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REGIONAL STRATEGIC GUIDELINES FOR COUNTRIES IN THE OECS ON THE ACCESS TO GENETIC RESOURCES AND ASSOCIATED TRADITIONAL KNOWLEDGE AND THE SHARING OF BENEFITS DERIVED FROM THEIR UTILIZATION



OECS Commission
Castries
Saint Lucia

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Regional Strategic Guidelines for Countries in the OECS on the Access to Genetic Resources and Associated Traditional Knowledge and the Sharing of Benefits Derived from their Utilization

INTRODUCTION

OECS Member States are Parties to the Convention on Biological Diversity (CBD) either as independent [sovereign] states or as a territory/department of Britain or France. The Nagoya Protocol which deals with the access to and utilization of genetic resources and their associated traditional knowledge under the CBD aims to provide a transparent legal framework for the effective implementation of the third objective of the CBD: the fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity. The Caribbean is an area of critical importance for global biodiversity conservation, guarding a large percentage of species endemic to the region, and even to particular islands.

Pharmaceutical and cosmetic companies have been accessing genetic resources in the Caribbean as primary sources for their commercial products. Many of these companies have not been providing valuable benefit sharing from the sales of these products, though the benefits they have garnered from the products made have been substantial.

Therefore, it is critical that countries in the region establish the proper mechanisms to protect and regulate the use of their genetic resources from a national and a regional standpoint and to derive financial benefits that would further support biodiversity conservation in the region.

In the context of this interest of OECS Member States to protect their genetic resources and associated traditional knowledge, and anticipating more ratifications by other countries, the OECS Access and Benefit sharing (ABS) Guidelines (Annex 1). present a regional strategy that Member States can follow in their implementation of the Nagoya Protocol and/or in the development of their own ABS national frameworks.

These Guidelines seek to align and standardize ABS procedures and benefit sharing obligations at a regional level to facilitate the implementation of ABS frameworks at the national level in each OECS Member State. Furthermore, these guidelines could aid Member States to help develop instruments that will close the legislative and policy gaps in situations where ABS regulatory frameworks do not currently exist.

The OECS Commission and the GIZ under the ABS Capacity Building project, partnered to further develop these strategic guidelines, as a follow up to a previous project on *Implementing the Nagoya Protocol in the Caribbean* (GEF/IUCN). The OECS and the GIZ commit to continue to support the strengthening the operational framework for the accessing of genetic resources in the Caribbean and the accessing and usage of the associated traditional knowledge of the region's indigenous peoples and local communities. This will be implemented through a phased approach which includes the advancement of a permitting system and associated IT portal in support of this system, subject to endorsement by Member States.

A draft concept has been developed for the establishment of national ABS permitting systems and application of a regional-national IT portal to support these systems (Annex 2). This regional approach by the OECS is expected to further reduce the loopholes currently allowing access to the region's resources without sustainable benefit sharing agreements.

RECOMMENDATIONS

The Council of Ministers is invited to:

1. **ENDORSE** the regional strategic guidelines for countries in the OECS on the access to genetic resources and associated traditional knowledge and the sharing of benefits derived from their utilisation;
2. **ENCOURAGE** Member States to advance the implementation of ABS systems in their respective countries and where feasible to ratify the Nagoya Protocol;
3. **NOTE** also the draft concept for the establishment of national ABS permitting systems including the application of a regional IT portal to support these systems and;
4. **MANDATE** the OECS Commission to continue to collaborate with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH in matters of supporting the implementation of the Nagoya Protocol for interested Member States and other relevant partners to advance the ABS permitting system proposal.