



Implementation Report – January to July 2019

Summary

As a supplement to the yearly progress report of the ABS Initiative to its Joint Steering Committee, this implementation report covers support activities and preliminary outcomes from January to July 2019.

As in the previous years, the ABS Initiative supported ACP 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.

Considerable progress was made in the ABS Initiative's support in developing, modifying and adopting ABS regulations, and in capacity building for contract development and ABS compliant value chains, in particular in the context of BioTrade. In this regard, the potential cooperation modes with the new BMZ funded project "BioInnovation Africa" were assessed and partially started.

Significant resources were dedicated to moving the SECO (co-)financed "ABS Compliant BioTrade in South(ern) Africa" ([ABioSA](#)) sub-project forward. An Innovation Fund supporting up to 20 small and medium enterprises (SMEs) and business support organisations (BSOs) was established, a Biotrade stakeholder forum was started and two national workshops were organized.

While this progress was primarily made in the ABS Initiative's African partner and cooperation countries, also in the Caribbean and Pacific sub-regions the Initiative's activities regained momentum.

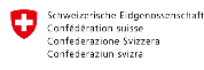
Once more, the ABS Initiative achieved a high degree of visibility and gained recognition for its support activities at global events of which the UEBT (Union for Ethical BioTrade) "Beauty of Sourcing with Respect" (BSR) Conference was one highlight. During this event the Initiative succeeded in bringing stakeholders closer together and turning their rather abstract intentions and knowledge into more concrete plans and knowledge.

In addition to its activities on the national and global level, the ABS Initiative is developing major publications and tools for relevant target groups of which some will be published in September: an introductory guide on digital sequence information (DSI), a new tool for developing ABS contracts, a blended learning tool complementing the face-to-face contract training courses already existing, and a visualized document on national ABS implementation options.

Financial Situation

Additional co-funding could be raised during the first half of 2019. With the intention to support the international discussion on digital sequence information (DSI) and related capacity development in Africa the **Norwegian Ministry of Foreign Affairs** is providing 5 Mio NOK (516,000 EUR) to the ABS Initiative. A key activity will be the organisation of a global DSI dialogue in November 2019 in Pretoria, South Africa. A second contribution of 5 Mio NKR is planned for 2020.

The ABS Initiative is funded by



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and implemented by



The [Organisation internationale de la Francophonie \(OIF\)](#) continued its support with 50.000 Euro through its [Institut de la Francophonie pour le développement durable \(IFDD\)](#) for translation and participation of francophone African countries in events organized by the ABS Initiative.

Support to African Partner Countries

Benin: The current grant agreement with CeSaReN, a national NGO supporting the implementation the ABS Initiative's activities in Benin, is focusing on the following fields of activities:

- Awareness raising and capacity building related to the interim ABS framework adopted in September 2018;
- Preparing the elaboration of a permanent legal framework for ABS;
- Negotiation and signature of first ABS contracts;
- Capacity development for further BCPs.

During the first quarter of 2019 the *status quo* of filed access requests submitted to the Benin Competent National Authority (CNA) was analyzed and compiled in a document containing the most important information of the individual access requests. Based on a set of 6 criteria the 26 existing **access requests were analyzed and prioritized** during a meeting of the National ABS Committee in June 2019. A first version of a **visualization of the ABS procedure** developed in June 2019 is currently under review at national level. In August 2019 a **contract training for national lawyers** was conducted and a workshop with relevant stakeholders kick-started the elaboration of a permanent legal ABS framework.

Kenya: With technical and financial support of the ABS Initiative, a **prototype of an online ABS application, permitting and monitoring system** was developed by the Kenyan consultancy Amband Ltd. and the UK based consultant Dr. Paul Oldham. After the final testing of the complete IT system and the agreement of the involved institutions on a common administrative protocol, the IT system is ready for official use. The consultants also supported the National Commission for Science, Technology and Innovation (NACOSTI) in reorganizing the existing online application portal for research permits (ORIS) into a state-of-the-art IT solution with monitoring functions. The new system RIMS went online in July 2019 (<https://research-portal.nacosti.go.ke/>). For the IT-systems to be properly implemented national IT experts with a good understanding of the underlying machine learning process are indispensable. For this reason, the ABS Initiative supported a **Data Science Workshop** of the National Commission for Science, Technology and Innovation (NACOSTI) in August 2019. During the workshop various Kenyan IT communities met for the first time and the ABS Initiative was able to identify suitable experts for further work on the IT system.

Technical ABS committees at the county level were established; awareness on ABS was built amongst county government officials and stakeholders through a series of workshops; and the participation of IPLCs in international and national ABS-related meetings was enabled. The ABS Initiative facilitated the **demonstration of ABS projects and activities at the nationally significant Devolution Conferences** in 2018 and 2019. The results of the cooperation between the pilot counties and the ABS Initiative were taken up in the opening speech of the Chairman of the Council of Governors. Activities to facilitate a business-science-forum to foster biodiversity-based R&D and ABS-compliant value chains, including the negotiation of ABS contracts, will start in 2020.

South Africa & southern Africa: Since September 2018 the ABS Initiative is implementing in close collaboration with the Department of Environment, Forestry and Fisheries (DEFF) the SECO co-financed sub-project of the ABS Initiative supporting **"ABS Compliant Biotrade in South(ern) Africa (ABioSA)"**. During the reporting period support focused on (1) strengthening technical capacities and business skills of SMEs from South Africa and other countries in the region with respect to accessing national and international markets with new products based on indigenous biodiversity and (2) providing financial support to address functional gaps in the value chain by setting up a grant mechanism. So far,

21 SMEs have benefitted from the capacity building activities whereas 9 SMEs and one business support organisation received financial support after a detailed scrutiny process. All support activities contribute to the National Biodiversity Economy Strategy of South Africa impacting conservation, sustainable use, benefit sharing and rural development.

The ABioSA project team based in the GIZ office in Pretoria organised a well-attended national multistakeholder workshop to discuss key elements of a **marula (*Sclerocarya birrea*) sector development plan**.

Last but not least, the ABS Initiative collaborated substantially with DEFF in preparing the 12th Pan-African ABS workshop (9-13 Sept in Cape Town): on the overall workshop programme, best practices and lessons learnt from the South African ABS experiences and concrete ABS compliant biotrade value chains to be showcased and discussed at the workshop.

Uganda: Following the outcome of the meeting of the Regional Steering Committee for Africa in March 2018 to clarify Uganda's role as a partner country, the ABS Initiative and the Ugandan partners eventually agreed in September 2018 to change Uganda's status into a "cooperation country", i.e. receiving upon request punctual support in selected matters. The main challenge encountered in Uganda was the lack of mandated staff to perform ABS functions.

Based on a due diligence process with clear and transparent criteria, the Regional Steering Committee for Africa decided in its meeting in March 2019, that Cote d'Ivoire will replace Uganda as a new partner country.

Côte d'Ivoire: In July 2019, a first country assessment mission was conducted by the ABS Initiative. The restitution workshop at the end of the mission identified the **priority measures for support by the ABS Initiative**: Development of a national ABS action plan; adoption of the ABS decree; finalization and adoption of the implementing texts for the ABS decree pending three ministerial signatures; collection of the sectoral texts and procedures affecting ABS compliant access to genetic resources and aTK; setting up the CNA; developing a visualization of the ABS procedure; and continuous support to the processing of access demands. In parallel, a first draft of a visualization of the ABS procedure in CI has been developed and is currently being reviewed by the national National Focal Point for ABS. For supporting initial work in the country an Ivorian intern was identified and signing on for six months starting in September 2019. The intern holds a master's degree in law and has been actively involved in the elaboration of the ABS decree already.

Support to African Cooperation Countries

Cameroon: Early 2019, a GIZ internal collaboration agreement between the regional GIZ implemented project "Support to COMIFAC" and the ABS Initiative was signed, allowing the ABS Initiative to re-engage in Cameroon. The ABS Initiative organized two missions so far: The first in April 2019 focused on planning activities and **capacity development for the national publishing authority** resulting in freely available documents related to ABS procedure covered in the ABS law on the ABS Clearing-House. After the ABS law and the related texts on implementation were technically adopted, the ABS Initiative started its second mission to support a **briefing of parliamentarians** to prepare the discussion of the ABS law in parliament in June 2019. Also, the ABS Initiative developed a first draft of a **visualization of the ABS process** in Cameroon which is currently under review by the national focal point for ABS. Together with the GIZ implemented projects "Support to COMIFAC" and "[Protecting Forests and the Environment \(ProPFE\)](#)", a new value chain was identified that will be supported in achieving ABS compliance.

Madagascar: Early 2019 the ABS Initiative intensified collaboration and support to the new national focal point for ABS and the CNA. Through the GIZ implemented programme "[Conservation and sustainable use of natural resources \(PAGE\)](#)" the Malagasy Ministry of the Environment and affiliated local lawyers were continuously supported in **finalizing the ABS regulations** which complement the

overall national ABS decree. In summer 2019, the Ministry of Environment received substantive and constructive comments by other line ministries. The adoption of the regulations is foreseen for the second half of 2019.

In order to yield feedback on the draft regulations and related procedures the ABS initiative supported the CNA and PAGE in organizing and conducting **two consultative stakeholder workshops**, one for the Malagasy research community and one for Malagasy private sector operators. **ABS training components** were integrated in both workshops. The feedback from the workshops directly fed into the drafting process of the implementing regulations. During the workshop, the Malagasy CNA was advised in **evaluating and analyzing access demands** of European users.

Namibia: Since the ABS bill has passed parliament in 2017, Namibian authorities have focused on developing the implementing regulations. Legal and technical experts of the ABS initiative **commented on the first draft of the regulations**. They are currently advising on the development of an ABS related permitting system and PIC procedures for IPLCs. Namibian stakeholders also participated in the regional Marula workshop in South Africa (see above).

Caribbean

Support in the Caribbean predominantly takes place on regional level. Following a temporary funding gap the ABS Initiative continued its work as a member of the Steering Committee of the [regional GEF/UNEP ABS project](#), executed by IUCN. Online meetings with IUCN and the Organisation of the East Caribbean States ([OECS](#)) were undertaken to develop a workplan for the time after the current regional project ending in December 2018.

In July 2019, a **Memorandum of Understanding (MoU)** with the OECS was signed and a workplan was developed. Two regional workshops will be organized to finalize the **draft ABS Guidelines and the ABS contract templates** developed by the IUCN project and bring them for adoption by the OECS in May 2020.

The Bahamas: From 2014 to 2016, the ABS Initiative delivered substantive support to the Bahamas Environment, Science and Technology ([BEST](#)) Commission in the project preparation phase for a national GEF/UNEP ABS project such as developing the concept of an **IT-based permitting and monitoring system** and documenting three ABS pilot cases. After a long pause of activities due to political and staff changes of the BEST Commission, the ABS Initiative co-organised a project implementation workshop in May 2019 and currently contributes to the project activities. The Government of The Bahamas will **hire the Kenyan IT consultants** to help building up the IT-based application, permitting and monitoring system.

Pacific - national support

Palau ratified the Nagoya Protocol in June 2018. After the second reading of the draft ABS Bill by the national parliament in December 2018, the ABS Act entered into force early 2019. Work on ABS regulations to operationalize the provisions of the ABS Act started immediately. Upon request the Initiative **commented the draft ABS regulations identifying areas requiring further clarification** specifically regarding the institutional arrangements and responsibilities.

Papua New Guinea: With a view to further support the ratification process of PNG the ABS Initiative and the Conservation and Environmental Protection Authority ([CEPA](#)) **signed early 2019 a MoU** outlining areas for support. A **proposal for financial and technical support** (drafting of ratification instrument, drafting of ABS policy and regulatory framework, stakeholder consultations) was developed by CEPA in close consultation with the ABS Initiative, which is expected to be approved by GIZ towards the end of the 3rd quarter 2019.

Solomon Islands: During the joint country visit early July with the legal advisor of the GEF UN Environment Regional ABS Project for the Pacific which is executed by the Secretariat of the Pacific Regional Environment Programme ([SPREP](#)), a 2-day national ABS workshop was organized in Honiara bringing together representatives from relevant ministries, provincial authorities and NGOs. The workshop focused on awareness raising, a **gap analysis of the existing ABS provisions**, which are embedded in the Protected Areas Act 2010, and **an analysis of the existing permitting system** when engaging in R&D based on biological resources.

The submission of the instrument of ratification was so far not submitted to the UN depository in New York due to unforeseen changes at the Ministry of Foreign Affairs. The Environment and Conservation Division of the Ministry of Environment, Climate Change, Disaster Management and Meteorology remains committed to taking forward the ratification of the Nagoya Protocol and will push for the instrument to be lodged without further delay.

Vanuatu: In April 2019 a country visit jointly funded by the ASB Initiative and the UNSW research grant of the Australian Research Council provided the opportunity to visit 8 villages on several islands of Vanuatu (Malekula, Aneityum and Tanna) to better understand the traditional governance system and how it is applied on different islands. This provided the **basis for developing initial approaches for developing community protocols, in Bislama “kastom protocols”**, in line with the provisions of the Nagoya Protocol. However, at this stage it remains unclear how the national ABS framework will recognize kastom protocols.

Global Events

UEBT “Beauty of Sourcing with Respect” (BSR) Conference, 20-21 May 2019, Paris: Launched in 2008, this [annual conference](#) is the centerpiece of the strategic partnership between UEBT and the ABS Initiative. It builds synergies on expertise, networks and years of experience related to ABS implementation by industrial users and providing countries. This year’s conference’s attendees were comprised of 65% companies, mostly from the beauty sector, and 50 government representatives from Asia and Africa (Benin, Cameroon, Côte d’Ivoire, Kenya, Madagascar and Namibia, all supported by the ABS Initiative). The Initiative’s goal was to facilitate a more **in-depth exchange and deepen insights into the actual and potential role ABS plays in the business world**. With this in mind, the Initiative gave an update on standard operational procedures of companies, and organized two events: an **ABS exchange forum** on “ABS compliant value chains in South Africa” and “ABS trends in Africa”, and a **short training on ABS contracts**. As in previous years, the Initiative organized with support from UEBT a **visit to research laboratories** back-to-back with the actual conference – this year to LVMH and L’Oréal. All mentioned activities motivated participants to address concrete issues relevant to ABS implementation, for instance on the possibility of PIC after genetic resources were already accessed and research was conducted.

Publications and tools

Following the request of the participants of a 2017 workshop on **CEPA tools for IPLCs**, the ABS Initiative jointly with Natural Justice started preparing a generic script for radio shows in local languages on the value and the need of conserving and sustainably using biodiversity, genetic resources and the local communities’ associated traditional knowledge. Further a sensitization tool in the fashion of a picture story is in the making.

Moving quickly towards the preparations and negotiations of the post-2020 biodiversity agenda the ABS Initiative developed and published an **introductory guide on digital sequence information (DSI)** aiming to support African policymakers and stakeholders to understand the discussion around DSI and communicate the issues at stake to the relevant political decision makers.

The new **“hands-on and practical tool for drafting ABS contracts** compiles contract clauses that can be used in ABS transactions, together with their theoretical justification and practical application.

The **Blended Learning Tool for ABS Contracts** is currently under development including an alumni platform for knowledge exchange, learning based on legal studies and draft contracts as well as collegial advice. It serves as a complementary element to the already existing ABS contract trainings conducted by the ABS Initiative.

ABS implementation can be complex and the relevant institutions and possible pathways involved appear to be an impenetrable spider net. A new visualized and easily comprehensible **document on „policy and administrative options for implementing the Nagoya Protocol“** is supposed to bring more clarity to ABS stakeholders.