



Implementation Report – January to July 2020

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 2020.

The greatest part of the reporting period – since March – was severely impacted by the Corona pandemic. To date, business travel is limited to an absolute minimum. On-site workshops and trainings in the ABS Initiative partner and cooperation countries had to be cancelled due to COVID-19 related travel and assembly restrictions of varying degrees: From complete stalling of on the ground activities in Kenya and South Africa to near normal implementation of national activities in Benin and Côte d'Ivoire or in the majority of the Pacific island states.

Even the annual African Steering Committee meeting had to be held online in March 2020. This situation will most likely hold true until autumn 2020 at least. The only major events the ABS Initiative co-organized or attended took place in the period between January and mid-March 2020: A workshop on checkpoints and documents related to the draft ABS decree in Côte d'Ivoire, the second meeting of the *Open-ended Working Group* on the Post-2020 Global Biodiversity Framework in Italy (OEWG-2), an Anglophone training on biodiversity based value chains in Windhoek, Namibia, and the Project Steering Committee meeting in Pretoria, South Africa, of the SECO co-funded ABioSA subproject.

The global process for negotiating and developing the post-2020 global biodiversity framework has been extended until mid- or end-2021.

Facing this exceptional situation, the ABS Initiative quite significantly shifted its implementation and communication approach to online cooperation and tools: Online events were organized as early as April 2020; a blended learning tool on contracts was developed further; the revamp of the ABS Initiative website was started; interactive graphics on ABS cases were developed; and positions on topics relevant to the post-2020 framework negotiations refined. ABS Initiative representatives have participated in several online events organized by external organizations and have been in permanent contact with donors, partners and stakeholders.

Financial Situation

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 provided 5 Mio NOK (516,000 EUR) to the ABS Initiative. A key activity was the organisation of the 1st Global DSI Dialogue in November 2019 in Pretoria, South Africa. A second contribution of 5 Mio NKR is committed for 2020/2021.

Due to budget constraints the *Organisation internationale de la Francophonie* (OIF) stopped supporting the ABS Initiative through its *Institut de la Francophonie pour le développement durable* (IFDD).

The ABS Initiative is funded by



and implemented by



Africa – (Sub-)Regional Approaches

Regional ABS-Valorization-Training, 9-11 March 2020, Windhoek, Namibia

To support African Competent National Authorities, relevant government departments and private sector stakeholders to better understand the specificities of valorizing biological / genetic resources, user sectors and key steps in export value chains the ABS Initiative organized in partnership with the World Intellectual Property Organization (WIPO) and the Namibian Ministry of Environment and Tourism (MET) a two-and-a-half-day training – including a fieldtrip to local industry actors. Learnings from plenary and interactive sessions allowed representatives from seven Anglophone countries to develop conceptual approaches and identify building blocks for national valorizations strategies

Online events

Due to the global COVID-19 pandemic and the resulting postponement of several national and regional capacity building activities, the ABS Capacity Development Initiative and the African Union Commission (AUC) are continuing their support to African stakeholders in the implementation of the Nagoya Protocol and, more specifically, for the ongoing post-2020 negotiations. The main purposes of the online events are:

- Keep the professional exchange with project partners and ABS stakeholders going.
- Build capacities on topics crucial to ABS implementation and the post-2020 negotiations.
- Simply keep the ABS communication going in a situation where stakeholders are often on their own without much contact to their professional counterparts.

Several clusters of remote support and virtual capacity building/coordination were approved by the last meeting of the Regional Steering Committee for Africa of the ABS Capacity Development Initiative. Originally, it is planned to organize 4 webinar series:

- Mapping and fostering the implementation of the Nagoya Protocol in Africa.
- Knowledge generation on mutually agreed terms (MAT) and benefit-sharing.
- Contribution of ABS to conservation and sustainable use of biodiversity.
- Outreach and capacity development on digital sequence information (DSI) in Africa.

The first cluster of the series was implemented from April to June with an average of 40 participants from Africa taking part in the Francophone and 30 in the Anglophone online events. Please, refer to the [respective website](#) with presentations, reports and live recordings.

The online events proved to be very effective in terms of knowledge transfer and discussions. Therefore, they will continue to be a major part of the Initiative's future strategic approach, while they cannot fully replace on-site events in the future.

African Partner Countries – National Support

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 ABS contracts;
- Capacity development for further BCPs.

Activities under the grant agreement are regularly complemented by additional technical support by experts of the ABS Initiative. From January to July 2020, the ABS Initiative continued to **support the establishment of ABS contracts**, for instance through financial support to meetings of the ad-hoc committee serving as the Competent National Authority (CNA) as well as **facilitation of the provision**

of local communities' consent to users aiming to access genetic resources, which is a precondition for obtaining an ABS permit at the national level. Several non-commercial contracts have been concluded in 2019 and in early 2020, and **Benin uploaded its first 12 internationally recognized certificates of compliance** to the ABS Clearing-House.

The **work on the ABS law** was further informed by a documentation of lessons learnt and experiences gained from the implementation of the interim ABS framework. Furthermore, two workshops were held with the ABS committee and lawyers from all relevant authorities to discuss and decide upon the establishment of checkpoints as foreseen by the Nagoya Protocol. Due to the global COVID-19 pandemic, the second of these workshops was partly held online and supported via video call by experts of the ABS Initiative.

At the local level, CeSaReN conducted **awareness raising activities among communities and local authorities** involved in the above-mentioned ABS cases on the concept of BCPs and the role of communities in ABS and biodiversity-based value chains.

Côte d'Ivoire: The Initiative's activities during the first half of 2020 focused on the further development of the domestic legal ABS framework. Building on the meetings organised in 2019, a workshop in January 2020 dealt with the identification of checkpoints and launched the work on documents and templates relevant for the ABS decree under development, namely the access demand form, different permit templates and model agreements. Further work has been conducted since then on the draft decree as well as the visualisation of the ABS procedure in close collaboration with the ABS focal point; this work is still ongoing, as following the restructuring of the government, several ministries involved in the development of the decree demanded additional changes to the draft. Two workshops on the finalisation and validation of the ABS decree and the related documents, respectively, were envisaged for March 2020 but had to be postponed due to the COVID-19 pandemic. They are now foreseen to be held in September and October 2020.

Kenya: From January to July 2020, work in Kenya was severely restricted by the national corona measures. Most traffic into and out of Nairobi was prohibited, governmental offices and the GIZ office were essentially closed as of mid-March. Consequently, the ABS Initiative could only undertake a few of the planned activities.

The ABS Initiative supported the **negotiations on a commercial ABS contract on various aloë varieties** between the Baringo County, grower associations and a Chinese biotechnology company with substantial benefit-sharing options. The final round of negotiation of the PIC was resumed online in July 2020.

Two **negotiations on commercial ABS contracts on *Mondia whitei*** with the Kakamega County, a collector initiative and a French fragrance developer, **and on croton nuts (*Croton megalocarpus*) for essential oil production** between the Laikipia County, farmer groups and a Kenya exporter were stalled.

The Kenyan consultancy Amband Ltd. **finalized the internal IT systems for ABS** applications, permitting and monitoring for the National Environmental Management Authority (NEMA) and the Kenya Wildlife Service (KWS) and improved the IT system for the National Commission for Science, Technology and Innovation (NACOSTI) which had been inaugurated already in July 2019.

IT experts from KWS, NEMA and NACOSTI were supported to participate and present their experiences at the ABS Monitoring Workshop of the Indian National Biodiversity Authority, UNDP and the ABS Partnership Project of the Indo-German Biodiversity Cooperation in January 2020 in Chennai/India.

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.

Building on the first regional gathering on developing the marula (*Sclerocarya birrea*) sector in Southern Africa (Windhoek, Nov. 2019), the ABioSA project team based in the GIZ office in Pretoria organised a well-attended national multi-stakeholder workshop to discuss key elements of a potential South African marula sector development plan.

Also, with a perspective to address transboundary resource and TK challenges, together with the NGO Natural Justice and DEFF a code of conduct to frame the development of Biocultural Community Protocols (BCPs) was developed. This code of conduct is meant to support regional BCP related activities in a coordinated manner in South Africa, Namibia, Botswana and Zimbabwe, where the respective governments have welcomed this initiative,

Support to African Cooperation Countries

COMIFAC: 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**. During the first six months in 2020, support activities of the ABS Initiative, upon request from GIZ COMIFAC and the respective countries, focused on DRC and CMR and were implemented entirely through virtual formats. In DRC, based on the existing framework law, a **visualisation of the foreseen ABS system**, to be set up in form of implementing texts, has been developed in close collaboration with the National Focal Point. In CMR, an **overall roadmap for the foreseen development of an ABS decree has been developed** and first technical inputs were given.

Madagascar: 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**. Currently the revised draft regulations are at the level of the prime ministry / attorney general for final legal scrutiny and to ensure alignment with overarching national policies. The ABS initiative provided technical support-on-demand to the CNA in responding to queries on the draft regulations. i.e. on PIC procedures or benefit-sharing models

Further the ABS Initiative provided technical advice to the CNA on evaluating current access applications and, substantially fed into the Malagasy GEF 7 ABS project preparation document sharing relevant technical expertise and experiences.

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 several drafting stages of the implementing regulations** which are currently at the level of the Namibian Attorney General for approval. In the reporting period the Namibian CNA has been supported in **analyzing the actual permitting system** and reflections on necessary amendments under the new regulations. Related to this the ABS Initiative has commented on visualisations of workflows related to the PIC / MAT processes for non-commercial and commercial users

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. After the end of the IUCN project in April 2019, online

meetings with IUCN and the Organisation of the East Caribbean States (OECS) were undertaken to develop a workplan to continue the regional activities. In July 2019, a Memorandum of Understanding (MoU) and a workplan with the OECS was signed. It was planned to organize two regional workshops for finalizing the draft ABS Guidelines and the ABS contract templates developed by the IUCN project and to bring them for adoption by the OECS in May 2020. Due to organizational challenges the workshops were shifted to early 2020 and finally had to be cancelled due to the COVID19 restrictions.

Caribbean – national support:

The Bahamas: After it was decided that the elaboration of three ABS pilot cases would not be part of the national GEF/UNEP ABS project which re-started in 2019, the ABS Initiative's activities in and for The Bahamas were very limited. As the other idea to establish an IT-based permitting and monitoring system is not entirely off the table, the ABS Initiative continues some preparatory exchanges with the relevant UK and Kenyan consultants developing the system.

Pacific

Due to the COVID-19 pandemic travel from Europe and Australia to the Pacific islands countries and territories is not possible since March 2020. However, within countries travel restrictions vary significantly as infection numbers have been low to zero for most of the time. Thus, regional workshops planned for 2020 have either been cancelled completely, such as the ABS Workshop back to back with the Pacific Natures Conference in April 2020 in Noumea, New Caledonia, now as virtual conference in November 2020, or postponed into 2021, such as the 3rd Oceania Biodiscovery Forum in August 2020 in Brisbane, Australia.

Building on the experiences with virtual formats for exchange and capacity development generated by the ABS Initiative since April in Africa, a series of webinars is being planned for the region jointly with the team of the regional GEF-funded ABS Project executed by SPREP. The regional coordinator, based at the University of New South Wales in Sydney, Australia, is keeping remote contact with relevant stakeholders in the region to ensure that advice is made available when requested.

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 various versions including the final draft of the 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. Due to formal reasons (opening a separate bank account by CEPA for the project funds) the agreement could not yet be finalised.

Solomon Islands: As the Nagoya Protocol entered into force in January 2020, a country visit to further support national implementation was planned for April/May 2020 but had to be postponed due to the travel restrictions.

Vanuatu: Based on identified support needs for adapting the existing regulatory ABS framework to the needs of the Nagoya Protocol and taking into account biocultural community protocols, in Bislama language "kastom protocols", the Department of Environmental Protection and Conservation is developing a grant proposal to the ABS Initiative for support through a national consultant. The proposal is expected to be submitted to the ABS Initiative by end of September 2020.

Global Events

Second meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework (OEWG-2), 24-29 February 2020, Rome, Italy

Members and affiliates of the ABS Initiative were prominently present at the OEWG-2 with two activities:

- Co-organizer of a successful information session on the 1st Global Dialogue on DSI held in November 2019 in South Africa jointly with the South African **Department of Environment, Forestry and Fisheries (DEFF)** and the Norwegian Ministry of Foreign Affairs). The event was [covered by the IISD reporting services](#).
- On behalf of the SCBD co-organizer and facilitator of the Thematic Consultations on Capacity-Building and Technical and Scientific Cooperation.

Both events attracted a high number of participants. With regard to the information session one main reason certainly is the Initiative's pioneering work in helping African countries to better understand the link between DSI and ABS through the 1st Global DSI Dialogue and a relevant [publication](#).

As expressed in an official "Thank you" letter by the CBD Executive Director, Elizabeth Maruma Mrema, the ABS Initiative's role in the Thematic Consultations was considered a valuable contribution to a global capacity building strategy.

Publications and tools

The **Blended Learning Tool for ABS Contracts** is currently under development including an alumni platform for knowledge exchange, legal studies and draft contracts. Text and other elements of the tool are expected to be finalized by November/December 2020. Data protection and technical considerations were slowing down the process of finding the right digital platform. The blended learning tool serves as a complementary element to the already existing ABS contract trainings conducted by the ABS Initiative.

The **revamping of the current website** is a major communication task for 2020. The new website will combine the three (sub)projects ABS Initiative, ABioSA and BioInnovation Africa. Content-wise the platform will demonstrate the links between the three projects under one overarching headline: ABS-compliant BioTrade value chains. In this way, it will also emphasize the projects' mutually beneficial activities. Over the past two years the cooperation between them intensified and became increasingly strategic. The platform will include updates on project activities and results, integrate more multimedia and stronger social media as part of an overall communication strategy. Donors will be displayed and mentioned prominently. The website which is also explicitly targeting a young audience is expected to be ready by November 2020.

Interactive Graphics on ABS Cases: Tangible best – or in some instances also not so "best" – cases help stakeholders to better understand ABS and the Nagoya Protocol and their underlying concepts. These cases do not need to be perfectly ABS-compliant but rather examples based on which the potential impact of ABS can be demonstrated. With this in mind, the ABS Initiative is currently producing three interactive graphics demonstrating three ABS cases involving dandelion, rooibos and the Clanwilliam cedar. Final versions are expected to be published by September 2020.