

IGAD REGIONAL STRATEGY

Access to and Benefit
Sharing of Biological Resources



PEACE, PROSPERITY AND
REGIONAL INTEGRATION



PROJECT FUNDED BY
THE EUROPEAN UNION



Copyright © 2018

The Intergovernmental Authority on Development (IGAD)

Email: info@igad.int

Website: www.igad.int

Information and Documentation Section IGAD Secretariat

P.O. Box 2653 Djibouti

The Republic of Djibouti

IGAD REGIONAL STRATEGY

ACCESS TO AND BENEFIT
SHARING OF BIOLOGICAL RESOURCES

July 2017



PEACE, PROSPERITY AND
REGIONAL INTEGRATION

CONTENTS

FOREWORD	I
ABBREVIATIONS & ACRONYMS	II
GLOSSARY	III
1. INTRODUCTION	1
2. BACKGROUND AND REGIONAL OVERVIEW	3
3. FORMULATION	5
3.1 DESK STUDY	5
3.2 CONSTRAINTS IDENTIFIED	5
3.3 SITUATION ANALYSIS	6
3.4 RATIONALE FOR STRATEGY	8
4. THE BIODIVERSITY BENEFIT SHARING STRATEGY	11
4.1 VISION	11
4.2 MISSION	11
4.3 STRATEGY	11
5. IMPLEMENTATION ARRANGEMENTS	16
6. REFERENCES	17
Annex 1: IGAD Regional Biodiversity Policy Section 3.4.5 Access and Benefit Sharing	18

FOREWORD



The IGAD region hosts a number of biodiversity hotspots that are of global, regional and national importance, which form the basis for the economic, social and environmental development of the region. These biodiversity resources are however threatened by different natural and man-made factors. These factors include inadequate capacity to sustainably manage these natural resources, inappropriate policies, and lack of information, fragmentation of ecosystems, degradation and loss of biodiversity resources, climate change and encroachment of agricultural activities into biodiversity areas, etc.

IGAD, with the financial support of the EU, has implemented a regional biodiversity Management programme. Through the programme, IGAD formulated a regional biodiversity policy, to promote the sustainable management of the biodiversity resources in the region. The regional policy was approved by Ministers in charge of biodiversity in the region. In addition, a regional biodiversity protocol was formulated and approved by the same Ministers to legally bind the member states in the implementation of the regional biodiversity policy. Additional regional strategies in the areas of Management and control of invasive species, management of wildlife resources, domestication of regional policies and strategies and biodiversity benefit sharing were developed and approved at Ministerial level, to support and enhance the implementation of the regional policy and protocol.

IGAD has also been working on selected cross-border demonstration sites where awareness creation of communities on both sides of the border on the importance of sustainable management of biodiversity resources and the role these resources play in support the livelihood of these communities, was emphasized. Equitable benefit sharing of biodiversity benefits at local, national and regional levels was also stressed as a mechanism to open an opportunity to link the conservation and sustainable use of biodiversity resources and the sustainable livelihood of the communities in the region. In addition, the regional strategy on biodiversity benefit sharing will also support the implementation of the UNCBD and the Aichi Targets in the IGAD region. I am convinced that if the regional strategy on biodiversity benefit sharing is implemented, community-based natural resources management will be promoted, which is one of the most effective ways of biodiversity conservation and management.

Amb. (Eng.) Mahboub Maalim

Executive Secretary

ABBREVIATIONS AND ACRONYMS

ABS strategy	IGAD Regional Strategy and Guidelines on Access and Benefit Sharing of Biological Resources
BMP	IGAD Biodiversity Management Programme in the Horn of Africa
CBO	Community-based Organisation
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COMESA	Common Market for Eastern and Southern Africa
ECOWAS	Economic Community of West African States
EU	European Union
HoA	Horn of Africa
ICRAF	The World Agroforestry Centre
IDDRSI	IGAD Drought Disaster Resilience and Sustainability Initiative
IGAD	Intergovernmental Authority on Development
IGADD	Intergovernmental Authority on Drought and Development
IP	Implementation Partner
IRBP	IGAD Regional Biodiversity Policy
IUCN	International Union for the Conservation of Nature
MAT	Mutual Agreed Terms
MEA	Multi-lateral Environmental Agreement
NGO	Non-governmental Organisation
PIC	Prior Informed Consent
Ramsar	The Convention on Wetlands of International Importance
REC	Regional Economic Community
SADC	Southern African Development Community
TK	Traditional Knowledge
UNCBD	United Nations Convention on Biological Diversity
UNCCD	United Nations Convention to Combat Desertification
UNFCCC	United Nations Framework Convention on Climate Change
WHC	World Heritage Convention

GLOSSARY

ABS	The way in which genetic resources may be accessed, and how the benefits that result from their use are shared between the people or countries using the resources (users) and the people or countries that provide them (providers)
ABS strategy	IGAD Regional Strategy and Guidelines on Access and Benefit Sharing of Biological Resources
Agreement	Agreement establishing the Intergovernmental Authority on Development
Nagoya Protocol	The Nagoya Protocol on Access to Genetic Resources and their Fair and Equitable Sharing of Benefits arising from their Utilization to the Convention on Biological Diversity, also known as the Nagoya Protocol on Access and Benefit Sharing (ABS)
Biological resources	Includes genetic resources, organisms or parts thereof, populations, or any other biotic component of ecosystems with actual or potential use or value for humanity
Biotechnology	Any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use
Genetic resource	Genetic material of actual or potential value
Traditional knowledge	A living body of knowledge that is developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identified



1. INTRODUCTION

Access and Benefit-Sharing (ABS) refers to the way in which biological resources may be accessed, and how the benefits that result from their use are shared between the people or countries using the resources (users) and the people or countries that provide them (providers).

The access and benefit-sharing provisions of the Convention on Biological Diversity (UNCBD) are designed to ensure that the physical access to biological resources is facilitated and that the benefits obtained from their use are shared equitably with the providers.

The benefits to be shared can be monetary, such as sharing royalties when the resources are used to create a commercial product, or non-monetary, such as the development of research skills and knowledge.

This “Regional Strategy for Access to and Benefit Sharing of Biological Resources” is part of a coherent, concise package of up-to-date biodiversity oriented governance and guidance instruments further informed by:

- IGAD Regional Biodiversity Policy;
- IGAD Regional Biodiversity Protocol;
- IGAD Regional Strategy for Invasive Species Management;
- IGAD Regional Strategy on Wildlife Management; and
- IGAD Regional Strategy on Domestication and Implementation of Regional Policies and Strategies related to Biodiversity.

The IGAD Regional Biodiversity Policy¹ (IRBP) at present holds the highest position in the precedence of regional instruments directed specifically at biodiversity. It cedes this position to the IGAD Regional Biodiversity Protocol

once that document is approved by IGAD Policy Organs. However, a list of other instruments has also influenced and informed the formulation of this Strategy including:

- IGAD regional development instruments covering related and other sectors;
- Member States’ action programmes in the context of the implementation of the UNCBD;
- MEAs nationally ratified/acceded by Member States;
- National legislation;
- Convention on Biological Diversity;
- Nagoya Protocol;
- African Union Practical guidelines for the coordinated implementation of the Nagoya Protocol in Africa;
- Relevant European Union guidelines;
- UNCBD Aichi Targets; and
- 2030 Agenda for Sustainable Development.

This Benefit Sharing Strategy translates the relevant provisions of the many above instruments directly into applicable “Strategic Objectives”, intended “Outcomes” and prescribed “Activities”.

The strategy covers the biological resources in the IGAD Region as described in the IGAD Regional Biodiversity Policy and follows the definition as per the UNCBD, and applies to the conservation and sustainable use of terrestrial, marine and aquatic resources in the IGAD Region.

This strategy supports the description of traditional knowledge as a living body of knowledge that is developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identified. Its living nature also means it is not easily defined.

¹ Endorsed at Nairobi 3 June 2016.

Three distinct yet related areas are identified and the strategy only deals with the first two areas as described below:

- traditional knowledge in the strict sense (technical know-how, practices, skills and innovation related to say biodiversity, agriculture or health);
- genetic resources (genetic material of actual or potential value found in plants, animals and micro-organisms); and
- traditional cultural expressions/expression of folklore (cultural manifestations such as music, art, designs, symbols and performances).

In the strategy, access and benefit sharing means the sharing of benefits arising from the use, whether commercial or not, of biological resources, and may include both monetary and non-monetary returns. In instances where biological resources are shared by Member States as well as where traditional knowledge is shared by more than one local community, Member States shall cooperate to implement the notion of access to and benefit sharing of biological resources in an equitable manner.

It is an obligation derived from the Convention on Biological Diversity that the principle of access and benefit sharing must be fulfilled in all actions related to access to biological resources or to traditional knowledge. This participation must be fair and equitable. To fulfil these essential requirements, before an authorisation is granted, there must be access to information, sufficient time for the resource supplier to independently analyse the information received and definition of control mechanisms regarding the use that will be given to the elements being accessed.

Access to biological resources for research efforts that contributes to the conservation and sustainable use of biological diversity should in terms of the provisions of the Nagoya Protocol be promoted by means of simplified conditions and process. However, such simplified conditions must:

- consider the customary laws and community protocols of local communities; and
- grant access only on the basis of Mutual Agreed Terms.

2. BACKGROUND AND REGIONAL OVERVIEW

The Intergovernmental Authority on Drought and Development (IGADD) was formed in 1986 with a very narrow mandate dealing with drought and desertification. In the mid-1990s, the members decided to revitalise the organisation into a fully-fledged regional political, economic, development, trade and security vehicle. The Agreement Establishing the Intergovernmental Authority on Development (IGAD) was adopted in March 1996.

The eight Member States of the IGAD Region (Figure 1) are Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda and cover an area of approximately 5.2 million km²

Figure 1: Map of the IGAD Region²



The Horn of Africa (HoA) is richly endowed with a variety of biodiversity and other natural resources such as rivers, lakes, forests, livestock and high agricultural potential. However, the benefits of these resources have not translated into economic benefits for populations in the region.

The IGAD Region has a variety of ecosystems ranging from coral reefs to the gum arabica woodlands of Sudan, extensive wetlands to savannah grasslands, afro-montane forests to deserts, and the central highlands of Ethiopia and Kenya which are important water catchments (Awimbo, Barrow and Karaba, 2004).

These habitats host a rich diversity of both floral and faunal species. The Region has more than 1 500 known species of mammals, more than 1 400 known breeding bird species and 3 000 species of higher plants.

Many of the Region's biological resources are used for agricultural, pharmaceuticals, construction, clothing and ornamental products, and have high local, national and global economic value. The agricultural biodiversity of the subregion is also rich as is evident from the situation in Ethiopia, one of the world's 12 centres of genetic diversity (*Vavilov Centres*). Ethiopia is the sole or the most important centre of genetic diversity for Arabica coffee, tef, enset (*Ensete ventricosum*) and anchote (*Coccinia abyssinica*), and for sorghum, finger millet, field pea, chickpea, cowpea, perennial cotton, safflower, castor bean and sesame. Genetic erosion in other parts of the world has led to Ethiopia now also being the most important centre of genetic diversity for durum wheat, barley and linseed (UNEP, 2002).

Many of the developments relating to the commercial development of the biological diversity in the region has taken place in developed countries and the benefits arising from such developments has not cascaded down to the original holders of such biodiversity or the traditional knowledge associated with the potential benefits. In this regard communities have, in certain instances, lost the opportunity of commercial development.

² Disclaimer: The designations employed and the map presentations do not imply the expression of any opinion whatsoever on the part of the IGAD concerning the legal status of any country, territory, city, area of its authorities, place names or the delineation of its frontiers or boundaries.

The people of the IGAD region are greatly dependent on the biological resources of the area and their living in harmony with the environment is jeopardised. Local communities use the biological resources as a source of food and construction material for housing. Through the years, the local communities have gathered a wide knowledge of the biological resources in the area – a source of information that must be utilized as it can provide information that can ensure the survival of the resources. Unfortunately, the population in the area has increased with a resulting increased pressure on those same biological resources.

The objective of the IGAD Biodiversity Management Programme (BMP) is to enhance the socio-economic development of the region by promoting regional cooperation and integration among the IGAD Member States in the biodiversity and environment sector. The programme focuses, amongst other things, on:

- 1. Development of a common biodiversity policy in the region as well as other biodiversity thematic strategies such as wildlife conservation, management and anti-wildlife trafficking, benefit sharing from biological resources, invasive species, and domestication and implementation regional policies / strategies such as the MEAs.*
- 2. Development of a regional biodiversity database and information system, which will be supported by national biodiversity databases and information systems. The support to strengthen / establish the national database and an information system is underway.*
- 3. Conservation / sustainable management biological resources in the IGAD region by strengthening institutions in the Member States and by showcasing it in a three cross-border demonstration sites being implemented by recognized Implementing Partners.*

3. FORMULATION

3.1 DESK STUDY

A web based desk top analysis of available information was undertaken and documentation provided by BMP country studies were conducted to identify potential regional issues that needed to be addressed.

Consultations were undertaken with the following countries:

- Djibouti
- Ethiopia
- Kenya
- South Sudan
- Sudan
- Uganda.

From the interviews and the desk study the following key factors were identified:

- Dependence of local communities on the biological resources;
- Knowledge of the local communities pertaining to the biological resources;
- Local communities have lived in harmony with nature for many years;
- Pressure on the resources because of increased population numbers;
- Need for alternative sources of income for local communities;
- Need for capacity building of local communities relating to the benefits resulting from access to biological resources;
- Lack of data and information of the monetary value of biodiversity and biological resources, creating the impression that such resources are “free” and infinite;

- Member States are parties to a number of environment conventions, in particular the UNCBD; and
- The Member States are parties to the Nagoya Protocol on sharing of biodiversity benefits.

3.2 CONSTRAINTS IDENTIFIED

The background information and the consultations with Member States also revealed the following constraints that hamper the equitable sharing of biodiversity benefits of biological resources in the Region:

- Inadequate domestic coordination within Member States;
- Lack of inter- and intra-governmental coordination;
- Absence of up-to-date information systems;
- Lack of awareness of role and importance of biological resources by decision-makers;
- Lack of capacity of local communities to negotiate equitable sharing of benefits of resources with corporate organisations;
- Institutional and legislative deficiencies in Member States;
- Inadequate participation of local communities in biological management;
- Sharing of information within the region pertaining to law enforcement;
- Inadequate human and financial resources;
- Law enforcement capacity; and
- Regional coordination relating to research.

The above constraints contributed to the unsustainable management of biological resources and the unfair sharing of their benefits among the communities, countries in the region. This is particularly crucial in

sharing of benefits of transboundary biological resources; where common and coordinated policies, strategies and efforts in general are needed to sustainably manage the biological resources in the Region

3.3 SITUATION ANALYSIS

The information listed above was used to develop a situation analysis regarding the access to and benefit arising from the utilization of biological resources in the Region.

3.3.1 Strengths

IGAD consists of eight Member States of varying capacity regarding access to and benefit sharing of biological resources. The Region has adopted the IGAD Biodiversity Policy which identifies a number of policy statements regarding the access and benefit sharing. This illustrates a commitment towards achieving these objectives.

The implementation of the ABS Strategy is also supported by implementation partners such as the

IUCN and ICRAF. Further to the implementation of the relevant MEAs the following can be considered strengthens of the Region regarding access to and benefit sharing of biological resources:

- Commitment of the Member States to the conservation and sustainable management of biological resources;
- Need for alternative sources of income for local communities;
- Knowledge of the local communities pertaining to the biological resources;
- Local communities have lived in harmony with nature for many years; and
- Member States are parties to a number of environment conventions, in particular the UNCBD.

The Region has also identified the implementation of relevant MEAs as a priority and in this regard the table below indicates the situation regarding the ratification and accession to the relevant MEAs by Member States.

Table 1: Biodiversity-related MEAs signed, ratifies or acceded by IGAD Member States

	CBD	Nagoya Protocol	UNFCCC	Kyoto Protocol	Paris Agreement	CITES	CMS	Ramsar	UNCCD	WHC
Djibouti	R	R	R	R	R	A	P	A	R	R
Eritrea	A		A	A	Sig	A	P		R	A
Ethiopia	R	A	R	A	R	A	P		R	R
Kenya	R	R	R	A	R	R	P	A	R	A
Somalia	A	Sig	A	R	R	A	P		R	
South Sudan	A	Sig	A	P	Sig	P	NP	A		R
Sudan	R	R	R	A	Sig	R	NP	A	R	R
Uganda	R	A	R	A	R	A	P	R	R	A

Key: R = Ratified; A = Accession; Sig = Signatory; P = Party; NP = Non-Party
 Source: MEA website 2017-03-21 as supplemented by Member States in Kenya on 30 June 2017

3.3.2 Weaknesses

Although the Region has particular strengths regarding access and benefit sharing like any other developing region certain situations limit the implementation of this aspect of the UNCBD.

In this regard, the first weakness lies in the lack of funding to implement MEAs as well as the following constraints:

- Dependence of local communities on the biological resources;
- Need for capacity building of local communities relating to the benefits resulting from access to biological resources;
- Lack of data and information of the monetary value of biodiversity and biological resources, creating the impression that biological resources are “free” and infinite;
- Inadequate domestic coordination within Member States;
- Lack of inter- and intra-governmental coordination;
- Absence of up-to-date information systems;
- Lack of awareness of role and importance of biological resources by decision-makers;
- Lack of capacity of local communities to negotiate equitable sharing of benefits of resources with corporate organisations;
- Institutional and legislative deficiencies in Member States;
- Inadequate participation of local communities in biological management;
- Sharing of information within the region pertaining to law enforcement;
- Inadequate human and financial resources;
- Law enforcement capacity; and
- Regional coordination relating to research.

3.3.3 Opportunities

The following opportunities present itself in the Region to give effective access to and benefit sharing of biological resources in the Region and contribute to the sustainable management of such resources.

- IGAD BMP can bring Member States on board to implement;
- Knowledge of the local communities of biological resources;
- Need for alternative sources of income for local communities;
- Adequate domestic coordination within Member States;
- Improving the inter- and intra-governmental coordination within and between Member States;
- Coordination of regional research efforts and the development of up-to-date information systems;
- Building of capacity of decision-makers regarding the role and importance of biological resources;
- Building of capacity of local communities to negotiate equitable sharing of benefits of resources with corporate organisations;
- Addressing the institutional and legislative deficiencies in Member States to enhance management of biological resources;
- Enhance the participation of local communities in biological management;
- Improved capacity and coordination of law enforcement efforts; and
- Adequate human and financial resources;

The information gathered through the analysis of the background documents and the consultation with the member countries were used to identify the strategic objectives required to fulfil the obligations of the Member States to share biodiversity benefits equitably as a basis of enhancing socio-economic development and the promotion of regional cooperation and integration among the IGAD Member States in the biodiversity and environment sector.

3.3.4 Threats

The effective implementation of access to and benefit sharing from biological resources in the Region is hampered by the following:

- Dependence of local communities on the biological resources;
- Population increase and consequently pressure on the resources;
- Lack of and implementation Regional mechanisms to promote ABS;
- Perception that biological resources are “free” and infinite;
- Pressure by corporate organisations to gain access to biological resources; and
- Uncoordinated management of shared resources.

3.4 RATIONALE FOR STRATEGY

In the Agreement establishing IGAD, the efforts of the Member States to fulfil their obligations include Article 7(b), (e) and (j) set out as follows:

“harmonize policies with regard to trade customs, transport, communications, agriculture and natural resources, and promote free movement of goods, services and people and the establishment of residence; initiate and promote programmes and projects for sustainable development of natural resources and environmental protection; and facilitate, promote and strengthen cooperation in research, development and application in the fields of science and technology”

The above lead to the formulation and implementation of the IGAD Biodiversity Management Programme (BMP) in the Horn of Africa. One of the outcomes of the BMP is the development and subsequent adoption of an IGAD Regional Biodiversity Policy.

The analysis of the above provisions from the IGAD Biodiversity Policy, and the provisions of the CBD and its Protocols (Cartagena and Nagoya) provided the framework for this strategy. The strategy will enhance

the implementation of the regional biodiversity policy and other relevant IGAD initiatives in the management, conservation and sustainable use of biological resources by providing a framework for such cooperation. It contributes to the achievement of IGAD goal of guaranteeing the environment and economic security of the people by minimizing the unnecessary competition among countries and people of the region on the use of transboundary resources. The strategy provides for:

- cooperation between Member States on sustainable management of biological resources in the region to ensure the continued provision of biological resources; and
- creating an enabling environment on access to benefits arising from biological resources.

The IGAD Benefit Sharing Strategy is derived from the provisions of the IGAD Regional Policy, the IGAD Biodiversity Protocol and the UNCBD- including the Nagoya and Cartagena Protocols.

To give effect to the Biodiversity Policy required the development of strategies aimed at specific aspects of the Biodiversity Policy, such as the regional Benefits Strategy. The regional Benefits Strategy is therefore developed to support the implementation of the Regional Biodiversity Policy and Protocol and other relevant IGAD initiatives in the management and conservation of biological resources by providing a framework for such cooperation between the Member States. It is also a strategy to implement the provisions of the UNCBD and the Nagoya and Cartagena Protocols on sharing of biodiversity benefits.

3.4.1 Relevant IGAD Regional Biodiversity Policy provisions

In the IGAD Regional Biodiversity Policy – in Section 3.4.5 Access and Benefit Sharing³ – the following are listed as “Priority Actions”:

³ The narrative of IRBP Section 3.4.5 is repeated in Annex 1.

Develop strategic frameworks on access and benefit sharing

Accelerate the establishment of related harmonized mechanisms at all four levels (of the governance hierarchy).

Apply the (UNCBD) Nagoya Protocol so as to secure equitable sharing of costs and benefits of biodiversity management.

Create incentives for biodiversity conservation.

Respect traditional or cultural community rights.

Establish harmonized rules, regulations and instructions for appreciation, collection, safeguarding, maintenance and further development of indigenous knowledge.

Develop harmonized rules, regulations and institutions for sharing benefits and monitoring of intellectual property rights in Public-Private-Partnerships.

Make use of existing global frameworks or develop new regional regulations enabling fair and equitable sharing of research findings and benefits arising from commercial use of biological resources over which they hold sovereign rights.

The provisions of the IGAD Regional Biodiversity Policy that apply to this Benefit Sharing strategy are:

Policy Statement 49 Member States shall establish harmonized regulations and strategic frameworks on access and equitable benefit sharing from biodiversity, based on free prior informed consent and agreed terms. Differentiation shall be made between interstate sharing, especially the sharing of transboundary biodiversity benefits as well as the protection and management costs between stakeholders; the sharing of information with private companies; the sharing among states and local communities; and sharing at the global level.

Policy Statement 50 Keeping in mind traditional community rights, Member States shall establish harmonized rules, regulations and institutions for appreciation, collection, safeguarding, maintenance and further development of indigenous knowledge.

Policy Statement 51 Member States shall provide basic agreement for cooperation and development of detailed and harmonised regulations / guidelines for benefit sharing, protecting and exchange of genetic resources and associated local and indigenous knowledge.

Policy Statement 52 Member States shall establish harmonized rules, regulations and institutions for sharing benefits and monitoring of intellectual property rights in Public-Private Partnerships.

Policy Statement 13 Member States shall use existing global frameworks or draft new regional regulations to access to fair and equitable sharing of research findings and benefits arising from commercial use of biological resources over which they hold sovereign rights.

This current strategy is designed to be consistent with and harmonized with other IGAD regional instruments such as follow immediately below:

- IGAD Regional Biodiversity Policy;
- IGAD Environment Outlook Report;
- IGAD Food Security Strategy;
- Disaster Risk Management Strategy;
- IGAD Gender Policy and Strategy;
- Peace and Security Strategy;
- IGAD Environment and Natural Resources Strategy;
- Regional Environmental Impact Assessment Policy Framework in the IGAD Region;

- IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI) Knowledge Management Strategy;
- IGAD Regional Strategy on Wildlife Management; and
- IGAD Regional Strategy for Invasive Species Management.

The Strategy is also interlinked with the UNCBD and the Nagoya and Cartagena Protocols to which the IGAD Member States are parties.

The implementation of the ABS Strategy will be guided by the principles of the Agreement Establishing IGAD as well as those of the IGAD Biodiversity Policy and the provisions of the Nagoya Protocol.

4. THE BIODIVERSITY BENEFIT SHARING STRATEGY

4.1 Vision

The vision of the strategy is to contribute to the IGAD overall vision of IGAD becoming the premier Regional Economic Community (REC) for achieving peace and sustainable development in the region where ***the IGAD region by 2050, becomes a place where biodiversity is sustainably used, managed, restored and benefits accrued thereof are equitably shared for sustainable social economic development.***

4.2 Mission

The mission of the strategy is also to contribute to the overall all IGAD Mission of promoting regional cooperation and integration to add value to Member States' efforts in achieving peace, security and prosperity through sustainable management of biological resources in the region.

4.3 Strategy

The overall objective of the strategy is to support the implementation of the IGAD Biodiversity Policy, the IGAD Biodiversity Protocol as well as the provisions of the UNCBD and its Protocols (Catagena and Nagoya) by facilitating the fair and equitable sharing of benefits arising from the use of genetic resources, in particular those that stem from transboundary ecosystems.

The following are the strategic objectives of the strategy:

- Strategic Objective 1** Identify, assess and document traditional, indigenous knowledge and intellectual property rights.
- Strategic Objective 2** Domestication / mainstreaming of existing regional, continental and global frameworks that promote benefit sharing.
- Strategic Objective 3** Pool resources to undertake research and technology development to enhance benefits from biological resources.
- Strategic Objective 4** Promote information and experience sharing, education on and awareness of use and benefits of biological resources.

The intended Outcomes and prescribed Activities under each Strategic Objective for the IGAD Regional Strategy on Access to and Benefit Sharing of Biological Resources in the region is given in Table 1.

The "interventions" translate the five policy statements of the IGAD Regional Biodiversity Policy on Biodiversity Benefit Sharing into implementable activities leading to its achievement.

Table 2 Strategic Interventions for IGAD Regional Strategy for Access to and Benefit Sharing of Biological Resources

Indicative Interventions	
Strategic Objective 1. Identify, assess and document traditional, indigenous knowledge and intellectual property rights that enhances benefit sharing	
<p>Outcome 1.1 Appropriate legal and institutional framework developed for promotion of traditional, indigenous knowledge related to biological resources and intellectual property rights.</p>	<p>Activity 1.1.1 Review and harmonise domestic legislation to ensure the implementation of IGAD adopted policies, protocols and strategies.</p> <p>Activity 1.1.2 Develop appropriate subsidiary legislation.</p>
<p>Outcome 1.2 Traditional and indigenous knowledge on biological resources documented.</p>	<p>Activity 1.2.1 Assess regional level expertise to document the TK on biological resources.</p> <p>Activity 1.2.2 Identify gaps in the expertise of TK documentation at all levels.</p> <p>Activity 1.2.3 Develop training material based on the identified gaps.</p> <p>Activity 1.2.4 Provide continuous training at all levels.</p>
<p>Outcome 1.3 Best practise relating to benefit sharing of biological resources identified, and where appropriate adopted.</p>	<p>Activity 1.3.1 Identify and implement “best practices” on selected aspects of ABS and develop regional guidelines and/or protocols.</p> <p>Activity 1.3.2 Develop a communication strategy to disseminate the information regional.</p>
<p>Outcome 1.4 Relevant regional databases related to access and benefit sharing of biological resources strengthened and / or developed – and maintenance of such tools ensured.</p>	<p>Activity 1.4.1 Develop an inventory on biological resources in the Region.</p> <p>Activity 1.4.2 Establish and maintain a database of existing knowledge on biological resources and benefit.</p>

Indicative Interventions

Strategic Objective 1. Domestication / mainstreaming of existing regional, continental and global frameworks that promote benefit sharing	
<p>Outcome 2.1 Regional participation and compliance with the provisions of the Nagoya Protocol in place</p>	<p>Activity 2.1.1 Encourage Member States to ratify and /accede to the Nagoya Protocol</p> <p>Activity 2.1.2 Develop common policy and guidelines to monitor bio-piracy, and inequitable appropriation of biological resources in the region</p> <p>Activity 2.1.3 Identify gaps in the expertise of law enforcement officers across all levels of government</p> <p>Activity 2.1.4 Develop training material based on the identified gaps</p> <p>Activity 2.1.5 Provide continuous in-service training to all law enforcement officers</p> <p>Activity 2.1.6 Provide training to customs officials and border control personnel</p> <p>Activity 2.1.7 Adopt domestic legislation to provide for PIC and MAT as well as measures to allow for various types of access for utilization</p> <p>Activity 2.1.8 Identify stakeholders and encourage involvement through national stakeholder committees and appropriate communication strategy</p> <p>Activity 2.1.9 Designate a National Focal Point and Competent National Authority</p> <p>Activity 2.1.10 Establish a procedure for PIC and MAT</p> <p>Activity 2.1.11 Establish measures of compliance and monitoring</p> <p>Activity 2.1.12 Maintain active public awareness campaign</p>
<p>Outcome 2.2 Appropriate mechanisms in place for local communities to benefit from ecosystem goods and services</p>	<p>Activity 2.2.1 For extractive biological resources, establish mechanisms to manage and promote rights to access/use the resources</p> <p>Activity 2.2.2 Mainstream processes and procedures for small scale public-private-community partnerships</p> <p>Activity 2.2.3 Comply with commitments of relevant policies and strategies</p> <p>Activity 2.2.4 Establish communications forums with local communities</p> <p>Activity 2.2.5 Strengthen the capacity of NGOs and CBOs</p> <p>Activity 2.2.6 Develop framework that encourages capitalization of biodiversity to the advantage of local communities</p> <p>Activity 2.2.7 Develop and grow the natural products sector in a way that encourages value adding, sustainability, entrepreneurship and local economic development</p> <p>Activity 2.2.8 Provide market intelligence for various community level biological products and protect community rights and indigenous knowledge</p> <p>Activity 2.2.9 Provide financial, marketing and management support to biodiversity-based small businesses</p> <p>Activity 2.2.10 Develop and implement appropriate partnership and marketing models and ABS principles for biodiversity components in protected and non-protected areas e.g. important bird areas for threatened bird species</p>

Indicative Interventions	
<p>Outcome 2.3 Coordination measures and frameworks developed and strengthened to manage benefits arising from biological resources at national and regional levels</p>	<p>Activity 2.3.1 Provide adequate human, institutional, infrastructure, technological and financial resources to implement the provisions of domestic legislation</p> <p>Activity 2.3.2 Develop awareness material for display at points of entry and exit on the protection of endangered species</p>
<p>Strategic Objective 3. Pooled resources to undertake research and technology development to enhance benefits from biological resources</p>	
<p>Outcome 3.1 Relevant existing monitoring and inventory methods related to access and benefit sharing of biological resources are reviewed, harmonized and implemented</p>	<p>Activity 3.1.1 Undertake regular inventories and monitor key species</p> <p>Activity 3.1.2 Establish a regional monitoring and evaluation framework on access to and benefits arising from biological resources</p> <p>Activity 3.1.3 Establish and maintain national and regional accessible data and information systems to inform policy and management of access to benefits arising from biological resources</p> <p>Activity 3.1.4 Identify major gaps in knowledge and understanding of access to benefits arising from biological resources</p> <p>Activity 3.1.5 Develop capacity building programmes to implement corrective programmes</p> <p>Activity 3.1.6 Strengthen mechanisms to participate in relevant regional initiatives</p>
<p>Outcome 3.2 Processes for ensuring sharing of research and information related to access and benefit sharing of biological resources – are established</p>	<p>Activity 3.2.1 Strengthen the IGAD Sectoral Committee on Biodiversity Resources as a vehicle to share experiences and information relating to access to and benefit sharing from biological resources</p> <p>Activity 3.2.2 Utilize bi-lateral and multi-lateral fora as a vehicle to share research results and information and experiences</p>
<p>Outcome 3.3 Regional centres of excellence – related to access and benefit sharing of biological resources – are supported and / or developed</p>	<p>Activity 3.3.1 Identify key centres of excellence in the region</p> <p>Activity 3.3.2 Support the development and expansion of identified centres</p> <p>Activity 3.3.3 Strengthen or create relevant programmes</p> <p>Activity 3.3.4 Strengthen mechanisms to participate in relevant regional initiatives and programmes</p>

Indicative Interventions	
Strategic Objective 4. Promote information and experience sharing, education on and awareness of use and benefits of biological resources	
Strategic Objective 4. Promote information and experience sharing, education on and awareness of use and benefits of biological resources.	<p>Activity 4.1.1 Identify target audience</p> <p>Activity 4.1.2 Identify message</p> <p>Activity 4.1.3 Develop appropriate awareness programme and material</p> <p>Activity 4.1.4 Identify appropriate media vehicle to convey message,</p> <p>Activity 4.1.5 Develop and implement a programme for information packs for political actors at all levels</p>
Outcome 4.2 Information documentation to policy and decision makers at all levels of government developed and implemented	<p>Activity 4.2.1 Develop and implement a coordinated and comprehensive communication and awareness programme to reach key policy and decision-makers.</p> <p>Activity 4.2.2 Encourage and support involvement of all stakeholders in awareness relating to access to and benefit sharing of biological resources.</p>

5. IMPLEMENTATION ARRANGEMENTS

The strategy is going to be implemented at local, national and regional levels;

At local level, it will be implemented by local sector experts, community, and civil society to ensure equitable share of biological resources among communities and individuals.

At national level, institutions in charge of biodiversity resources, together with other relevant institutions, will facilitate the equitable share of biological resources

among regions and communities in the country. The institution shall also ensure that the country gets its share of benefits from transboundary ecosystems shared with other countries.

At regional level, IGAD in collaboration with the Member States institutions responsible for biodiversity management as well as the Secretariat of the UNCBD will facilitate the discussions and sharing of biodiversity benefits, in particular benefits stemming transboundary ecosystems.

6. REFERENCES

Awimbo, J., Barrow, E., Karaba, M., 2004. *Community Based Natural Resource Management in the IGAD Region* The World Conservation Union (IUCN) Nairobi, Kenya.

UNEP 2002. *Africa Environment Outlook. Past, present and future perspectives.* United Nations Environment Program (UNEP). Nairobi, Kenya.

UNCBD

Nagoya

Cartagena

Agreement establishing IGAD

Harmonised biodiversity access regulations based on prior informed consent and agreed terms keeping in mind traditional community rights and rules, will help in improving awareness and efficiency of the conservation measures.

Sustainable management of biodiversity can produce important benefits for the development of the IGAD region. Article 5 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization requires that benefits arising from the utilisation, subsequent applications and commercialisation of genetic resources shall be shared in a fair and equitable way.

Benefit sharing has different forms and implications according to the actors, sectors and decision-making levels involved:

Benefit Sharing Among the IGAD Member States: In line with the Strategic Goal E of the Aichi Targets, the associated traditional knowledge will seriously be taken into account. Aiming at further enhancing the contribution of biological diversity to sustainable development and human well-being, the IGAD Regional Biodiversity Policy promotes harmonisation and cooperation between the IGAD Member States to conserve and manage biodiversity sustainably and to share the responsibility to protect and sustainably use genetic resources and indigenous knowledge. Agreements and harmonised regulations will be put in place as appropriate to determine the fair and equitable sharing of benefits and costs of bi- or multilateral transboundary biodiversity management. This applies especially to protection and exchange of genetic resources, indigenous knowledge and to the joint management of protected areas.

Indigenous Knowledge and Benefit Sharing with the Local Communities: In line with Strategic Goal D of the Aichi Targets, indigenous rights are respected and harmonised mechanisms for benefit sharing with local communities, such as providing incentives and sharing benefits, will be developed. Scientific research on indigenous knowledge will be promoted and inventories established. Civil Society will be involved in order to provide advocacy to the local communities.

Benefit Sharing with Private Business and Patenting: Harmonised mechanisms to value biodiversity use, loss or damage due to economic activities will be set up as well as harmonised rules and regulations for compensation and rehabilitation. Commercial utilisation of genetic resources needs patenting as well as (indigenous) knowledge. The IGAD Regional Biodiversity Policy promotes strengthening the patenting capacities in the IGAD region and developing knowledge as well as exchange and cooperation mechanisms. Harmonised guidelines and best practice information will be provided for capacity building of the local communities in the establishment of micro-enterprises creating income from biodiversity management and for the protection of indigenous knowledge in the patenting process guaranteeing benefit to communities.

Global Benefit Sharing: The IGAD Regional Biodiversity Policy promotes the use of existing global frameworks or drafting regional regulations for providing access to genetic resources over which the IGAD Member States hold sovereign rights, and for the fair and equitable sharing of research findings and benefits arising from the commercial use of such resources.

Challenges: Sustainable management of biodiversity is still limited in the IGAD region. A few countries have developed income generating schemes, like conservancies, community based conservation programmes, biodiversity value chain developments, PES, etc. Revenues generated are still confidential and do not often have a significant financial impact with the communities. In many projects, funds relevant to community development are used for compensating the lack of government involvement in the area, instead of increasing the idea that biodiversity management can become an income generating approach.

Some resources are concentrated in a few countries or regions, when the neighbouring ones do not have any.

Opportunities: Benefit sharing rules can improve the perception on biodiversity management being a development tool and not only a blind conservation issue. Biological resources are not shared equitably within the IGAD Member States. A regional agreement on sharing equitably the biological resources between the various Member States, and respecting the situation of the less endowed countries, can help to develop unity and peace in the region. Local communities have their role to play in terms of resource management, and thus in terms of income sharing. Income generation from PPPs can participate to the economical equity among the stakeholders, and stimulate biodiversity-based projects, like tourism, new technologies, etc.

The biodiversity of the IGAD region has also a global importance, with a high level of endemism of the biodiversity hotspots, and its conservation will stimulate the generation of projects and funds that will help Member States to manage sustainably its biodiversity.



PEACE, PROSPERITY AND REGIONAL INTEGRATION

IGAD Secretariat Avenue Georges Clemenceau
P.O. Box 2653 Djibouti Republic of Djibouti
Tel: +253-21354050