 but was put on hold in recent years due to a lack of funding. In 2018, CeSaReN commissioned a study on the existing legal and scientific framework for the documentation of GR and aTK in Benin with a view to developing guidance for documentation efforts.</li> </ul> <p><b>Côte d'Ivoire – Baseline: 0, Status: 1</b></p> <ul style="list-style-type: none"> <li>• The ABS decree that is in the process of adoption by the National Assembly must be signed by nine ministries. Six of these ministries are permanently represented in the ad hoc ABS committee.</li> <li>• <u>The Ministry for Forests (MINEF) has developed a ministerial decree on the utilisation of genetic resources</u> and the ABS Initiative has initiated a dialogue between MINEDD and MINEF in order to ensure the complementarity of the different texts. An agreement between the two institutions led the MINEF to agree to stop the development of its legal text in order to allow the ABS decree of MINEDD to be applied.</li> </ul> <p><b>Kenya - Baseline: 0, Status: 0</b></p> <ul style="list-style-type: none"> <li>• no progress reported</li> </ul> <p><b>South Africa – Baseline: 1, Status: 2</b></p> <ul style="list-style-type: none"> <li>• The South-African multi-sectoral Biodiversity Economy Strategy (BES), gazetted in October 2015, is triggering the elaboration of complementary approaches in other sectors of relevance to the BES</li> </ul>
--	--



	<p>implementation. Particularly the Department of Science and Technology (DST), now Department of Science and Innovation (DSI), having already developed a Bio-Economy Strategy and being in charge of issues related to Traditional Knowledge, as well as the Department of Trade and Industry (the dti) now Department of Trade and Innovation (the dtic) will play key roles.</p> <ul style="list-style-type: none"> <li>• In 2017, <u>as a cross-sectoral nationwide approach, the BioProducts Advancement Network South Africa (BioPANZA) has been established</u> which is in the process of being formalised.</li> <li>• The ABS Initiative participated in the South African Biodiversity Economy Indaba in March 2018, focusing on national and international investments in biodiversity e.g. presenting together with DEA the outline of the ABioSA project (see Annex D) to stakeholders from different sectors. Under the ABioSA project, six resource specific sector development plans to promote upscaling of ABS compliant value chains are being developed since 2019. These plans include concepts and recommendations to other sectors relevant to the valorisation of the specific resource. As a first “model” a structure for a Marula sector development plan has been elaborated, addressing also the agricultural, financing and IP sector. <u>In 2020 intense stakeholder consultations on the development of the Marula Sector Development Plan took place. Also initiating concept development for the other resources started in 2020.</u> These being <i>Aloe ferox</i>, honeybush, buchu, baobab and a cluster of essential oils being <i>Lippia javanica</i>, Cape chamomile and <i>Helichrysum</i>.</li> </ul>
<p>A.5: 4 new or updated strategy papers and/or guidelines for a coherent implementation of ABS at a (sub-) regional level are available.</p> <p>Baseline: <i>1 strategy papers and/or guidelines</i></p> <p>Target: <i>4 strategy papers and/or guidelines</i></p> <p><b>Status: 1 new or updated strategy papers and/or guidelines for a coherent implementation of ABS at a (sub-) regional level</b></p>	<p><b>Baseline: 1, Status: 1</b></p> <p>Key activities supporting achievement of the indicator:</p> <ul style="list-style-type: none"> <li>• The ABS Initiative supported ILRI and the Center for Tropical Livestock Genomics and Health (CTLGH) in establishing ABS compliance approaches in accessing African animal GR and utilising them in the EU since October 2017. An ABS Compliance Workshop in January 2019 brought together legal and ABS experts and researchers from ILRI and other CG Centers with regulators from the main provider countries for ILRIs projects. Further capacity development and deepening of working relations were agreed upon. In June 2019, a meeting with the Deputy Director concluded that a follow-up workshop should be convened. The planned workshop was cancelled in February 2020.</li> <li>• A draft institutional ABS guideline for ILRI was discussed in January 2019. <u>The institutional guidelines were adopted in 2020.</u></li> <li>• In April 2019, the ABS Initiative advised the CEO, legal and scientific officers of GALVmed, Edinburgh on the implications of ABS regulations for their commercial R&amp;D in order to develop ABS-standards. A workshop planned for 2020 could not be convened.</li> <li>• The ABS Initiative took part in consultations on the Guidance for Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT) when accessing and using genetic resources (GR) and traditional knowledge (TK) for CGIAR R&amp;D. An expert meeting to finalise the draft was postponed to 2021.</li> <li>• The ABS Initiative contributed to the Nagoya Protocol section for the revised FAO Guidelines on molecular genetic characterization of animal genetic resources which are scheduled for adoption in 2021.</li> </ul>



**Outcome Indicator 2<sup>3</sup>:** In 4 partner countries and at least 5 cooperation countries of the ABS Initiative 20 new ABS agreements have been established.

Baseline: *no baseline* - Target: *+20 ABS agreements* – Status: *+31 ABS agreements*

**Status overview – Partner countries:**

**Benin:** By January 2021, 12 ABS permits were issued (2 of them in 2020) and uploaded to the ABSCH. All of them are permits for non-commercial use, although in four cases the ABS Committee identified a commercial potential. They include international (e.g. Belgium, Sweden, Germany, India and others) and national users and concern research activities such as mushroom ecology and taxonomy, research on malaria and human parasites or on yam landraces. In addition, 8 ABS agreements have been signed in 2020 for which the permits are about to be issued, all of them non-commercial cases as well.

**Côte d'Ivoire:** During the working sessions of the ad hoc ABS Committee, five international access demands have been discussed and two permits have been granted in 2020, while the upload on the ABS CH is still pending.

**Kenya:** A German university was advised on procedures and possibilities for non-monetary benefit sharing related to an ABS agreement (Kilifi County).

**South Africa:** Five ABS agreements with support of ABS Initiative established.

**Status overview – African cooperation countries:**

**Algeria:** One ABS agreement between an Algerian company and a cooperative for lentisk oil has been elaborated and signed with support of the ABS Initiative.

**Cameroon:** Two ABS agreements with support of the ABS Initiative established between a French fragrance company and a local community.

**Malawi:** The ABS Initiative and Malawi have worked together on ten contracts have been discussed, improved and processed. Several of them are in final stage.

**Overall progress in Y5 towards attaining indicator**

(the rating "very good" reflects the progress made so far in reaching 20 agreements in March 2022)

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>very good (almost) achieved</b>	<b>good (on track)</b>	<b>Problems (partially) delays in implementation</b>	<b>Deficiencies (Risk to fail)</b>

**Output B:** Draft ABS agreements with users of the public research and private sector.

<p>B.1: The development of 10 new ABS agreements with users from public research and/ or the private sector have been initiated.</p> <p>Baseline: <i>no baseline</i></p>	<p>Key activities supporting achievement of the indicator:</p> <p><b>Benin – Baseline: na, Status: +27</b></p> <ul style="list-style-type: none"> <li>With the financial and technical support of the ABS Initiative and in collaboration with the ABS Focal Point, CeSaReN has been continuing its capacity building activities among users of GR and aTK in Benin about how to obtain access permits in line with the interim framework. Furthermore, the ABS Initiative continued its financial support to the ad-hoc committee acting as Competent National Authority under the interim legal framework. At least 40 access demands were assessed in 2019 and 2020, mostly for non-</li> </ul>
--	--

<sup>3</sup> For an overview about the fulfilment of all outcome and output indicators from 2015 to 2020 see Annex D.



<p>Target: +10 new ABS agreements</p> <p><b>Status: 42 new ABS agreements initiated</b></p>	<p>commercial research, and <u>twelve permits</u> have been signed and uploaded to the ABSCH since 2018. Another <u>8 ABS agreements</u> have been concluded in the reporting period for which the permits will be issued shortly. Although more than half of the access requests were classified as potentially commercial by the CAN, all ABS agreements that have been concluded so far are for non-commercial purposes. Another <u>7 ABS agreements are currently being negotiated</u>, two of which are considered commercial by the CAN.</p> <p><b>Côte d’Ivoire – Baseline: 0, Status: +2</b></p> <ul style="list-style-type: none"> <li>• The 5 access demands that have been analysed by the ABS committee and <u>2 permits</u> have been granted for the international private sector, sometimes in collaboration with national research partners. In the future Ivorian ABS system, foreign applicants for access will be obliged to collaborate with a national researcher.</li> </ul> <p><b>Kenya –Baseline: na, Status: +5</b></p> <ul style="list-style-type: none"> <li>• The ABS Initiative convened a national ABS contract training in cooperation with KWS in Dec 2017.</li> <li>• The ABS Initiative supported mutual understanding of users and providers and facilitated matchmaking between industry and provider countries (incl. 2 participants from Kenya) in the framework of the jointly organised UEBT conference “The Beauty of Sourcing with Respect” and accompanying events in 2017, 2018 and 2019. On this occasion, an information exchange and mutual learning between the Kenyan and Cameroonian delegation and a private sector representative concerning the value chain <i>Mondia</i> took place.</li> <li>• The ABS Initiative advised a Kenyan SME in preparing for MAT negotiations with government authorities in 2016/17, <u>the PIC and MAT negotiations in Laikipia County are ongoing in 2020.</u></li> <li>• The ABS Initiative supported a German university during their PIC and MAT negotiations with government authorities, the negotiation was stopped because the GR was accessed in a country without ABS framework.</li> <li>• The ABS Initiative advised Baringo County officials in <u>negotiating an agreement on microbial resources from Lake Baringo</u> between national users and providers.</li> <li>• <u>Negotiations between a British cosmetic company and grower initiatives in Laikipia County on Aloe</u> are supported but stalled in 2019 due to change in ownership in the British company.</li> <li>• Negotiations between a French company and Kenyan authorities were supported and led to the <u>signing of the PIC, the MAT is under negotiations.</u></li> <li>• 2020: Negotiations between a Chinese company and Kenyan authorities on Aloe were supported and led to the <u>signing of the PIC, the MAT is under negotiations.</u></li> </ul> <p><b>South Africa <sup>4</sup> – Baseline: na, Status: +8</b></p> <ul style="list-style-type: none"> <li>• With a view to scaling up this approach with capacity building and financial support components for the benefit of the national and regional BioTrade sector, the ABS Initiative is now implementing the SECO co-funded sub-project “ABS compliant BioTrade in Southern</li> </ul>
---	---

<sup>4</sup> Including ABioSA activities from September 2018 onwards



	<p>Africa” which concluded its orientation phase mid-2018. Implementation activities such as commercial briefings and technical trainings or grant allocations for SME in order to support value chains based on Southern African indigenous plants have started.</p> <ul style="list-style-type: none"> <li>• Since 2017, the ABS Initiative <u>supported negotiations between a South African company, Parceval (Pty) Ltd, and a group of traditional herbal practitioners, the Cape Bush Doctors (CBD), regarding their potential collaboration with a large commercial partner based in Germany who was interested in doing R&amp;D on GR that Parceval could supply, with the Cape Bush Doctors sharing in the benefits as holders of aTK. In 2018, specific benefit-sharing terms were elaborated and a permit for the biodiscovery phase was granted by DEA. Further clarification is to be sought with the CBD and the San/Khoisan regarding the ownership of the traditional knowledge before a full bioprospecting permit is issued. In 2019, Parceval engaged in constructive exchanges with the San/Khoisan.</u></li> <li>• With the support of UEBT, as an ABS Initiative implementation partner, <u>an application for bioprospecting and biotrade has been jointly submitted by a cosmetic company and a fragrance house based in Europe.</u> This application is supported by a benefit-sharing agreement that foresees projects for conserving endangered flora and promoting local livelihoods in the Western Cape. These projects were identified by the involved local communities and will be implemented by local organisations. The application was approved by the Minister in 2019.</li> <li>• <u>Conclusion of rooibos sector agreement with support of the ABS Initiative and Natural Justice.</u> The agreement, officially endorsed by the SA Minister of the environment in October 2019, is internationally regarded as a milestone because of its TK aspects. It serves as a basis for possible other sector agreements, inter alia for the buchu, sector, supported by AbioSA / ABS Initiative.</li> <li>• In 2020, <u>five SMEs (grantees of AbioSA) started negotiations of benefit sharing agreements</u> for the following species: Buchu, Marula, Honeybush, Ximenia American, Baobab, <i>Viscum combreticola</i>, <i>Jatropha zeyheri</i>, <i>Citrullus lanatus</i>, <i>Helichrysum</i> species, <i>Eriocephalus</i> species, <i>Artemesia afra</i>.</li> </ul>
--	--



**Outcome Indicator 3<sup>5</sup>:** In 4 partner countries and at least 3 cooperation countries of the ABS Initiative 12 ABS agreements are based on Biocultural Community Protocols (BCPs) or comparable instruments (CI) and promote the inclusion and participation of women in benefit-sharing.

Baseline: *no baseline* – Target: *+12 ABS agreements* – Status: *+26 ABS agreements*

**Status overview – Partner countries:**

**Benin:** Twelve different communities have been involved in ABS agreements so far. With them 15 memorandums of understanding / community PIC+MAT were signed (one per genetic resource) as stipulated in Benin's ABS framework. The communities used and adapted the existing Bonou BCP for the respective processes. One of these memorandums was specifically signed by and for the benefit of women, as the related research focuses on a pathogen and its incidence among pregnant women.

**Côte d'Ivoire:** So far, no work on BCPs and/or ABS agreements with communities has started in Côte d'Ivoire.

**Kenya:** A BCP by the Endorois Welfare Council in Baringo County was adopted. One ABS agreement under negotiation in Laikipia County will benefit women producer groups.

**South Africa:** One ABS agreement between National Khoisan Council and the South African Rooibos industry and other companies; two further ABS agreements between the Cape Bush doctors and other companies. One agreement including the Heuningvlei community on the Clanwilliam Cedar. All agreements will impact directly or indirectly positively on women's livelihoods.

**Status overview – African cooperation countries:**

**Cameroon:** One ABS agreement based on intense exchanges with and amongst the providing community feeding into a national discussion on the establishment of BCP procedures has been finalised. More than 40% of beneficiaries in the supply chain of the resource are women.

**Madagascar:** 5 biotrade agreements between communities and users have been established based on the commercialization of Saro Oil. All of them have respected the BCP of the communities. A provision on ABS have been integrated in these agreements.

**Malawi:** One ABS contract between IPLCs and foreign users is finalised.

<b>Overall progress in Y5 towards attaining indicator</b> (the rating "very good" reflects the progress made so far in reaching 12 agreements in March 2022)	<input checked="" type="checkbox"/> <b>very good</b> <i>(almost) achieved</i>	<input type="checkbox"/> <b>good</b> <i>(on track)</i>	<input type="checkbox"/> <b>Problems</b> <i>(partially) delays in implementation</i>	<input type="checkbox"/> <b>Deficiencies</b> <i>(Risk to fail)</i>
---	---	--	--	--

**Output C:** Biocultural Community Protocols (BCPs) or comparable instruments as basis for the negotiation of ABS agreements involving IPLCs.

C.1: In 4 partner countries 6 IPLCs have developed BCPs or similar instruments as basis for the	<b>Key activities supporting achievement of the indicator:</b>  <b>Benin – Baseline: na, Status Benin: + 2</b> <ul style="list-style-type: none"> <li>With the support of the Initiative and Natural Justice, the <u>local NGO CeSaReN facilitated a thorough BCP process around two sacred forests in the municipality of Bonou (Ouémé region)</u>. In 2018, the BCP</li> </ul>
---	--

<sup>5</sup> For an overview about the fulfilment of all outcome and output indicators from 2015 to 2020 see Annex D.





<p>negotiation of ABS agreements.</p> <p>Baseline: <i>no baseline</i></p> <p>Target: 6 new BCPs in 4 countries for 6 IPLCs</p> <p><b>Status: 7 new BCPs in 3 partner countries for 4 IPLCs</b></p>	<p>was finalised and is now available in French and in the local language Ouémé on the ABS-CH.</p> <ul style="list-style-type: none"> <li>• With technical and financial support of the ABS Initiative and the partners to the Darwin Initiative project mentioned above, additional activities were conducted to integrate aspects on access to and exchange of plant genetic resources for food and agriculture in the Bonou BCP. In the context of that project, <u>a second BCP process was facilitated in the community of Tori Bosito</u>. The two communities exchanged local landraces based on a newly developed “community PIC and MAT”. This document served as basis for the community PIC template, developed in 2018 (see Output A.4 above).</li> <li>• CeSaReN and the community of Bonou conducted extensive awareness raising activities on the concept of BCPs in general and the process and outcomes of the process in Bonou in particular among the twelve communities involved in ABS negotiations. Although some of them were eager to develop their own BCP, no new BCP process has been launched yet. However, several communities made use of the Bonou BCP when negotiating their memorandums of understanding with users of GR/aTK.</li> </ul> <p><b>Côte d’Ivoire – Baseline: na, Status: +0</b></p> <ul style="list-style-type: none"> <li>• So far, no BCP activities have been initiated in Côte d’Ivoire.</li> </ul> <p><b>Kenya – Baseline: na, Status: +1</b></p> <ul style="list-style-type: none"> <li>• The ABS Initiative supported the Endorois Welfare Council in Baringo County/Rift Valley through technical support by Natural Justice in developing a biocultural community protocol on ABS and finally integrating it into the legally binding biodiversity management plan of the Lake Baringo region. The work was interrupted by a critical local situation due to extended drought periods and armed violence as well as by the 7-month spanning national election campaigns. <u>The BCP was adopted in September 2019</u> and the ABS Initiative took part in the public launch in the same month.</li> </ul> <p><b>South Africa – Baseline: na, Status: +4</b></p> <ul style="list-style-type: none"> <li>• Funded by the ABS Initiative Natural Justice supported the National Khoisan Council (NKC) to finalise after several years of negotiations a rooibos tea-industry wide ABS agreement was concluded in 2019. The negotiations have been accompanied by trainings for the rooibos farming communities in the Cedarberg belt on the Nagoya Protocol and the respective South African national legislation. Furthermore, NKC is being supported to set up an ABS trust fund for this as well as other upcoming ABS agreements and in the development of guidelines for the distribution of benefits.</li> <li>• After the general community protocol of the NKC proved to broad, and after the involvement of Rooibos farming communities in the negotiation process, it was decided to develop a specific BCP for the Rooibos resource. <u>This BCP was finalised at the end of 2019</u>. Furthermore, Natural Justice supported in 2017 the conclusion of two additional ABS agreements of the NKC with Parceval Pty on three plant species and with VMR Organics International Pty on Hoodia. Both companies will now proceed with their application for a permit.</li> <li>• Out of the current support schemes to the development of ABS agreements (see B1), <u>3 by ABioSA (these being sector level BCPs/or similar approaches for Aloe ferox, buchu and Marula at a</u></li> </ul>
--	--



	transboundary level) include components of related to establishing BCP or similar approaches.
--	---

## 4.2 Support to cooperation countries

Upon request by relevant stakeholders or project managers, the ABS Initiative is providing *ad hoc* support to cooperation countries in Africa, the Caribbean and the Pacific<sup>6</sup> as well as to countries or projects in other regions<sup>7</sup>.

### 4.2.1 African cooperation countries with GIZ-implemented projects addressing ABS

This section gives an overview of ABS-related processes and achievements in countries supported by German DC projects. Since the ABS Initiative is acting as “service provider” to partner countries with GIZ-implemented projects addressing ABS, progress made is reported against **ABS-relevant outcome and output indicators (deliverables)**, where available, and as defined by the ongoing GIZ-implemented projects in Africa (Algeria, the COMIFAC region, Madagascar and Namibia<sup>8</sup>).

---

<sup>6</sup> Costs can be covered by the ‘flexible’ budget line for national support of the ABS Initiative.

<sup>7</sup> Costs must be covered by the country or project requesting support by the ABS Initiative.

<sup>8</sup> The numbering of the indicators related to the respective GIZ projects does not necessarily follow the numbering in the project documents. Information is provided in an aggregated manner. The ABS Initiative’s support activities may contribute to more than one outcome / output.



ALGERIA	
<b>Project title:</b> Environmental Governance and Biodiversity Programme (GENBI)	
<b>Project duration:</b> 11/2014-12/2019	
<b>Outcome Indicator</b> The income generated from a selected <b>product chain</b> on the <b>basis of the ABS principles</b> recognised under the CBD has increased for the involved stakeholders - which include x % of women - to z % of the original income. <u>Baseline:</u> x (determination of the baseline for product chain and proportion of women) occurs 6 months after project start) <u>Target value:</u> income increased by z%, x% women are involved in the value chain. <b>Status:</b>	
<b>Output 1:</b> Ministry of Environment, Min. of Agriculture / Forestry Ministry and relevant research sponsors <b>use 2 instruments</b> in a coordinated way to promote <b>applied participatory research or R&amp;D in the field of (agro-)biodiversity</b> (e.g. exchange and matchmaking events, promotion of international research partnerships, promotion of partnerships in industry, research and civil society. <u>Baseline:</u> 0 <u>Target:</u> 2	The following activities are supporting the achievement of output indicator 1: <ul style="list-style-type: none"> <li>• The ABS Initiative supported mutual understanding of users and providers and facilitated matchmaking between industry and provider countries (ABS Dialogue during the UEBT BSR conference and Algerian stand at BioFach)</li> </ul>
<b>Output 2:</b> <b>The potential value –added of biodiversity</b> while ensuring equitable access and equitable use of <b>biological and genetic resources</b> is <b>analysed for 3 product chains</b> <u>Baseline:</u> 0 <u>Target:</u> 3	The following activities are supporting the achievement of output indicator 2: <ul style="list-style-type: none"> <li>• In 2019, the ABS Initiative supported the elaboration and negotiation of the first Algerian ABS agreement between an Algerian company and a cooperative producing lentisk oil.</li> <li>• In 2017, the ABS Initiative supported GENBI in facilitating a German-Algerian research project concerning the suitability for cultivation of provenances of the Algerian Atlas cedar in Germany.</li> </ul>
<b>Output 3:</b> Preparatory documents to the Conference of the Parties of the CBD and the meetings of subsidiary bodies (current state of affairs, explanations of conference documents, compiled national experiences concerning protection, sustainable use and assessment of biodiversity and the implementation of the Nagoya Protocol) are made available to the responsible political representatives (in particular Focal Points) <u>Baseline:</u> (Determining the baseline takes place 6 months after project start) <u>Target:</u> Documents for selected meetings of the CBD (is specified with the partners approx. 6 months after project start)	The following activities are supporting the achievement of output indicator 3: <ul style="list-style-type: none"> <li>• The Algerian National Focal Point on ABS as well as other senior public servants participated actively in the ABS Initiative's Pan African ABS Workshop in Cape Town (September 2019) which included preparatory activities for the biodiversity year 2020, informing delegations on relevant topics and processes related to the negotiations with respect to the Convention and the Nagoya Protocol.</li> </ul>
<b>Further information / comments:</b> The GIZ GENBI project, that contracted the ABS Initiative for ABS specific support up to now, has come to an end in 2019. The new GIZ project "Protection of Environment and Biodiversity in Algerian Coastal Zones" does not have a specific ABS component anymore but still works on building up biodiversity-based value chains. It remains to be seen to which extend an ongoing collaboration as in the previous years can be held up.	



COMIFAC	
<b>Project title:</b> Regional Support of COMIFAC <b>Project duration:</b> 01/2019 – 06/2022	
<b>Outcome Indicator No. 5</b> 4 biodiversity-based value chains are developed in conformity with the ABS system of the country of origin of the resources. <u>Baseline:</u> 0 <u>Target:</u> 4 <u>Present Value:</u> 1 ( <i>Echinops giganteus</i> , a PIC was issued, and new Mutually Agreed Terms are being negotiated following the new ABS measures in Cameroon)  <b>Status:</b> 9 COMIFAC member countries have ratified the Nagoya Protocol.	
<b>Output 1:</b> 6 countries have established national decision-making mechanisms for ABS. <u>Baseline:</u> 2 (Burundi and DRC) <u>Target:</u> 6 <u>Present Value:</u> +3	<ul style="list-style-type: none"> <li>• Cameroon has put in place an ABS Committee that issues ABS permits (and gives PIC) since June 2018</li> <li>• The project facilitated the validation of draft texts creating National ABS Committees in Congo Brazzaville and Sao Tome &amp; Principe in 2019</li> <li>• A draft text setting up the ABS decision-making Committee in DRC has been validated in 2019 and is currently awaiting signature</li> </ul>
<b>Output 2:</b> 7 countries have defined regulatory ABS measures (e.g. legal, administrative) in the ABS-Clearing House <u>Baseline:</u> 3 <u>Target:</u> 7 <u>Present Value:</u> 5 (Cameroon, Democratic Republic of Congo, Burundi, Sao Tomé and Príncipe, Congo)	<ul style="list-style-type: none"> <li>• Burundi has its validated draft ABS law published in the Clearing House since 2016</li> <li>• Cameroon has a draft law pending adoption in parliament and defined its regulatory ABS measures in the ABS – Clearing House; in December 2020 a ministerial decision for an interim ABS regulatory framework has been adopted and, accompanied by a visualisation, uploaded on the ABSCH.</li> <li>• The Project facilitated the validation of ABS measures in Congo Brazzaville which are still to be inserted in the ABS Clearing House</li> <li>• A decree defining access procedures to genetic resource in Gabon is in progress since 2019 and is not yet validated</li> <li>• An ABS law for Sao Tomé &amp; Principe and its application decree was technically validated but has not yet been adopted and uploaded to the ABSCH.</li> <li>• In DRC a visualisation of the ABS procedure and an ABS decree have been elaborated and validated with support of the ABS Initiative.</li> <li>• In CAR, the process of elaborating an ABS decree has been initiated with support of the ABS Initiative; the national consultant working on the draft text is collaborating with the legal expert of the ABS Initiative. Initial guidance on the key legal elements to take into account for the development of the ABS decree has been provided to the national consultant.</li> </ul>
<b>Further information / comments:</b> In late 2020, the GIZ COMIFAC project communicated that the current funding situation would not allow for further support packages to be implemented by the ABS Initiative.	



MADAGASCAR	
<b>Project title:</b> Environmental Management Support Programme (PAGE)	
<b>Project duration:</b> 2015 – 2020	
<b>Outcome Indicator</b> The <b>income</b> of YY participating households from 5 climate-sensitive <b>value chains</b> based on the use of <b>biological / genetic resources</b> (including wood and non-wood products, agriculture, ecotourism) in the three intervention areas in and around selected protected areas (and natural forests with transferred rights of use) has increased to YY% of total income (underlying Z in 2015). <u>Baseline (2015):</u> 0 value chains implemented, number XX of participating households, the level and composition of the total income at household level (baseline ZZ in 2015) will take place in the areas of intervention by representative survey 6 months after the project start <u>Target:</u> 5 value chains lead to an increase of YY % of the total income in XX households (baseline 2015) <b>Status:</b>	
<b>Output 1:</b> The <b>contractual terms</b> for the use of <b>Malagasy genetic resources in two value chains</b> in two intervention areas are <b>jointly agreed</b> on with relevant local and national stakeholders, universities, research institutions and the private sector in compliance with the recognised ABS principles under the CBD / Nagoya Protocol. <u>Baseline (2015):</u> 0 value chains in the intervention areas <u>Target (2016):</u> contractual terms for 2 product chains in 2 intervention areas.	Following activities are supporting achievement of output indicator 1: <ul style="list-style-type: none"> <li>• The ABS Initiative supported mutual understanding of users and providers and facilitated discussions between industry and provider countries (UEBT BSR 2015-2019). In particular bilateral exchanges with cosmetic / body care industry, and initial steps of negotiating ABS permits / agreements were accompanied technically and legally by the ABS initiative.</li> <li>• Natural Justice continued to support developing a BCP for seven communities in the Boeny region, framing the essential oil supply chain development including <i>Cinnamosma fragrans</i>. The BCP was finalised and officially launched in November 2017 and has received in 2018 the signature of all relevant administrative authorities at regional, communal and local level. Several other neighbouring local communities wish to join the BCP. Discussions are being initiated regarding the possibilities of realising this perspective.</li> </ul>
<b>Output 2:</b> National planning and / or <b>regulation instruments</b> in the sectors Forest and Environment / Biodiversity (e.g. national REDD + / FLEGT / ABS strategies, draft laws / decrees, <b>ABS interim standards</b> ), coordinated among relevant stakeholders of various sectors (forest, environment, mining, energy, agriculture) at national and regional level are developed. <u>Baseline 2015:</u> 0 <u>Target 2016:</u> 4	Following activities are supporting achievement of output indicator 2: <ul style="list-style-type: none"> <li>• Like Benin, Madagascar participated in the project on mutually supportive implementation of the Nagoya Protocol and the ITPGRFA, funded by the Darwin Initiative and run by Bioversity International and the ABS Initiative in collaboration with partners from the two countries and with the secretariats of the two treaties. The project was concluded in June 2018. In the context of that project, and with additional financial and technical support of the ABS Initiative through Natural Justice, two BCPs were developed in two Malagasy communities (Analavory and Ampangalatsary) that include specific aspects regarding plant genetic resources for food and agriculture and farmers rights. Both BCPs were finalised and adopted by the communities in 2018 and are available in Malagasy and French. The Analavory BCP was updated in 2019 to reflect provisions of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas.</li> <li>• As in 2019 also in 2020 the ABS Initiative provided technical and legal backstopping for the development of the <i>arrêté interministériel fixant les modalités d'application du décret n°2017-066 du 31/01/2017 portant réglementation de l'accès et du partage des avantages découlant de l'utilisation des ressources</i></li> </ul>



	<p><i>génétiques (arrêté interministeriel)</i> setting the terms and conditions for the application of decree n°2017-066 of 31/01/2017 regulating access and benefit sharing arising from the use of genetic resources). The <i>arrêté</i> has been tabled and adopted by the Government in September 2020 and the text is awaiting publication in the official gazette.</p> <ul style="list-style-type: none"> <li>• Over the last years, the ABS Initiative accompanied the elaboration of the interim ABS regulation by providing technical, strategic and legal backstopping to the inter-ministerial committee responsible for overseeing the process. The ABS decree was adopted by the Cabinet and the Initiative has been requested to continue to provide support towards the development of <i>textes d'application</i> to guide the proper implementation of the Decree. This support (technical, legal backstopping and strategic backstopping) was started in 2018. Natural Justice participated in the development of this text, especially on the provision related to the right of local communities, the model contract with communities.</li> <li>• A first group meeting of experts on traditional knowledge was organised by Natural Justice and PAGE/GIZ in partnership with the ministry in charge of the environment. The aim was to develop a roadmap project to advance the development of the national framework for the protection and enhancement of traditional knowledge.</li> <li>• Natural Justice has established a memorandum of understanding (MoU) with the network of local communities managing natural resources (TAFO MIHAAVO) to develop a legal/ABS awareness activities and capacity building for specific members of the network holders of TK. A discussion with the network of traditional healers in Madagascar (ANTM) has been initiated to determine how Natural Justice could support the traditional healers of this association in terms of their relationship with researchers and on the protection of their TK.</li> </ul>
<p><b>Further information / comments:</b></p> <ul style="list-style-type: none"> <li>• Madagascar has developed and formally adopted an ABS interim regulation in the form of a decree (adoption by cabinet). The interim regulation is meant to provide a workable framework to regulate ABS until a full-fledged ABS legislation is elaborated, validated and in force (a process which can take up to five years to complete). The interim ABS regulation contains a number of provisions which need to be detailed through specific “textes d’ application” to ensure the effective implementation of the regulation (e.g. modalities for access, the mode of operation/ specific functions and composition of the interim National Competent Authority, benefit sharing modalities etc.). Further to the work on the decree, progress has been made in the following aspects relevant for the NP implementation: draft access demand form, definition of elements for the protection of TK including through BCPs, access provisions/ modalities for commercial and non-commercial research, roles and responsibilities for the competent national authority and other institutional functions. This work informed the elaboration of the “textes d’application”. The drafting of the “textes d’application” in the form of an “arrêté” has been finalised with the support of the Initiative and the text has been adopted by government in September 2020. During 2020 the ABS Initiative has also supported MEDD in drafting/ commenting on Madagascar’s GEF 7 Programme Document “Effective implementation of the Nagoya Protocol on Access and Benefit Sharing from the Use of Genetic Resources and associated traditional knowledge in Madagascar”</li> </ul>	





NAMIBIA	
<b>Project title:</b> Biodiversity management and climate change in Namibia (BMCC II)	
<b>Project duration:</b> 01/2017 – 12/2020	
<b>Outcomes with particular relevance for ABS</b> <p>A total of three implementation guidelines have been prepared by DEA for the new or revised implementation regulations in the Environmental Management Act (EMA) and the Access and Benefit Sharing (ABS) Act.</p> <p><u>Baseline:</u> 0 guidelines on the Strategic Environmental Assessment (SEA), the Environmental Impact Assessment (EIA) and ABS.</p> <p><u>Target:</u> 3 guidelines for SEA, EIA (for the EMA implementation directives) and ABS (for the ABS implementation regulations) (one set of guidelines for each directive).</p> <p>A results-monitoring system set up by MET and coordinated with other sector ministries confirms the successful implementation by relevant sector ministries of 3 local pilot measures relating to synergies between the three Rio Conventions.</p> <p><u>Baseline:</u> 0 jointly developed and DEA-coordinated local pilot measures that simultaneously contribute to biodiversity conservation, adaptation to climate change and sustainable land management.</p> <p><u>Target:</u> 3 jointly developed local pilot measures coordinated by DEA.</p>	
<ul style="list-style-type: none"> <li>From 2015-2017, experts of the ABS Initiative provided technical and legal support during the elaboration of the Namibian Bill including the parliamentary consultation process. The Bill, the “Access to Biological and Genetic Resources and Associated Traditional Knowledge Act” was enacted in June 2017. It will enter into force on a date to be determined, once implementing regulations have been promulgated.</li> <li>In 2018 the ABS Initiative has been providing technical and legal backstopping to the process of developing the ABS Regulations: Comments and inputs to the different stages of draft regulations including at various stakeholder consultations.</li> <li>In the second half of 2018 a revised and simplified version of the draft ABS Regulations was provisionally approved by the MET Management Committee. It is currently going through a process of legal review at the level of the attorney general (2019) to prepare it for gazetting.</li> <li>In 2020 the Namibian Ministerial Landscape was restructured and to MET also matters related to Forestry were added (-&gt; MEFT)</li> </ul>	
<b>Output C:</b> Legal, regulatory and institutional requirements of the Access and Benefit Sharing (ABS) Act have been implemented	
<b>Output C1:</b> In the MET, the Office of Biological and Genetic Resources and Associated Traditional Knowledge is operational (own and trained staff, budget and operational plan, function and job descriptions for staff) Baseline: 0 (no Directorate) Target: 1	Following activities are supporting achievement of output indicator C1: <ul style="list-style-type: none"> <li>The ABS Initiative assisted DEA 2017-2018 with the initial conceptualisation of a plan for operationalizing the Office of Biological and Genetic Resources and Associated Traditional Knowledge.</li> <li>In 2019 and 2020 the ABS Initiative supported the MET / MEFT on demand technically in questions related to the ABS permitting process and the ABS implementing regulations.</li> </ul>
<b>Output C2:</b> Two signed contracts exist between private foreign companies or scientific institutions and the Namibian Government for the ABS-compliant commercial use of biological resources Baseline: 0 (contracts) Target: 2 (signed contracts)	Following activities are supporting achievement of output indicator C2: <ul style="list-style-type: none"> <li>In April 2017, the ABS Initiative organised a mission of Danish Industry representatives (cosmetic and detergent sector) to Namibia in order to explore partnerships for developing ABS compliant value chains based on Namibian plant genetic resources. Government institutions, NGOs, cooperatives and further SMEs in Windhoek as well as in North Namibia were visited. Individual follow ups were taking place in 2018 and 2019.</li> <li>The ABS Initiative supported mutual understanding of users and providers and facilitated matchmaking between industry and provider</li> </ul>



	<p>countries (incl. Namibia) in the framework of the jointly organised UEBT conference “The Beauty of Sourcing with Respect” and accompanying events in 2015-2019. In 2019 the conference offered members of NANCI to present (ABS requiring) products and ingredients based on Namibian Indigenous products to international companies.</p> <ul style="list-style-type: none"> <li>As Namibia is a partner country to the GIZ BioInnovation Africa also here support to ABS compliant value chain development has since 2020 largely been support by that project. For at least 4 of the 7 BIA accompanied value chain partnerships (all under NANCI) with Europe support to ABS compliance will be provided.</li> </ul>
<p><b>Output C3:</b> Four campaigns or events through which the new Office of Biological and Genetic Resources and Associated Traditional Knowledge complies with its legal obligations to provide information on the new ABS Act and its guidelines as well as on the ABS implementation process in a target-group specific manner have been carried out Baseline: 0 Target: 4 campaigns or events</p>	<p>Following activities are supporting achievement of output indicator C3:</p> <ul style="list-style-type: none"> <li>The ABS Initiative assisted the DEA in 2017 in the initial prioritisation of target groups for information sharing.</li> </ul>
<p><b>Output C4:</b> DEA provides training for 4 indigenous peoples and local communities (IPLCs) which is made possible through the ABS Act with a view to increase the IPLC's capacity to negotiate with foreign companies regarding access to and use of their traditional resources Baseline: 0 Target: Trainings for 4 IPLCs</p>	<p>Following activities are supporting achievement of output indicator C4:</p> <ul style="list-style-type: none"> <li>The BMCC project with technical advice from the ABS Initiative / Natural Justice supported in 2017 the process of engaging resident communities in the Bwabwata National Park in developing a biocultural community protocol for the governance of biological and genetic resources and to provide training to increase the communities' negotiation capacities in the context of the implementation of the ABS Bill. Taking into account the current process of the development of the ABS implementing regulations – further engagement into BCP development in Namibia has been put on halt in 2018. In 2019, the ABS Initiative's partner Natural Justice has recommenced IPLC related work in the Bwabwata National Park with a focus on governance and valorisation of indigenous natural resources.</li> <li>Natural Justice as partner of the ABS Initiative has been assisting the Khwe community to develop a BCP which is nearing its final stage. The drafting of the BCP was conducted in consultation with the government of Namibia as the land on which the Khwe resides, the Bwabwata National Park, is officially designated as state land. It was agreed to finalize the BCP in 2019 but the initial date was postponed due to amendments to the draft. Eventually with support of Natural Justice the BCP was concluded in 2020, its launch is planned for 2021.</li> </ul>
<p><b>Further information / comments:</b></p> <p>Namibia enacted the ABS Bill, the “Access to Biological and Genetic Resources and Associated Traditional Knowledge Act, 2017”. The objectives of this Act are to regulate access to genetic resources and associated traditional knowledge; to protect the rights of the IPLCs over genetic resources and associated traditional</p>	



knowledge and technologies including recognising BCPs as instrument for achieving community PIC; to provide for a fair and equitable mechanism for benefit sharing; and to establish the necessary administrative structures and processes for the implementation and enforcement of such principles. The Bill was first tabled in Parliament in November 2015 for its first reading and was subsequently referred to a Parliamentary Standing Committee on Natural Resources for further scrutiny. The Standing Committee conducted extensive national consultations. The Namibian government chose to pass enabling legislation, because it is easier to amend implementing regulations – which can simply be done by the Minister publishing a notice in the Government Gazette – than it is to amend legislation. The ABS Initiative, upon request of the Namibian Ministry of Environment and Tourism is supporting the process towards the finalisation of the ABS Regulations which is expected to be published in the first half of 2020.

The BMCC project came to an end by December 2020. It will be succeeded by the Climate Change and Inclusive Use of Natural Resources (2021 – 2024) which will continue supporting MEFT in matters of ABS implementation. It is foreseen that the ABS Initiative will pursue its advisory role vis-à-vis MEFT and CCIU also in 2021.

#### 4.2.2 African cooperation countries without GIZ-implemented projects addressing ABS

**Ethiopia:** The ABS Initiative supported the GIZ-implemented public-private partnership (PPP) programme “develoPPP.de” in matters of ABS compliance with regards to a PPP project with the German pharmaceutical SME Repha sourcing myrrh in Ethiopia for one of their medicinal products. Repha plans to source high-quality myrrh in Ethiopia instead of relying on the widely varying quality of myrrh available through common trade channels. The project aims at developing a sustainable management plan together with the national authorities and marginalised South Ethiopian communities, guaranteeing relatively high prices for the raw material. Both partners, develoPPP.de and Repha, were not aware that the planned activities fall under the Ethiopian ABS regulations. The ABS Initiative facilitated the contact between the Ethiopian Biodiversity Institute and the German partners to conduct MAT negotiations during 2018 and 2019 and advised both partners on the MAT negotiations. The German company eventually withdrew from negotiations because it did not support the Ethiopian approach to regulate biotrade under an ABS law with PIC and MAT.

The ABS Initiative raised awareness in the Ministry of Environment of incompatibilities of the Ethiopian ABS regulations with the compliance system in the EU and suggested adapting the Ethiopian regulations to the compliance system of the Nagoya Protocol. Apart from that, procedural advice was provided to the Ministry of Environment and other actors responding to their wish to re-address the unsatisfactory situation of tef utilisation in the EU – with respect to ABS, IPR and patent issues. The 2019 draft ABS Proclamation contains implementable provisions on checking compliance by researchers to Ethiopian ABS regulation by user country authorities.

**Malawi:** The ABS Initiative and Malawi have conducted online meeting in which contracts have been discussed, improved and processed. The support to the negotiation of an ABS agreement with a German applied research foundation since 2016 lead to a deadlock which was not possible to resolve and did not lead to the signing of a contract. The ABS Initiative and Malawi have developed updated templates for ABS contracts on non-commercial utilization. Two standard tools for students and for biotrade with ABS components were developed.

#### 4.2.3 Caribbean (cooperation countries)

**The Bahamas:** Since 2014, the ABS Initiative has delivered substantive support to the Bahamas Environment, Science and Technology (BEST) Commission in the project preparation phase for GEF/UNEP MSP. The support has focused on the development and implementation of an IT based ABS application and monitoring system as well as developing ABS Pilot Cases. The ABS Initiative supported the BEST Commission in conducting the inception workshop of the



national GEF ABS project in June 2016. At this workshop, the concept of the IT system was presented to a larger audience for the first time. A second workshop on planning the ABS Pilot Cases was cancelled twice in October 2016 and April 2017. After changes in government, the work of the UNEP ABS project was reconvened in late 2017. The second planning workshop was scheduled for the 2<sup>nd</sup> quarter of 2018 but could not be convened due to competing obligations of key experts. Finally, a planning workshop was conducted in Feb 2019. A condensed work plan was adopted including the establishment of the ABS IT System. The Bahamas work together with the IT consultants of the ABS Initiative and completed their ABS IT System in 2020.

#### 4.2.4 Pacific (cooperation countries)

Due to the COVID-19 induced travel restrictions all planned country visits to Pacific Island States had to be postponed and later cancelled for 2020. National support was upheld through emails, phone and virtual meetings where possible.

**Fiji:** The planned joint national workshop of SPREP and the ABS Initiative workshop for government stakeholders in February 2020 to support the development of an ABS policy and regulatory procedures could not take place in 2020 as well as the planned 1-day ‘users’ workshop at the University of the South Pacific (USP) also involving the Fiji National University (FNU) will further the process. However, some advice was provided to the biodiversity team of the USP regarding the permit process in Fiji.

**Palau:** With the ratification of the NP in June 2018 Palau intensified its work on the regulatory framework. The Initiative provided comments to the Bill before the second reading in December 2018 and, after the bill passed Parliament, on the draft regulations of March 2019 and again between April and June 2020.

**Papua New Guinea:** Seeking advice and support for developing and implementing a national roadmap towards Nagoya Protocol ratification Conservation and Environmental Protection Authority (CEPA) signed a MoU with ABS Initiative in December 2018 leading mid-2019 to the submission of a proposal for a financing agreement between CEPA and GIZ supporting planned consultations in government and in provincial centres, the development of an ABS policy as well as consultative national and provincial workshops. Unfortunately, administrative hurdles could so far not be cleared on the side of CEPA, preventing the finalisation of a local subsidy contract with GIZ.

**Solomon Islands:** The consultative processes and awareness raising activities supported since the national consultation in April-May 2018 and in July 2019 by the ABS Initiative in collaboration with SPREP pinpointed to the urgent need to clarify the ABS-relevant provisions in the Protected Areas Act and to ensure Nagoya Protocol compliance (Party to the NP since 22 January 2020).

It was agreed with the responsible authorities to continue support as soon as travel from abroad is again possible.

**Vanuatu:** The ARC funded work related to development of BCPs in several communities on the islands of Malekula and Espiritu Santo could so far not be continued. However, some discussions relating to ABS compliant value chains for tamanu (*Calophyllum inophyllum*) and nangai (*Canarium indicum*) continued with the Department of Environmental Protection and Conservation (DEPC) as well as the development of a project proposal to GIZ for supporting the revision of the national regulatory ABS framework. The final proposal was received January 2021 for further processing by GIZ.

The negotiation of an ABS agreement with an European company – supported by the ABS Initiative – did not lead to an ABS permit.

Additional requests for support in 2021 were received from **Tonga**, Party to the NP since 01.01.2020, and **Marshall Islands**, Party since 08.01.2015.



#### 4.2.5 Asia

**India:** Since 2014, staff of the ABS Initiative has been engaged by the German-Indo Cooperation to support the development of the BMZ-funded ABS Partnership Project, implemented by GIZ until 2020. Focus during the last years (since 2018) was on two topics:

- Support for the development of the Indian ABS Communication Strategy, which was summarised in an 8-page brochure and presented to COP 14 in Egypt. In 2019, two outreach workshops with State Biodiversity Board representatives of all Indian states took place on the application of key elements of the strategy.
- In February 2018, the ABS Initiative participated in the planning workshop for amending the existing IT-based ABS application system of NBA by the monitoring elements developed in the context of the work on the IT-system in Kenya. The workshop initiated a cooperation with the highly skilled Indian governmental institution Centre for Development of Advanced Computing (CDAC) with the aim to develop machine-learning approaches for the ABS monitoring system. The work on the machine-learning algorithms was finalised in early 2019. The new monitoring system was officially launched by the Indian Deputy Prime Minister in May 2019. In January 2020, the ABS Initiative supported the participation of Kenyan IT experts at the Workshop on ABS IT-based Monitoring Systems by the ABS Partnership Project and the Global UNDP ABS Project. With the support of the BioInnovation Africa Project the workshop was also attended by country delegates of Cameroon and Madagascar. In December 2020, the ABS Initiative contributed to the closing workshop of the ABS Partnership Project in India.

### 4.3 Support at (sub-)regional and international level

This chapter provides information about

- regional activities supporting stakeholders in partner and cooperation countries in achieving national objectives of ABS implementation and/or facilitating exchange between stakeholders of partner countries with stakeholders of other (African) countries, and
- key activities and results in relation to the auxiliary processes of the ABS Initiative's intervention logic (see [Programme Document 2015-2020](#), page 12 and Annex 1).

#### 4.3.1 Core implementation processes

##### **ABS - Valorisation - Training**

*09. – 11.03.2020, Windhoek, Namibia*

In cooperation with the Namibian Ministry of Environment and Tourism and the World Intellectual Property Organisation (WIPO) a two and a half day training on understanding biodiversity-based value chains and the different industry sectors utilising genetic resources

**Table 6 – Global and (Sub-)regional workshops, trainings and virtual events supporting the core processes of the ABS Initiative**

Date	Events	Core processes		
		ABS frameworks	IPLC participation	ABS agreements
09. – 11.03.2020	ABS - Valorisation – Training in Windhoek/Namibia			x
30.04.-24.09.2020	Webinar Series: ABS Implementation Options	x		
07.-19.10.2020	Webinar Series: ABS-Related Community Protocols	x	x	x
15.10.-19.11.2020	Sourcing with Respect: UEBT Digital Dialogue #1 to			x





was conducted. Country teams consisting of representatives of Ministries of Environment, other line Ministries (e.g. Trade, Agriculture), private sector and business associations from Ethiopia, Seychelles, Malawi, Uganda, South Africa, Botswana and Namibia attended the training. Due to emerging COVID 19 travel restrictions delegates from Kenya and Zimbabwe cancelled their participation last minute. The training comprised analysing different steps of natural products value chains (resource, ingredient, market access / compliance), understanding relating intellectual property instruments, assessing sectoral user segments of biological resources, the discussion of challenges / opportunities for national valorisation approaches in relation to ABS and a field trip to Namibian natural ingredients producing SMME.

### **ABS Implementation Options - Online**

*30.04. / 14.05. / 04.06. / 26.06. / 25.09.2020*

The online events presented five topics covering general capacity development in order to build effective national ABS frameworks as well as to react on specific challenges posed by health emergencies:

- 1) Introduction and overall options to implement ABS (based on the publication “Implementation Options” and the AU Abs Guidelines)
- 2) How to get started (familiarisation with multi-stakeholder processes and visualisation of the processes and procedures under national ABS frameworks)
- 3) Choice of the suitable legal instruments (reflecting on appropriate legal measures against the specific circumstances in the country)
- 4) Technical issues (dealing with issues as DSI, online permitting systems, monitoring and compliance)
- 5) Expeditious Access in Case of Emergency - Awareness Raising Session (focussing on Nagoya Protocol Art. 8b and related national measures reacting on health emergencies)

In order to maximise the effect of the online events, the sessions were recorded and [presented online](#) including all meeting reports and presentations.

### **Sourcing with Respect: UEBT Digital Dialogue #1 to #4**

*15.10. / 22.10. / 05.11. / 19.11.2020*

Also due to COVID 19 travel restrictions, the annual Paris based Beauty of Sourcing with Respect (BSR) Conference and its Exchange Forum with the private sector – conjointly organized with the ABS Initiative – needed to find a virtual alternative. In order to address business’ continuously raising demand on information with respect to national ABS Systems and trends in implementation, two events of the 2020 Digital Dialogue Series were specifically dedicated to topics related to ABS and the Nagoya Protocol:

- [ABS rules and practices: Trends, news and open questions](#) on 22 October 2020
- [ABS beyond 2020: Emerging issues for business](#) on 5 November 2020

Under the auspices of the CBD secretariat, the ABS Initiative, their implementation partners and representatives of partner- / collaborating countries exchanged with user country authorities, corporate business and industry associations on ABS laws and practices as well as on strategic questions with respect to the role and potential impact of ABS in the Post 2020 framework.

### **ABS-related Community Protocols – Online**

*07.10. / 12.10. / 19.10.2020*

In October 2020, Natural Justice and the ABS Initiative jointly organised a series of three webinars on the value of biocultural community protocols in ABS implementation. In these webinars, stakeholders involved in the development and implementation of BCPs across Africa exchanged experiences with regard to





- BCP development,
- the use of BCPs for ABS implementation, and
- options for the recognition of community protocols in national policies and legal frameworks.

The webinars were held in both English and French with simultaneous interpretation, participants (up to 70 people at a time) included African national focal points of the CBD and ABS, IPLC representatives and partners as well as other interested stakeholders from the private sector and academia. Further information and documentation can be found [here](#).

### Introduction to DSI – Online

01. / 09. / 14.12.2020

Reacting on the standstill in international biodiversity negotiations, and specifically with regard to developing a better understanding on DSI and benefit sharing options, the ABS Initiative in collaboration with the Secretariat of the CBD developed a series of three webinars on DSI. Two of these events were conducted in 2020:

- 1) Understanding digital sequence information on genetic resources: a technical overview of its production, distribution and use (hosted by the ABS Initiative)
- 2) Process and recent outcomes related to digital sequence information on genetic resources under the CBD (hosted by the SCBD)

The first online event was offered in English and French, and aimed at:

- Gaining an understanding of the concept of DSI and how it relates to the 3 objectives of the CBD
- Identifying what technical capacity is required to generate DSI and how much it costs
- Comprehending where DSI is stored, shared and distributed and how it is being used
- Learning about the sectors that use DSI as well as the actors and owners involved in using DSI
- Acquiring knowledge on how DSI is being dealt with in international fora

The second online event informed about the outcomes of the 2<sup>nd</sup> AHTEG on DSI convened online in early 2020. The sessions were recorded and presented online at the webpages of the [ABS Initiative](#) and the [CBD](#) including all and presentations.

In addition, the ABS Initiative in conjunction with the AU Commission convened a third online event for the African Group of Negotiators to deepen their understanding on DSI and develop common African positions in this regard.

## 4.3.2 Auxiliary processes

### 4.3.2.1 Regional harmonisation and exchange

During 2020 continuing technical support was provided to the online system for coordinating African biodiversity negotiators, which had been developed for the **African Union Commission's Department of Human Resources, Science and Technology (DHRST)**. This intervention makes innovative use of freely available communication technologies to overcome the perennial problem of insufficient resources for face-to-face coordination. The system was used by African negotiators during the second meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework in February 2020. After the COVID-19 pandemic put a halt to international meetings the online system continued to be used in developing coordinated African negotiating positions, although some of its core functions were taken over by the widescale adoption of online tools such as Zoom and MS Teams. An interesting development was the spontaneous adoption by African negotiators of other online communication tools (beyond those initially included in the system).

The pandemic severely disrupted the Initiative's collaboration with the African Union Commission to provide technical and strategic support to **African Group negotiators at the FAO CGRFA, ITPGRFA and WIPO IGC**, where no substantial negotiations took place. Limited support was provided to informal efforts to find a way forward on DSI in the context of the revision of the ITPGRFA Multilateral System, but planned meetings had to be postponed and



without personal contact little progress could be made. As of December 2020, it seems unlikely that much can be achieved on this topic until the wider DSI issue has been resolved by the CBD.

The ABS Initiative was **appointed by the European Commission as a member of the ABS Consultation Forum** established by Art. 15 of the EU ABS Regulation. The meeting in December 2020 was postponed to January 2021.

The ABS Initiative was member of the Steering Committee of the **GEF UNEP ABS project "Advancing the Nagoya Protocol in Countries of the Caribbean Region"** which is executed by IUCN. The Initiative participated in two Steering Committee meetings and regional workshops in April 2016 in Trinidad and Tobago and in October 2017 in Antigua and Barbuda. Various comments on public awareness material, legislative documents and the project's mid-term review were given. The ABS Initiative took part in the final project workshop in January 2019 and participated in the independent review of the project. In the context of the above-mentioned Caribbean ABS project, the ABS Initiative established contacts with the **Organisation for Eastern Caribbean Countries (OECS) Commission** to become a cooperating partner in the coming activities in 2019-2022. In November 2018, the Initiative held a meeting with the Caribbean countries present at COP 14 in Sharm el-Sheikh to discuss and finalise the concept for collaboration. A concept for collaboration describing the main fields of activities was approved and an MoU was signed in June 2019. Due to slow institutional processes, a first workshop on regional ABS Guidelines, ABS contract templates, regional approaches on IT ABS systems and general awareness raising in late 2019 was postponed to February 2020, but finally cancelled due to Corona restrictions. In the course of 2020, a new workplan was established and a regional consultant was hired to organise virtual consultations and a physical workshop in April 2021. The aim is to finalise the Regional ABS Guidelines of the IUCN project and bring it to adoption by the OECS Ministers of Environment in May 2021.

Furthermore, with a view to facilitating coordination and synergies between the GEF/UNEP Pacific Regional ABS Project which is executed by the Secretariat of the Pacific Regional Environment Programme (SPREP) and the work of the ABS Initiative in the region a **Joint Regional Steering Committee (JRSC) for the Pacific** was created in June 2017 for the two projects. Support to countries is well coordinated and several country missions have been done jointly since then. For further details see chapters 4.2.4 and 4.4.1 respectively.

The **Pacific Natures in Conference**, scheduled for April 2020 in Noumea, New Caledonia, was initially postponed to September 2020 and finally held as virtual conference in November 2020. As a result, the **Pacific ABS Workshop** planned back-to-back with the Conference was transferred into a series of three webinars between August and December 2020 enabling exchange of national implementation options, e.g. compliance measures, and updates on international processes, such as DSI.

The **3<sup>rd</sup> Oceania Biodiscovery Forum**, planned to take place in September 2020 before COP 15 / MOP 4 in Brisbane, Australia, in partnership with the Government of Queensland, is now scheduled for November 2021, expecting that international travel will be possible by that time and that COP/MOP will take place in December 2021.

#### **4.3.2.2 Interfaces to international processes**

The ABS Initiative is member of the **Informal Advisory Committee on Capacity-building for the Implementation of the Nagoya Protocol** which did not meet in 2020.

The ABS Initiative was also invited to a **communication expert meeting in Montreal, organised by the SCBD** with the aim to develop a common outreach approach around the post-2020 framework. Together with professionals of different UN agencies, biodiversity related agreements, NGOs, IUCN and IPBES communication messages, target groups and activities for the biodiversity super year were discussed and key elements for a common "flotilla" strategy elaborated. Whereas the focus of the discussion was on conservation messages, the Initiative was able to position ABS and development aspects as key pillar of the



convention in the meeting and to be reflected in the communication approach. The Initiative is participating regularly in virtual “flotilla” meetings.

The ABS Initiative renewed its Letter of Intent with the **International Livestock Research Institute (ILRI)** in 2018 in order to further cooperate in institutional ABS issues until 2022. The partnership will contribute to the implementation of the ABS Guidelines of the AU, support ABS-compliance of ILRI with applicable national ABS frameworks and enable ABS-compliant research and breeding activities by ILRI and its project partners. In the context of this partnership, the Initiative participated in the following activities:

- In 2019, the ABS Initiative continued its support to negotiations between the **Centre for Tropical Livestock Genetics and Health (CTLGH)** – a partner of ILRI – and African provider countries on the utilisation of husbandry blood samples.
- Throughout 2018, the Initiative was cooperating with ILRI to prepare and organise an ABS Compliance Workshop to present their common work and to invite regulators and scientists from the key provider countries of ILRI’s R&D projects. The workshop took place in Jan 2019 and gathered 27 researchers, regulators and subject matter experts from Kenya, Ethiopia, Tanzania, Uganda, Nigeria and Malawi with additional international input from international experts

A follow-up workshop in Q1/2020 was cancelled due to Corona restrictions. A small virtual workshop was convened to discuss ABS compliance in the context of ILRI’s R&D projects for animal vaccines.

Initiated through ILRI, the ABS Initiative started a discussion with the **Global Alliance for Livestock Veterinary Medicines (GALVmed)** in Edinburgh (UK) to support their work on ABS issues. GALVmed is a non-profit organisation cooperating with academia, public research institutes and the commercial pharmaceutical sector to develop vaccines, medicines and diagnostics for the major livestock diseases impacting smallholders. GALVmed functions as a Product Development Partnership (PDP); it is the only veterinary PDP in existence. The result of GALVmed’s [product development work](#) will be a comprehensive portfolio of animal health products for smallholders, mainly vaccines. GALVmed received its vaccine genetic resources and digital sequence information from ILRI and other partners. In April 2019, the ABS Initiative advised the CEO, legal and scientific officers of GALVmed on the implications of ABS regulations for their commercial R&D in order to develop ABS-standards. A follow-up workshop in 2020 was cancelled.

To provide an input on capacities, views and concerns of ‘provider countries’ (and Africa in particular) on DSI, the ABS Initiative was invited to the 8<sup>th</sup> German Round Table on ABS, organised by the German CNA, the Agency for the Conservation of Nature in Bonn, in January 2020.

#### **4.3.2.3 Knowledge generation for human capacity development (HCD)**

The ABS Initiative managed to strengthen its role as a **globally significant knowledge broker and communicator on ABS**. While the COVID restrictions occurred to be a challenge in the beginning, the work undertaken helped to establish the ABS Initiative as a strong force in generating knowledge in the digital sphere with the well-received webinars being proof. In 2020, the webinars replaced some of the originally planned on-site workshops. The transformation of training courses into blended-learning or completely virtual formats is ongoing and will be finalised in 2021. The ABS Initiative is convinced that in the long run a blended approach between online and on-site events is crucial for effective knowledge generation.

In spring the Initiative started off with a **webinar series** on [Mapping and Fostering the Implementation of the Nagoya Protocol in Africa](#) – in French and English. During five sessions the webinars covered introductory information on ABS/Nagoya Protocol, ways to get the ABS process started (referring to AU guidelines, visualization tools etc.), choosing the relevant legal instruments, technical issues (from DSI to contracts) and expeditious access in cases of



emergency. The webinars varied in their level interactivity according to the topic and the intention, knowledge transfer or discussions.

Another webinar series on Digital Sequence Information (DSI) is being organized and implemented in cooperation with the SCBD. It started in December with a session on [Understanding DSI – A Technical Overview of its Production, Distribution and Use](#) followed by a session eight days later on Process and Recent Outcomes Related to Digital Sequence Information on Genetic Resources under the CBD. In February a session on Policy Options for ABS and DSI will follow. More information on the [SCBD website](#). – The ABS Initiative established itself as a knowledge leader on DSI matters related to ABS and the Nagoya Protocol based on the [1<sup>st</sup> Global Dialogue on Digital Sequence Information on ABS in November 2019](#) whose results were also presented during the [2<sup>nd</sup> Open-ended Working Group on the Post-2020 Global Biodiversity Framework](#) end of February in Rome, and the [introductory guide on DSI](#) (also available in [French](#)) published by the Initiative. The guide aims to help African policymakers and stakeholders to understand the discussion around DSI in relation to the Nagoya Protocol and the position of various actors.

In October 2020, Natural Justice and the ABS Initiative jointly organised a series of three **webinars on the value of biocultural community protocols in ABS implementation**. In these webinars, stakeholders involved in the development and implementation of BCPs across Africa exchanged experiences with regard to (1) BCP development, (2) the use of BCPs for ABS implementation, and (3) options for the recognition of community protocols in national policies and legal frameworks. The webinars were held in both English and French with simultaneous interpretation, participants (up to 70 people at a time) included African national focal points of the CBD and ABS, IPLC representatives and partners as well as other interested stakeholders from the private sector and academia. Further information and documentation can be found [here](#).

Based on the experiences of the many face-to-face training courses on ABS contracts conducted in cooperation with the Fridtjof Nansen Institute, the ABS Initiative continued to develop a **Blended Learning Tool** in cooperation with the second GIZ implemented ABS Project, Bioinnovation Africa. Target groups are lawyers and ABS experts negotiating ABS agreements on behalf of providers of genetic resources and associated traditional knowledge. The already existing concept has been finetuned, the technical prerequisites have been created and the content has been developed. The tool will follow a multimedia approach with videos adding to a better learning effect. With the tool, the ABS Initiative aims to make learning more effective and appealing to the target audience also allowing for peer exchange.

Along with the Contract Tool 3.0, the Blended Learning Tool will also be used for an **ABS contract training for lawyers and paralegals supporting Indigenous peoples and local communities**, which will combine the “regular” contract training with elements of community organising and communication. This training was originally foreseen to be held in 2020 but had to be postponed to Q4 2021 due to the pandemic. In 2020, the ABS Initiative and Natural Justice worked on the concept and compiled a list of potential invitees for the call for applications.

A new [“simply explained” video on Digital Sequence Information \(DSI\)](#) has been developed by the ABS Initiative. The animated video clip illustrates DSI’s importance for the CBD’s three objectives: conservation, sustainable use of biological diversity and fair and equitable benefit-sharing. It is meant to be shared with ABS and CBD National Focal Points, Competent National Authorities as well as other actors that are interested in the topic. The video explains the concept of DSI and describes how DSI is being generated, used and stored.

Responding to long-time requests from IPLC stakeholders, the Initiative, in collaboration with Natural Justice and relevant partners in Africa, has finalized a set of picture cards that can be used to explain the ABS mechanism and processes to IPLC audiences in rural contexts. The [ABS Picture Box](#) was published online for download in December 2020. In the next step, the product is intended to be tested by Natural Justice and other partners, e.g. with communities in Madagascar and South Africa. Based



on the experiences gained in these “test runs” it can be further adapted to the target group’s needs. Another CEPA tool under development specifically for IPLC are elements of a radio show on ABS that can be used by community radios. The scripts have been drafted, their finalization and publication is planned for Q4/2021.

With the support of the ABS Initiative, Natural Justice worked on **Community Protocol Guidelines** in 2020. The publication is based on their experiences with community protocols as an instrument supporting the effective implementation of ABS and compiles instructions and recommendations for communities, organisations and governments in the facilitation and implementation of community protocols in this particular context. A first draft was finalised by the end of 2020, publication is foreseen for April 2021.

Three interactive graphics on ABS related cases have been created and made available on the website. They illustrate the steps involved over the course of the years, define the involved actors and interests, show how cooperation unfolded and whether ABS related agreements have (not) been signed. Ultimately, the graphics emphasize the ABS potential ABS actual offered or would have offered if implemented accordingly. The graphics are in no means of accusatory character but merely mirror the ABS potential based on real life examples which is helpful for non-experts to get a better understanding of ABS and the Nagoya Protocol.

#### **4.3.2.4 Knowledge management and dissemination**

In 2019, based on strategic discussions within the projects’ teams and external partners it was concluded that the online presence of the ABS Initiative, ABioSA and BioInnovation Africa should be combined and closely coordinated. The results fed into a joint communication strategy. Here are the basic results:

- Synthesise communication of the three (sub) projects under one roof (joint website, joint Twitter account).
- Focus on the overall topic they share: “Biodiversity-based value chains with an ABS component”.
- Communication in process: communicating specific topics for a defined time periods with events, activities and publications as the relevant hooks.
- Bridge the generational gap: rejuvenate knowledge transfer and public awareness for a younger audience (e.g. more focus on digital and mobile tools, more multimedia, fresher form of moderation).
- Simplify access to information: more multimedia and social media tools and platforms to direct attention to the plethora of knowledge and experience.
- More cases: Potential actors in ABS and BioTrade are more likely to be motivated through guiding examples. These need to be researched and presented accordingly (posters, interactive graphs, factsheets, videos). Reference points are SDGs, the Nagoya Protocol and socio-economic factors.
- Specific language and formats for the different audiences (e.g., IPLC, SME, global corporates).

This “merged” communication approach was successfully kicked off with the 12<sup>th</sup> Pan-African ABS Workshop in September 2019. The work on the new online platform/website took longer than expected with the main reason being the COVID-19 related new focus on webinars and other digital and blended tools. Also, the three (sub-)projects – ABS Capacity Development Initiative, BioInnovation Africa, ABioSA – had to re-orient their capacities and re-organize due to lockdowns at different levels. On a conceptual level there were many very productive discussions on the right approach on visibility, content focus and priorities in content display. A pre-final version of the platform will be presented to the African Steering Committee in March 2021. It is of crucial importance as it may also serve as a concrete visual example for the synergetic nature of the three (sub-)projects.

The webinars conducted by the ABS Initiative are presented above in the knowledge generation chapter. However, the webinars are also part of knowledge management and dissemination as they are being [provided online](#) for recaps to a broader audience. In our digital age the differentiation between knowledge generation, knowledge management and





knowledge dissemination are rather of academic nature than rooted in reality. The ABS Initiative has taken this into account and will continue to do so.

## 4.4 Steering and guiding processes

### 4.4.1 Steering Committees

The **Regional Steering Committee for Africa** (RSCA) met on 24 March 2020 in a virtual meeting. The minutes of the meeting are available for download on the ABS Initiative's website.

Besides the discussion and approval of the work plan and budget, following key decisions were taken:

- An external evaluation will take place in 2020. Apart from analysing the past work of the ABS Initiative, the evaluation should also come up with suggestions for strategic directions for a new ABS-project in 2022.
- Once the Corona restrictions are lifted, the ABS Initiative will submit an updated workplan for adoption.
- As response on the Corona restrictions – which were at that time not expected to prevent all physical meetings in 2020 – it was concluded that the ABS Initiative should organise a series of virtual meetings covering:
  - Mapping and fostering NP implementation in Africa
  - Knowledge Generation on MAT and Benefit-Sharing
  - Contribution ABS to Conservation and Sustainable Use
  - Outreach and Capacity Development on DSI in Africa

The **Regional Steering Committee for the Caribbean** for the ABS Initiative will be re-established during the first regional ABS workshop in the context of the cooperation with the Organisation of the East Caribbean States (OECS) in 2021.

The **Joint Regional Steering Committee for the Pacific** was established in June 2017 to support coordinated implementation of the GEF-UNEP regional ABS project executed by SPREP and the work of the ABS Initiative in the Pacific region.

- The fourth meeting took place as a virtual meeting at 31 January 2020. Key topic was the endorsement of the proposed no-cost extension of the SPREP executed regional ABS project until December 2021 and the related budget and work plan for the remaining project period. The proposal was welcomed by the manager of the ABS Initiative as this would allow the continuation of the excellent cooperation between the project team of SPREP and the ABS Initiative throughout almost the complete remaining duration of the current implementation phase of the ABS Initiative.
- A fifth meeting took place in a virtual format at 14 September 2020. Beside updates on the COVID-19 impacts of the implementation of both ABS projects, key topic was the change of ABS project staff at SPREP vacating the position of the legal adviser and upgrading the position of the capacity development officer and corresponding budget allocations.

### 4.4.2 Project management

Regular physical and, since March 2020, mostly virtual team meetings – GIZ team (twice a month), core team, i.e. GIZ and GeoMedia staff (monthly) – and team meeting via skype – extended team (monthly with specific input on the work of external consultants) – ensure consistent exchange of information within the ABS Initiative team, updates on the implementation of (national) activities and coordination for joint (sub-)regional and international activities.





#### 4.4.3 (Sub-)regional management

Appointed team members are responsible for coordinating support to partner and cooperation countries as well as the relevant (sub-)regional organisations in Africa and the Caribbean.

In order to reduce travel costs and to facilitate communication with stakeholders and partners in the Pacific, A/Prof Dr Daniel Robinson of the University of New South Wales (UNSW) in Sydney, Australia, is acting as regional coordinator for the ABS Initiative's activities in the region based on a financing agreement with UNSW. Mr Robinson has been collaborating and working as a consultant to the ABS Initiative since 2012 and is instrumental for accessing additional funds from Australian funding agencies (see chapter 3).

#### 4.4.4 External evaluation 2020

The purpose of the external evaluation 2020 is to inform the Joint Steering Committee and the project management on the results achieved since April 2015 and allow for strategic changes for the design of a possible continuation of ABS related capacity development beyond the current phase ending in 2022. The evaluation will support donors in their decision making about the need and possible priorities for further support to the ABS Capacity Development Initiative. In addition, process and results of the evaluation will help project management to conceptualize the next phase of the ABS Initiative and provide a sound basis for developing the Programme Document 2022-2030.

Thus, the objective of the evaluation is to extract and share strategic learnings with project management and the Joint Steering Committee composed of donor and stakeholder representatives as basis for conceptualising the continuation of a multi-donor-funded project led by BMZ beyond 03/2022 for supporting the implementation of the 3rd objective of the CBD and its Nagoya Protocol on ABS.

It was envisaged that the evaluation would take place around COP/MOP to allow the evaluation team to meet in person with relevant stakeholders during COP and to take the final decision on the post-2020 Global Biodiversity Framework into account when providing their recommendation for the next phase of the ABS Initiative. Therefore, the commissioning of the evaluation was delayed due to the COVID-19 induced planning difficulties regarding the schedule of the intersessional CBD meetings and COP/MOP itself. The contract was finally tendered in November 2020 and the evaluation started end-2020 with an inception meeting between the consultants and the ABS Initiative core team. A draft evaluation report is expected to be available for the members of the Steering Committee by mid-March 2021.

### 5. Challenges and opportunities in ABS implementation

A one-size-fits-all approach for capacity development focused on national ABS implementation of the Nagoya Protocol does not exist. Situations in countries differ significantly as do the opportunities and constraints stakeholders are confronted with. In short: ABS capacity development needs to be well targeted and case specific. While being consistent in its approach, the ABS Initiative monitors the changes in the institutional and processual environment concerning ABS, assesses the challenges and opportunities, and ultimately comes up with targeted solutions. This chapter informs about:

1. **Challenges and measures taken:** Key impediments to and weaknesses in the implementation of the Nagoya Protocol based on experience gained through past and current support of stakeholders and partner countries as well as experience gained at a regional and global level. Tools and activities of the ABS Initiative to address these challenges.
2. **Momentum:** Important developments and arising opportunities for more effective and efficient ABS implementation.



## 5.1 Key challenges

### 5.1.1 Designing ABS systems / regulatory frameworks

The lion's share of ACP countries has started the development and implementation of ABS measures after the entry into force of the Nagoya Protocol in 2014 only. Others were pre-Nagoya "early movers" developing ABS frameworks based on the ABS provisions of the CBD Article 15 itself. Consequently, the current scope of national activities ranges from drafting basic regulations in order to create the bare minimum of legal certainty (e.g. Benin, Madagascar, Fiji) to revising existing pre-Nagoya ABS frameworks for increased efficiency and effectiveness (e.g. South Africa, Kenya, Vanuatu). This range, of course, causes specific challenges for ABS capacity development. Finding the right link to existing national ABS processes, and thus tailor-made support schemes, is one of the most common.

**Deficiencies at institutional and individual levels:** The key drivers, ABS NFPs and staff of ABS CNAs, have meanwhile attained a decent understanding of the Nagoya Protocol and its mechanisms. However, the concept, role and process of monitoring utilisation of foreign genetic resources and associated traditional knowledge by users in the own country, compliance with ABS contracts, the ABS Clearing House and checkpoints is often not yet understood properly. Insufficient knowledge of valorisation steps, value chains and in which cases ABS procedures would be triggered often leads to misconceptions and misunderstandings with users. More principal comprehension deficits regarding the ABS mechanism and implementation requirements of the Nagoya Protocol prevail in most line authorities (planning, agriculture, research, health, trade/economy, rural development). Further, officers are often overcharged with other work (e.g. overseeing several Conventions or Protocols), suffer from inadequate IT infrastructure, including unstable internet connection, and change positions too frequently in order to adequately push ABS implementation in their countries or respond to access investigations from users. In addition, authorities in charge of ABS are chronically underfunded and the hierarchical set-up of administrations results in long decision-making processes.

#### **Measure: Awareness raising and information sharing**

The ABS Initiative continues using its existing multimedia products (**videos, interactive graphics, posters**) complemented by an **updated webpage**. The Initiative will make intensified use of the **ABS monitoring video** and the **video on ABS and DSI – "simply explained"**. A **case compendium on ABS-SDG linkages** provides concrete input to the post-2020 global biodiversity framework and contributes to a common understanding of ABS implementation among relevant stakeholders. **Factsheets on concrete information on benefit sharing arrangements in ABS contracts** and their contribution to the SDGs will be developed in 2021, targeting decision makers and information multipliers. In the partner countries, the ABS Initiative aims at addressing such individual and institutional deficits through **direct advice and trainings**.

### 5.1.2 Indigenous peoples, local communities and governance

Governance structures and tenure provisions differ between countries but also at national, provincial or local level. While in some countries legal provisions for IPLC participation do not exist at all (e.g. Algeria and Morocco), they are recognised in others (e.g. Kenya; most Pacific island states). In other countries like Ethiopia, the state represents local communities in some matters. Of course, the diversity of governance structures demands distinct (legal) approaches to enable effective participation of IPLCs in ABS processes, including PIC. These different structures are equally challenging for foreign users.

**IPLC governance and aTK:** Land and resource tenure issues are often not sufficiently defined in providing countries. Due to the inexistence of inventories the precise attribution of a genetic resource



or respective aTK to Indigenous peoples or local communities remains a key implementation challenge for ABS regulators and users. However, even if the community was identified, the question of representation arises: Who is responsible within the community? Who provides PIC? Who may negotiate? How to deal with shared aTK?

**(Non-)utilisation of aTK:** In many cases, aTK can help identify potential leads to be taken up by basic or commercial R&D. In some industry sectors, for instance nutraceuticals, the proof of traditional uses of a resource as foodstuff can help to pass consumer safety standards such as the EU Novel Food regulation. However, this potential is barely used as the majority of users tries to avoid conducting R&D or building products on aTK for the following reasons: the legal status of aTK is often unclear, for instance if it is publicly available or in the public domain (e.g. scientific literature); aTK right holders may not have been identified; aTK is shared and may be disputed between communities; obtaining ABS permits based on aTK, PIC is very difficult and time consuming, if not impossible.

#### Measure: Tools for IPLCs and BCPs

Based on the results of a CEPA workshop for IPLCs, the ABS Initiative is developing **CEPA tools (radio shows, picture cards)** enabling IPLCs to become involved more effectively in ABS processes. The **establishment of BCPs and comparable instruments** leads to a better position of IPLCs in ABS negotiations and facilitates their interaction with users. Natural Justice and the ABS Initiative are developing **guidelines on developing and implementing BCPs or comparable instruments** for communities, supporting organisations and governments. Complementing such tools, the webinars on community protocols and ABS serve as a forum for experience exchange and mutual learning. To reflect the special situation and needs of IPLCs regarding complex contract negotiations, a specific **training for lawyers and paralegals supporting IPLCs on ABS contract negotiations** is under development for use in 2021 – as soon as Corona measures will allow this. To address aTK tenure issues, the ABS Initiative entered into a collaboration with the South African CSIR. CSIR is planning to use the National Recordal System (NRS) developed by the South African Department of Science and Technology for **identifying promising uses of indigenous plants based on aTK of IPLCs**.

### 5.1.3 Digital Sequence Information (DSI)

DSI was probably the most controversially discussed topic during CBD-COP 14/NP-MOP 2 and will play a major role in the negotiations of the Post-2020 Global Biodiversity Framework. Nevertheless, many regulators and relevant ABS stakeholders do not fully comprehend the nature and types of applications of DSI as well as its potential implications on ABS implementation, both in the research and commercial arena. These knowledge gaps are not only impacting the negotiations at international level. They also have the potential to slow down the regulatory process nationally as it is unclear how to cover the issue in domestic ABS frameworks and contracts.

#### Measure: Global DSI Dialogue and cooperation with African Union Commission

The [Global DSI Dialogue](#), started in November 2019, including related publications (**DSI Primer, studies on domestic measures, commercial use and multilateral benefit sharing options, to be published in 2021**) provide an overview about scientific and technical topics and support the science- and policy-based process adopted by COP 14. The activities aim to enhance the understanding of the issues, the development of approaches to consider DSI in the post-2020 global biodiversity framework and the negotiation of benefit sharing options. In **cooperation with the African Union Commission and through its Continental Coordination Committee for biodiversity matters**, the ABS Initiative compiles, analyses and documents the different developments relevant to the implementation of ABS and particularly DSI under the CBD/Nagoya Protocol, FAO ITPGRFA/CGRFA, WIPO IGC, and WHO PIP. In that context, the ABS Initiative supported the African Group of Negotiators through a **communication tool** and the facilitation of **strategy meetings, focussing on matters of DSI**.

### 5.1.4 Developing specific regulations and procedures

Despite having basic ABS measures in place, many countries have not yet defined ABS regulations and/or clear procedures to process ABS requests. In some cases, procedures might be defined within the administration but are not at all or at least not sufficiently



communicated to other stakeholders and applicants. Consequently, neither resource holders nor users know exactly where and when PIC is to be obtained, who the respective MAT negotiation partner may be, or which permits are to be issued by which authority in order to be compliant with national ABS measures. Clearly defined PIC/MAT/permitting procedures are of relevance in cases where local SMEs and IPLCs – important linking elements in the value chain – are transferring and adding value to genetic resources. Here, also the relation of permits and benefit sharing arrangements along one value chain, i.e. between resource providers and local SMEs on the one hand, and between those SMEs and international industry on the other hand remains a major challenge. This includes also the definition of cut-off points for benefit-sharing, especially in value chains where foreign users never enter the country but buy the biological material on the commodity markets.

In the absence of guidance, some users have defined institutional or company-specific procedures according to their discretion and interpretation of the Nagoya Protocol (e.g. community-PIC, pre-PIC, ABS collaboration accords), in order to have some evidence of ABS compliance if the issue came into question later.

**Scope of ABS requirements:** Many ABS laws and regulations do not clearly define which specific resources and types of utilisation would fall under the national scope. Are seeds or non-indigenous resources included? Would taxonomic research trigger ABS obligations? What if the resources are used for the extraction of oils or in formulations at national level? What about export thereof? International users often delegate the responsibility to provide necessary permits or the proof that the resource in question is outside the ABS scope to the resource providers, manufacturing SMEs or exporters in the providing countries. Unfortunately, many regulators cannot provide guidance on related inquiries. As a result, business opportunities from genetic resource valorisation are missed out on, and even existing supply chains are threatened to collapse due to legal uncertainties. Particularly EU users being required by the ABS compliance law to prove due diligence abstain from further engagement. In addition, such unclear scope of ABS requirements negatively impacts research cooperation with EU countries where proof of ABS compliance is a prerequisite for research funding.

**Interplay with other key permits:** Generally, obtaining only an ABS permit/IRCC is not sufficient to “start business” on genetic resources. Additional permits, for instance regarding research, collection of material, export or phytosanitary obligations, are necessary to undertake R&D abroad and build a supply chain. At the same time, clear guidance on complementary permits for specific ABS applications are lacking. A typical question that arises: In which order are different permits to be obtained, for instance, is an ABS permit the prerequisite for a research permit or is it the other way around?

#### **Measure: Implementation options paper**

The paper presents various options for implementation of the provisions of the Nagoya Protocol. The potential advantages and disadvantages are discussed. The paper is the basis for a consultative process for developing a strategic approach to implement the Nagoya Protocol on ABS at national level. The paper should be used as basis for virtual events, specific workshops and activities at the national level. One specific tool, which proved to be useful when discussing the features of national ABS frameworks, are **visualisations** of current and planned ABS processes and procedures.

### **5.1.5 Negotiations and clauses of ABS contracts**

In most countries, the involvement of private contract law experts in ABS contract negotiations is insufficient. This has a negative impact on the quality and enforceability of the resulting ABS agreements. In the worst case, ABS contracts are legally void. IPLCs, but also other providers, often do not have the legal and technical support to participate in ABS negotiations at eye level. In contrast, the user side – industry and academia – avails of the necessary legal support at command.

**Essential information on benefit sharing schemes:** A severe lack of information about essential aspects of benefit sharing – reasonable expectations, industry-specific rates, scheduling of milestones, upfront payments vs profit shares, effective ways to use non-monetary benefit sharing measures etc. – may result in institutional paralysis on the part of the providers. They do not feel sufficiently



knowledgeable to confidently propose, consider, evaluate, negotiate and conclude MAT. The fact that in most cases much of this information is commercially confidential and thus prevents learning from good (or bad) examples exacerbates the problem.

#### Measure: ABS contract support

The ABS Initiative conducts **trainings on ABS contract negotiation** at national and regional level. The underlying conceptual approach was updated (**ABS Contract Tool 2.0 and 3.0, forthcoming in 2021**). Through a blended learning approach, these face-to-face courses will be complemented in 2021 by an online learning format and an alumni portal, which will improve the learning effect in four respects: better understanding of ABS contracts; easier sharing of draft contracts; make sources available in the long term and encourage peer-to-peer exchange. The ABS Initiative is also developing an adapted version of the **blended learning training for lawyers and ABS experts working for IPLCs** accommodating their specific needs. Furthermore, the ABS Initiative **advises and comments on legal contract clauses and negotiations** in partner and cooperation countries upon request and thus facilitates the establishment of ABS contracts.

### 5.1.6 Monitoring of ABS contracts

With increasing numbers of ABS systems being implemented, the number of access requests and all other documents and procedures linked to a specific access request (especially PIC, MAT and permit) is rising rapidly. With biodiversity-based value chains usually taking years from the point of access to a final product hitting the market, there is urgent need for building up well adapted and long living data storage systems for the respective files. Only if, based on a checkpoint communiqué which might be emitted by a user country checkpoint many years after the initial access to the resource has occurred, the provider country is able to trace the number of the IRCC back to the original MAT of the respective dossier, monitoring of ABS contracts will be possible. Therefore, it is of high importance to support countries in setting up such data-storage systems from the early days of their ABS systems on. Such systems can be built as a simple hard-drive based storage system going all the way to a cloud-based permitting and monitoring system as in Kenya or The Bahamas.

#### Measure: Tools supporting contract monitoring

The concept of the **IT-based ABS Application, Permitting and Monitoring Tool** aims at providing the user with one single entry into the necessary administrative procedures, establishing transparent and synchronised administrative procedures, central storage of all related documents, and a monitoring tool discovering scientific publications and patent applications by researchers holding PIC and MAT on national genetic resources. To address the knowledge gap concerning the international monitoring system set up by the Nagoya Protocol, the ABS Initiative, together with partners from CNAs, research, industry and the SCBD, developed a “**dummy test**” through the entire monitoring system from an ABS permit to the checkpoint communiqué.

### 5.1.7 ABS compliant value chain development

Various industry sectors use genetic resources in different ways but all benefit from the Nagoya Protocol as it provides clear and transparent procedures for ABS. These procedures are the backbone of ABS-compliant value chains. They link the private sector, stakeholders from R&D, governments and IPLCs. In many countries, institutional and procedural challenges slow down the emergence of ABS compliant value chains or make them merely impossible.

**Public-private sector cooperation:** Cooperation between public and private sector is new territory in environmental ministries of most countries. Both sectors differ in pace and principles of decision-making. In the private sector the consideration of transaction costs, including (non-productive) waiting time is key and entrepreneurial risks are basis of decision making, whereas regulators in the public sector will hardly provide guidance to a user or approve applications if processes are not clearly defined or decisions are not brought into agreement with the own hierarchy or other departments/committees in charge. As meetings for ABS decision making or of advisory bodies are often held irregularly and





**Table 7 - How tools and instruments of the ABS Initiative relate to the ABS implementation challenges**

Schematic overview on key instruments & approaches addressing ABS implementation challenges - excluding experience exchange formats, such as Pan-African or subregional workshops													
	Regulations & procedures	Scope of ABS requirements	Digital Sequence Information (DSI)	IPLC Governance & aTK	Non-utilization of aTK	Negotiations and clauses of ABS contracts	Interplay with other key permits	R&D and business models	National valorisation strategies	Top-down vs. bottom up	Essential information on BS schemes	Institutional deficiencies	Public-private sector co-operation
Video: DSI													
Video: Monitoring & Compliance													
“Dummy test”: Monitoring system													
Compilation: ABS (relevant) cases													
CEPA Tools: IPLC													
Guide: BCP													
Guide: Policy and implementation options													
Advice & comments on ABS contracts upon request													
(Blended) Contract training incl. IPLC lawyers													
Training kit: ABS compliant value chains													
Support: Utilization/valorization of GR and aTK													
aTK tenure and inventories													
“Case compendium”: ABS-SDG link and post-2020													
Inform international processes/AU													

travel expenses cannot be reimbursed, the process is slowed down further. Finally, yet importantly, commercial legal expertise is much stronger in the private sector.

**R&D and business models:** The “what and how” of the utilisation of genetic resources and aTK in different industry sectors as well as respective compliance regimes are still largely unknown to key ABS actors, such as policy makers, regulators and resource providers. Subsequently, it is almost impossible for providers to develop effective strategic and technical valorisation approaches in close conjunction with the business world. Major knowledge deficiencies can be experienced on (IP) rights in international commercial partnerships, R&D requirements and opportunities in user sectors, regulatory compliance/product approval and the definition of appropriate monetary and non-monetary benefits.

**National valorisation strategies:** Countries have way better chances to exploit the valorisation potential of their biological and genetic resources and aTK if they develop a national strategy. In most cases, these endeavours do not move beyond the early stage as the required in-depth understanding of the commercial potential, availability and management of national bioresources, the national R&D landscape, and the “value adding actors” in private sector and academia is only slowly developing. Moreover, governmental budget allocation for effective support schemes and collaboration between sectoral ministries, e.g. environment, commerce/trade and education/research, is hard to find.

**Top-down vs. bottom-up:** Also due to the lack of adequate understanding of user sectors and strategic valorisation approaches many providing countries remain rather “ABS reactive”, waiting for foreign bio-prospectors to come and request access to genetic resources. Rarely, they take first steps of commercially oriented value addition and R&D, which would allow them to approach proactively international industry as potential users. In addition, African SME generally do not receive the financial and technical support necessary to access global markets with their natural ingredients and pre-processed goods.





#### Measure: Multiple tools and activities

The ABS Initiative developed a **valorisation training** which was piloted in 2020. As supportive tools, **training materials on ABS compliant value chains** on components, actors and processes with respect to R&D elements, value chain development and market access related to genetic resources were developed. The **collaboration with business support organisations, in particular with UEBT**, will be continued to better assess and promote the valorisation potential of genetic resources, aTK and processed ingredients from the ABS Initiative's partner and cooperation countries at the international user level. The **ABioSA project** will play an amplifying role in the Southern African region in this regard.

## 5.2 Momentum and opportunities

**Global (market) trends for the ABS compliant BioTrade sector:** The consumer interest in natural products is rising, partly linked to increasing demand by aging societies and increasing levels of allergic diseases, and partly linked to changing lifestyles in which natural ways of medical treatment and cosmetic applications are high on the list of priorities. The private sector detected the stories behind sustainable sourcing and fair deals in supply chains as a marketing asset.

Another trend becomes evident: The market does not only exist on the global scale. National and regional markets are emerging. BioTrade companies from so-called “providing countries” start producing for national customers and target regional markets. To a certain degree the dichotomy between user and provider countries is dissolving.

Further, user countries are increasingly adopting circular and bioeconomy approaches. For instance, the replacement of synthetics requires identification of suitable natural/degradable resources and specific agents, through biotechnology applications (mainly one-off access).

On the other hand, the booming natural cosmetic, phytomedicine and nutraceuticals sector rely on constant access to raw materials for their specific value chains. This requires long-term investments upstream the supply chain in infrastructure, capacity and resource sustainability – which are long-term development benefits for providing countries

**ABS (value chain) link to the SDGs and Agenda 2030:** An increasing number of governments in user and providing countries as well as the research and industry sectors identify ABS as an instrument to support the sustainability objectives and the Agenda 2030. For the contribution of ABS compliant value chains to the SDGs please see [here](#). For instance, triggered by global market trends cooperation is emerging between African cooperatives/SMEs and international industry. If this type of cooperation is embedded in ABS compliant value chains, it contributes to socio-economic development (governance, empowerment, employment, know-how/technology transfer, taxes etc.) and, ultimately, to the fulfilment of the 2<sup>nd</sup> and 3<sup>rd</sup> objective of the CBD. Benefits flow into conservation projects – and biological/genetic resources necessary for the value chains are sustainably used in order to keep them available. On a global political level, the interplay between the three objectives of the CBD, in particular in the post-2020 discussion, becomes more relevant. ABS, and in particular ABS compliant value chains at a commercial and non-commercial level, have the potential to contribute to both: conservation and sustainable use. This interrelation was also increasingly recognised during COP 14.

**Interest: Academia and Industry turn towards biodiversity:** The trend is clear: There is a constantly increasing interest by industry and academia to use genetic resources, including from Africa, the Caribbean and the Pacific, for basic and applied research with scientific and commercial intent.

**Political support: Regional organisations become active:** Besides national governments, also regional organisations (e.g., AU, CARICOM, COMIFAC, SADC, SPREP) are aware and willing to provide support and guidance on ABS implementation. Examples are the COMIFAC ABS



coordination expert group and the [AU guidelines on a harmonised implementation of the Nagoya Protocol](#).

**Trigger: EU regulations:** In the EU member states, the 2014 EU regulations trigger ABS implementation with respect to user measures and, at the same time, amplify user knowledge, acceptance and compliance towards ABS. They demonstrate that regulatory frameworks in providing countries alone are not sufficient. Countries that use genetic resources need to have them as well to ensure monitoring and compliance. In this regard, the EU regulations (but also the Swiss, Norwegian and Japanese ABS measures) were a game changer.

**Industry integrating ABS:** Certainly, also given a push by the EU regulations, ABS is now integrated in standard operational procedures (SOP) of several industry sectors, next to other compliance procedures. Although there are still lots of open questions, ABS is being institutionalised. This often already manifests in the definition of internal ABS “checkpoints” in relevant company sections, for instance sourcing, R&D and product approval.

Further, in many companies, ABS is not only seen as a compliance issue but instead as a possible investment in sustainability and, ultimately, in corporate social responsibility (CSR). In fact, CSR becomes increasingly important as part of the brand itself and ABS elements can play a significant role in this regard.

**Research co-operations:** Although the situation to obtain the necessary ABS permits for research is difficult and confusing in many countries, co-operation between universities and research institutions in North and South prevails – or expands due to new research fields and (communication) technologies. For example, programmes such as *Sud Experts Plantes Developpement Durable (SEP2D)* are particularly fostering the engagement of researchers and CNAs from providing countries for applied biodiversity-based research, such as in natural cosmetics and medicine.



## Annex A: Expenditure Report 2020

The following table provides an overview on the expenditure for running the ABS Initiative Secretariat. Expenditure is attributed to implementation and management related activities based on time sheets of all staff members at GIZ and GeoMedia. Total cost for salaries of GIZ staff and remuneration of GeoMedia staff is split between 'implementation' and 'management' according to the time sheets. The resulting average percentage for GIZ staff is applied to split office related costs at GIZ headquarters. Travel cost which cannot be attributed to any other activity are assumed to be 100% 'management' related.

No.	Cost category	Costs	Implementation		Management	
			%	€	%	€
<b>0.1</b>	<b>Core Staff GIZ</b>					
0.1.1	Manager (55%)	66.998	69	46.050	31	20.948
0.1.2	Team Leader (70%)	88.998	76	67.523	24	21.475
0.1.3	Project Officers (1 x 100%, 1 x 65%)	147.833	81	119.189	19	28.644
0.1.4	Travel and Event Manager (2 x 100%)	199.328	91	180.763	9	18.565
0.1.5	Finance administrator (55%)	65.922	68	45.119	32	20.803
	<b>Sub-total: Core Staff GIZ</b>	<b>569.079</b>	<b>81</b>	<b>458.645</b>	<b>19</b>	<b>110.435</b>
<b>0.3</b>	<b>Other costs</b>					
0.3.1	Office rent, communication, ...	56.801	81	45.778	19	11.023
0.3.2	Travel secretariat staff	-591	0	0	100	-591
0.3.3	Office equipment (server, computer ...)	8.693	81	7.006	19	1.687
	<b>Sub-total: Other costs</b>	<b>64.904</b>	<b>81</b>	<b>52.785</b>	<b>19</b>	<b>12.119</b>
	<b>Sub-total: Secretariat GIZ</b>	<b>633.983</b>	<b>81</b>	<b>511.429</b>	<b>19</b>	<b>122.553</b>
<b>0.2</b>	<b>Consultants</b>					
0.2.1	Core Staff GeoMedia	694.327	89	618.102	11	76.224
	<b>Sub-total: Consultants</b>	<b>694.327</b>		<b>618.102</b>		<b>76.224</b>
<b>0</b>	<b>Sum Secretariat Costs</b>	<b>1.328.309</b>	<b>85</b>	<b>1.129.531</b>	<b>15</b>	<b>198.778</b>

Income from GIZ internal service requests from other projects **not directly** related to the ABS Initiative work, e.g., ABS related support to the biodiversity program in India, is directly deducted from the staff cost in the table above.

The Secretariat cost increased from 2019 to 2020 about 17% from almost 1.14 Mio Euro to 1.33 Mio Euro while the total yearly expenditure remained stable at 3.1 Mio Euro. The ratio between implementation and management-oriented expenditure shifted significantly from 69:31 in 2019 to 85:15 in 2020 with a reduction of management related expenditure from 0.35 Mio Euro in 2019 to 0.20 Mio Euro in 2020 versus an increase of implementation related expenditure from 0.79 Mio Euro in 2019 to 1.13 Mio Euro in 2020.

This shift can be attributed to two developments: The increased efficiency of managing the ABS Initiative enabled the core team in GIZ and GeoMedia to engage more in substantial work becoming necessary not only but also by the COVID-19 induced shift from presence to virtual formats for experience exchange and learning.

Income from GIZ internal service requests from other projects **directly** related to ABS implementation – specifically in Africa, but also in other regions – is listed as co-funding in the table below which provides detail about the implementation related expenditure in Africa, the Caribbean and the Pacific. 'Management' related expenditure is listed under the heading '3 Steering and Guiding Processes'. The related sub-total is split between the three ACP regions according to the region-specific implementation expenditure. Adding the region-specific expenditure for 'steering and guiding' to the respective expenditure for 'implementation' provides the total expenditure per region.



No.	Activity	Country	ABS Initiative core funds: Expenditure by donor						Co-funding
			BMZ	OIF	Norway	ACP/EU	SECO	Sum	
<b>0</b>	<b>Secretariat Cost GIZ</b>		<b>311.260</b>	<b>574</b>	<b>40.735</b>	<b>246.441</b>	<b>34.973</b>	<b>633.983</b>	
<b>0.1</b>	<b>Staff</b>		<b>275.707</b>	<b>574</b>	<b>40.735</b>	<b>222.266</b>	<b>29.797</b>	<b>569.079</b>	
<b>0.3</b>	<b>Secretariat other costs</b>		<b>35.552</b>			<b>24.175</b>	<b>5.176</b>	<b>64.904</b>	
	<b>Regional share of Secretariat costs</b>								
	<b>Secretariat Cost - Implementation</b>		<b>251.091</b>	<b>0</b>	<b>32.861</b>	<b>198.802</b>	<b>28.213</b>	<b>510.966</b>	
	- share of Africa		250.450	0	32.861	173.672	28.213	485.195	
	- share of Caribbean (funded by BMZ and EU)		-2.455	0	0	4.231	0	1.776	
	- share of Pacific (funded by BMZ and EU)		3.096	0	0	20.899	0	23.995	
	<b>Secretariat Cost - Management</b>		<b>60.169</b>	<b>574</b>	<b>7.874</b>	<b>47.639</b>	<b>6.761</b>	<b>123.016</b>	
	- share of Africa		60.015	574	7.874	41.617	6.761	116.841	
	- share of Caribbean (funded by BMZ and EU)		-588		0	1.014	0	426	
	- share of Pacific (funded by BMZ and EU)		742		0	5.008	0	5.750	
<b>1</b>	<b>Supporting Partner Countries</b>								
<b>1.0</b>	<b>National Support</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	
1.0.2	Ongoing processes, roadmap & implement.	Benin	53.255	0	0	32.010		85.264	
1.0.6	Ongoing processes, roadmap & implement.	Kenya	76.394	0	0	91.405		167.799	
1.0.7	Ongoing processes, roadmap & implement.	Madagascar	34.387	0	0	11.433		45.820	
1.0.9	Ongoing processes, roadmap & implement.	Namibia	107	0	0	2.818		2.925	35.730
1.0.10	Ongoing processes, roadmap & implement.	South Africa	80.775	0	0	79.822	814.738	975.335	
1.0.12	Flexible budget for country support		7.249	0	0	11.083		18.332	
1.0.13	Ongoing processes, roadmap & implement.	COMIFAC	143	0	0	2.058		2.201	49.739
1.0.14	Ongoing processes, roadmap & implement.	Côte d'Ivoire	38.126	0	0	100.847		138.973	
<b>1.1</b>	<b>National Institutional and Regulatory ABS Frameworks</b>		<b>309</b>	<b>0</b>	<b>0</b>	<b>157</b>		<b>466</b>	
1.1.3	Webinars on Implementation Options		56.285	0	0	37.925		94.210	
<b>1.2</b>	<b>Effective Participation of IPLCs</b>		<b>60</b>	<b>0</b>	<b>0</b>	<b>631</b>		<b>692</b>	
1.2.1	Natural Justice: Engaging with IPLC		42.455	0	0	-86.404		-43.949	
1.2.2	Contract training for community law yers		2.444	0	0	2.531		4.974	
1.2.3	BCP Webinars by NJ		3.506	0	0	3.333		6.839	
<b>1.3</b>	<b>Development of ABS Agreements</b>		<b>2.076</b>	<b>0</b>	<b>0</b>	<b>484</b>		<b>2.561</b>	
1.3.1a	Contract Training EN	Namibia	280	0	0	50.256		50.536	
1.3.1b	Contract Training FR, virtual		2.780	0	0	3.346		6.126	
1.3.2a	UEBT: Support to ABS compl. value chains		40.628	0	0	4.142		44.770	
1.3.2b	PTA: Support to ABS compl. value chains		118	0	0	214		332	
1.3.3a	Training VCs and business sectors EN	Namibia	14.888	0	0	25.737		40.625	
1.3.3b	Training VCs and business sectors FR, virtual		8.044	0	0	12.376		20.421	
1.3.5	Webinars on MAT		2.156	0	0	510		2.666	
1.3.6	Webinars on BS4CSU		222	0	0	2.911		3.132	
<b>1</b>	<b>Sub-Total</b>		<b>466.688</b>	<b>0</b>	<b>0</b>	<b>389.625</b>	<b>814.738</b>	<b>1.671.051</b>	<b>85.469</b>
<b>2</b>	<b>Auxiliary Processes</b>								
<b>2.1</b>	<b>Regional Harmonisation and Exchange</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	
2.1.1	Participation in regional fora		942	0	0	2.304		3.246	
2.1.4	C2C exchange	South Africa	0	0	0	1.379		1.379	
2.1.6	13th Pan-African ABS WS	South Africa	-82.929	0	0	92.651		9.722	
2.1.7	AU Coordination Support		17.584	0	15.356	16.028		48.968	
2.1.8	14th Pan-African ABS WS, virtual		14.050	0	54	7.967		22.071	
2.1.10	Webinars on DSI		2.370	0	10.721	1.915		15.007	
2.1.11	Webinar(s) for Lusophone countries		950	0	0	5.668		6.619	
<b>2.2</b>	<b>Interfaces to International Processes</b>		<b>614</b>	<b>0</b>	<b>0</b>	<b>886</b>		<b>1.500</b>	
2.2.1	Participation in international fora		33.296	0	6.230	13.146		52.672	
2.2.4	Mutually supportive implementation NP & ITPGRFA		975	0	0	1.259		2.234	
2.2.9	Cooperation with CG Centers		948	0	131	983		2.062	
2.2.12	Cooperation with GALVmed		33	0	0	26		58	
2.2.13	1st Global DSI Dialogue	South Africa	-818	0	66.333	3.702		69.217	
2.2.14	2nd Global DSI Dialogue, virtual		8.080	0	532	5.055		13.667	
<b>2.3</b>	<b>Knowledge Management &amp; Transfer</b>		<b>2.122</b>	<b>0</b>	<b>0</b>	<b>10.154</b>		<b>12.276</b>	
2.3.5	Updating knowledge management and transfer tools		30.604	0	0	34.060		64.664	
2.3.6	Publication: Lessons learned from BCPs		18.238	0	0	66		18.304	
2.3.7	Publication: ABS contributions to SDGs		312	0	0	152		464	
2.3.8	CoP ABS & BioTrade		36	0	0	29		64	
2.3.10	Primer on DSI		161	0	0	129		290	

Cont'd on next page



No.	Activity	Country	ABS Initiative core funds: Expenditure by donor						Co-funding
			BMZ	OIF	Norway	ACP/EU	SECO	Sum	
<b>2.4</b>	<b>Knowledge Generation for HCD Tools</b>		<b>4.062</b>	<b>0</b>	<b>0</b>	<b>1.159</b>		<b>5.221</b>	
2.4.3	Expert WS CEPA Tools for IPLCs	Kenya	8.645	0	0	9.192		17.837	
2.4.4	Inputs to COP MOP 3		5.400	0	0	0		5.400	
2.4.5	ABS contract templates		568	0	0	1.896		2.463	
2.4.7	NP implementation options		94	0	0	267		361	
2.4.8	ABS process simulation		0	0	0	62		62	
2.4.9	Video: DSI Simply Explained		505	0	4.330	507		5.342	
2.4.10	DSI Studies		2.840	0	54.362	2.767		59.970	
<b>2</b>	<b>Sub-Total</b>		<b>69.683</b>	<b>0</b>	<b>158.050</b>	<b>213.407</b>	<b>0</b>	<b>441.139</b>	<b>0</b>
<b>3</b>	<b>Steering and Guiding Processes</b>		<b>792</b>	<b>0</b>	<b>0</b>	<b>292</b>		<b>1.084</b>	
3.0.1	Coord. & technical work with partners		15.623	0	0	14.047		29.671	
3.0.2	Financial management		32.793	574	287	41.077		74.731	
3.0.3	Concept./subst. Work (not listed above)		24.194	0	0	25.790		49.985	
3.0.4	Administration (GIZ/BMZ internal)		73.890	0	2.582	60.543		137.015	
3.0.5	Staff training		12.968	0	0	6.116		19.084	
3.1.1	Steering Committee, virtual		18.002	0	0	5.145		23.147	
3.2.1	Team Planning Meeting	South Africa	3.642	0	0	5.436		9.078	
3.2.2	Team Meetings	Germany	27.203	0	0	25.522	9	52.733	
3.2.3	External evaluation		3.117	0	0	2.648		5.765	
<b>3</b>	<b>Sub-Total</b>		<b>212.224</b>	<b>574</b>	<b>2.869</b>	<b>186.618</b>	<b>9</b>	<b>402.293</b>	<b>0</b>
	- share of Africa		211.682	574	2.869	163.028	9	378.162	
	- share of Caribbean (funded by BMZ and EU)		-2.075	0	0	3.971	0	1.897	
	- share of Pacific (funded by BMZ and EU)		2.617	0	0	19.618	0	22.235	
<b>Africa Expenditure Implementation</b>			<b>536.370</b>	<b>0</b>	<b>158.050</b>	<b>603.032</b>	<b>814.738</b>	<b>2.112.190</b>	<b>85.469</b>
<b>Africa Expenditure Implementation and Management</b>			<b>1.058.516</b>	<b>574</b>	<b>198.785</b>	<b>981.349</b>	<b>849.720</b>	<b>3.092.388</b>	
<b>4</b>	<b>Caribbean</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0</b>	
4.1	National support		191	0	0	148		339	
4.2	Regional support		18	0	0	14		32	
4.2.4	OECS		-5.826	0	0	14.276		8.450	
4.2.7	Regional strategy		360	0	0	251		611	
<b>4</b>	<b>Sum Implementation</b>		<b>-5.257</b>	<b>0</b>	<b>0</b>	<b>14.690</b>	<b>0</b>	<b>9.433</b>	
<b>Caribbean: Expenditure Implementation and Management</b>			<b>-10.375</b>	<b>0</b>	<b>0</b>	<b>23.906</b>	<b>0</b>	<b>13.531</b>	
<b>5</b>	<b>Pacific</b>		<b>86</b>			<b>70</b>		<b>156</b>	
5.1	National support		0	0	0	0		0	
5.1.1	Fiji		170	0	0	11.401		11.571	
5.1.2	Vanuatu		322	0	0	20.329		20.651	
5.1.3	Salomonen		18	0	0	5.777		5.795	
5.1.4	Flexible budget		4.061	0	0	7.869		11.930	
5.1.5	Papua-Neuguinea		152	0	0	6.040		6.192	
5.2	Regional support		1.822	0	0	17.815		19.637	
5.2.1	ABS contract training	Fiji	0	0	0	3.265		3.265	
<b>5</b>	<b>Sum Implementation</b>		<b>6.631</b>	<b>0</b>	<b>0</b>	<b>72.567</b>	<b>0</b>	<b>79.197</b>	
<b>Pacific: Expenditure Implementation and Management</b>			<b>13.086</b>	<b>0</b>	<b>0</b>	<b>118.092</b>	<b>0</b>	<b>131.177</b>	
<b>Sum</b>			<b>785.520</b>	<b>574</b>	<b>201.654</b>	<b>901.081</b>	<b>849.720</b>	<b>2.738.549</b>	<b>85.469</b>
<b>Total overhead costs</b>			<b>94.656</b>	<b>75</b>	<b>25.383</b>	<b>130.875</b>	<b>99.040</b>	<b>350.028</b>	
<b>VAT</b>			<b>535</b>					<b>535</b>	
<b>Non eligible expenditures</b>			<b>144.164</b>			<b>-144.164</b>		<b>0</b>	
<b>Project costs</b>			<b>1.024.875</b>	<b>649</b>	<b>227.037</b>	<b>887.791</b>	<b>948.760</b>	<b>3.089.112</b>	<b>85.469</b>



## Annex B: Definitions for indicators as provided in the Addendum of the Progress Report 2015

Deriving from the country assessments in 2015 questions arose with respect to measuring the impact of the ABS initiative's work, i.e. what (and what not to) account for in the results matrix with respect to **legal and institutional frameworks, ABS agreements and BCPs** (see Programme Document 2015-2020, Annex 1). Following a discussion in the Steering Committee at its meeting in March 2016 in Paris, it was decided that:

- Due to limited influence of the Initiative in steering / managing ABS capacity development processes in countries where the Initiative works on the basis of GIZ internal job orders, the outcome indicators of the **ABS Initiative will only count achievements in non-GIZ supported countries<sup>9</sup>**.
- ABS related achievements in German DC supported countries will be reported against ABS relevant outcome indicators defined by the GIZ implemented projects<sup>10</sup>, in particular on those that are similar / comparable with the Initiative's indicators.
- Progress made in African cooperation countries, i.e. countries that are not directly benefitting from the Initiative's support (see Chapter 7.3), will be flagged in narrative reporting.

With respect to the relevant outcome indicators 1-3 of the Programme Document, it was agreed that:

- **Outcome indicator 1** counts the number of drafts submitted by ABS National Focal Points / Competent National Authorities to relevant decision makers for institutional and legal ABS frameworks at national level.
- The **baseline** will ascertain pre-and post-Nagoya drafts in the four (non GIZ supported) partner countries<sup>11</sup> whereas the **target for outcome indicator 1** will count post-Nagoya drafts in partner countries. Here the target now reads: **in 4 (non GIZ supported) partner countries [....] drafts [....]** have been submitted. Further, it was clarified that separate drafts for the institutional and legal framework in a particular country will be counted as one draft.
- **Outcome indicators 2 and 3** count the number of ABS agreements in the four (non GIZ supported) partner countries which can be attributed to the support for capacity development provided by the Initiative and its partners to the various stakeholders.
- It was agreed that only ABS agreements
  - ❖ with a benefit-sharing component
  - ❖ that have been supported by the Initiative and its partners
  - ❖ and that are in accordance with national regulations or a defined process and / or approved by a Competent National Authority (which is defined in nat. regulations or a defined process) will count.
- Based on discussions in the SC, outcome indicators 2 and 3 will not be quantified with a baseline figure. The target for outcome indicator 2 now reads: + 10 ABS agreements in the 4 partner countries<sup>4</sup>; the target for outcome indicator 3 now reads: +7 ABS agreements in the 4 (non GIZ supported) countries<sup>5</sup>.

---

<sup>9</sup> Benin, Kenya, South Africa, Uganda

<sup>10</sup> Algeria, Madagascar, Morocco, Namibia and COMIFAC

<sup>11</sup> Legal and institutional ABS frameworks/enacted bills exist in 3 countries: Kenya; Uganda, South Africa. So far only South Africa has developed a (revised) regulation in the "post-Nagoya" period.



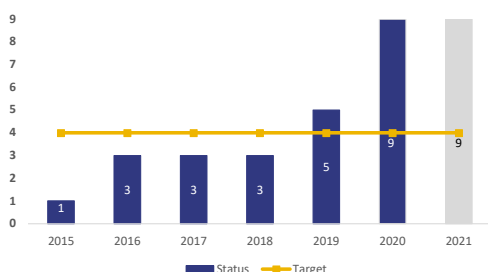


## Annex C: Overview about outcome and output indicators 2015 - 2020

### OUTCOME 1

#### Outcome Indicator 1

In 4 (non-GIZ supported) partner countries of the ABS Initiative ABS National Focal Points / Competent National Authorities have submitted drafts to the relevant decision makers for the institutional and legal framework of ABS on the national level.



#### New submitted drafts in 2020\*:

Benin: no submitted draft

Cote d'Ivoire: 1 submitted draft (ABS decree)

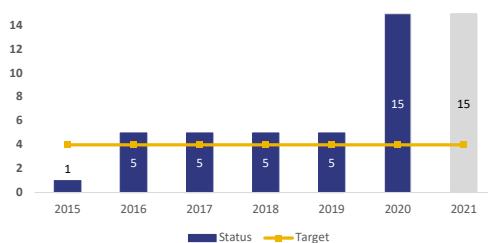
Kenya: 3 submitted drafts (institutional IT-based permit systems for KS, KFS and NEMA)

South Africa: no submitted draft

\* =previously submitted drafts are listed in the Progress Report 2019

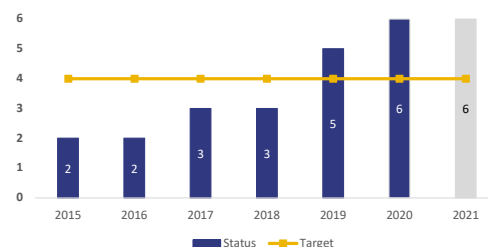
#### Output A1

Drafts / concepts for the institutional and legal ABS framework at national level are formulated by partner countries.



#### Output A2

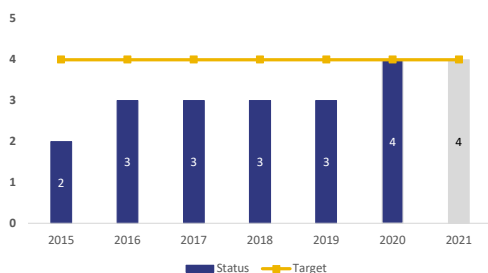
Roadmaps for ABS implementation in partner countries and (sub-)regions include budget allocations



### OUTCOME 1

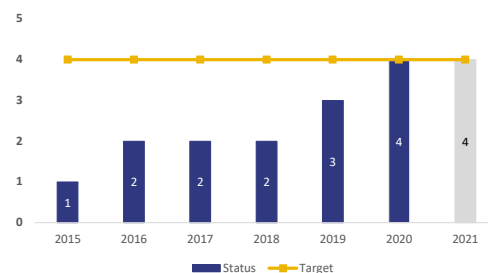
#### Output A3

The drafts/concepts in partner countries include the feedback from IPLCs as well as other relevant stakeholders



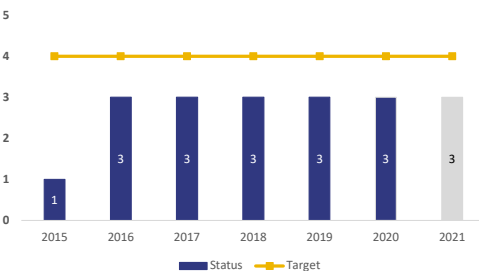
#### Output A4

Concepts for ABS-relevant measures are developed in sectors other than the environment sector (e.g. agriculture, forest, marine, IPR, TK)



#### Output A5

4 new or updated strategy papers and/or guidelines for a coherent implementation of ABS at a (sub-) regional level are available.

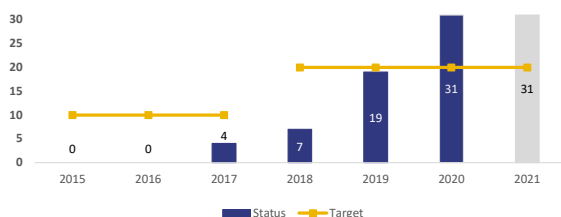




## OUTCOME 2

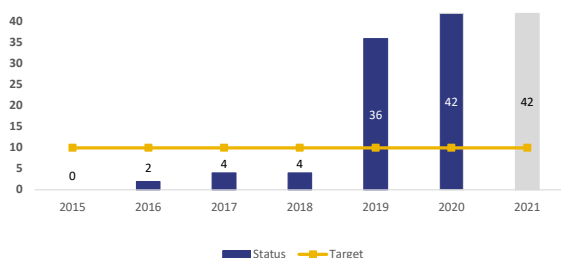
### Outcome Indicator 2

In 4 partner countries and at least 5 cooperation countries of the ABS Initiative 20 new ABS agreements have been established.



### Output B1

The development of 10 new ABS agreements with users from public research and/ or the private sector have been initiated.



### New agreements established in 2020\*:

#### Benin: 10 non-commercial agreements signed

- Higher fungi, Belgium (x2)
- Entomopathogenic soil nematodes and their bacteria, Belgium
- *Plasmodium* spp. (Bio-cultural adaptation to Malaria), France
- *Toxoplasma gondii* (immune-response in congenital infections), France
- *Plasmodium falciparum* (cerebral Malaria), France
- *Plasmodium falciparum* (sepsis and Malaria), France
- *Plasmodium falciparum* (Malaria vaccine), France
- *Plasmodium falciparum* (Neuromalaria), France
- *Plasmodium falciparum* (Neuromalaria - children), France

#### Côte d'Ivoire: 2 non-commercial agreements signed

- Bacteriophages (virus), Germany (x2)

#### Kenya: no new agreements signed

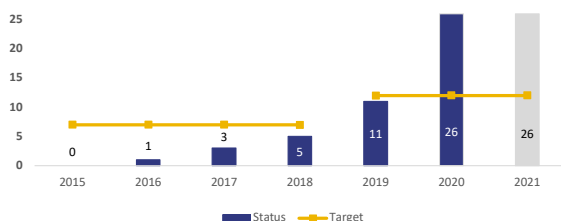
#### South Africa: no new agreements signed

\* =previously established agreements are listed in the Progress Report 2019

## OUTCOME 3

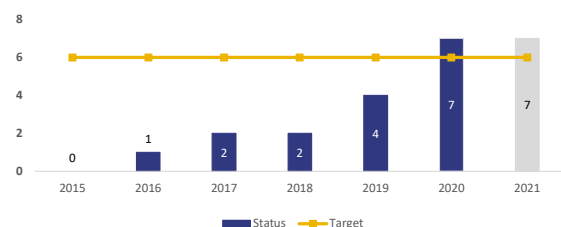
### Outcome Indicator 3

In 4 partner countries and at least 3 cooperation countries of the ABS Initiative 12 ABS agreements are based on Biocultural Community Protocols (BCPs) or comparable instruments (CI) and promote the inclusion and participation of women in benefit-sharing.



### Output C1

Biocultural Community Protocols (BCPs) or comparable instruments as basis for the negotiation of ABS agreements involving IPLCs.



### New agreements based on BCP or CI in 2020\*:

#### Benin: 15 agreements (MoU) signed in total

- In Benin, users are obliged to negotiate a memorandum of understanding with the community providing a genetic resource before concluding an ABS agreement with the CNA. These MoUs can be regarded as community PIC and MAT, as they include access conditions and benefit-sharing. The communities supported by CeSaReN in the negotiation of MoUs made use of the BCP Bonou to this effect. Therefore, they are counted here under Outcome Indicator 3. However, since the MoUs are not published as part of the IRCC, the Initiative does not have detailed information on the exact year of signature and on the specific resource they are related to.

#### Côte d'Ivoire: no new agreement signed

#### Kenya: no new agreement signed

#### South Africa: no new agreement signed

\* =previously established agreements are listed in the Progress Report 2019



## Annex D: Outline of the ABioSA sub-project

### Project Summary:

Title: ABS Compliant Biotrade in South(ern) Africa

Timeframe: 3.5 years commencing Q1 2018, 6 months inception

Amount: CHF 3 million

Country focus: South Africa with support to regional sector (70:30)

Management: GIZ ABS Capacity Development Initiative contracting local expert/institution

Governance: ABS CDI Steering committee plus investment committee

Status: Inception phase started 02/2018, implementation started 08/2018

### Objective:

In line with the objectives of the Nagoya Protocol on ABS a high-growth, jobs-rich, innovative biotrade sector compliant with national ABS regulations supports sustainable development goals and contributes to livelihoods of rural people and the sustainable use of South(ern) Africa's plant biodiversity.

### Project Components:

Components	Outcomes
<p><i>Component 1:</i> Provides <b>technical assistance</b> to South African and regional ABS compliant value chains including supporting new market access by addressing selected non-tariff barriers that bottleneck the growth of the sector, supporting the strategic and constructive role of IPLCs in these value chains, and assisting SMEs to improve their investment readiness through improved financial and business planning</p> <p><i>Sub-components</i>  1.1: Market access and development  1.2: Supporting the role of IPLCs in biotrade value chains  1.3: Business planning support to SMEs</p>	<p><i>Outcome 1:</i> SMEs access new global markets for biotrade products based on national and transboundary value chains with strong participation of IPLCs.</p>
<p><i>Component 2:</i> Provides <b>financial assistance</b> to SMEs for <b>innovation and growth</b> through the establishment of a dedicated biotrade grant funding facility that works in coherence with, but effectively independently of, other relevant incentive schemes, and ensures financial, technical and human resources engagement by the SMEs, and will be governed with the support of an Investment Committee.</p> <p><i>Sub-components</i>  2.1: Facility design and set up  2.2: Operation of facility</p>	<p><i>Outcome 2:</i> SMEs use financial assistance designed specifically for biotrade innovation and growth whilst leveraging own resources and/or government incentive schemes.</p>
<p><i>Component 3:</i> Supports the <b>development of an enabling regulatory environment through policy advice and technical support</b> to the DEA for the revision of NEMBA and BABS, supports sector organisations to develop and implement industry best practices related to ABS, and knowledge management and sharing of best practices and lessons learned at a regional and global level including through cooperation with UNCTAD BioTrade.</p> <p><i>Sub-components</i>  3.1: Policy improvement through NEMBA and BABS amendments  3.2: Industry/sector organisation best practices and alignment  3.3: Knowledge management and sharing</p>	<p><i>Outcome 3:</i> Improved ABS implementation framework supports the biotrade sector development in South Africa and the (sub-) region.</p>



## Annex E: List of workshops, trainings and conferences (co-)organised, (co-)financed or attended by the ABS Initiative

*Events not organised and financed by the Initiative are listed in italics.*

Date	City, Country	Name	Role of ABS Initiative	Organisers
18.- 23.01.2020	Chennai/India	Workshop on IT-based ABS monitoring systems	participation and financing Kenyan participants	ABS Project GIZ India / Global UNDP ABS Project
22.01.2020	Nakuru/Kenya	2 <sup>nd</sup> Meeting on Aloe PIC negotiations	co-organisation/financing	ABS Initiative / Baringo County
23.01.2020	Bonn/Germany	8 <sup>th</sup> Round Table on ABS: DSI	<i>participation</i>	<i>Federal Agency for Nature Conservation/ Germany</i>
24. – 29.02.2020	Rome/Italy	2 <sup>nd</sup> Open-ended Working Group on the Post-2020 Global Biodiversity Framework	<i>participation</i>	<i>SCBD</i>
09. – 11.03.2020	Brussels/Belgium	DSI Workshop	<i>participation</i>	<i>WiLDSI/Germany</i>
09. – 11.03.2020	Windhoek/ Namibia	ABS Valorisation Training	organisation/financing	ABS Initiative
30.04.2020	Online	Webinar series I: Introduction and overall options to implement ABS (En/Fr)	organisation/financing	ABS Initiative
04.05.2020	Online	Information on ABS in the Post-2020 Global Biodiversity Framework	<i>participation</i>	<i>DNFS, LVB, VBIO/Germany</i>
14.05.2020	Online	Webinar series II: How to get started (En/Fr)	organisation/financing	ABS Initiative
04.06.2020	Online	Webinar series III: Choice of the suitable legal instruments (En/Fr)	organisation/financing	ABS Initiative
25.06.2020	Online	Webinar series IV: Special considerations and relevant permits (En/Fr)	organisation/financing	ABS Initiative
01.07.2020	Berlin/Germany	3 <sup>rd</sup> Expert Round on ABS	<i>participation</i>	<i>DNFS, LVB, VBIO/Germany</i>
30.07.2020	Online	Webinar: Roadmap to CoP 15: Milestones, topics and African coordination (En/Fr)	organisation/financing	ABS Initiative
11.08.2020	Online – Georgetown/ Guyana	Consultations on People and Biodiversity-safeguarding our cultural and natural heritage	<i>participation</i>	<i>CARICOM Secretariat</i>
15. – 18.09.2020	Online - Montreal/ Canada	Online information sessions for SBI, SBSTTA, Post 2020 Global Biodiversity Framework	<i>participation</i>	<i>SCBD</i>
24.09.2020	Online	Webinar series V: Expeditious access in case of emergencies (EN/FR)	organisation/financing	ABS Initiative
29.09.2020	Virtual - Nairobi/Kenya	Workshop on ABS compliance for ILRI's animal vaccine projects	co-organisation	ABS Initiative / ILRI
29.09.2020	Online	Pacific Webinar on ABS: NP implementation update and exchange	Co-organisation/co-financing	SPREP / ABS Initiative / UNSW



Date	City, Country	Name	Role of ABS Initiative	Organisers
07.10.2020	Online	Webinar: Practical advice for facilitating the development of ABS-related community protocols (EN/FR)	co-organisation/financing	ABS Initiative/Natural Justice
12.10.2020	Online	Webinar: Using community protocols for ABS implementation (EN/FR)	co-organisation/financing	ABS Initiative/Natural Justice
19.10.2020	Online	Webinar: Policy guidance for the recognition of community protocols in national policy and legal frameworks (EN/FR)	co-organisation/financing	ABS Initiative/Natural Justice
28.10.2020	Online	Webinar: ABS then, now and into the future (EN/FR)	organisation/financing	ABS Initiative
29.10.2020	Online	<i>DSI: potential for new forms of biopiracy</i>	<i>participating</i>	<i>BfdW, HBS, SOS, FDCL/</i>
03. – 07.11.2020	Physical - Lake Bogoria/Kenya	10th anniversary Nagoya Protocol celebrations and launch of the Lake Bogoria management plan	co-organisation/co-financing	ABS Initiative / KWS and others
24. – 27.11.2020	Online	<i>Pacific Natures Conference</i>	<i>Participating</i>	<i>SPREP</i>
24.11.2020	Online	<i>Introduction to DSI</i>	<i>Participating</i>	<i>Green Party in the Federal Parliament/Germany</i>
01.12.2020	Online	Webinar: Understanding DSI: a technical overview of its production, distribution and use (EN/FR/SP))	co-organisation/financing	ABS Initiative/SCBD
02.12.2020	Online	Webinar: A decade of Nagoya Protocol Journey in the Pacific	Co-organisation/co-financing	SPREP / ABS Initiative / UNSW
14.12.2020	Online	Webinar: Follow-up discussions of the African Group on DSI (EN / FR))	organisation/financing	ABS Initiative
15.12.2020	Online - Chennai/India	<i>Closing workshop of MoEFCC-NBA-GIZ "Access and Benefit Sharing Partnership Project</i>	<i>participation</i>	<i>ABS Project GIZ India / NBA</i>
17.12.2020	Online & Physical Nairobi/Kenya	Workshop for technical and IT experts of partner institutions for finalisation of IT system	organisation/financing	ABS Initiative

## Annex F: Letters of appreciation

Letters of appreciation received from the SCBD (one of their two letters is copied here), the Kenyan Endorois Welfare Council and the Kenyan Kakamega Natural Forest Catchment Conservation Organization.



Ref.: SCBD/IMS/JMF/ET/CP/88782

16 March 2020

Dear Mr. Dierks,

I would like to express my sincere thanks and appreciation for the support you provided during the Thematic Consultation on Capacity-Building and Technical and Scientific Cooperation held on 1-2 March 2020 in Rome, Italy.

Your role as a facilitator, as well as the technical input you provided, have greatly contributed to the success of the consultation. I hope that the outcomes of the consultation will provide valuable input for the development of an effective long-term strategic framework for capacity-building beyond 2020 and facilitate its discussion during the third meeting of the Subsidiary Body on Implementation. The report of the consultation will be made available soon on our website at <http://www.cbd.int/conferences/post2020/POST2020-WS-2020-02/documents>.

Once again, thank you for your support during the consultation and for your continued contribution to the work of the Convention on Biological Diversity and its Protocols.

Yours sincerely,

Elizabeth Maruma Mrema  
Acting Executive Secretary

Mr. Tobias Dierks  
Adviser  
Climate Change, Environment and Infrastructure Division  
German International Cooperation Agency (GIZ)  
Berlin, Germany  
E-mail: [tobias.dierks@giz.de](mailto:tobias.dierks@giz.de)