









ACCESS AND BENEFIT SHARING PARTNERSHIP PROJECT

Indo-German Biodiversity Programme

Activity Report (2016-2020)

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I. Awareness raising, communication and stakeholder dialogues

2016

National Biodiversity Authority

ABS Experiences Sharing Workshop held on 28-29 June 2016 at Chennai Objective:

A two-day experience-sharing workshop brought together 35 representatives from the National Biodiversity Authority (NBA), the State Biodiversity Boards (SBBs), the Indo-German Biodiversity Programme, and senior officials from the Ministry of Environment, Forest and Climate Change (MoEFCC).

The event marked the initiation for the implementation of the ABS Partnership Project. The ABS Partnership Project aims at strengthening the capacities of the NBA, SBB, Biodiversity Management Committees (BMC), as well as the capacities of the commercial and research user groups of biological resources for the effective implementation of ABS mechanisms under the Biological Diversity (BD) Act, 2002 in keeping with India's commitments under the Nagoya Protocol on ABS. The workshop was an attempt in bringing knowledge and practices so far adopted by various SBBs to be presented in one forum for creating a common consensus in understanding the BD Act, 2002 in general and ABS good practices in particular.

The objective of the workshop is to present and share SBB experiences and lessons learnt in implementing ABS arrangements in different states.

Inaugural session:

The workshop was inaugurated by Dr. Amita Prasad, Additional Secretary, MoEFCC and Dr. B Meenakumari, Chairperson, National Biodiversity Authority. Mr. T Rabikumar, Secretary NBA welcomed the distinguished guests of honour and the all the participants/ representatives from 13 SBBs. Inaugural session was followed by a presentation by Mr. Edgar Endrukaitis, Indo-German Biodiversity Program, Director, GIZ, which highlighted the objectives of the ABS Partnership Project that focus on good ABS practices, dialogue with stakeholders, strengthening of capacity and development of a monitoring system that will further strengthen the implementation of the BD Act, 2002 in India.

Dr. Amita Prasad, Additional Secretary, MoEFCC in her presidential address, talked about the value of biodiversity in India and wide-ranging policies, programmes and projects in place for conservation of biodiversity in India, including the fair and equitable sharing of benefits arising out of the utilization of biological resources through the implementation of the BD Act, 2002. She also emphasized the need for better understanding of the ABS issues in India, coordination between NBA and SBBs, including the fine tuning of the Biological Diversity Rules by the SBBs and developing techno-legal capabilities.

Dr. B. Meenakumari, Chairperson, NBA proposed the vote of thanks. She mentioned that India has been a pioneer globally in implementing the ABS mechanism. The BD Act, 2002 is aligned with the provisions of the Nagoya Protocol on ABS and further, through the ABS Partnership Project the overall achievements in the implementation of the BD Act, 2002 will be scaled up. She also thanked dignitaries and all the participants for joining the workshop and wished the best towards the success of the workshop and the ABS partnership project.

Technical Sessions

Dr. Hartmut Meyer, Advisor, ABS Capacity Development Initiative, GIZ Headquarters, moderated the technical sessions in the workshop. Dr. Meyer informed the gathering about the ABS Partnership Project which is being implemented by MoEFCC, NBA, and GIZ at the national level and the State Biodiversity Board of Maharashtra, Tamil Nadu, and Uttarkhand at the state level.

On day-two of the workshop a brain-storming session was conducted to identify the issues and challenges in implementation of the Act. In this session, the key areas that could be considered for the upcoming ABS partnership project were discussed. Participants were invited to flag the issues that are specific to their states and share their experience in the ABS implementation. Dr. Meyer moderated this session and a photo of points discussed in the session is provided at the end of this document.

Following key areas were identified:

I. Implementation of the BD Act, 2002 at the State level by State Biodiversity Boards (SBBs)

- II. Information exchange and interactions between State Biodiversity Boards (SBBs)
- III. Implementation of the BD Act, 2002 at local level by Biodiversity Management Committees (BMCs)
- IV. Stakeholder dialogues

I. Implementation of the BD Act, 2002 at the State level by the SBBs

- A. Constitution of BMCs: Several SBBs remarked that there has to be better clarity on the constitution of BMCs at the local level. As per the Section 41(1) of the BD Act, 2002 every local body is required to constitute a BMC in its area for the purpose of implementing the objectives of the Act the local level. Currently, SBBs facilitate the constitution of BMCs at the local level (village/block/district). Although there is a list of suggested members that can be added as members of BMCs in the Guidelines for operationalization of the BMCs by the NBA, the members of local elected body become the BMCs as well. The Chairperson of the local body becomes the Chairperson of the BMCs. The tenure of BMCs is five years or co-terminus with the local body and tenure of Chairperson of BMC is three years, whereas the Chairperson of local body has tenure of 5 years. For effective implementation of BD Act, 2002 at local level, clarity on these aspects has to be established.
- B. Clarity on interpretation of the BD Act, 2002 and its provisions
- C. Documentation of PBRs: Documentation of PBRs is a long-term process. Several SBBs suggested that a short-cut method may be evolved to document the PBRs
- D. Documentation of coastal PBRs: PBR formats specifically for coastal regions to be developed
- E. Organizing implementation workshops
- F. Developing written guidance/targeted publications: For effective implementation of the Act, certain targeted publications may be brought out for SBBs and BMCs
- G. Case studies/guidelines/flow-charts

II. <u>Information exchange and interactions between State Biodiversity Boards</u> (SBBs)

- A. Develop state procedures for operationalizing BMCs as prescribed by the Act/Regulation
- B. Establish key areas for consensus between SBBs such as network of resources movements between states and benefit sharing between states (ABS Regulation 14(4)
- C. Exposure visits to SBBs
- D. Mentoring SBBs by already well-established SBBs
- E. Engaging subject experts to address specific issues
- F. Organizing regional meetings
- G. Disbursing the Benefit Sharing to BMCs and advising on indicative programs to be taken up by the BMCs
- H. Strategies to hold dialogues with the giant bio-resources based businesses
- I. Uniform mechanism for different sectors across states
- J. Strengthening of the SBBs that are functioning from the Forest Departments (viz; Sikkim) and facilitate interactions among intragovernment departments
- K. Developing e-portals and online chats for information exchange and experience sharing
- L. Developing online system for procedure and progress of work in various states
- M. Organize union-wide meetings

III. <u>Implementation of the BD Act, 2002 at local level by the Biodiversity</u> <u>Management Committees (BMCs)</u>

- A. Developing the common office procedure for the BMCs and provide relevant trainings to BMCs on account maintenance, trade of bioresources from their jurisdiction, levying fees etc.
- B. Exchange visits for BMCs (inter- and intra-state) for facilitating the functioning of BMCs

IV. Stakeholder dialogues

- A. Stakeholder meetings for the different sectors/developing material for awareness creation
- B. Organize public media work/ media workshops
- C. Workshops for addressing policy/decision makers
- D. Evolving an information dissemination system for media at SBBs
- E. Workshops and meetings with direct stakeholders traders; indirect stakeholders line department
- F. Impart trainings on legal issues for SBB and Expert Committees therein
- G. Round table consultation meetings with businesses



Summary of brainstorming session

NBA Indo-German Access and Benefit Sharing Partnership Project – Operational Planning workshop held on 16-18th November 2016

The ABS Partnership Project aims at strengthening the capacities of the National Biodiversity Authority (NBA), State Biodiversity Boards (SBBs), Biodiversity Management Committees (BMCs), as well as commercial user groups of biological resources for the effective implementation of ABS mechanisms in India.

An Operation Planning workshop was held from 16-18th November 2016 at National Biodiversity Authority to chalk out activities under the project. Dr. Meenakumari, Chairperson and Mr. Rabikumar, Secretary of National Biodiversity Authority along with Chairpersons and Member Secretaries of three project states viz: Maharashtra, Tamil Nadu and Uttarakhand and Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme of GIZ and ABS project personnel jointly prepared the Opertional Plan of activities for 2017. Dr. Hartmut Meyer, Global ABS Capacity Development Initiative, GIZ was the resource person and moderated the workshop.



2017

National Biodiversity Authority

GIZ special parallel session on "Scope and Challenges in Implementing Access and Benefit Sharing (ABS) in India"

Venue – Board Room (main building), Forest Research Institute, Dehradun Date: 05th April, 2017; Time 14:00–15:30 hours

The Access and Benefit Sharing Partnership Project aims at strengthening the capacities of the National Biodiversity Authority (NBA), the State Biodiversity Boards (SBB), Biodiversity Management Committees (BMC) and other stakeholder for the effective implementation of ABS mechanisms under the Biological Diversity Act 2002, in keeping with India's commitments under the Nagoya Protocol on ABS. This initiative is supported by the German Federal Ministry for Economic Cooperation and Development (BMZ) through the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. At the XIX Commonwealth Forestry Conference, GIZ had a special parallel event on the "Scope and Challenges in Implementing ABS in India". Apart from the keynote address, a special presentation on ABS from a Global Perspective and the ABS-Initiative, an open discussion was held on the topics as under:

- International dialogues and exchange on ABS implementation.
- Overview on the experiences and outcomes of ABS projects in other countries
- Obligations of users /industrial partners/researchers under the Biodiversity Act vis-à-vis ABS

Panel Experts:

- 1) Dr. B. Meenakumari, Chairperson NBA Chennai
- 2) Dr. Rakesh Shah IFS, Chairman, Uttarakhand State Biodiversity Board
- 3) Dr. R. S. Rana, Non-officio member NBA
- 4) Dr. AK Sharma, Scientist and Head NWFP Division, FRI Dehradun
- 5) Mr. Pravin Deshmukh, CII Representative
- 6) Ms. Kanchi Kohli, Legal Researcher
- 7) Mr. Suhel Al-Janabi, ABS Initiative, GIZ Germany
- 8) Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme, GIZ
- 9) Dr. Aeshita Mukherjee, Team Leader, ABS Partnership Project, GIZ

Session Moderator: Dr. Rashmi, Scientist, FRI

Welcome address - Dr. Konrad Uebelhoer

Briefing on ABS Partnership Project

- Experiences from Tropical Forest Management in South East Asia (<u>Philippines</u> etc.,)
- Shift in Tropical Forest Management from sustainable yield to multiple use of forestry and NTFP's utilization (in 1980s)
- Forest Management in consonance with Convention of Biodiversity (CBD)
- Objectives of CBD Conservation, Sustainable Use & Fair and equitable sharing of bio resources in line with sustainable development
- Nagoya Protocol and ABS implementation at the national & international stage
- ABS prominently in line with the theme of CFC itself which is "Forests for Prosperity and Posterity"

Key Note Address – Dr. R.S. Rana (Presentation)

- Explained the system of governance of Access & Benefit Sharing (ABS) and existing national legal framework in India for ABS Implementation
- Need for development of a single window system in implementation of BD Act for foreigners/non-Indian users
- Highlighted ABS good practices by GMCL in Khitauli, Madhya Pradesh; ICAR IIOR in Hyderabad, Telangana; Adai Aushadhi in Dediapada, Gujarat
- Emphasised on need for creating awareness & capacity building of stakeholders through active involvement of institutions, user sectors & ABS oriented projects by UNDP, GEF-UNEP & GIZ
- Articulated importance of regional cooperation among SAARC nations for addressing the common concerns towards implementation of ABS

ABS Global Perspective & ABS Initiative - Dr. Suhel al-Janabi (Presentation)

- Highlighted threat to tremendous potential of biological/genetic resources, that may have a major impact to sustainable development
- Provided information on global markets across various industrial sectors, which are dependent on biological/genetic resources
- Informed the house that more than 80% tradable bio-resources come from forests.
- Emphasized that the utilization of these resources is barely regulated, thus it scarcely could fetch benefit for providers

- Explained the three objectives of Convention of Biodiversity and importance of protocols like PIC/MAT that regulate the facilitation of access to Genetic Resources (GR) by provider' countries & ensure sharing of benefit arising from GR by 'user' country
- Gave an overview of permit requirements for bioprospecting & research in South Africa & Brazil
- Highlighted that most of the provider countries focus on ABS that mainly covers
 Genetic Resources (GR) but Traditional Knowledges (TK) are not fully covered
- Explained the core implementation process of the ABS Capacity Development
 Initiative and approaches of existing ABS Global, Regional & National Projects

<u>Progress of GIZ-ABS India Partnership Project - Dr. Aeshita Mukherjee (Presentation)</u>

- Access & Benefit Sharing (ABS) partnership Project was commissioned by Federal Ministry for Economic Cooperation and Development (BMZ).
 Implementation partner at national level are Ministry of Environment, Forest and Climate Change (MoEFCC), Government of India, and National Biodiversity Authority (NBA) & at state level State Biodiversity Board (SBB) of Maharashtra, Tamil Nadu and Uttarakhand
- Project aim towards strengthening capacities of NBA, SBBs & BMCs through Awareness Building, Evolving ABS Good Practices & Developing of ABS Monitoring System for NBA & Partner SBBs
- Success of the project shall be defined by two indicators i.e. Development of 10 ABS Good Practices & Evaluation of IT enabled ABS Monitoring system by NBA & partner SBBs
- Highlighted the potential primary & secondary stakeholders to be addressed through this project across the partner states
- Mentioned the probable districts in Maharashtra & Uttarakhand to be targeted under the scope of project. Also, emphasised potential bio resources, which would be focused for developing ABS Good Practices
- Discussed the project work progress in Tamil Nadu, which includes identification of BMCs, listing of bioresource based industries & Communication with govt. line departments for sharing information on BD Act & ABS Provisions

Panel Discussion

Moderator - Mr. Suhel Al-Janabi

Role of NBA in implementing ABS with SBBs in India - Dr. B. Meenakumari,

- BD Act, 2002 followed by Rules, 2004
- All 29 states of India have State Biodiversity Boards
- For Union Territories, NBA directly administers or delegates authority to National Biodiversity Council
- For Andaman, Union Territory council members identified, very soon set up will be made to function independently for all UT's
- BMC constitution is a challenge due to regional political scenarios
- Around 40133 BMCs have been constituted in India so far.
- There is a facilitation need for filling of Form-1 by user of Genetic Resources
 (GR)
- In Indian perspective, PIC/MAT is a tricky issue thus more emphasis is on signing of ABS Agreements
- There is need of constituting an expert committee to guide the parties for working out their business involving GR
- Adequate awareness should be given to stakeholders for effective implementation of BD Act
- India has the highest number of Internationally Recognized Certificates of Compliance (IRCC) to provide foreign researchers, access to India's Biodiversity. Until November 2016, 46 more IRCCs were issued by NBA.
- India is one of the pioneer countries in implementation of ABS

Achievements & Challenges of SBBs in finalising ABS - Dr. Rakesh Shah

- Challenges in ABS Implementation includes presence of several other laws & statues
- CBD's proprietary aspect to communities need to be emphasized
- Ownership for & by people need to be reiterated
- BMC are legal institutions hence they need to be given that necessary focus
- BMC's primary focus should be on preparation of PBR's as legal documents that will give the proprietorship to the communities

- PBR development needs to be overviewed by specialist
 – for better authentication
- Industries & users need to be given an environment which is enabling for compliance
- In order to overcome the issue if convincing the users for paying ABS fees, awareness building is very essential
- Transboundary issues need to be assessed
- Uttarakhand State Biodiversity Board has helped Nepal for enacting ABS Protocols
- Political agendas are not necessarily very conducive for effective implementation. Further, frequent change in political landscape creates a lot of discontinuity

Obligation of Researchers under BD Act vis-a-vis ABS - Dr. A.K Sharma

- NTFP's are major commodities sourced from forest areas
- 275 million people directly & indirectly dependent on forests resources
- Under BD Act, all rights with respect to NTFP's are given to Gram Sabha through formulation of ABS
- Non-monetary benefits need to be emphasized
- Resource quantification needs to be taken into consideration
- Sustainable management of NTFP's is very essential
- Possibility of contradiction between State Biodiversity Board & Forest Department over ABS fees collection for conservation

Role of CII in Bridging gap between Industries and NBA on ABS - Mr. Praveen Deshmukh

- India Business & Biodiversity Initiative (IBBI) Focus on Industries undertaking biodiversity & ecosystem services
- Confusion among companies over ABS regulations applicable, even if a single share is owned by a foreign entity
- Transparency by respective authorities over the utilization of ABS fees for conservation activities
- Develop business case studies for conservation of biological resources

- Non-monetary benefits need to be approved & showcased in international markets
- Certification mechanism should be introduced by authorities for promoting the ABS compliance by users

Beyond benefit claimers: community role in ABS decision making? - Mrs. Kanchi Kohli

- Bringing ownership in jurisdiction with regard to ABS issue
- Need of awareness on what specifically is termed as bio resources
- Explore ways & means of imposing BD Act,2002
- Peoples ownership, understanding & benefits from the entire process needs to be clearly charted
- Advocating & promoting issues followed by conflict redressal mechanisms to be developed
- Consultation in decision making process to be enforced
- Actual benefit sharing happens when communities have Prior Informed Consent (PIC)
- BMCs lack capacities to augment their resource potential
- Supply chain mechanism integrating ABS framework, to be determined

Concluding remarks and recommendations - Dr. Suhel Al-Janabi

- Emphasize to be given on making the structure of benefit sharing mechanisms and the cyclic process that follow, very sustainable & resilient
- Local level participation needs to be enhanced
- Capitalize on India's unique 3- tier structure
- Fair trade certification practices shall be encouraged
- Identification and development of ABS compliant sustainable value chains
- Awareness generation and Capacity building of BMCs and other stakeholders
- Involvement of forest department and other relevant government departments in planning, resource mobilisation and benefit sharing.

Vote of Thanks: Dr. Aeshita Mukherjee-Wilske, Team Leader, ABS Partnership Project, GIZ

On behalf of the session organiser, the very positive response of the participants to the invitation and the presentations and discussion points delivered by the chair, cochair, experts and panellists were thankfully acknowledged. Deep gratitude and appreciation was communicated to Dr. Savita, Director FRI and her team for the generous support and cooperation in the smooth conduct of the event. Thanks were also extended to the print media for the good and encompassing coverage of the GIZ's special session on ABS.



Group Photo: GIZ special parallel session at CFC 2017

Attendees:

- 1) Dr. Vilas Bardekar, Chairman, Maharashtra State Biodiversity Board
- 2) Dr. V K Sinha, Member Secretary, Maharashtra State Biodiversity Board
- 3) Mr. S Mohapatra, Member Secretary, Tamil Nadu State Biodiversity Board
- 4) Mr. SS Rasaily, Member Secretary, Uttarakhand State Biodiversity Board
- 5) Dr Sudhanshu Gupta, CCF, Planning & Development, TN Forest Department
- 6) Mr. Dhananjay Prasad, Deputy Director, Uttarakhand State Biodiversity Board
- 7) Dr. Rahul Mungikar, Senior Consultant, Maharashtra State Biodiversity Board
- 8) Dr. Geeta Nayak, Team Leader, ABS Partnership Project, GIZ
- 9) Dr. Peerzada Ishtiyak Ahmad, Technical Expert, ABS Partnership Project, GIZ
- 10) Mr. Anil Kumar Joshi, Technical Expert, ABS Partnership Project, GIZ

- 11) Dr. Priya Narayanan, Technical Expert, ABS Partnership Project, GIZ
- 12) Mr. Marimuthuram Mahendran, Technical Expert, ABS Partnership Project, GIZ
- 13) Ms. Patricia Dorn, Junior Advisor, Indo German Biodiversity Program
- 14) Mr. Mithilesh D Kandalkar, Technical Expert, ABS Partnership Project, GIZ

Other 63 participants consisting of Indian/Foreign delegates of CFC 2017, Scientists & Research Scholars from FRI & WII.

Capacity Building Workshop on 'Communication Strategies for ABS'

Venue - Board Room, UKSBB, Dehradun

Date: 6th April, 2017; Time 09:30-15:30 hours

Key Participants:

- 1) Dr. B. Meenakumari, Chairperson NBA Chennai
- 2) Dr. Rakesh Shah IFS, Chairman, Uttarakhand State Biodiversity Board
- 3) Dr. Vilas Bardekar, Chairman, Maharashtra State Biodiversity Board
- 4) Dr. V K Sinha, Member Secretary, Maharashtra State Biodiversity Board
- 5) Mr. S Mohapatra, Member Secretary, Tamil Nadu State Biodiversity Board
- 6) Mr. SS Rasaily, Member Secretary, Uttarakhand State Biodiversity Board
- 7) Mr. Suhel Al-Janabi, ABS Initiative, GIZ Germany
- 8) Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme, GIZ
- 9) Dr. Sudhanshu Gupta, CCF, Planning & Development, TN Forest Department
- 10) Mr. Dhananjay Prasad, Deputy Director, Uttarakhand State Biodiversity Board
- 11) Dr. Rahul Mungikar, Senior Consultant, Maharashtra State Biodiversity Board

Welcome address - Dr R.K Shah

- Introductory salutations
- Briefing on the rich biodiversity in Uttarakhand (UK)
- Explained that fundamental aspects of Biological Diversity Act, 2002; followed by a brief note on the Biodiversity Management Committee (BMC)

- Reiterated the importance of the bottom up approach and the establishment of BMC at every local body
- In UK, the process of BMC constitution is a continuous process; Effective handholding and awareness creation has led to constitution of close to 1000 BMC's out of a total of 8000 local bodies
- Chronicling of PBR's should be very precise; for example species flowering seasons etc should also be registered
- UKSBB is also promoting internship programs for researchers doing MSc / PhD
- UKSBB has also been instrumental in developing 2 diploma courses with Graphic Era University on Biodiversity Act etc.;
- Capacity building program for industries are being planned at regular intervals
- UKSBB has at present 25 functional ABS mechanisms
- Direct negotiations with communities need to be encouraged since experiences
 highlight that for industries ABS is more a mechanism or tool, but for
 communities it could be mainstreaming resources and enhancing livelihood
- It was also highlighted that, UKSBB plays an important advisory role; Further it acts as a regulator and facilitator depending on the need
- NGO's have definitely stood out as the most important TSG in documenting PBR's and liasoning between the BMC's – UKSBB
- UKSBB also has 4 expert groups for aiding the implementation process
- UKSBB is also involved in updating the threatened species list, identifying BHS sites and enforcing biodiversity as an important issue for all EIA process

Opening Remarks - Dr Konrad Uebelhör

- Briefing on the current GIZ IGBP projects, rationale and scope
- Importance of ABS in the ecosystem services valuation cycles was emphasized
 ; Role of ABS in all spheres and overlaps with the newer projects in GIZ was also highlighted
- Role of ABS initiatives and its spread and implementation process in other countries was briefed
- Importance of communication strategy for ABS issues and the role of the project in particular was highlighted

- People centric approaches are the most important aspects that need to be considered for ABS related issues
- The instruments in ABS mechanisms like PIC, MAT and their roles and directions in value chains need to be explained really well to all stakeholders

Comments - Dr Suhel Al-Janabi

For communication strategy to be designed the Key stakeholders need to be identified/

Change in behaviour / dynamics with time need to be monitored of the different stakeholders/ Communication objectives need to be clearly defined at the stakeholder– level

Presentation 1: <u>Communication Strategies for ABS: Global perspective- and its integration in ABS partnership project (India)- Dr Suhel Al-Janabi</u>

- Preliminary and most important step is identification of stakeholders; Who,
 When, Where are relevant to the project
- Lack of awareness is an important issue, but this need to be tackled. Smaller niches need to be identified along with the allies who could be the first group of well aware of activities and steps forward
- Target groups interests need to be very focussed and the role of BMC and SBB in all activities need to be well defined
- Challenges for ABS is the technical concept needs a longer time to materialize.
 Propagation of ABS needs to be done based on best practices and testimonials
- Targeted communication needs to be the priority; the global communication strategy involves a process of gathering relevant groups, selecting target based language for communication
- CEPA toolkit could be used to tailor the communication strategies for ABS partner states in India
- Priorities for strategizing should start with identifying key stakeholders, recording change in behaviour and assessment of communication objectives at the stakeholder level

Comments - Dr V.K Sinha

- Clarity of contents to be communicated for education of different stakeholders,
 should be the priority for all partners
- Experiences and comparisons can be drawn from other Acts (Income Tax Act)
 in India for better clarity and interpretation on implementation of BD Act
- Capacity of institutions (specifically BMCs) should be assessed and enabling participatory environment to be developed
- Continues exchange of information, course corrections should take place to understand what, when, how things are to be communicated to different stakeholders
- There is a need for situation analysis for identification of relevant stakeholders and develop the customised communication strategy accordingly

Presentation 2: <u>Valorisation/ Biodiversity based value chains – where does the Nagoya Protocol kick in? - Dr Suhel Al-Janabi</u>

- Explained the terminologies such as Genetic Material, Genetic Resources,
 Utilization of Genetic Resources & Biotechnology
- Explained the supply chain of Research & Development and interactions between users & providers in this process
- Highlights GR based businesses global market to guide policy makers in establishment of effective national ABS Mechanism
- Discuss the supply chains, were microorganism & enzymes like Teff, Argan & Euphoriba Peplus are put to commercial use. Specifically its market potential and R&D
- Graphical explained various phase of value chain i.e Pre-Access, Research & Development, Business Plan and Production. Also explained the relevance of PIC/MAT in these phases and importance of checkpoints for smooth trancision across various phases.

Presentation 3: <u>The Provider – user interplay under the Nagoya Protocol. Which</u> "compliance" do checkpoints address?

• Explained the role of Provider, User & Regulator in ensuring that ABS partnerships are implemented and benefits shared in a fair and equitable way

- Explained step by step interplay between the above stakeholders, consisting of various protocols such as PIC, MAT & most importantly the permit
- Discussed the article 15 & 16 applicable to domestic users and article 17, 18 &
 30 complying with various protocols
- For effective compliance encourage users & providers to include provision of MAT
- Explained the measure for effective monitoring of genetic resources such as Internationally recognised certification of compliance
- Explained the EU ABS Compliance Regulation 511/2014. Discussed all the 6 conditions applicable for the same

MS – TN / Mr. Subrat Mohapatra

- Experiences on the situation in TN suggest that political will definitely is the
 most important challenge. However the institutional mechanisms already in
 place can be used or targeted to get an understanding on how BD Act, 2002
 and its provisions can be pictured
- TN has very rich biological resources, however approaches to mainstream the objective of ABS needs to be assessed in detail
- For TN currently, situational analysis and identifying stakeholders is the priority
- The importance of ex situ & in situ conservation especially with regard to animal husbandry, fisheries etc needs to be given very high priority

Concluding remarks: Dr Konrad Uebelhör

- Situation analysis should be undertaken at each state, followed by identification of stakeholders involved in the mechanism. Deadline for the same was set as 'End of May 2017'
- Develop a checklist of success factors for ABS Good Practices and a rating mechanism based on these parameters to access potential of ABS practices

Concluding remarks: Dr V K Sinha

 Deadline for situation analysis & stakeholder identification for state of Maharashtra should be mid of July 2017

Attendees:

- 1) Mr L M Kaul, Research officer, Uttarakhand State Biodiversity Board
- 2) Mr Satish Semwal, Research Officer, Uttarakhand State Biodiversity Board
- 3) Mr Surendar Lal, Extension officer, Uttarakhand State Biodiversity Board
- 4) Mr P Gautam, IT Expert, Uttarakhand State Biodiversity Board
- 5) Dr. Geeta Nayak, Team Leader, ABS Partnership Project, GIZ
- 6) Dr. Peerzada Ishtiyak Ahmad, Technical Expert, ABS Partnership Project, GIZ
- 7) Mr. Anil Kumar, Technical Expert, ABS Partnership Project, GIZ
- 8) Dr. Priya Narayanan, Technical Expert, ABS Partnership Project, GIZ
- Mr. Marimuthuram Mahendran, Technical Expert, ABS Partnership Project,
 GIZ
- 10) Ms. Patricia Dorn, Junior Advisor, Indo German, Biodiversity Program
- 11) Mr. Mithilesh D Kandalkar, Technical Expert, ABS Partnership Project, GIZ



Group Photo: GIZ Capacity Building Workshop

Meeting with National Biodiversity Authority (NBA), State Biodiversity Boards (SBB) of Maharashtra, Tamil Nadu, Uttarakhand, and GIZ ABS Partnership Project Team on 9th November 2017, Chennai

A meeting was held on 09 November 2017, between NBA, SBBs of Maharashtra and Tamil Nadu and Uttarakhand with the ABS Partnership Project Team from GIZ, under

Chairpersonship of Dr. Meenakumari, Chairperson, NBA (List of Participants is at Annex I) The purpose of meeting was to define roles and responsibilities, steering structure, reporting arrangement and to develop a plan of operation for 2018 for the ABS Partnership Project (Meeting Agenda is at Annex II).

The meeting began with the completion of the signing process of the Implementation Agreement for the ABS Partnership Project. Approval for signing the Implementation Agreement was provided by the Department of Economic affairs (DEA), Ministry of Finance, and Government of India. The primary signatories, comprising Additional Secretary, Ministry of Environment, Forest and Climate Change (MoEFCC) and Country Director, GIZ India, had initialled the Implementation Agreement in Delhi on 30 October 2017. The second set of signatories, comprising Director, Indo-German Biodiversity Programme and Chairperson, NBA, completed the process by signing the Implementation Agreement at NBA, Chennai on 09 November 2017.

In the introductory remarks, the Chairperson pointed out that the IA now helps to clearly define project timelines and deliverables and offered the full support of NBA and SBBs to achieve the ABS Partnership project objectives.

The Secretary, NBA welcomed the formal start of project activities and stated that planned activities under the project would strengthen the NBA and SBBs.

Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme at GIZ highlighted contribution of overall biodiversity programme in achieving SDGs and GIZ will looking forward to work with NBA and SBBs.

MoEFCC will be requested to send a formal letter to Chief Secretaries of partner states (with copy to NBA and SBBs) informing them of the completion of due process of project initiation.

Mr Farhad Vania, Portfolio Management Advisor, GIZ informed that the 3rd Indo-German Environment Forum (IGEnvF) is scheduled to be held in New Delhi in the first half of 2018 and the highlights of the ABS Partnership Project could be presented at the occasion.

SUB-PROJECTS AND WORK PACKAGES

Highlights of the *ABS Partnership Project Planning 2016 – 2020* were presented by the GIZ ABS Partnership Project Team. (See Annex III for copy of presentation and Annex IV for copy of the Operational Planning document)

Sub-project 1: Strengthening NBA & SBBs to better implement BDA & ABS

Work package: ABS Communication and outreach strategy

- A number of communication products are proposed ranging from sectoral briefs, short films etc. Chairperson, NBA pointed out that similar products were being developed in other projects and by SBBs. As far as possible duplication of effort and content must be avoided.
- Secretary, NBA stated that on matters related to Biodiversity Act it would be important to keep uniformity of content, messages and interpretation of procedures. However, State-specific lessons and examples must also be incorporated and represent regional characteristics. These elements will have to be reflected in the communications strategy of the project.

<u>Sub-project 2: Supporting bio-resource users in adhering to BDA obligations</u>

- Uttarakhand SBB is pioneering an 'ABS compliance' procedure for all locally produced biodiversity-based products. A logo is currently under development that will signify that a product is ABS-compliant. UKSBB will keep NBA informed of the process and examine the potential for it to be taken up as a 'good practice' by other SBBs. Support of the ABS Partnership Project will be sought on a need basis for this exercise.
- Facilitating the businesses to develop of a Voluntary Code of Conduct, standard procedure, and best practices (Art 20 of Nagoya Protocol) for under the Biological Diversity Act may be explored through the project.

Sub-project 3: Developing tools & methods

In the ABS Partnership Project, it is envisaged that at least one master trainer
per district will be trained in all districts in project states. The pool of trainers
may comprise local persons, such as retired line department officials, school /
university academics, NGO representatives.

 This activity will have to be in coordination with NBA/CEBPOL which is collaborating with NIRD to develop a national master trainer's manual.

Sub-project 4: Strengthening BMCs to implement the provisions of BD Act

Work package: Development of good practices

- The Project is committed to supporting up to 10 BMCs in each partner state as
 part of the strengthening process. However, since each state has a varying
 starting point (e.g. Uttarakhand BMCs are well established while in Tamil Nadu
 BMCs are yet to be established) the type of input to be provided to each BMC
 will have to be carefully considered.
- The project will document existing cases of ABS in India and develop criteria for identifying good practices. This will be shared with SBBs in India through a publication.
- Further, as part of dissemination of good practices, regional workshops will be conducted to include both partner and non-partner states.

Sub-project 5: Enabling NBA to monitor utilisation of Indian bio-resources

- The draft Terms of Reference (ToR) for the development of an IT-based monitoring tool has been under discussion, the Technical Officer (IPR), NBA has been invited to provide inputs. NBA has asked for the IT consultant to be physically available at NBA at selected points in time of the assignment. Final agreement on the ToR including deliverables and schedule will be given by NBA as the client end-user of the product.
- Project may consider holding a scoping workshop during first guarter of 2018.

As part of general comments it was pointed out that the sub-projects and work packages will have to be accompanied by supporting narrative text to explain purpose and outcomes.

It was agreed that NBA and SBBs will have an opportunity to comment on the five subprojects and related work packages. Dr Geetha Nayak, Team Leader, ABS Partnership Project will prepare a revised version incorporating all comments from NBA and SBBs.

STEERING STRUCTURE & REPORTING

It was agreed that the Project Steering Structure will comprise:

Project Steering Committee (PSC)

PSC will be constituted by MoEFCC under appropriate Chairperson and Member-Secretary and will be expected to meet once a year. Following constitution of PSC, the first meeting will endorse the *ABS Partnership Project Planning 2016 – 2020,* among other agenda items.

Secretary, NBA emphasised that the annual work programme has to be approved by PSC before commencing the project activities. Further, the Project Steering Committee will have to approve the planning document in its first meeting, expected to be held in the first quarter of 2018.

Meeting with SBBs

Meeting with pilot State Biodiversity Boards will be organised back-to-back with the annual meeting of NBA and SBBs (with sufficient gap between both meetings). SBBs of non-Project states may also be invited as special invitees to participate in these meetings.

Reporting and monitoring

Project staff shall submit monthly activity report to respective SBBs and these reports will be prepared in an agreed format, will be kept on record by the SBBs and not required to be sent to NBA.

The project staff shall submit the tour plan in advance along with purpose and period of such duty travel to NBA or SBBs as the case may be.

The ABS Partnership Project Team will submit a quarterly report for NBA, in a preagreed format, on all activities planned in that quarter with status of progress and identification of any issues that require intervention/inputs of concerned authorities. Quarterly reports of SBB activities would be endorsed by the Member Secretary to

send to NBA. Formats for monthly and quarterly reporting will be prepared by project staff and shared with SBBs.

For all communication with NBA, the point of contact shall be Secretary, NBA. In SBBs, the point of contact shall be Member-Secretary, SBB. It was agreed to keep the communication load at the level of Chairperson, NBA and Chairperson, SBBs to the minimum and only when absolutely necessary.

Results-based Monitoring (RBM)

The RBM instrument has been developed by GIZ as a tool to monitor project activities up to outcome level, use of time and resources and anticipate risk factors.

Sub-project indicators will have to be kept conservative at an achievable level. Several instances of high percentage indicators were identified by participants. As part of revising the planning document, the current achievement percentages will be reconsidered for all sub-projects.

NBA Secretary brought to attention the fact that the ABS Partnership Project Team will have access to sensitive industry-related information, legal interpretations of the BD Act and other information, all of which has to be treated with utmost caution. Information sharing with third parties will have to be kept to a minimum and need-based only, with appropriate oversight by MoEFCC, NBA, SBBs and GIZ. The project will only function at its optimum in an atmosphere of trust and cooperation.

The meeting ended with a vote of thanks to the Chairperson and to all participants.

Participation in workshop on Advancing Implementation of the Nagoya Protocol held in Brussels on 21-23th November 2017

The ABS Partnership project participated in an international exchange on key challenges and practical ways forward in implementation of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization. Dr. Geetha Nayak presented on implementation of access and benefit-sharing in India which highlighted key access provisions in national legislation on biodiversity (the Biological Diversity Act, 2002) and application procedures for accessing biological resources from India.

The workshop focused on a range of aspects related to access regulations in bioresources provider countries such as Costa Rica, India, South Africa, Mexico, Malaysia, Ethiopia etc. Practical challenges for users from industries, public research institutions and way forward was discussed.

This workshop was organized by Directorate-General of Environment of the European Commission and over 30 countries including EU member states, representatives from bio-tech, health, plant breeders & seeds, cosmetics sectors academia, and culture collections participated in this workshop.



Maharashtra

International Day for Biological Diversity 2017 celebration at Maharashtra

On the occasion of International Day for Biological Diversity (IDBD), a workshop was organised at Nagpur, Maharashtra by Maharashtra State Biodiversity Diversity Board (MSBB). The theme for this year was 'Biodiversity & Sustainable Tourism', thus the event witnessed huge participation from Maharashtra State Forest Department & Tourism Department. Main attraction of workshop were the participants from BMCs & NGOs working on biodiversity subject. Representative of around 50 BMCs across the state of Maharashtra participated in this workshop. Various talks were organised

focusing majorly on two topics i.e. Biodiversity Conservation & Eco tourism. Roles of local communities/BMCs/JFMCs were thoroughly discussed during these interactions.

Dr V K Sinha, Member Secretary, MSBB, in his welcome note, thanked GIZ for initiating ABS Partnership Project in Maharashtra and for supporting few BMCs & resource organisations for participating in this workshop. Honourable Shri Vikas Kharge, Principal Secretary (Revenue & Forest) explicitly spoke about need for strengthening of BMCs through continuous hand holding support & importance of development of PBR, as a ground for successful implementation of BD Act. Honourable Justice Shri Sunil Shukre, also expressed necessity for having a robust approach by MSBB towards implementation of BD Act.

Exhibition was also arranged at the venue by various line departments of Forest. MSBB has invited ABS Partnership Project for demonstrating the project work in Maharashtra. In order to disseminate this information a banner highlighting the districts, bio resources coming under the scope of project and supply chains of few bio-resources along with their commercial uses, was prepared.

The workshop successfully directed towards need for development of a community centric approach for conservation of biodiversity.

Media coverage:

http://timesofindia.indiatimes.com/city/nagpur/forest-dept-urged-to-save-biodiversity-effectively/articleshow/58796520.cms



Tamil Nadu

Workshop on the Biological Diversity Act, 2002 and Access and Benefit Sharing Regulation 2014 for line department officials, Theni District in Tamil Nadu held on 29th April 2017

The Tamil Nadu Biodiversity Board and GIZ organized a workshop on the Biological Diversity Act, 2002 and ABS Provisions 2014 under the Access and Benefit Sharing Project in Theni district of Tamil Nadu on 29 April 2017. The participants were officers from district administration and from various departments dealing with bio-resources such as forests, agriculture, horticulture, animal husbandry etc.

This workshop aimed at creating awareness on the important provisions under the Act related to constitution of the Biodiversity Management Committees, roles and responsibilities of BMCs, documentation of PBRs, procedure to access the biological resources by the commercial users etc. Workshop also highlighted examples of benefit sharing from Kani case, broom grass from Tripura.

The workshop was focused on providing the understanding that, all biological resources come under the purview of the Act and it is not just limited to resources coming from forests. Certain exemptions under Act was also highlighted.

The District collector of Theni, Thiru. N. Venkatachalam requested specific information on constituting BMCs and documentation of PBRs. Participants were keen on knowing whether provisions of the Act are applicable for cultivated resources and Act can be invoked for preventing exploitation by commercial breeders and conservation of local breeds of Combai dogs in Tamil Nadu.

Dr. CP Rajkumar, Member of Tamil Nadu Biodiversity Board was present and assisted in organizing this workshop.

Participants also expressed the need for training workshops to gain understanding of their role in implementing the Act and constituting the BMCs. Forty-three participants attended the workshop.





Celebration of International Day for Biological Diversity 2017 at Tamil Nadu Biodiversity Board, Chennai, India

International day for Biological Diversity was celebrated at Tamil Nadu Biodiversity Board (TNBB) in association with Tamil Nadu Forest Department and Tamil Nadu Conservation Greening Project on 22nd May 2017.

To create awareness among public, a biodiversity walk was organised at a prominent location in Chennai, Elliots Beach, Besant Nagar in the morning on 22nd May. Volunteers from Tree Foundation Chennai participated along with fishermen community of the region. There was a heartening response received from public, having about 160 people participated in the 3 km along the beach.

The Hon'ble Minister for Forests, Thiru. Dindigul. C. Srinivasan, who is also Chairperson of the Tamil Nadu Biodiversity Board highlighted the activities of the Board in his speech and made reference to the Indo-German project on Access and Benefit Sharing for strengthening the activities of the Board and establishing the BMC in the state of Tamil Nadu. He distributed cash incentives to members of the Irula

community as part of the revenue sharing mechanism. He also launched first forest drone in Tamil Nadu developed through WII, India.



The Hon'ble Minister for Forests, Thiru. Dindigul. C. Srinivasan addressing the gathering at IDB organized by Tamil Nadu Biodiversity Board



Biodiversity Walk at Elliots Beach, Besant Nagar, Chennai.

Various talks emphasised the importance of biodiversity conservation, sustainable utilization and community-based approaches. About 200 people participated in the event.

TNBB along with GIZ India through Access and Benefit Sharing Project will be holding workshops in Tamil Nadu for creating awareness on biodiversity in June 2017.

Uttarakhand

International Day for Biological Diversity 2017 celebration at Uttarakhand ICFRE Auditorium, Dehradun, Uttarakhand

On the occasion of International Day for Biological Diversity (IDB), an event was organised at Dehradun, Uttarakhand by Uttarakhand State Biodiversity Diversity Board (UKSBB). The theme for this year was 'Biodiversity & Sustainable Tourism', thus the event witnessed participation from Eco-tourism department and other related departments of the state government.

The Forest Minister in his speech in the main event said that relating Biodiversity to Sustainable Tourism is the key challange for the state at policy level. An invited lecture was also given the famous nature photographer Mr. Anoop Shah. He informed the audience regarding the Biodiversity and nature tourism with various pictures and photographs.

The Traditional Knowledge exhibition was the main attraction of the event, the chairman of the state Board Dr. Rakesh Shah introduced GIZ to the honourable Forest minister.

The following stalls were exhibited in the exhibition:

- Traditional Craft (Lok Sewa Samiti, Ranikhet).
- Biological resource (nettle fibre) based craft showcase and GIZ initiative.
- Traditional human and veternary healers based on medicinal plant.
- Eco-tourism and sustainable.
- Biodiversity Sustainable waste management.
- Traditional craft system of Kumaon (CHEA, Pithauragarh & Nainital).

The Member –Secretary of the board Mr. SS Rasaily, thanked GIZ for the contributions and Technical support in organising the exhibition. Which will also be mentioned in the final report submitted to NBA.

The event had following components:

- Main event.
- Traditional Knowledge Exhibition.
- Photograh Exhibitio.
- Competition on photography, poster Video etc.





Forest Minister of the Uttarakhand visiting the ABS (GIZ+UKSBB) stall





An Interactive Workshop on Awareness Generation and the Implementation of Pilot Studies in Uttarakhand held on 14th November 2017

The Access and Benefit Sharing (ABS) Partnership Project organised an interactive workshop for officers from the Uttarakhand Forest Department on 14th November 2017 at Dehradun. The workshop focused on the awareness generation and validation of pilot studies conducted on bio-resource assessment and value chain analysis of ABS potential species/products in selected districts of Uttarakhand.

This one-day workshop provided an opportunity for exchange of ideas on the implementation of Biodiversity Act 2002. An interactive session on the topic of ABS in Uttarakhand was discussed among officers of the Forest Department, State

Biodiversity Board, scientists, NGOs and technical support groups. The discussion focussed on the results of the pilot studies conducted on ABS potential bio-resources and their value chain analysis in selected districts of Uttarakhand.

Dr. Aeshita Mukherjee informed the audience about the Indo-German ABS Partnership Project and presented the methodology, tools and techniques that the project will use to implement the Biological Diversity Act 2002 vis-à-vis ABS in Uttarakhand and the other project states in India.

Dr. Peerzada Ishtiyak moderated the technical session which focussed on the pertinent issues of implementation of Biological Diversity Act 2002. Discussions were also held on the ABS potential bio-resources and their value chain in the state. The initiatives of the ABS Partnership Project for strengthening the capacities of the stakeholders and awareness generation were appreciated.





ABS Workshop for Bio-resource Based Industries of Uttarakhand

Bio-resource based industries are significant in the Access and Benefit Sharing (ABS) mechanism, it is therefore, important to alleviate their level of understanding towards the mandatory obligations of the BD Act 2002. The ABS Partnership Project organised a workshop on the bio-resource based industries of Uttarakhand on 17th November 2017 in Dehradun. The workshop focussed on awareness generation and obligation of the industrial houses in Biological Diversity (BD) Act 2002 and further possible solutions.

The workshop was addressed by Mr. Harak Singh Rawat Hon'ble Minister for Forests and Wildlife Uttarakhand Government, Mr. SS Rasaily Member Secretary Uttarakhand State Biodiversity Board, Dr. Aeshita Mukherjee Team Leader GIZ and Mr. Verendra Kala, Co-Chairman PHD Chamber Uttarakhand.





2018

National Biodiversity Authority

Workshop and Dialogue on Access and Benefit Sharing (ABS) for Business at Chennai and New Delhi in April 2018

The National Biodiversity Authority, Chennai, Ministry of Environment, Forests and Climate Change, New Delhi and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, New Delhi conducted two workshops of one-and-half days each under the Access and Benefit Sharing Partnership Project on 24 – 25th April, 2018 at Chennai and on 26 – 27th April, 2018 at New Delhi.



The workshop aimed to increase exchange of dialogue between regulatory authorities and users on regulatory frameworks and best practices for Access and Benefit Sharing (ABS)

compliance as part of achieving the objectives of the Biological Diversity Act, 2002 and its ABS provisions.

Over 30 participants each representing different Indian companies were present in Chennai and New Delhi and the sessions were facilitated by Ms. Maria Julia Oliva, Senior Coordinator for Policy and Technical Support, Union for Ethical BioTrade, The Netherlands. She described the key concepts of ABS and implementation of the Nagoya Protocol in different countries around the world. Shri T. Rabikumar IFS, Secretary, National Biodiversity Authority highlighted and explained the interpretation of the Biological Diversity Act, 2002 to provide further clarity on the application, processes involved to gain approval from the National Biodiversity Authority (NBA) as per the Biological Diversity Act, 2002 and the ABS Regulations 2014 for the same. He also encouraged constructive feedback from the participants and increased dialogue to facilitate a cooperative relationship between the authorities and the businesses. Professor R. S. Rana, Chairperson of the Expert Committee on Agro Biodiversity at NBA and Member of Steering Committee for ABS Partnership Project responded to

various procedural aspects and provided background on its principles under the Biological Diversity Act, 2002 and interacted with the participants at New Delhi.

There were various interactive group sessions on discussion of hypothetical case studies as well as an opportunity for the participants to present their specific case and



challenges posed by procedural complexities including proposals to overcome. They also had an opportunity to interact with authorities to clarify their queries on the Biological Diversity Act, 2002 and ABS compliance. Participants requested follow-up sector-specific workshops where they could present sectoral challenges, like for example, nomenclature of bacteriophage, bio-discovery projects and explore ways to maintain appropriate ABS compliance.

Session on 'Sustainability, equity and biodiversity-friendly production' held at Global Exhibition Services, Mumbai in May 2018

Projects on Private Business Action for Biodiversity (PBAB) and the Access and Benefit Sharing (ABS) Partnership jointly held a session on "Sustainability, equity and



biodiversity-friendly production" at CII's Business, Biodiversity and Climate Change Conference held in Mumbai as a part of annual Global Exhibition Services on 16th May 2018 organized by Department of Commerce, Government of India.

Companies and organisations that are

working closely on aspects of sustainability through certifications, integrated supply

chain management of biodiversity-friendly agriculture, particularly spices and compliance with Access and Benefit Sharing under the Biological Diversity Act 2002 presented their experiences in the session. Challenges in establishing a biodiversity



centric business model considering the aspect of climate change were also discussed. Panellists were Dr S. Badri Narayan, Head Bio-resource Development, Dabur R&D Centre, Ms Asha Sridhar, Head Food Safety, TUV Nord India Pvt, Mr Pramit Chanda, Country Director-IDH India, Sustainable Spice Initiative and Dr J. Thomas, Director Sahyadri Research Institute for Eco-Farming and Rural Technology.

Panel discussions focused on efforts required for ensuring transparency and traceability issues in agriculture and forest produce.

National Workshop for developing Communication Strategy to enhance awareness on Access and Benefit Sharing (ABS) under the Biological Diversity Act, 2002 held in May 2018 at Chennai

Capacity building and raising awareness on Access and Benefit Sharing (ABS) are one of the key components of the ABS Partnership Project. A national workshop for developing ABS communication strategy was held in Chennai on 2-3rd May 2018. The two-day workshop brought together participants from different sectors including the National Biodiversity Authority (NBA), State Biodiversity Boards (SBB), legal professionals, domain knowledge experts, experts from Indian institutes specialised



in development
communication, media
professionals, representatives
of companies using biological
resources from India and other
ABS projects in India. The

workshop was aimed to identify and design an effective communication strategy on target stakeholders to speed up the effective implementation of ABS in India.

Implementation of ABS processes requires the participation of multi-stakeholders at various levels and interventions needed for raising awareness and capacity building depends on their role. In this workshop, ten stakeholder groups who have key roles in the ABS process were identified and the workshop participants carried out detailed

analyses of the current level of understanding of ABS among those target stakeholder groups. The participants also discussed ABS



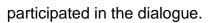
implementation using the selected tools highlighted in the manual <u>"Strategic</u> Communication for ABS – A conceptual guide and toolkit for practitioners".

Participants discussed the role of those stakeholders in steering the ABS process, their core interests, followed by the implication for communication objectives for each stakeholder group. Prospective partner organisations for developing communication and awareness materials, dissemination and more was also discussed and documented in the workshop. This workshop was designed and moderated by Ms Kathrin Heidbrink, communication expert and Mr Suhel al-Janabi, Co-Manager of ABS Capacity Development Initiative, GIZ, Germany.

The outcome of this workshop will be used in developing targeted communication materials, message designs and communication channels to suit the capacity building requirement of stakeholders for effective implementation of ABS in India.

Participation in the third ABS Dialogue held in May 2018 at Mexico City, Mexico

Dr. B Meenakumari, Chairperson, National Biodiversity Authority, participated in the "Third ABS Dialogue on Key Challenges and Practical Ways Forward for the Implementation of the Nagoya Protocol and its Contribution to the 2030 Sustainable Development Agenda" on 24-25 May 2018 in Mexico City, Mexico. Representatives from Africa, European Union, Honduras, India, Kenya, Mexico, Peru and Vietnam





The dialogue facilitated the sharing of experiences on national-level implementation of the Nagoya Protocol. Procedures for access to genetic resources, fair and equitable sharing of benefits arising

from their utilisation, protection of associated Traditional Knowledge (TK) and role of Indigenous People and Local Communities (IPLC) were discussed.

Dr. Meenakumari presented India's progress on associated traditional knowledge, as well as experiences and good practices in relation to the Access and Benefit-Sharing system in India. India has the highest number of Internationally Recognised

Certificates of Compliance (IRCCs) generated in ABS-Clearing House (ABS-CH) for access approvals provided by the National Biodiversity Authority.

With regard to TK, she highlighted the critical distinction between TK in 'public domain' versus 'publically available' and emphasised that prior informed consent and benefit sharing agreements are mandatory even in the 'publically available' TK.



She acknowledged that TK of IPLCs is a complex issue, which requires more focus to achieve protection of TK while ensuring benefit-sharing of its utilisation to the IPLCs.

Participation in annual conference on Beauty of Sourcing with Respect in June 2018 at Paris

Mr T. Rabikumar, Secretary, National Biodiversity Authority, participated in the Union for Ethical BioTrade (UEBT) annual conference for companies from the beauty, food, beverage and pharmaceutical sectors on 19-20 June 2018 in Paris, France. Speakers at the conference included representatives from Natura Cosmetics, Weleda, L'Oréal,

Symrise, Marin Bauer, Capua 1880, Seppic, Plant Advanced Technologies, Rainforest Alliance, Sederma, WWF, Global Nature Fund, Sustainable Food Lab, Tatil Design, United Nations Convention on Biological Diversity, and additional experts and authorities from Asia, Africa and Latin America. Also, technical exchanges were conducted on Access and Benefit-Sharing (ABS) Exchange and Ethical Sourcing.

Mr Rabikumar presented updates on India's ABS laws and regulations as part of the ABS



Exchange Technical Sessions which were moderated by Mr Suhel al-Janabi, Co-

Manager of the ABS Capacity Development Initiative, GIZ, Germany. The session

highlighted the existing ABS legislation in India, the application process for access to

biological resources, and benefit-sharing. He also described the associated

community empowerment that occurs, the nature of biological resources used and the

various sectors that procure the biological resources such as pharmaceuticals,

cosmetics, environmental bioremediation, nutraceuticals, research and the export of

Red Sanders (a high-value bio-resource).

Meeting with National Biodiversity Authority (NBA), State Biodiversity Boards

(SBB) of Maharashtra, Tamil Nadu, Uttarakhand, and GIZ ABS Partnership

Project Team

Date: 29 August 2018

Venue: Radisson Blu, Nagpur

A meeting was conducted on 29 August 2018, between NBA, SBBs of Maharashtra,

Tamil Nadu and Uttarakhand, and the ABS Partnership Project Team from GIZ

(Annexure 1). The purpose of the meeting was to discuss the results of the internal

review carried out to assess the progress of the project. It was also to present the

learnings and challenges faced in operationalisation of ABS among the project states.

The meeting also discussed the activities that will be undertaken this year (Annexure

2).

The meeting began with introductory remarks by the Member Secretary of

Maharashtra State Biodiversity Board. Dr. Konrad Uebelhör, Director, Indo-German

Biodiversity Programme at GIZ and Mr. T. Rabikumar, IFS, Secretary, NBA highlighted

the meeting as an excellent opportunity to look into the progress of the project,

consider the challenges faced by the project states as well as mutually agree on ways

forward to facilitate the project implementation. Mr. Ravindra Singh, GIZ, moderated

the meeting.

<u>Updates and Experiences from NBA and the project states</u>

Maharashtra State Biodiversity Board (MHBB)

45

Dr. Vilas Bardekar, Chairman and Mr. A. Ashraf, Member Secretary, MHBB, presented updates on the formation of new Biodiversity Management Committees (BMCs) across the state. The SBB has recently released a handbook on the Biodiversity Act and associated Rules and Guidelines. A proposal to appoint the District Forest Officers (DFOs) as the nodal officers for BMC formation is being drafted for submission to the state government. The Board has taken steps to engage with the companies to implement the Act across the state. Legal experts have been taken on board and a techno-legal committee formed.

The key focuses are

- Activating the formed BMCs
- Engaging Line Departments and their role in facilitating the functioning of BMCs
- Engaging with companies for ABS compliance

Uttarakhand State Biodiversity Board (UKBB)

Dr. Rakesh Shah, Chairman and Mr. S. S. Rasaily, Member Secretary, UKBB presented the updates from Uttarakhand. The state has formed BMCs at various levels (village, block etc.) and the Board is looking into capacity building activities to facilitate the functioning of BMCs. It was highlighted that the state has taken a proactive approach on engaging with companies. The Board highlighted the importance of creating awareness on BD Act and ABS among various stakeholders, especially users, for ABS compliance. It was also noted that international companies increasingly ask for proof of ABS compliance from the bio-resource suppliers and intermediaries in India. This has led to increase in interest of Indian intermediaries to understand the requirement of compliance.

Another point highlighted was the need to have uniformity in compliance procedures among SBBs.

The key focuses of the UKBB are

- Capacity building of BMCs
- Regulators provide enabling environment and positive engagement with industries to achieve win-win outcome

- A consideration on trademark/stamp for products that are ABS compliant.

Tamil Nadu Biodiversity Board (TNBB)

Mr. A. Udhayan, Secretary of TNBB presented updates on the Board's recent work, such as the unveiling of the logo and website on International Day for Biological Diversity, as well as the setting up of sub-committees to process applications. The state has notified DFO's as nodal officers and made a decision to only have BMCs at the block level covering rural Tamil Nadu. The Board is also in the process of identifying locations for notifying Biodiversity Heritage Sites.

Since the launch of the ABS Partnership Project in the state, the Board along with GIZ has undertaken

- Training of nodal officers from each district to highlight their role in the formation and functioning of BMCs.
- A series of workshops have been held across the state for the various line departments to create awareness about the Act and its provisions.
- On-going and upcoming activities to document value-chain and marketlinkages in forest and marine systems
- Preparation of digital People's Biodiversity Registers (PBRs)

Recently a case has been filed under the Biological Diversity Act, 2002, on the illegal harvest of polychaete worms from Tamil Nadu coast. These worms are used in prawn culturing.

The key focuses of the Board are

- Demonstrate successful model of BMC functioning
- Guiding BMCs to identify companies that are collecting bio-resources from their territorial jurisdiction
- Identification of potential ABS resources from marine ecosystems

National Biodiversity Authority (NBA)

The project focus in NBA is predominantly at the strategic level.

- Two workshops with businesses were conducted to identify the key challenges and to provide clarity on the application procedure. The meetings were facilitated by Ms Maria Julia Oliva of Union for Ethical BioTrade (UEBT), The Netherlands.
- A workshop on developing a communication strategy was conducted. Mr Suhel al-Janabi and Ms Kathrin Heidbrink, Germany facilitated the workshop. The draft communication strategy is being developed.

Key focuses of NBA are

- Development of a communication strategy for effective ABS implementation to be published. Draft will be shared with SBBs.
- Engaging with users to facilitate ABS compliance

Mr Rabikumar also requested SBBs to share the progress in the states for publication in the NBA newsletter.

Results of the Internal Review

The results of the internal review were presented (Annexure 3). The following suggestion for the way forward were discussed.

- Revision of the operational plan to interlink the work packages
- Simplify the project milestones
- Dialogue with companies on shared concerns with regard to ABS compliance
- Increase in coordination and communication among the teams based in different states
- Development of a common communication strategy
- Dialogue platform for businesses
- Common approach for ToT
- Standardised template and format for documentation of all workshops and events

Planned Activities

1. ABS Communication Strategy

Dr Geetha Nayak presented a brief outline of the approach, process and timeline for the development of the communication strategy. A national workshop was conducted in May 2018 where the key stakeholders were identified and their roles and current knowledge-attitude-practices with regard to ABS were discussed. The first draft communication strategy will be shared with the project partners on 25 September 2018.

2. Business Forums on ABS

Mr Anil Kumar Joshi presented the approach for creating a business forum and voluntary code of conduct for ABS. It was highlighted that there is a need for continuous dialogue to facilitate compliance. The India Business and Biodiversity Initiative (IBBI) will be assessed as a potential partner to facilitate business dialogue. The draft concept note on the envisaged business forum will be submitted by 30 September 2018.

Key Suggestions

- Check with IIMs across the country for support on business platforms
- Consider approaches to cover also non-monetary benefits

3. ABS Good Practices

Mr Shreyas Bhartiya presented a concept to develop a good practices framework for benefit-sharing with communities. The criteria for identifying good practices were discussed. A first draft of the good practices criteria will be shared with the partners by 10 September 2018.

Key suggestions provided were

- To develop good practices from the users and providers points of view in addition to the regulators.
- Showcase examples to demonstrate benefit-sharing with local communities

4. IT Monitoring System

Dr Aeshita Mukherjee presented the updates on the progress of the IT monitoring tool which is being developed with NBA. The scoping workshop was conducted in February 2018 and the tool is being developed by CDAC. The tool will be operational by May 2019.

5. Training of Trainers (ToT)

Dr Geetha Nayak provided an overview of the approach for the ToT system. The need to identify institutions that have mandates as well as resources to conduct trainings was emphasised. The concept note will be submitted by 15 September 2018.

Key Suggestions

- Mechanism to institutionalise the trainings
- Providing incentives for trainers
- Master trainers preferably not be in government service as they are being transferred regularly

Ways forward

Dr Konrad Uebelhör wrapped up the discussions by thanking the project partners for the fruitful deliberations. He stated that 2019 will be the key implementation year of the project where results will be coming in. To achieve this, he stressed that a close cooperation between project partners is crucial for a joint effort towards objectives that clearly address the needs of partners. The possibility of a revolving meeting with SBBs and NBA was circulated and will be further discussed. Mr Rabikumar suggested that another meeting may be held in December or January to plan the project activities for the year 2019 and milestone to be adhered to.

The meeting concluded with a vote of thanks to all the participants.

Assessment of communication tools and knowledge products in SBBs.

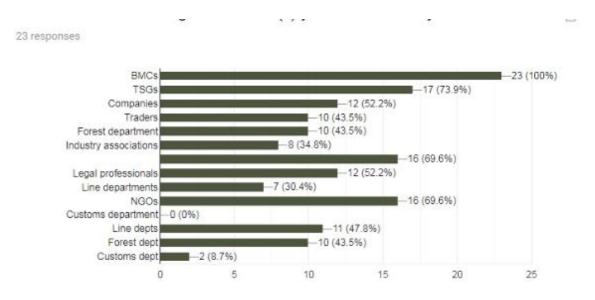
An assessment was carried to assess current practices, knowledge of biodiversity and Biodiversity Act of various stakeholders dealt by SBBs.

Highlights are presented below:

Please fill this form completely. This will help us in identifying priority topics for developing communication and awareness materials. This is completely anonymous.

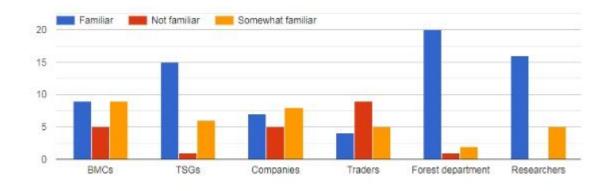
Please provide your answer to the following questions:

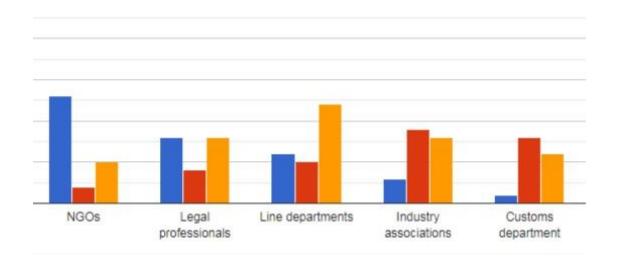
1. Which are the following stakeholder(s) your State Biodiversity Board currently deal with? (please tick all that apply)



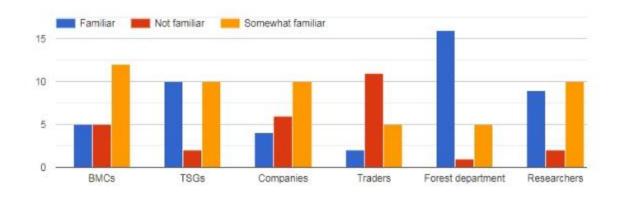
2. Please assess the level of knowledge of <u>biodiversity</u> and <u>Biological Diversity Act</u>, <u>2002</u> among following stakeholders

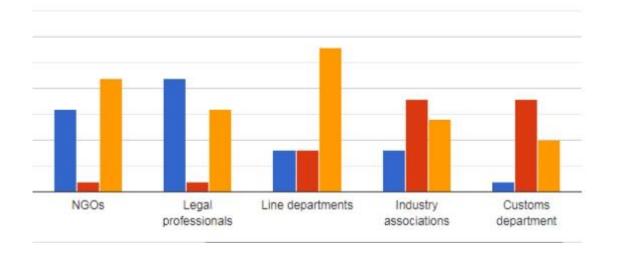
Knowledge of biodiversity





Knowledge of the Biological Diversity Act, 2002





4. How often does your SBBs organise trainings/workshops for BMCs?

Not started as yet
Few times in a year
Being a huge state, not all BMCs are covered
once a month
3-6 months
once a year
monthly
According to their needs
Both at the level of the SBB and in the villages
Monthly
Sometimes
3-4 training/workshops in one year.
Not very often, SBB Mizoram had just started organising training/workshops for
BMCs
THRICE IN A MONTH
It depends upon the fund availability. As of now, under the project, we have been
organising trainings / workshops very frequently.
on monthly basis
Annual training/workshops are held at the Taluk Panchayats which are attended by
the BMCs of the Gram, Taluk and Zilla Panchayat levels
No fixed frequency but we ensure that each BMC is made aware of the Act.
It depends on the necessity, varies from monthly to quarterly.

5. How often does your SBBs organise trainings/workshops for companies?

Not started
Occasionally
Proposed to be held this month but we have engaged organisations for this
purpose like BNHS, WOTR, etc.
once a year
once in 2 years

twice a year
twice in a year
Does not arise
Yet to conduct
None till now.
Never
Not organised yet.
N/A
NO
It depends upon the fund availability. As of now, under the project, we have been
organising trainings / workshops frequently.
quarterly
Atleast 2 workshops annually for industries
1-2 in a year
Six monthly.

6. Please provide information of trainings materials you use in your trainings/workshops for BMCs?

guidelines books, act & rules books, leaflets, prescribed documents on BMC, PBR We use material provided by NBA, while constituting BMCs by now 1263 BMCs have been constituted.

Information on history of CBD, BDA, structure of NBA, SBBs, BMC. Function of these structures. Type of specific role BMC needs to play at local level fees charging for bioresources commercial use

Copies of Act, guidelines, rules, relevant GRs

1. A small compendium of act rules, guidelines in English & local languages 2. operational guidelines & other booklets prescribed under UNEP project 3. general information on biodiversity of state, posters, booklets, many others

Leaflets, brochures, documentaries (both in local language and English)

material and details provided by NBA

small pamphlets on BMC, PBR and ABS. planning for audio-video film for them.

training material is developed in-house, NBA matter also need, professionals are involved to create the same

Biodiversity Act and Rules

SBB developed training materials suiting the needs of the state and the Acts and guidelines of NBA

Pamphlets, Posters, Stickers, Printouts, Powerpoint slides

Not standardised

Booklets/pamphlets related to Biodiversity Act & Rules, Roles & Responsibilities of Biodiversity Management committees, Access & Benefit Sharing Regulation-2014, Biodiversity Management Committees etc.

Guideline materials from NBA

BD Act 2002 (English and Nepali), BMC toolkit (English and Nepali), ABS guidance manual (English and Nepali), Leaflet on salient features of BD Act 2002 (English and Nepali), PBR format, Leaflet on Biodiversity in religion, Economiv Valuation of Bio-resources for ABS, etc.

o Guidelines for Identification, Notification & Management of BHSs o Guidelines for operationalization of BMCs o TK Terminology

BD Act 2002 book, BMC tool kit, Brochures on BMC acitivities, FAQ

Copy of the Act, ABS Guidelines

PPT, Pictures, Posters, Flex, Audio visual aids, Skit.

7. Please provide information of trainings materials you use in your trainings/workshops for companies?

Almost same, except emphasis will be more on ABS part

Same as above when it will be held

Compendium of Act & rules, biodiversity of Odisha, ABS guidelines & related forms

presentation, written tools or hand copies of books or printed material

pamphlets, copy of Act and guidelines, rules

it is prepared by in-house SBBs, technical staff with M.S. Also industry associations & legal expense

Not yet started

Pamphlets, Posters, Stickers, Printouts, Powerpoint slides

Not available

N/A

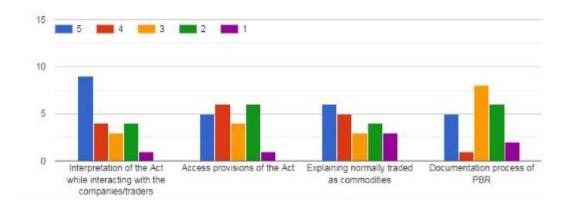
BD Act 2002, ABS Guidance Manual, ABS Guidelines 2014, ABS terminology, Sikkim State Biological Diversity Rules 2006, Economic Valuation of Bioresources for ABS, etc.

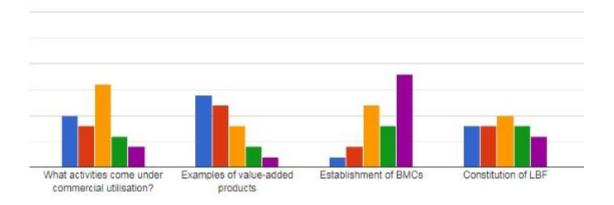
check website of www.pbb.gov.in

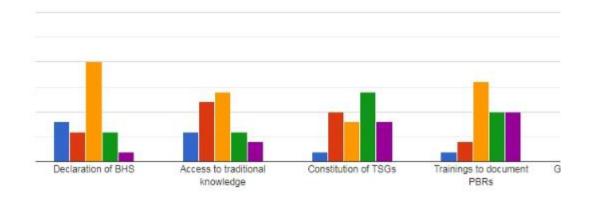
BD Act, 2002 book with related Rules/notifications, Brochures on main provisions of the Act and ABS provisions

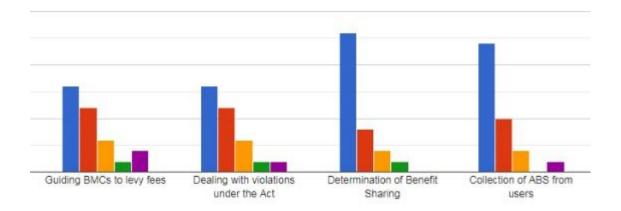
Copy of the Act, ABS Guidelines

8. Please provide your rating, with "5" being the most challenging and "1" being most easy topic for your SBB to deal with?









- 9. Do you have Technical Support Groups in your state? Yes/NO
- 10. If your answer is yes to the above question, please provide information on:

How many members are there in Technical Support Groups?_____

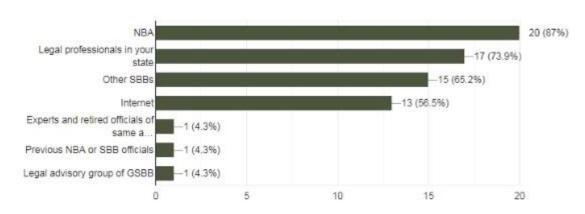
Who are these TSGs? (eg: NGOs, Govt. Departments etc)_____

Role of TSGs_____

_

11. When you need clarifications on the provisions of the Act you consult (please tick all that apply)





12. Please indicate your answers to the following questions

STATEMENTS	AGRE	DISAGRE	PARTIAL
	E	Е	LY
			AGREE
SBBs have to spend more resources to collect			
ABS than what it is worth (in terms of amount)			
There are already several local level committees			
and BMC is one among them. It may be difficult			
to sustain this model in the long run			
The purpose of BD Act is not to regulate the			
access but for facilitating the use of biological			
resources for commercial purposes and research			
Currently my SBB doesn't have adequate			
technical expertise to carry functions mandated			
under the Act			

It is challenging trace the origin of biological		
resources accessed by companies or		
researchers		
The Biological Diversity Act with its current		
provisions is good enough to achieve its		
objectives		
The BD Act is not consistent with spirit of CBD /		
Nagoya Protocol		
Currently my SBB doesn't have adequate		
financial support to carry functions mandated		
under the Act		

13. To be able to carry out tasks in my SBB, I need information /training/support on following topics

Topic	Yes	No
Interpretation of key provisions in the Act		
How to implement ABS		
How to engage with users (companies using biological		
resources)		
Training BMCs		
Establishing process of documentation of PBRs in the state		
Notifying Section 38 species		
Declaration of BHS		
Any other (please list below		

14. What makes you proud of your SBB?

That the board is acting towards the conservation of species, and ensuring sustainable use for benefit of local communities

First in many aspects, especially wrt conservation of biodiversity and sustainable use target as BMCs are available in all Panchayats. More than 90% PBR are made and re being upgraded.

The opportunity it gives to do something worthwhile for the community as a whole

The achievement by Odisha SBB may not be huge but are genuine and we have staffs who are dedicated and have genuine intent on biodiversity

Our SBB is trying very hard to fulfil the mandate by actually working at the ground level and so far we are going at the right track and eventually we will hope to succeed in implementing the Act in our state with its true spirit.

Being able to constitute 713 BMCs and 199 PBRs being developed

slowly but steadily working towards truly implementing the BDA. it has tremendous potential to transform lives of rural people dependent on natural resources.

my staff

Achievements, response systems, teamwork, BMC cooperation and public support

Teamwork

The eagerness to learn more on the activities of the BMCs

Efficient implementation of the BD act and helping in conserving the biodiversity of the State.

N/A

completion of PBR

In short time span, we were able to sensitize people at different level with the existing manpower which is very meagre in number.

Progressive working environment

Unique initiatives taken up by the SBB in streamlining the process of facilitating formation of BMC, PBR, implementation of ABS provisions in the State

Slowly but definitely moving ahead!

Raipasa BMC of Tripura Biodiversity Board got 1st prize in India Biodiversity Award 2018 under "Sustainable use of biological Resources" and Shikaribari BMC got special appreciation under "Best BMC".

15. What are the main challenges that you face in your SBB?

ABS related processes and provisions to communicate to ground level so that ABS can be understood and processed smoothly.

Inadequate staff. The act cannot be implemented with 2-3 persons. The job of different line depts

How to get companies on board for ABS. How to mainstream biodiversity concerns at Panchayat and departmental level.

Inadequate manpower, lack of support from line depts, the Gram sevak who is the M.S.of BMC is overburdened with many activities, reports and U.C from BMCs about the utilisation of funds

Manpower, eagerness from top level, political relevant, lower capacity of members of BMC financial

1. Shortage of trained and experienced staff (as all are contract basis it keeps changing) 2. not able to support the BMCs in their action plans

level of understanding is too low

ABS

poor capacity and resources

funds, support staff (technical), coordination with line dept

Need permanent staff, better building with train facilities, library, Block level coordinates, complete financial support system with permanent.

SBB needs more support from govt, especially on funding and Human Resource

Awareness creation

Making the BMC members active and implementing the ABS mechanism.

- Lack of adequate financial support to carry out functions mandated under the Act,
- Lack of support from Panchayati Raj and other line Departments.
- Lack of manpower and adequate technical expertise to carry out functions mandated under the Act.
- Frequently transfer & posting of Chairman and Member Secretary.

The State Board is lacking more technical expertise and manpower (staff) to carry out various works on Biodiversity conservation, implementing and achieving the BD Act, NBTs etc. And also the state board does not have adequate financial support to carry out functions mandated under the Act.

FUND

Scarcity of manpower and less fund under outsourcing grant as well as no autonomy even though it is an autonomous agency established under the Act

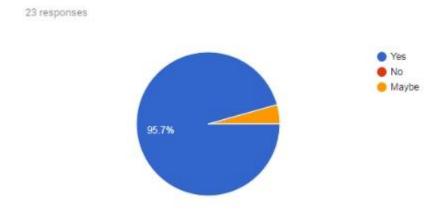
Training and awareness programs must for BMCs members.

Not enough co-ordination and support form the RDPR Dept in BMC formation and PBR documentation. Resistance from industries for compliance of the Act and ABS provisions

Capacity and resources

Challenges we face in our SBB are monitoring of LBF of the BMCs and monitoring of BMC activities on regular basis.

16. Would you be interested in attending a workshop to develop a communication strategy for ABS in your state?



Communication Strategy for ABS in India launched at the UN Biodiversity Conference on 21 November 2018 at Sharm El-Sheikh, Egypt

The Access and Benefits Sharing (ABS) Partnership Project, India contributed in a

side-event titled "Does everyone know everything? – Connecting with your audience and demystifying communication on ABS". The side-event was hosted by the ABS Capacity Development Initiative and Secretariat of the Convention on Biological Diversity (CBD) on 21st November 2018 at the Communication, Education and Public



<u>Awareness</u> Fair. It was organised along the side-lines of the <u>14th meeting of Conference of Parties</u> to the CBD in Sharm El-Sheikh, Egypt.

A country-level communication strategy was developed by the ABS Partnership Project based on a <u>national workshop</u> held in May 2018 at Chennai, India. ABS experts, representatives from industries, government line departments, legal professionals, media professionals and other ABS projects in India participated in the workshop. The communication strategy focuses on ensuring that stakeholders become aware of their role in ABS and for cooperation and shared understanding of the process involved.

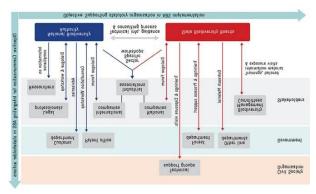


Dr. A. K. Mehta, Additional Secretary, Ministry of Environment, Forest and Climate Change, Government of India launched the brochure on 'Communication Strategy for ABS in India' and addressed the participants. He highlighted India's efforts in implementing mandates under the

Nagoya Protocol through the national framework on ABS.

Dr. Geetha Nayak (GIZ-India) presented the communication strategy developed by the project to engage with key stakeholders such as Biodiversity Management

Committees, line departments dealing with bio-resources. national and international companies. researchers etc. The side-event also presented how implementing ABS countries are various adopting measures to communicate ABS and to engage with stakeholders.



Contribution of ABS Partnership Project, India, in side-events at the 14th meeting of the Conference of Parties to the Convention on Biological Diversity at Sharm El-Sheikh, Egypt

1. India's side-event on insights from implementation of Access and Benefit Sharing

The Ministry of Environment, Forest and Climate Change (MoEFCC) along with the National Biodiversity Authority (NBA) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH hosted a side-event at the 14th meeting of the



Conference of Parties (<u>CoP</u>) to the Convention on Biological Diversity (<u>CBD</u>) along with other ABS projects implemented in India, namely, <u>UNEP-GEF Programme</u>, Indo-Norwegian Centre for Biodiversity Law and Policy (<u>CEBPOL</u>), <u>UNDP India</u>, United Nations University, and Institute for Advanced Study of Sustainability (<u>UNU-IAS</u>) on 27 November 2018.

Dr. Sujata

Arora, Advisor, MoEFCC initiated the side-event and Mr. T. Rabikumar, Secretary, NBA discussed ABS implementation in India. Insights and success stories on ABS in India were provided by the projects implemented in the country. Mr. A. Udhayan, Secretary of Tamil Nadu Biodiversity Board, Mr. M. L. Srivastava PCCF & Principal



Secretary of Forests, Environment and Wildlife Management Department, Govt. of Sikkim, Dr. Pradip Sarmokadam, Member Secretary of Goa State Biodiversity Board, and Dr. Kunal Satyarthi, Member Secretary of Himachal Pradesh Biodiversity Board described their experiences in implementing ABS in India.

The <u>ABS Partnership Project</u>, India, presented a country-level <u>communication</u> <u>strategy</u> developed for communicating ABS among various stakeholders. The side-event also launched a book titled "Regulation of Access to biological resources and benefit sharing in India – an analytical study" prepared by CEBPOL and an online course on ABS developed by United Nations University, Institute for Advanced Study of Sustainability (UNU-IAS).



Drawing on the implementation experience from various initiatives, the side-event included a panel discussion on topics ranging from steps involved in establishing national ABS framework, challenges in monitoring ABS compliance etc. Mr. Matthew Dias, Programme Officer, ABS-Clearing House and Ms. Beatriz Gomez, Secretariat of the CBD, highlighted the need for a comprehensive ABS national

framework with practical consideration to address the community rights or recognition to providers of genetic resources and associated traditional knowledge and

incorporate flexibilities for the regulators to monitor the utilisation of genetic resources and legal certainty for access to the users. They also complimented India for the proactive steps taken to issue Internationally Recognised Certificate of Compliance through the ABS-Clearing House.



Mr. Henry M. Ndengejeho, BMCC Project Coordinator, Ministry of Environment and Tourism (Namibia) spoke about the key steps that will be taken by Namibia to foster the implementation of the national ABS framework which was enacted in 2017. He also expounded on the methods they will employ to ensure that relevant producers and users are aware of the law.



Mr. Suhel al-Janabi, Co-Manager, ABS Initiative (Germany) with his experience of working in different countries on implementing national frameworks on ABS spoke about the Indian system and what lessons the world can learn from it. Mr. Gaute Voigt-Hanssen, Head of Delegation COP14, Ministry of Climate

and Environment (Norway) spoke about the reasons for Norway to bilaterally support Nagoya Protocol implementation and his recommendations with reference to their experience for India. Mr. Alex Owusu Biney, UNEP GEF Portfolio Manager, focused on what are still considered major challenges towards implementation, and the future of the ABS policy in the next 5-10 years. Dr. Paul Oldham discussed establishing digital tools for monitoring utilisation of genetic resources. He is currently supporting the development of IT tool in India and Kenya through projects implemented by GIZ. Dr. Sunita Subramanian, UNU-IAS, briefed the participants on the ABS online course.

The side-event was attended by around 100 participants and very well received.

2. Side-event on 'Community Protocols – Lessons learned for Access and Benefit Sharing and launch of Biocultural Community Protocol Guidelines

Dr. Geetha Nayak from the Access and Benefit Sharing Partnership Project, GIZ-India, contributed in the side-event on 'Community Protocols – Lessons learned for ABS and Launching of the Biocultural Community Protocol Guidelines' on 26 November 2018 as a speaker. She discussed the guide on "Community Protocols for Pastoralists and Livestock Keepers" developed by the <u>League for Pastoral People and Endogenous Livestock Development (LPP)</u> in which she is one of the co-authors.

The guide aims to provide communities with a legal tool for livestock breeds and management systems. She highlighted the processes involved in community protocol development, and in using Community Protocol for facilitating ABS under national and international laws. The side-event was hosted by Natural Justice, in collaboration with the ABS Capacity Development Initiative, the LPP, and the Local Livestock for Empowerment Network. The side-event included discussions on the definition of biocommerce, possible safeguards protecting community protocols, migration of communities into an area with an existing protocol and their compliance with its contents, and difficulties of developing a community protocol.

Maharashtra

Training workshops on ABS held in May 2018 at Nagpur and Pune

Maharashtra State Biodiversity Board (MSBB) in cooperation with ABS Partnership Project organized two events on 'Training of Trainers on Access and Benefit-sharing' on 29th and 30th May 2018 at Nagpur and Pune respectively. These trainings were stepping stone in providing key insight towards establishment of collaboration between

Maharashtra State Biodiversity Board (MSBB) and other relevant line departments of Maharashtra for implementation of Access & Benefit Sharing (ABS) mechanism which leads to conservation and sustainable utilization of biological resources from the state of Maharashtra.

Representatives from relevant line departments, as identified by the MSBB, underwent training on ABS with the objective of further disseminating their learnings and acquired knowledge to their respective department, relevant stakeholders and local



communities, with whom they are involved in their regular course of work. Specific govt. departments participated in these trainings were Forest,

Fisheries, Agriculture and Panchayat Raj & Rural Development.

In these two trainings representatives from around 24 districts of Maharashtra participated. These events were chaired by Mr A. Ashraf, Member Secretary, MSBB and Dr Vilas Bardekar, Chairman, MSBB at Nagpur and Pune respectively. Training was provided by project consultant, Mrs Lavannya Vishnu Sagar, and moderated by team of ABS Partnership Project. It involved discussions on range of topics relevant to Biological Diversity Act, 2002, Maharashtra Biological Diversity Rules, 2008 and Access & Benefit Sharing mechanism in particular. It also emphasised on how

departments can play a vital role in supporting MSBB to ensure monitoring and better compliance with provisions of BD Act.

The highlights of these trainings were the



discussion on simulative ABS case studies in the context of Maharashtra, pertaining to a specific department, providing clarity on important terminologies of BD Act & Rules. Mr A. Ashraf, Member Secretary, MSBB expressed his willingness to seek

cooperation from other govt. line departments with a hope of creating synergies within state for effective implementation of BD Act & ABS in Maharashtra. He also anticipated that the acquired knowledge from these trainings will be further disseminated by master trainers in creating more trainers and spreading awareness about BD Act & ABS.

Workshop on effective implementation of the Biological Diversity Act, 2002 for Nodal Officers from Nagpur, Amravati, Gadchiroli, Yavatmal, Aurangabad and Chandrapur regions on 14 September 2018 at Nagpur, Maharashtra

The Government of Maharashtra published a Gazette Resolution on 14th September 2018 that appointed the Divisional Forest Officers or Deputy Conservator of Forests





(DCF) as the nodal officers for the implementation of the Biodiversity (BD) Act and its provisions.

In this regard, the Maharashtra State Biodiversity Board in collaboration with GIZ, under the scope of ABS Partnership Project, organised a one-day workshop for "The effective implementation of BD Act, 2002 and its provisions by Nodal officers" at Hotel Radisson Blu, Nagpur on 19 December 2018. The DCF's from Nagpur, Amravati, Gadchiroli, Yavatmal, Aurangabad and Chandrapur regions of Maharashtra were invited for the event. The sessions at the workshop covered topics such as the genesis of the BD Act, Biodiversity Management Committees, People's Biodiversity Registers,





legal aspects of the BD Act and Access and Benefit Sharing and trade of bio-resources. Eminent speakers like, Dr. K.P. Raghuram (Technical officer, National Biodiversity Authority), Dr.Pankaj Joshi (Executive director, Sahjeevan, Gujarat), Mr. M.K Ramesh (Chair Professor, National Law School of India, Bangalore), Mr. Dhananjay Prasad (Deputy Director, Uttarakhand Biodiversity Board, Dehradun) and Dr. A.K Sharma (HoD, Non-Wood Forest Products, Forest Research Institute, Dehradun), were invited to cover these topics.

The workshop was very interactive where participants engaged in active discussion on the various facets of the BD Act. The knowledge shared by the expert panel was extremely constructive in capacitating the DCF's in taking up the role of Nodal Officers for effective implementation of BD Act and its provisions for the conservation and sustainable use of Maharashtra's biodiversity.

Workshop for the effective implementation of Biological Diversity Act, 2002, and its provisions for Nodal Officers from Vidharbha and Marathwada regions on 19 December 2018 at Nagpur, Maharashtra

Opening Remarks by Mr. A. Ashraf (MS, MSBB): At the outset, Mr. A. Ashraf, Member Secretary of the Maharashtra State Biodiversity Board (MSBB) welcomed all the dignitaries and participants. He explained that the workshop was being organized based on the regulation brought out by the Government of Maharashtra on designating the Deputy Conservators of Forest as the Nodal Officers for implementation of the Biological Diversity Act 2002 (BDA). The regulation empowers MSBB which can now expand the implementation of the Act through the vast network of the Maharashtra Forest Department. Key responsibilities of the Nodal Officers as per the regulations were facilitating the formation of BMC and TSG groups, preparation of PBR, provide assistance in spreading awareness about biodiversity and develop micro plans in coordination with the BMC for the conservation of BRs.

The Member Secretary provided a brief background of the enactment of the BDA, and its implementation at the different levels in the state – Gram Panchayat, Panchayat Samiti, and Zilla Parishad. He highlighted that although approximately 23,000 Biodiversity Management Committees (BMC) have been formed out of the

targeted 28,000, there are only few People's Biodiversity Registers (PBR) completed in the State.



The PBR, to be prepared by the BMC, is a complete documentation of the bio resources in the area, including microbes, animal and plant species, ecosystems etc. A well-documented PBR is key to the implementation of the

BDA and Access and Benefit Sharing (ABS) mechanism, which is one of the means to ensure fair and equitable sharing of benefits from sustainable utilization of bio resources in the area. Since the PBR is a technical document and its preparation needs the help of a technical agency / subject matter experts, Nodal Officers can employ services of suitable experts/ Non-Governmental Organizations (NGO) to complete PBR preparation process under a tri-partite agreement between the BMC, technical agency/NGO, and the Nodal Officer. Further, a single PBR can be prepared for a cluster of Gram Panchayats based on the agro-climatic zone to complete the preparation of PBRs in time. Such clusters need to be identified and prepared by the Nodal Officers by December 2018, and the PBRs should be initiated by March 2019.

Underlining the immediate need to achieve the above for implementation of the BDA, he urged the Nodal Officers and all participants to share their views on the practical implementation of the BDA and engage in an active discussion during the workshop.

<u>Welcome remarks by Dr. V. Bardekar (Chairman, MSBB)</u>: Dr. Bardekar welcomed all the participants to the workshop and thanked them for their continuous engagement for implementation of the BDA in Maharashtra. Stating the need for effective implementation of the Act, he stressed on the requirement for dedicated efforts from the Deputy Conservators of Forest in their role as Nodal Officers.

He emphasized that timely preparation of PBRs was key for providing benefits to the local community through the implementation of ABS in Maharashtra and encouraged further consultations on the same.

Overview of the workshop by Mr. Shreyas Bhartiya (TE, ABS Partnership Project, GIZ): Mr. Bhartiya as moderator for the workshop gave an overview of the workshop. He explained that the various technical sessions had been organized keeping in mind

the objective of the workshop. After every session there was a dedicated time allotted for questions and answers and it was emphasized that the participants made the most of it in getting their queries resolved and draw out leanings for the benefit of all from the eminent speakers.

Session on CBD, Nagoya Protocol, Biological Diversity Act, 2002 and related development by Mr. K.P.Raghuram (Technical Officer, NBA): Mr. Raghuram provided a brief overview of the Convention on Biological Diversity (CBD), the evolution of the BDA and subsequent regulations. He highlighted that despite existing regulations on protection of forests and wildlife, the appropriate access and equitable sharing of benefits from sustainable use of biodiversity was not covered in the previous Acts. Through formation of BMCs at the ground level, and PBRs prepared by these BMCs, the Act provides for a bottom-up approach as called for in the Nagoya Protocol. Mr. Raghuram during his presentation covered key topics such as the functions of NBA and SBB (regulative, advisory, facilitative) and the scope of BD Act particularly with regard to activities regulated under the Act, process for filling applications for access to BRs, benefit sharing component, exemptions and offenses under the Act and obligations on the part of the user. He also shared with the participants the status of ABS applications with NBA and a brief analysis of approx. 2000 applications received by NBA. The state wise access to BRs chart was also shown which had Delhi as the state where maximum number of applications were sought. A key insight that one could draw from the finding given that Delhi was not a BR rich state was that due to the presence of a large mandi (market) of BR's prevailing there, application were sought to access the BRs rather than from individual state from where the BRs originated. In his concluding remarks he provided his inputs on how DCF's as Nodal officers can play an active role in the implementation of the BD Act. Some of the key inputs were

- Facilitate the formation of BMC for undertaking PIC with user groups
- Formation of TSG and providing necessary support in the preparation of PBR
- Lodging complaints under Section 61 of the Biological Diversity Act
- Notifying threatened species under Section 38 and developing action plan for their rehabilitation (in-situ/ ex-situ)
- Participating in BMC meetings to provide necessary guidance

 Facilitating the development of action plans for the conservation of biodiversity in collaboration with BMC

During the Q and A session questions were asked by participants on BRs that qualified for ABS and those that were exempted. Mr. Raghuram through a slide depicting the end use for which BR s are accessed, emphasized that such uses of BRs are subject to ABS. A question was asked regarding if ABS is applicable to traders given that they are not the end users of BRs and are merely trading it. Mr. Raghuram made it clear that a trader falls within the ambit of ABS regulations. It was also made clear that even if the trader has payed ABS to the SBB, when the BR reaches the manufacturer in the value chain, the manufacturer is entitled to pay ABS ranging from 3% to 5% of the purchase price. This meant that the maximum ABS that an SBB can collect from such a transaction could be 3% of purchase price payed by trader + 5 % of purchase price payed by manufacturer) in the value chain.

To a query raised about benefit sharing between SBB and NBA on access to BR's by a 3(2) company, Mr. Raghuram made it clear that the origin of the BR will be an important factor in the proportion of benefits shared with SBB. With regard to calculation of ABS on purchase price and ex- gross factory sale of product it was also discussed that as was with the experience of UKSBB in Uttarakhand the ABS calculation on ex- factory gross sale came out to be less than that when calculated on purchase price of BR. An interesting question regarding disclosure of information on access to BR's under RTI was put before Mr. Raghuram. He clarified that the Act clearly mentions that all such information related to access of a BR (Form 1 and Form 1 A) by a company is confidential and cannot be disclosed under the provisions of the BD Act. Another interesting question came from an IFS probationer officer who asked if an offense can be booked under BDA for forest fire. Mr Raghuram answered by stating that only offences related to access to BR's are covered under the Act (Sec3,4,6 and 20)

Session on Biodiversity Management Committee and PBR by Dr. Pankaj Joshi



(Ex. Director, Sahjeevan): Dr Joshi went about his session based on his experiences in capacity building of BMC's and preparation of PBR's for the Gujarat State Biodiversity Board and how have things changed since then and the key insights and learnings that one can take away from the experiences. He stated that

significant biodiversity was mapped, and priority areas were identified at the start of operations. 35 GPs were initially identified. In his opinion creation of strong BMCs and PBRs were essential to achieve the goals of the BDA.

He highlighted the need to create a social foundation with the local community for which 6 months were spent to understand the opinions of the local people without introducing the Act. As a rapport-building activity, exotic species were identified and how it can be addressed through the Act was discussed with the community. Priority areas were first identified through discussion with the community and then BMC and TSG were formed.

The following were prioritized through community engagement:

- Exotic species and crops action plans were formulated to protect them and facilitate market access;
- Need to conserve native species/ breeds community-based action plans were prepared to conserve them;
- 3. Species that had been locally extinct (near extinction) ways were identified to restore them through insights from locals and undertaking scientific measures.

Action plans prepared were included in the respective PBRs and these PBR's in turn figured out in the respective SBAP (State biodiversity action plan). For species conservation, scientific protocols were developed in consultation with IUCN for monitoring and recording of quantitative data. Do's and Don'ts for the conservation of species were discussed and put up at public places for spreading awareness. Species monitoring, technical surveys and school programmes were also conducted

to spread awareness and sensitize the people about the conservation of local biodiversity. Through showcasing of a few videos Dr. Joshi demonstrated the key interventions carried out by Sahjeevan in the state of Gujarat while preparing PBR's for the 35 GP's.

Creating a social foundation, adopting a participatory approach, and application of scientific interventions have been key takeaways that have led to the success of the BDA implementation in Gujarat.

<u>Session on Legal aspects and related procedures of BD Act by Dr. M.K. Ramesh</u> (<u>Chair Professor, National Law School of India</u>): Prof. Ramesh addressed the participants in an informal way through means of a conversation. He started the session by emphasizing the need for having an Act related to Biodiversity even when there were other Acts such as the Forest Act, PESA Act etc. Despite the existing



laws, not all objectives of BD Act are covered in existing laws. To address the concern of bio-piracy, there was a need for an exclusive law to protect the TK associated with BR's and the bio-resources themselves. Previously, there was no legal backing to protect the needs of the community. Also, there was an internationally felt need to protect life

forms and fulfil legal obligation to share benefit from use of bio resources. To protect national and sovereign interests, it was recognized internationally that each state had complete rights and authority over its bio-resource. The legislation (BD Act) included comprehensive definition of biodiversity, and created a participatory mechanism for conservation of BD, which had been prepared after consultations with many stakeholders including industries using BR's. Dr. Ramesh urged the designated Nodal officers to read the Act as a whole and not in parts and sections. He emphasized on the intent of the law makers while framing the Act. For example, while defining companies falling under Sec 7 no reference has been made to Companies Act while defining such companies. The law clearly takes into account that the benefits derived from BR's have to be shared with the communities irrespective of whether a user is a Sec 3(2) company or Sec 7. He provided another example by

defining the term "intimation" as similar to seeking approval from an authority and that it cannot be legally assumed that intimation is only limited to informing the concerned authority as presumed by many such Indian companies. He admitted that no law is perfect because it is made by humans who are not perfect in themselves. However, he also stated that in his opinion he has not come across a more comprehensive law as the BD Act and urged one and all to take some time to understand the BD Act in its spirit.

Some of the key highlights of Mr. Ramesh's talk was that the BMC was a statutory body and autonomous in relation to the Gram Panchayat. BMC had a budgetary autonomy and could generate its own resources. Also orders that are passed by the NBA/SBB are as good as the decree by a court of law. The Q and A session was a very interactive session with several participants asking questions. Some of the key questions asked and the answers that Mr. Ramesh provided are listed below: -

Q. Who is to take cognizance and initiate a legal process when it is not mentioned specifically under BDA?

Wherever a special law has a clause not explicitly stated, the general law will take precedence. The criminal law would operate – issue requests/directions of the concerned authority(SBB) will be taken up by IPC.

Q. Does the RFO have power to stop a vehicle, seize the BR's and make arrest in the case of an offense?

If it's not mentioned in specific terms, then the general law will apply. So, it must be conveyed to the concerned authority (the policeman) that the law has been violated and legal recourse needs to be taken. The MSBB in this regard can direct the RFO to act on its behalf in referring the matter to the concerned authority. It can also issue directions to the executive magistrate.

Q. Under section 61 (a) of the Act, how does the RFO proceed under the BDA to file complaint, (stop vehicle, seize material, arrest the person)?

Rules or an SOP can be formulated by MSBB to empower the RFO for taking cognizance in the case of an offense.

Q. How do you address this in the absence of rules?

RFO needs to be instructed by MSBB to take necessary measures to ensure that such incidences do not escape from his surveillance (till the police arrives and assumes charge). As per Section 59 of the BD Act, RFO needs to comply with the SBB's directions.

Also, when reported by RFO, the SBB needs to make a request to concerned authorities to see if valuable bio resource do not escape their surveillance till concerned police officer assumes charge. The law protects bona fide action and the Board must take recourse of the general law.

Q. RFO stops vehicle, police arrive – after police does its investigation how does the complaint mechanism work?

Any offense under the BD Act is a cognizable offence. For an offence committed, apprehension is sufficient till the law enforcer (police) takes charge. RFO can takes charge in the absence meanwhile by apprehension and investigation (to ascertain whether it's a bio-resource) and conduct enquiries to ascertain if it's a cognizable offence under BD Act. SOP is required for an effective working mechanism.

Q. Who can detain, put in custody or make an arrest?

Forest officer is empowered under general law.

Session on Access and Benefit Sharing by Mr. Dhananjay Prasad (Deputy Director, UKSBB): Post lunch, the session on ABS and its related aspects was taken up by Mr. Dhananjay. He gave a brief background about the work done by UKSBB regarding the implementation of ABS in the state of Uttarakhand. Till date around 80 agreements of Access and Benefit Sharing have been formulated and signed between various user groups and UKSBB and more than 2.76 crores have been received as ABS in addition to approx. 40 lakhs that have been collected as application fee from nearly 200 industrial units. Consultations were underway with additional 163 industrial units for compliance with ABS provisions which provided a huge potential for sharing of benefits with communities. He also updated the participants on the recent developments that have taken place, the most important in being the case against Patanjali for not fulfilling its ABS obligations under the BD Act. The case is of significance given that a similar case has been filed against MSBB by AYUSH stating that ABS is not applicable to Indian entities. The judgment is

awaited in anticipation that it shall clear the confusion surrounding the applicability of ABS to Indian entities. Mr. Dhananjay also shared his experience in the Uttarakhand High Court stating the case on behalf of UKSBB. He expressed hope that case is due for hearing in late December and that the court shall rule in the favour of the Board when taking into account the purposive construction of the BD Act. He shared the key learnings through his decade old experience with working with various user groups on ABS wherein he stated that building trust with industries was a key to generate compliance from them. He also admitted that resorting to notices by the Board was not the best possible way to approach the issue of non-compliance and that consultations of the Board with the industries need to be encouraged for redressal of issues and eliciting compliance. Some of the measures that have been taken by UKSBB in this regard were providing personal counselling where every effort is made by the Board to convince the user and care is taken to avoid conflict or litigation. For an applicant appearing for the first time before the Board, complete information is imparted to the applicant along with a free copy of the Act (English and Hindi) along with distributions of additional pamphlets.

He provided key inputs on the various aspects related to the ABS mechanism such as PIC and MAT, different kinds of benefit sharing, elucidating terminologies such as "biological resources" and "commercial utilization", application fee under state rules and elaborating the case of ABS specifically in Uttarakhand. He concluded his presentation by listing down some key challenges he faced in the implementation of ABS which was mainly attributed to political interference as to why Uttarakhand was so proactive in compliance with ABS when other SBB's were lagging and that it was perceived by political authorities that the UKSBB was against the development of the state. Other challenges included dealing with BRs procured from other states and which were brought to Uttarakhand where companies dealing in such trade were of the view that there was no need to provide such information to UKSBB. Providing clarity on certain definitions such as "Value Added Product", "Normally Traded Commodity" has been a challenge owing to the various interpretations that various stakeholders have regarding such concepts. Scarcity of legal experts, requirement of technical human resource and reaching out to traders/manufacturers for convincing the objective of the BD Act were some of the other challenges highlighted in the implementation of the BD Act in India and particularly in Uttarakhand.

<u>Session on Non-Wood Forest Produce and Bio-trade – a perspective by Dr. Avinash K Sharma (HoD, NWFP, FRI, Dehradun):</u> Dr. Avinash started his session by providing a few statistics on the species diversity that is there in India when it comes to bioresources with an estimate of more than 10000 plant species amongst them as per AICRPE (All India Coordinated Research Project on Ethnobiology). He emphasized on the economic potential of some of these bioresources which till today are untapped and are also exploited by a few of the companies. These kind of bioresource do typically escape the ABS mechanism even though it is applicable to them. Bioethanol was another area where ABS can be levied (as it is not included in the list of commonly traded commodities) to state the case. There have been incidences where BMCs do not record resources for ABS with the apprehension that economic benefits would be restricted once listed in the PBR.

Given that the trade of such bioresources may not be at a scale however the benefits derived from such bioresources cannot be undermined which sometimes run into crores. He stressed that there was a need for the SBB's to consider the value chain of such bioresources and harness the potential ABS gains that can be percolated to the local community via the ABS mechanism. Some of the categories under which these BR's fall are natural dyes, wild edibles, medicinal gums, medicinal and aromatic plants for bioprospecting purposes. He stated that a botanical inventory of such BRs needs to be prepared at village and district level and that rapid mapping techniques could be employed for the above purposes. Key estimates such as quantification of resource availability using standard methods of forestry, recording productivity, determining sustainable harvest limits, regeneration of commercially harvested NTFP's are very important in conserving BRs of significant commercial importance. Dr.Sharma in his final remarks stated that this can only be achieved by involving local stakeholders for all such activities and the SBB's will need to provide requisite support and facilitate sharing of scientific inputs to the BMC's in planning measures for sustainable use of bioresources from the area within their jurisdiction.

Q & A Session

The final session of the workshop involved a short Q&A session where participants addressed their queries to the expert panel and answers were sought. Some of the key questions were as follows: -

Q. When working in rural areas, how do we incentivize people who are majorly interested in material benefits? How do we convince and sensitize public about sustainable harvesting? Govt servants are transferred after they have put in efforts in liaison with key stakeholders and as a result all the good work and trust is lost.

Dr. Joshi – No quick solution can be guaranteed. Firstly, project intervention is limited to generating cohesion during the project period. There is a need for a social worker within the community to execute the social process and gain communities trust for 6 months to 1 year including undertaking suitable entry point activities that facilitates rapport building with the community. Secondly, orientation of such personnel to areas (exposure visits) where successful cases of intervention have been implemented and the requisite impact can be demonstrated need to be undertaken. Lastly, modules need to be developed that foster community engagement for the intervention to sustain itself in the long term.

Dr. Sharma – JFM didn't succeed because there wasn't any incentive. However so is not the case with BMCs. ABS is not a project, it's a mechanism. Try to involve only the people who are knowledgeable without political or economic inclinations. Seek help of psychological/social experts. Also, clearly tell them that benefits will happen when conservation is successful. The benefit through ABS needs to be timely transferred to the BMC. However, the continuity of Nodal officers can't be ensured owing to the procedures as laid out however a mechanism for transfer of knowledge and requisite capacity building can be ensured.

Dr. Prasad – Choose one BMC, build its capacity and develop it as a model BMC. Next impart training and sensitization through the model BMC. Ensure that the benefits accumulated through ABS have a positive impact on biodiversity and the livelihoods of the community. Lastly forest guards/foresters need to be adequately trained in BD Act and its various provisions.

Q. A number of village development committees are working at the village level having different mandates and overlapping jurisdiction. How does a BMC elicit cooperation for implementing the provisions of BD Act?

Dr.Ramesh- The BMC is an autonomous body. Local body will be engaged in the constitution of the BMC. The BMC is a statutory body and is independent of the Panchayat. PESA Act, Forest Act etc are not against the BDA. Objectives of these

laws are same. There is no conflict or overlap. Any direction issued by SBB is the decree of a court. There is no reason whatsoever for these committees to refuse and not cooperate with the BMC.

There were some deliberations regarding the cross functioning of various VDC's such as PESA, JFMC, CFRMC etc all working and having a claim to the same biological resource. For e.g., medicinal plants fall under both PESA and BMC. It was felt that once the money flows to the community, conflict will arise because of overlapping ownerships. The problem is further corroborated with additional state specific village committees such as Van Panchayat in Uttarakhand and Village Forest Committee in Maharashtra to name a few.

Dr. Ramesh was of the view that for effective coordination between these committees an SOP needs to be worked out by the administration and not by the law. The need for cooperation is an administrative issue and not a legal one hence it must be dealt in the same manner.

Q. The BD Act's implementation happened in 2003 and guidelines on ABS came out in 2014. As such which financial year is to be taken for calculating ABS?

Dr. Ramesh- Strictly going by law the BD Act came into force in 2002. Hence at least from 2004 when the rules came into force ABS should be applicable. But it is entirely up to the SBB to give directions as to which financial year it deems fit for calculation of ABS. If it decides to calculate from 2014 when the guidelines on ABS came out that can be taken as the starting financial year for calculation of ABS.

The discussion surpassed the allotted time period and it was decided that some of the pertinent questions can be taken up with the experts on one to one basis outside the hall.

The workshop came to an end with Mr. Ashraf providing his closing remarks. He thanked the experts for such an engaging and interactive session and the participants as well for their active participation and taking out the time to attend the workshop. He expressed hope that the learnings and knowledge shared by the experts through their sessions and answering queries of participants were able to facilitate much more clarity regarding the various provisions of the BD Act and that the DyCF's have been

capacitated to carry out their roles and responsibilities in an effective manner as Nodal officers for the effective implementation of BD Act in Maharashtra.

'Process Document on PBR preparation' based on the learnings from pilot BMCs in Ratnagiri district, Maharashtra

Since 2016, AERF has been working in the villages of the Sangameshwar block to form BMCs as per the provisions of the BD Act. Several village meetings and interactive sessions with the community were possible due to support from Gram Sabhas, which also provided platform to discuss and then to establish the local institution for the management of biodiversity within the Panchayats' jurisdiction, i.e., the BMCs.

The BD Act represents a complex compendium of details and processes for the



documentation of PBR by the BMCs, which need to be reflected as per the requirements of a legal protocol. The same, however, makes it fairly demanding when it comes to its implementation at the ground level by the village community. This manual has

attempted to extract the essentials necessary to effectively communicate the role of BMCs and the drafting of PBRs with local people, who are then able to act as trainers within their communities.

In this manual, a framework is set up consisting of five main steps in capacity building which leads to proper PBR elaboration and documentation:

Understanding of

- (1) The Biological Diversity Act, 2002,
- (2) The role of BMC in PBR documentation
- (3) The PBR development process,
- (4) Village Resources Mapping, and

(5) The ABS mechanism.

Tamil Nadu

Workshop and launch of Access and Benefit Sharing Partnership Project in Tamil Nadu

The Access and Benefit Sharing Partnership Project was officially launched in Chennai, Tamil Nadu on 27 February 2018. The workshop was inaugurated by Hon'ble Minister for Forests, and Chairperson of Tamil Nadu Biodiversity Board, Thiru. Dindigul C. Sreenivasan. The Hon'ble Minister extended support and co-operation from the government and congratulated the Tamil Nadu Biodiversity Board (TNBB) and GIZ for

this initiative to strengthen the implementation of Biological Diversity Act, 2002 and the ABS provisions in the state of Tamil Nadu.



The Hon'ble Minister



for Forests released a book titled Compendium of Biological Diversity Act 2002, Biological Diversity Rules, 2004, Tamil Nadu Biological Diversity Rules 2017 and other notifications. The book is a compilation of the Biodiversity Act and related notifications including recent Gazette notifications on Tamil Nadu Biological Diversity Rules, 2017.

A case study on the implementation of Biological Diversity in Uttar Pradesh was presented by Thiru. Pawan Kumar, Member Secretary, Uttar Pradesh Biodiversity Board. He talked specifically about lessons learnt from awareness and capacity development initiatives undertaken by the Board.

Dr. Geetha Nayak, Team Leader, ABS Project in Tamil Nadu informed the participants about key components of the project that are designed to support the TNBB in implementing the ABS.

The event was attended by officers from various government departments such as forests, industries and commerce, agriculture, horticulture. Representatives from environmental organisations involved in biodiversity conservation as well as Institutional representatives from School of Excellence in Law – Tamil Nadu, Bay of Bengal Programme and Indo-German Centre for Sustainability at Indian Institute of Technology –Madras were also present.

Workshop on implementation of Biological Diversity Act, 2002 and Access and Benefit Sharing Mechanism

The Tamil Nadu Biodiversity Board in collaboration with GIZ organized a workshop on the implementation of the **Biological Diversity Act**, **2002** and the Access and Benefit Sharing mechanism at the Tamil Nadu Forest Academy in Coimbatore District, Tamil Nadu on February 9th, 2018. The aim of the workshop was to create awareness on the key provisions of the Biological Diversity Act, 2002, which include the establishment of Biodiversity Management Committees and the documentation of People's Biodiversity Registers in Tamil Nadu. The 48 participants in the workshop included district level officers from agriculture, animal husbandry, horticulture, forests, fisheries and sericulture from the districts of Coimbatore, the Nilgiris and Tiruppur. Representatives of some environmental organizations involved in biodiversity related work and representatives from local farmer producer cooperatives were also present.



The District Collector,
Thiru. T.N Hariharan IAS,
highlighted the importance
of the Act in protecting
biodiversity and traditional
knowledge. He has also
extended his support for

future activities in the district. Thiru. A. Udhayan IFS Secretary, Tamil Nadu

Biodiversity Board, informed the participants about the government's initiative to establish BMCs in the state. An order has been issued to constitute 385 block-level BMCs reaching all corners in the state. The senior officials from Tamil Nadu Forest Academy, Thiru Yogesh Dwivedi IFS, Director Thiru Thirunavakarasu IFS, CCF & Additional Director and Thiru. A. Ganesan IFS, CCF & Director, Annamalai Tiger Reserve Tamil Nadu Forest Department emphasized the need of implementation of the Act and need for creating awareness among local people in Tamil Nadu.

The key provisions of the Biological Diversity Act, 2002 and related notifications were elaborated during the workshop. Technical sessions on steps involved in documentation of **People's Biodiversity Registers (PBRs)** and a participatory exercise on identifying the possible ways of creating awareness about the Act was conducted. Apart from presentations, various training tools were used for group work during the workshop. Participants expressed interest in a longer training session to gain better understanding especially with regard to their role in implementation of the Act & constitution of BMCs.

State-wide Workshops on Implementation of Biological Diversity Act, 2002 and Access and Benefit Sharing Mechanisms in Tamil Nadu

Tamil Nadu Biological Diversity Rules were notified in 2017, following which 385 block-level Biodiversity Management Committees were constituted in the state, as per the Section 41 of the Biological Diversity Act, 2002. The concept of Access and Benefit Sharing (ABS) provisions and objective of the Biological Diversity Act, 2002 is new and awareness on the provisions of the Act is necessary for effective implementation. The Tamil Nadu Biodiversity Board with the support of Access and Benefit Sharing Partnership Project and technical partner, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, New Delhi undertook state-wide awareness workshops for various line departments dealing with bio-resources in the state.



Officers from various government departments such as the Agriculture, Husbandry, Fisheries. Animal Forest, Horticulture, Sericulture, and District Rural Development Agencies (DRDA) and Police representatives from the Department, Revenue Department, Animal

Welfare Board of India, educational institutions, research institutes, and local NGOs participated in the workshops.

A total of 8 workshops were conducted, with each workshop having participants from 3-5 districts. The first workshop was conducted at Coimbatore (09 February), consecutive workshops were organised at Madurai (21 June), Krishnagiri (26 June), Tuticorin (05 July), Thanjavur (13 July), Namakkal (25 July), Villupuram (26 July) and Chennai (02 August).

The workshop was aimed at creating awareness on the Biological Diversity Act, 2002 as well as to form a network of various departments to plan future capacity-building programmes for BMCs. District Collectors inaugurated 6 of the workshops, and the local media covered the events in the various districts. The technical sessions focused on implementing the provisions of the Biological Diversity Act, 2002, process of constitution of BMCs, compliance procedure for access to bio-resources by the users/companies, notifying Biodiversity Heritage Sites (BHS), and documenting People's Biodiversity Registers (PBR) by the BMCs. Interactive group sessions discussed the implementation of the Biological Diversity Act, 2002 through case studies.

Participation in all 8 workshops and the feedback received from the participants was highly satisfactory. Feedback indicated that 72% of the participants had heard about the Biological Diversity Act, 2002 for the first time during the workshop and 89% of the participants indicated that the workshop helped them understand the implementation of the Biological Diversity Act, 2002 and the formation of BMCs. Participants also highlighted the need for workshops to be conducted in Tamil language.

The project will be undertaking capacity-building activities to strengthen BMCs for implementation of ABS in the state. In our commitment towards the environment and

beating plastic pollution, utmost care was taken to minimize/avoid the use of plastics and disposables in our workshops.

Photos from the Workshops





Participants at Coimbatore

Participants at Madurai



Participants Krishnagiri at



Participants at Tuticorin





Participants at Namakkal





Participants at Villupuram

Participants at Chennai

Training on concept and protocol in constituting Biodiversity Management Committees (BMCs) under the Biological Diversity Act, 2002

The Access and Benefit Sharing Partnership Project conducted training on the concept and protocol in constituting and functioning of Biodiversity Management Committees (BMCs) under the Biological Diversity Act, 2002 on 20th & 21st April 2018 at Hotel GRT Grand, Chennai.

The aim of the two-day training was to strengthen the understanding of the process involved in the establishment of Biodiversity Management Committees (BMCs) and role of BMCs in implementing the provisions of the Biological Diversity Act, 2002. The participants of the training were District Forest Officers (DFOs) who are nominated as Nodal Officers, specifically for constituting BMCs at the block level in the state of Tamil Nadu. A total of 32 nodal officers have been nominated covering all districts in the state as per the government order dated 20.03.2018.



The training specifically focused on the provisions of the Biological Diversity Act, 2002, case studies from other State Biodiversity Boards in India and mandates under

Tamil Nadu Biological Diversity Rules, 2017 were elaborated. An interactive session on the operational aspects and functions of Biodiversity Management Committee (BMC) enabled the participants to understand the Biological Diversity Act, 2002 and its provisions in detail and the key role of Biological Diversity Management (BMCs) in managing their bio resources and ensure its conservation.

The nodal officers informed about the developments in BMC constitutions since March 2018. The process of BMC constitution is completed in 125 blocks out of the total 385 blocks in Tamil Nadu, and currently, measures are being taken to constitute BMC in all other blocks. The



workshop provided a platform for nodal officers to discuss and debate on their role and the procedures to be followed for BMC functioning. The Nodal Officers showed the keen interest in coordinating the activities related to BMC & PBR documentation and also help with identifying key resources people, organisations and institutions in their respective districts for future activities. A total of 27 Nodal Officers and 15 senior officials from the Forest Department participated in the training.

Meeting with industries and institutions accessing snake venom on ABS compliance under the Biological Diversity Act, 2002 on 24 October 2018 at Chennai

The Access and Benefit Sharing (ABS) Partnership Project has been engaging with commercial users of biological resources to create awareness on legal provisions and ABS compliance under the Biological Diversity Act, 2002. The Act covers plants, animals, microorganisms, and their parts, genetic material and by-products with actual or potential use or value. Access to snake venom requires approval of the National Biodiversity Authority (NBA) or State Biodiversity Boards. The Irula Snake Catcher's Industrial Co-operative Society, Kanchipuram is the only venom extraction centre in India and they operate in northern Tamil Nadu.



A meeting was organised at Chennai with representatives from industries and institutions which have accessed snake venom from the Irula Society in 2017-2018. The aim of the meeting was to inform the users on compliance and

application procedures under the Biological Diversity Act, 2002. Officials from NBA, Tamil Nadu Biodiversity Board (TNBB), and Tamil Nadu Forest Department as well as members of the Irula Snake Catcher's Industrial Co-operative Society, who are defined as "benefit claimers" under the Act, were present in the meeting.

The meeting began with introductory remarks by Mr. A. Udhayan IFS, Secretary, TNBB. Mr. T. Rabikumar IFS, Secretary, NBA emphasised the need for interaction between the user companies and regulators to enhance the understanding of the implications of the Biological Diversity Act, 2002 for activities undertaken by industries,

institutions and organisations using biological resources. Mr. T. P. Raghunath IFS, PCCF & Chief Wildlife Warden highlighted that snake venom is one of the first animal-based resources that will be involved in Access and Benefit-Sharing (ABS) agreements. He insisted that compliance is not only an obligation by law but also a moral obligation to ensure sustainability.

Dr. Raghuram, Technical Officer - Benefit Sharing, NBA introduced the participants to the Biological Diversity Act, 2002. He informed the participants about India's compliance with international regulations on biodiversity conservation, its sustainable use and the fair and equitable sharing of benefits arising from the use of these resources. Detailed information on access regulations under the Biological Diversity Act, 2002, was also shared with the participants. The application procedure, including e-filing the applications, and an overview of the processing of these applications were explained. Dr. Raghuram reiterated that the Biological Diversity Act, 2002 is in addition to and not in derogation of any other law on forests and wildlife.

Ms. Shameeka Rao, GIZ, provided details on the trade of snake venom over 6 months in 2017-2018 which highlighted the quantity of venom sold from the Irula Snake

Catcher's Industrial Co-operative Society, Kanchipuram, and the type of entities that procure it. About 99% of the venom sold by the Society was procured by industries producing anti-snake venom and 1% of the venom by institutions for research.



Interactive discussions with the participants provided an insight into the various uses of snake venom by the different entities, the challenges they faced with procurement as well as the use of snake venom. The discussions also emphasised that additional compliance procedures should not be time-consuming and that the current supply of snake venom is not enough to meet the demand for anti-snake venom in India.

Research studies have revealed that there are variations in the toxicity of the venom collected, based on their geography, which may impact the efficacy of the anti-snake venom produced. It was also suggested that the Irula Snake Catcher's Industrial Co-

operative Society consider establishing centres across India to improve the quality and specificity of the venom collected as well as increase the efficiency of the anti-snake venom produced.

Mr. T. P. Raghunath affirmed that the NBA, TNBB and Chief Wildlife Warden would work in partnership to operationalise ABS agreements on snake venom in India. He reiterated that the purpose of the Act is to ensure sustainability, which in this instance is the conservation of snakes. Future steps include conducting a workshop for entities procuring snake venom from Tamil Nadu on application procedures to NBA or TNBB.

Workshop on Biodiversity Governance and Access and Benefit Sharing for NGOs and Community-based Organisations on 13 December 2018 at Salem, Tamil Nadu

The Access and Benefit Sharing (<u>ABS</u>) Partnership Project and Tamil Nadu Biodiversity Board (<u>TNBB</u>) conducted a workshop for Non-Governmental Organisations (NGOs) and other Community-based Organisations (CBOs) on 13 December 2018 at Salem, Tamil Nadu. The workshop discussed the implementation of the Biological Diversity Act, 2002, operationalisation of Biodiversity Management Committees (BMCs) and the role of NGOs and CBOs in achieving the objectives of the Biological Diversity Act, 2002.



The participants were addressed by Mr. Kayarat Mohandas IFS, APCCF-Central Region, Mr. A. Udhayan IFS, Secretary, TNBB, Mr. A. Periasamy IFS, District Forest Officer-Salem, and Mr. M. Mahendharan IFS, Divisional Forest Officer, Social Forestry Division-

Salem.

The workshop began with an introduction to biodiversity, its threats and conservation. Dr. Suhas Nimabalkar–Eitimo Ventures (Biodiversity Law, IP & Regulatory Affairs)–conducted sessions on biodiversity governance and policies in the international and national context, and sustainable development goals. Mr. John Britto from the

Covenant Centre for Development (CCD), Madurai, described a case study of medicinal plant trade in the context of ABS in Tamil Nadu, commissioned by the ABS Partnership Project, and CCD's work in the conservation of medicinal plants and



ABS in Madhya Pradesh, which won the India Biodiversity Award in 2016. Further sessions discussed establishment of BMCs in Tamil Nadu and the processes involved in the documentation of PBRs. Moderated discussions on the role of NGOs and CBOs were also conducted.

The general feedback of the workshop was positive. 27 NGOs participated in the workshop, most of which worked in the field of environment, biodiversity and conservation.

Operationalisation of Biodiversity Management Committees (BMCs) – Training for Secretaries of BMCs conducted between 14 December 2018 and 8 April 2019 in 8 locations encompassing all districts of Tamil Nadu

The Access and Benefit Sharing (<u>ABS</u>) Partnership Project, along with the Tamil Nadu Biodiversity Board (<u>TNBB</u>), conducted trainings for secretaries of Biodiversity Management Committees (BMCs) in two districts, Salem (14 December 2018) and Madurai (18 December 2018).



The aim of the training was to provide information on legal, administrative and financial aspects related to ABS, and other practical aspects needed to carry out functions mandated under the Biological Diversity Act, 2002, to the secretaries of BMCs in Tamil Nadu. It included practical

sessions on hypothetical case studies and documentation of People's Biodiversity Registers (PBRs).

The participants at Salem included secretaries of BMCs from the districts of Erode, Namakkal, Salem and Tiruppur. Mr. A. Udhayan IFS, Secretary, TNBB, Mr. A.

Periasamy IFS, District Forest Officer, and Mr. M. Mahendharan IFS, Divisional Forest Officer, Social Forestry Division addressed the participants.

At Madurai, the participants included secretaries of BMCs from districts of Dindigul, Madurai, Theni and Virudhunagar. Mr.



Debasis Jena IFS, APCCF & CCF-Madurai Circle, Dr. R. Kannan, APCCF-Southern Region, Mr. A. Udhayan IFS, Secretary, TNBB and, Mr. Gowtham IFS, District Forest Officer addressed the participants.



The training began with an overview of biodiversity, its threats, and conservation. This was followed by an interactive session on the Biological Diversity Act, 2002 and related notifications on <u>Access and Benefit Sharing</u>, <u>Normally Traded Commodities</u>, and <u>threatened species of plants and</u>

<u>animals from Tamil Nadu</u> as notified under Section 38 of the Biological Diversity Act, 2002. Sessions on Biodiversity Management Committees and their role in local area conservation were followed by a group discussion on hypothetical case studies.

These were conducted and moderated by Dr. Suhas Geetha Nayak, GIZ and Dr. Nimbalkar, Eitimo Ventures (Biodiversity Law, IP & Regulatory Affairs). Further conducted sessions were on the administration and financial aspects operationalising BMCs and documentation of PBRs.



A self-assessment questionnaire was circulated to obtain information on the expertise and familiarity of secretaries regarding the tasks required for BMC functioning and on the Biological Diversity Act, 2002 and BMCs.

Uttarakhand

Workshop on ABS mechanism and Conservation of Traditional Knowledge systems through Patents and IPR regime

A one day interactive workshop on Access and Benefit Sharing (ABS) mechanism and Conservation of Traditional Knowledge systems through patents and the Intellectual Property Rights (IPR) regime was held on 30th January 2018 in Dehradun. The objective of the workshop was to sensitize scientists, researchers and research institutions about their obligation to follow the Biological Diversity Act, 2002 with particular reference to the access and benefit sharing of biological resources, patents and other related Intellectual Property Rights through Knowledge & Experience sharing, presentations,



The workshop informed researchers and scientists dealing with the biological resources in India about the section 6, Form III of the Biological Diversity Act which states that it is

mandatory to seek the permission of the National Biodiversity Authority (NBA) before applying for Intellectual Property Rights. All research conducted in the field must be shared with the State Biodiversity Board as well as the NBA.

In this occasion 70 head of institutions, scientists and researchers from different institutions like Forest Resource Institute, Doon University, Sardar Bhagwan Singh Post Graduate Institute, Wildlife Institute of India, Graphic Era University, Doon medical college, Survey of India, Dehradun Institute of Technology, Dolphin Institute, Herbal Research and Development Institute, University of Petroleum and Energy Studies (UPES), were present.

Chairman of State biodiversity Board Dr. Rakesh Shah along with DG UCOST, Dr. R Dobhal, Dr. R Saha advisor DST, Mr. SS Rasaily and Dr. Aeshita Mukherjee-Wilske Team leader (ABS partnership project) from GIZ inaugurated the workshop and delivered the message. Dr. R Saha (Ex director TIFAC DST Gol), shared his knowledge on the process and mechanisms of patents, Intellectual Property Rights, Certification and also narrated his experience on handling the issues at Government level.

The Access and Benefit Sharing Partnership Project is a bilateral cooperation between Germany and India to technically reinforce the mandate of the Nagoya protocol. The project is jointly implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the MoEFCC through the NBA and the three the State Biodiversity Boards (SBBs) of Uttarakhand, Maharashtra and Tamil Nadu. The workshop demonstrated the successful collaboration between the Uttarakhand State council for Science and Technology (UCOST), the State Biodiversity Board, Uttarakhand with the support of GIZ.

Forest Development Corporation staff trained on Biological Diversity Act, 2002 on 27 November 2018 at Dehradun, Uttarakhand

A workshop was organised by the Uttarakhand Biodiversity Board (UBB) and Access and Benefit Sharing (ABS) project, GIZ, in Niranjanpur (Dehradun, Uttarakhand) on 27th November 2018. The event was organised to generate awareness amongst the staff of Uttarakhand Forest Development Corporation (FDC), an important stakeholder in the process, to train them as resource persons and FDC as a resource institution on the Biodiversity (BD) Act and ABS in the state. (UBB and GIZ are implementing a collaborative project on ABS in Uttarakhand.)



In his inaugural address as chief guest, Mr. Gambhir Singh, Managing Director of Uttarakhand Forest Development Corporation, said that the "implementation of

Biodiversity Act 2002 is a mission for the state. Conservation of biodiversity is of utmost important for the survival of humans". During the workshop Mr. S.S Rasaily,

Member Secretary UBB, spoke about the origin and provisions of the BD Act 2002. He explained the ABS mechanism and the benefits given to the community through Biodiversity Management Committees (BMCs), which are being formed by UBB. According to him 8,000 BMCs have been proposed in the state out of which nearly 1000 BMCs have been almost formed. GIZ is working with a few BMCs in Almora and Pithoragarh, with trade of Bioresources and ABS mechanism. A leaflet on *Diploknema butyrecea* (Chuyra) was inaugurated at the event, as an outcome of the project.

The participants at the workshop were informed about the BD Act using hands-on methods. Overall discussions paved way for the development of FDC as a



resource institution for the implementation of ABS mechanism. Regional level traders' meeting facilitation was also seen as an option to be explored by the corporation.

The workshop participants included members from Tanakpur Ramnagar Haldwani, Dehradun and Haridwar Rishikesh depot of FDC. Mr. Mahesh Chandra Arya, Mr. Krishan Kumar Upadyaya, Mr. HS Adhikari, Mr. Mohd Hanif, Mr. Rajesh Nautiyal, Mr. BS Rana, Mr. M S Kapruwan from FDC were also present on this occasion. The workshop was conducted by Mr. Anil Joshi, Dr. Pradeep Mehta (Technical Experts, GIZ), Mr. Dinesh Chandra and Mr. P Gautam.

A similar workshop has been proposed for the traders of bioresources in the state on 28th of November 2018.

Workshop on Biological Diversity Act and ABS for Traders of bio-resources of Uttarakhand on 28 November 2018 at Dehradun

A workshop was organised by the Uttarakhand Biodiversity Board (UBB) and GIZ for bioresource traders of Uttarakhand on the Biodiversity (BD) Act 2002 and Access and Benefit Sharing (ABS) at Dehradun on 28th November 2018. According to Mr. S.S. Rasaily, Member Secretary, UBB, the "Biodiversity Act 2002 is the first act which gives the right to the local communities. The main objective of the workshop is to systematise and legalise the trade of bioresource in the state."

During his inaugural address, Dr. D.P. Uniyal, Senior Scientific Officer of Uttarakhand State Council for Science and Technology and special guest for the programme, said that "it's important to understand the legal compliance of the act. Intellectual Property Right and patent are important when it comes to biodiversity conservation and access and benefit sharing."

Traders from different parts of Uttarakhand like Haldwani, Uttarkashi, Dehradun, Tehri, Rishikesh, and Vikash Nagar, participted in the workshop. They discussed the main issues during



the cultivation and marketing of medicinal and aromatic (MAP) plants. Different issues like marketing, lack of infrastructure, registration process, lack of awareness and technology, standardisation of prices, lack of standards, non-recognition of MAP as crops and no crop insurance of MAP were discussed.

The participants were briefed about the provisions of ABS for traders (small traders are currently not included as part of the ABS). After two brainstorming sessions with the traders, the following outcomes were agreed upon: documentation and publication of farmer list (district and species wise); species samples at forest check post for easy identification; state level meeting of important stakeholders; two regional meeting of traders; documentation of issues related to MAP trade; and standardisation of scientific standards (contents in medicinal plants on the basis of which they are priced in the market) in the trade of Bioresources.



Mr. Anil Joshi and Dr. Pradeep Mehta (GIZ, Technical Experts) facilitated the discussions. Mr. L.M. Kaul, Dr. R.P. Kala, Dr. Dinesh Chandra, Dr. Satish Semwal, Mr. P.N. Gautam from

UBB and Dr. J.S. Butola, Mr. Swarn Singh, Arjun Singh, Mr. Ashutosh Pokhariyal, Mr. Raghubir Singh Rawat, and Mr. Bhuwan Murari, traders from different parts of the state, participated in the workshop.

Networking and meeting with CII for developing a dialogue forum at state Agenda of the meeting

CII IBBI in partnership with GIZ is working on "Strengthen Effective Governance for ABS, through Stakeholder's dialogues at National and three State level (Uttarakhand, Maharashtra & Tamilnadu)".

The main agenda of the meeting was detail and discuss about to work planned under the project in the Uttarakhand state to engage with business sector for strengthening the Governance through dialogues and dissemination of good practices.

Participants:

Mr. S. S. Rasaily (Member Secretary, UBB), Mr. Dhananjay Prasad (Deputy Director, UBB)

Mr. Sumanpreet Singh (Director & Head, Uttarakhand State Office), Dr. Pravir Deshmukh (Counsellor, CII-ITC Centre of Excellence for Sustainable Development);

Mr. Anil Joshi (Technical Expert, GIZ), and Dr. Pradeep Mehta (Technical Expert, GIZ).

Minutes of the meeting

Mr. Rasaily presided over the meeting and gave a brief about Uttarakhand Biodiversity Board and expressed the expectations of the board from CII. Mr. Joshi moderated the discussion. He briefed the objective of the meeting and the work to be done by CII as part of the ABS project.

Mr. Joshi welcome all participants and briefed about the role of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) providing support during the process of stakeholder dialogues. He detailed about different activities taken for governance strengthening and stakeholder dialogues such as meeting with Industries and Traders if bio-resources (BRs). He briefed about the present proposal and role GIZ in the stakeholder dialogues.

Mr. Rasaily presented on their methods for implementing BD Act in Uttarakhand state which is very fruitful and no most of the businesses are participating on voluntary basis. During the discussion he also present some of critical issues faced by UBB in implantation and reporting back to businesses on utilisation of fund under the BD Act. He urges businesses to connect with UBB and review the initiatives undertaken by UBB for BD Act implementation. This will help in communicating best practices of sustainable supply chain management. He encourages the concept of project and engagement with businesses for addressing with implementation challenges.

He further invited Dr. Pravir present about the CII IBBI and proposed project with GIZ.

Dr. Pravir briefly provided details of CII India Business and Biodiversity Initiative (IBBI), which is formed due to CBD obligations with a support from MOEFCC & GIZ and hosted by Confederation of Indian Industries (CII).

He also detailed about the present project with GIZ and following activities planned under the project to meet the objectives.

CII IBBI platform will play the role of facilitator to bring different actors involved in ABS mechanism under one umbrella

Organize Multi-stakeholder's dialogue at national and state level for increasing the engagement of businesses (e.g. bio trade companies), communities, NGOs, etc.

Create linkages with public and private sector on regulatory framework conditions for ABS mechanism and its implementation

Capacity development of businesses on ABS implementation and innovative approaches for it (development of guidance document of ABS implementation, SOPs etc)

Documentation of best practices by business in implementation of BD Act.

Mr. Sumanpreet Singh detailed about CII, the journey of CII and its objectives. He also discussed the importance of CII at the state level and membership of different



industries in the association.

The Member Secretary UBB, thanked the team for the meeting and detailed about the activities of Uttarakhand Biodiversity Board and its role in Biodiversity Conservation and Access and Benefit Sharing (ABS).

Mr. Dhananjay Prasad briefed about the inception of the BD Act and the main sections of the act for companies. He also told about the interaction of the board with 800 plus companies out of which 300 are convinced and 90 plus companies have signed ABS with the board. He also clarified between traded bio-resources and normally traded as commodities which are exempted from ABS.

Dr. Pradeep Mehta told about the role of CII and the dialogue forum proposed under UBB, GIZ and CII partnership. He also expressed that the forum is being developed considering the sustainability of the initiatives so that UBB and industries can have a regular dialogue even after the completion of the ABS partnership project.

The following items were discussed in detail during the meeting:

Item # 1: Status of requirements for implementation of the BD Act, 2002

The Board has been in the pursuit for organising dialogues with different industries and to communicate the provisions of the Act it is the need of the Board to organise stakeholder dialogues for the user perspective.

The UBB has tried to organise direct meetings with Industries, however not worked. The meeting/workshop was organised through PHD chambers of commerce and only a few Industries participated in the dialogues.

Proposed Actions

In regard to the above the following action points were suggested during the discussion:

To organise stakeholder dialogues with user of bio-resources at different levels

To explore the use of dialogue forums such as IBBI for dialogues

<u>Item # 2</u>: Stakeholder dialogues and Biodiversity governance the state through state level working group formation:

In addition to dialogues, there were some challenges related to the trade of bioresources in the state which are detailed as under:

The issue of governance has been raised by the government many times in the meetings. The Board has been asked on different occasions about the concerns of Industries and other users in the implementation.

The proposal on an Industry side working group at state level would be of great use to communicate the provisions, changes and amendments to the stakeholders.

Proposed Actions

Initial meetings and feedback from the Industries and associations

Preparation of working group at the state level with Industries and TSGs

Interaction of working group and UBB for discussions to address challenges faced during implementation of BD Act and ways to address it

Item 3: Preparation of cases for Good practices of Biodiversity governance

The state specific good practices of benefit sharing are to be documented based on the recommendations of UBB.

Action Points

Meetings with Industries are to be organised to identify the good practice cases of benefit sharing

Action Points/Follow up:

Identification of businesses dependent on biological resources and stakeholders working in Uttarakhand to join as a working group

Focused discussion with business on challenges faced and exaptation form UBB working group representation to UBB

State level workshop for finding ways to address challenges

Discussion on cases of good practices by the Industries and UBB

Development of guidance document for BD Act implementation

2019

National Biodiversity Authority

Business dialogues on Access and Benefit-sharing held on 21 January 2019 at Hyderabad, Telangana and 23 January 2019 at Chennai, Tamil Nadu

The implementation of access and benefit-sharing (ABS) in India came into force in 2004 following the notification of **Biological Diversity Rules**, **2004**. Rule 14

prescribes the application procedure for access to biological resources and associated traditional knowledge. The <u>Guidelines</u> on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014 further provides the mode of



benefit-sharing and procedures for various regulated activities such as research, commercial utilisation, bio-survey and bio-utilisation, Intellectual Property Rights, and transfer of research results.

Although the ABS provisions of the Biological Diversity Act, 2002 have been implemented for more than a decade, the number of applications for access to biological resources from users have been very low. This has been attributed to lack of awareness on the existence of the Act that governs the use of biological resources, as well as its application procedure.



The <u>ABS Partnership Project</u>—implemented by National Biodiversity Authority (<u>NBA</u>), Chennai, Ministry of Environment, Forest and Climate Change (<u>MoEFCC</u>), New Delhi and Deutsche Gesellschaft für Internationale Zusammenarbeit (<u>GIZ</u>) GmbH, New Delhi—has been proactively engaging with users of

biological resources since 2018, through <u>workshops and dialogues</u>. These were held in Chennai and New Delhi in April 2018. Based on the outcome of these dialogues, a second round of dialogues with users and regulators was held in January 2019. These dialogues focused mainly on sector-specific issues involving biotechnology, agri-

biotechnology, and fragrance companies. The dialogues were held on 21 January 2019 at Hyderabad and 23 January 2019 at Chennai; and were moderated by Ms. Maria Julia Oliva, Deputy Director, <u>Union for Ethical BioTrade</u>, The Netherlands.

The workshops served as a platform for



companies to strengthen their understanding of requirements and procedures under the Biological Diversity Act, its Rules and Guidelines, as well as learn and draw suggestions for improvement from the practical experiences of businesses in navigating the legislation. The workshops engaged over 90 participants at Hyderabad and Chennai representing different companies working in India.

The workshop at Chennai was pleased to host Professor. M. S. Swaminathan, Founder, M. S. Swaminathan Research Foundation, Chennai, who also interacted with the participants. He highlighted ABS as a method for businesses to reward primary conservers of biological resources, to ensure continued sustainability in all bio-resource businesses. Dr. B. Meenakumari, Chairperson, NBA, Chennai, Dr. Sujata

Arora, Senior Advisor, MoEFCC, New Delhi and Dr. Amarjeet Ahuja, IAS (Retd) interacted with the participants at the workshop in Chennai.



Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme, welcomed the participants and provided a brief overview of the international framework on ABS and the role of GIZ in implementing the Act and Rules in India. He also highlighted India and Germany's

long history of cooperation in the development sector.

Dr. Achalender Reddy, IFS, PCCF and Director, Centre for Innovations in Public Systems, inaugurated the workshop at Hyderabad. He highlighted the need for conservation of India's biodiversity through compliance with the Biological Diversity Act, 2002. He also emphasised the role of NBA in sensitising the stakeholders, to adopt and implement the Act, its Rules and associated Guidelines.



At Chennai, Mr. T. Rabikumar, IFS, Secretary, NBA described NBA's role as a facilitator as well as a regulator of the Biological Diversity Act, its Rules and associated ABS Guidelines. He emphasised the need for continued interactions between the regulators and

stakeholders to help with compliance; as receiving input from businesses complying with the Act will help NBA ease the ABS process.

Technical sessions focused on international framework on biodiversity, such as the <u>Convention on Biological Diversity</u> and <u>Nagoya Protocol</u>, was provided by Ms. Maria Julia Oliva along with a general overview of the variety of domestic legislature

in different countries Party to the Convention.

Dr. Geetha Nayak, GIZ, provided an overview on the ABS framework in India, and highlighted aspects such as exemptions



under the Act and the application process involved.

Group discussions were facilitated for the participants to share their experiences on compliance with the Act and identify plausible solutions to various challenges faced by users during the application process. This highlighted a variety of procedural and interpretational challenges faced by many businesses when complying with the Act. Proposals on creating a user-friendly online application portal, the potential for speeding up the timelines for access to resources with seasonal availability, sector-specific guidelines on implementing the Act and its Rules were discussed and presented to the regulators. Other discussions focused on definitions of proprietary material, collaborating projects, normally traded as commodities, value-added products and conventional breeding, among others.

Participants expressed their interest in arriving at a consensus on these discussions to facilitate ABS requirements. Participants also highlighted positive experiences in complying with ABS requirements and appreciated the efforts of NBA and GIZ India for providing a platform for dialogue.

Follow-up interactions with traders—to establish traceability of traded biological resources and compliance with the Act, and training for businesses on filing of eapplications—are scheduled in February 2019.

Workshops on e-filing of applications for accessing biological resources held in Chennai on 14 February 2019

The National Biodiversity Authority (NBA) launched an <u>online portal</u> in 2017 for submitting applications to access biological resources. Since then NBA has received over 600 e-applications from companies and researchers. During the <u>business</u> <u>dialogues held in Hyderabad and Chennai in January 2019</u>, participants requested the <u>ABS Partnership Project</u> to organise a workshop on e-filing process, particularly on the information to be furnished for different types of access and related documents.

The <u>Access and Benefit Sharing Partnership Project</u> in collaboration with <u>National Biodiversity Authority</u>, <u>Chennai</u> organized two half-day workshops on 14 February 2019 from 10:30 – 13:30 and 14:30 – 17:30 at National Biodiversity Authority, Chennai.

Mr. T. Rabikumar IFS, Secretary, National Biodiversity Authority, Chennai addressed the participants in these workshops. He invited participants to share their experience and highlight the challenges they face while submitting applications through the online portal, in order to improve its functionality. He



stated that applicants will soon be able to check the status of their applications through the NBA website.

Dr. K.P. Raghuram, Technical Officer – Benefit Sharing, National Biodiversity Authority provided a brief introduction into the Biological Diversity Act, 2002 and its ABS provisions. He provided step-by-step guidance on the application process for filing various applications, i.e. Form-I, II, III and IV through the <u>online portal</u>. A mock e-application form was initiated, and the participants were provided with opportunities to clarify their queries throughout the session. He also highlighted the need for providing appropriate attachments as requested in the forms.



The workshops were attended by 28 participants from various entities accessing biological resources from India. The participants provided several suggestions for improving the functionality of the online portal for filing access applications. Participants illustrated an example – when the biological

resources are accessed from multiple locations or sources. Currently, the online portal has only the option of selecting each location from a drop-down menu rather an option to upload a file with all the required information. Participants mentioned that these entries sometimes run up to thousands. The suggestions and feedback received from the participants were noted by the officials from National Biodiversity Authority to maintain a user-friendly e-filing process.

Discussing a Sector-Specific Approach with Seed Industries on Access and Utilisation of Biological Resources held on 9 May 2019 in Hyderabad and Chennai

Following the <u>business dialogues</u> held in January 2019 at Hyderabad and Chennai facilitated through the <u>Access and Benefit Sharing Partnership Project</u>, businesses highlighted the need for adopting sector-specific approaches for the implementation of ABS provisions as mandated by the Biological Diversity Act, 2002 and detailed in the notification of <u>ABS Regulation 2014</u>. The discussions conveyed that the access and utilisation of biological resources by, for example, the pharmaceutical industries, was different from that of the agricultural sector. In light of such concerns, a meeting was held at the National Biodiversity Authority with the <u>Federation of Seed Industry of India (FSII)</u> to gain clarity on the nature of business operations in the seed sector and explore the possibility of adopting such sector-specific approaches as suggested.

This meeting, held on May 9, 2019, furthered the understanding of access and utilisation of biological resources by the seed sector in India and was attended by 11 participants who were representatives of the member companies of FSII. Dr K. P. Raghuram, Technical Officer – Benefit Sharing, National Biodiversity Authority thanked the participants for their support and explained the need for such bilateral dialogues between users of biological resources and the National Biodiversity Authority for the successful implementation of ABS provisions.

During the workshop a questionnaire shared with the participants helped steer discussions to understand the operations of the seed sector. Discussions focused on the access and utilisation of biological resources and the existing regulatory framework in the sector. Various players in the seed sector, from source to shelf were described, and their roles deliberated upon. The participants also provided suggestions to ease the application procedures of Form-1 applications by businesses and stressed the urgency of implementing changes in the application and approval workflow. The need for streamlining application procedures to facilitate faster processing of applications and ease of doing business was communicated to NBA. In order to gather further inputs from the seed industry, similar meetings will be conducted with relevant players and stakeholders.





Suggestions and feedback gathered from this workshop were also noted by the ABS Partnership Project. The meeting was co-ordinated and supported by Dr Shivendra Bajaj of the Federation of Seed Industry of India and the ABS partnership project.

International Day for Biological Diversity 2019 held on 22 May 2019 at Chennai

22nd May was proclaimed by United Nations as the International Day for Biological Diversity (IDB) to increase understanding and awareness on biodiversity issues. This year's celebrations in India were held at Chennai, Tamil Nadu. The event was organised by the Ministry of Environment, Forest and Climate Change, Government of India, in coordination with the National Biodiversity Authority (NBA), in cooperation with the Tamil Nadu State Biodiversity Board. The theme for 2019 was "Our Biodiversity, Our Food, Our Health".

Launch of ABS IT Monitoring Tool

The Hon'ble Vice President of India, Shri M. Venkaiah Naidu, was the chief guest of the event and launched various initiatives contributing to biodiversity conservation. An IT monitoring tool called <u>ABS Monitoring System (ABS-MS)</u>, which has been developed in cooperation with GIZ, was also launched during the event. The objective of the tool is to improve the monitoring of the utilisation of bio-resources in India.



Exhibition

A thematic exhibition was also inaugurated by the Hon'be Vice President, which saw the participation of over 32 different institutions. The exhibition showcased their achievements and work in the field of biodiversity conservation. GIZ had also set up a stall for the event, providing information related to various projects of the Indo-German Biodiversity Programme.





Participation of Pilot BMCs under the ABS Partnership Project

The <u>ABS Partnership Project</u> had invited member representatives 10 pilot BMCs in Tamil Nadu. 13 serving members representing BMCs from Thiruppuvanam (Sivaganga), Natham (Dindigul), Periyakulam (Theni), Kariyapatti (Virudhunagar), Sedapatti (Madurai), Shanarpatti (Dindigul) and Thiruporur (Kanchipuram) blocks, attended the event.

Mr. Nithyanantham, member of the Periyakulam Biodiversity Management Committee appreciated the opportunity of participating in the event and learning about government initiatives for the protection of biodiversity and sustainable use of biological resources in India. He admitted that he was inspired by the exhibition and would be taking home several ideas on spreading awareness about biodiversity conservation through BMC activities in his block.

Ms. N. Lakshmi, member of Kariyapatti Biodiversity Management Committee applauded the effort of organising the event at a national level. She admitted learning more about biodiversity conservation as well as the different stakeholders involved in fulfilling the mandate of the Biological Diversity Act, 2002.

The ABS partnership project has initiated capacity development activities for the members of 10 pilot BMCs to support them in fulfilling their mandates as per the Act.

The IDB 2019 event saw participation of officers from the MoEFCC, National Biodiversity Authority, Government of Tamil Nadu and Tamil Nadu State Biodiversity Board, representatives from other States, Officers and Scientists from Central and State Government institutions, NGOs, academics, school students and biodiversity enthusiasts, among others.





National Workshops on Strategic Communication for Effective Implementation of ABS Mechanisms held on 12 July 2019 in Chennai and New Delhi

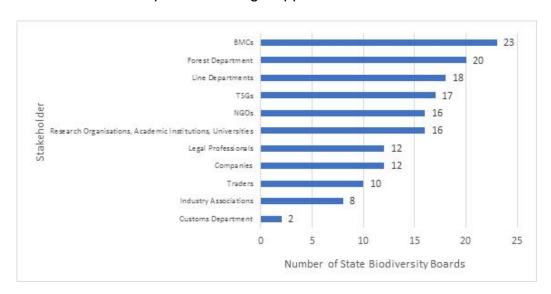
India, being a party to the <u>Convention on Biological Diversity (CBD)</u> enacted Biological Diversity Act, 2002 to "provide for conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use

of biological resources...". As per the Act, State Biodiversity Boards (SBB) are constituted in each Indian state and are tasked with "granting of approvals for commercial utilization or bio-survey and bio-utilization of any biological resource by Indians", among others.





Although the concept of Access and Benefit Sharing (ABS) has been in place since the enactment of the Indian Biological Diversity Act, 2002, awareness about ABS and related issues is limited. Engagement with a range of stakeholders is necessary for effective implementation of ABS. A survey conducted by the ABS Partnership Project showed that the SBBs interact with about 11 stakeholders (see figure 1) – each having a specific role in ABS. Communicating the mandates of the Act to the variety of stakeholders involved requires a strategic approach.



The <u>National Biodiversity Authority (NBA)</u> with GIZ organised 2 workshops, at Chennai (8-9 July) and New Delhi (11-12 July), for representatives of 23 State Biodiversity

Boards of India to discuss a national communication strategy for the effective implementation of ABS mechanisms as per the Biological Diversity Act, 2002.

Discussions were based on stakeholder analysis and communication objectives (drafted in May 2018) from the National Workshop for developing Communication Strategy. Regulators from SBBs were introduced to the concept of strategic communication and the process of drafting communication objectives. This was done by analysing the stakeholder's current Knowledge (K), Attitude (A) and Practice (P) associated with ABS process and PAK required to fulfil their respective roles in ABS. SBBs were also invited to discuss the challenges they faced in the communicating ABS and the Biological Diversity Act and posit solutions to realise the full potential of ABS in their states.



At the end of the workshops, SBBs were also invited to draft own state-wise action plans for communication strategies for various stakeholders. Participant feedback indicated their grasp on a new dimension of communicating ABS principles to develop stakeholder-specific communication strategies. Around 80% of the participants were interested in conducting trainings on communication strategies for their own staff at their respective SBBs and said that they would implement stakeholder-specific strategies for communication in their states.

The workshops were attended by Mr T. Rabikumar, Former Secretary, National Biodiversity Authority; Dr Biswajit Dhar, Professor, Centre for Economic Studies and Planning, JNU, New Delhi; Dr T. Narendran, Technical Officer (IPR), National Biodiversity Authority; Dr K. Raghuram, Technical Officer (ABS), National Biodiversity

Authority and Dr Konrad Uebelhoer, Director, Indo-German Biodiversity Programme, GIZ.



The two workshops saw the participation of 23 SBBs from all over India and were moderated by Ms Kathrin Heidbrink and Mr Suhel al-Janabi from the <u>ABS Capacity</u> <u>Development initiative</u>, Germany.

Maharashtra

Business dialogues on facilitating compliance on Biological Diversity Act, 2002 and Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations for users of bio-resources based in Maharashtra on 07 March 2019 at Pune, Maharashtra

The ABS Partnership Project in collaboration with MSBB and MCCIA (Marattha Chamber of Commerce Industries and Agriculture) organized a half day workshop on facilitating compliance on BD Act,2002 and 2014 Guidelines on Access and Benefit Sharing and associated TK from users of bio-resources bases in Maharashtra. The event was organized at MCCIA head office in Pune on 7th March 2019. The workshop was attended by 40 participants which included bio-resource based companies which were also members of MCCIA, representative from IBBI (India Business Biodiversity Initiative) representatives from NGOs, students pursuing law in the field of biodiversity

and sector experts. The objective of the workshop was to indulge in a dialogue with



users in getting to understand their queries with regard to BD Act and Guidelines on ABS and associated TK and address them so that they may become more aware about the provisions of the Act and related procedures which would facilitate compliance from those industries who

were not clear as to the provisions and how to comply with them.

The workshop began with a brief introduction to MCCIA by Mr. D.V Shukla (Director, MCCIA) who also extended a warm welcome to Dr. V. Bardekar (Chairman. MSBB), Mr. A. Ashraf (MS, MSBB), Dr. Patwardhan (Board member, MSBB) and Dr. Aeshita Mukherjee (Team leader, ABS Partnership Project). Mr. Mithilesh Kandalkar (Technical Expert, ABS Partnership Project) was the moderator for the workshop and invited Mr. Ashraf and Dr. Bardekar to give the opening remarks and welcome address respectively before getting into the technical sessions.

A copy of the BD Act, 2014 Guidelines on ABS, documents such as Form 1, checklist for users before applying to MSBB, NTAC list, FAQ's provided by NBA, and related brochures were distributed amongst the participants at the start of the workshop. Mr. Mithilesh provided the participants with an



overview of the workshop. He began the technical sessions by setting the context of how BD Act came into being and elaborated on the key provisions of the Convention on Biological Diversity and more specifically Nagoya Protocol.

During his presentation he covered key topics such as the three objectives of the BD Act, the institutional structure for its implementation, the various forms for accessing biological resources with focus on Section 7 companies, functions of SBB, application procedures to be followed by users and key questions they need to ask themselves

during the procedures when accessing bioresources from Maharashtra. He further elaborated on the mode of benefit sharing for traders and manufacturers when accessing bioresources for commercial utilization based on purchase price and exgross factory sales. Additionally, he covered the provisions of application of levy fee by a BMC, how the benefits are shared between the regulators and how the shared benefits contribute to conservation of biodiversity. Lastly, he laid emphasis on entities pursuing specific activities who do not required approval from SBB.



Keeping the workshop interactive, several questions were posed by the participants during the presentation. Mr. Ashraf answered their queries and engaged in a dialogue with them from time to time. Some of the questions raised were regarding clarity on terminologies such as" NTAC's", "Value added products",

"commercial utilization," common practices" which were used in the BD Act. Others were related to procedural aspects for getting approval from MSBB for access to bioresources. All the questions and the answers provided were duly noted down by Mr. Shreyas Bhartiya (Technical Expert, ABS Partnership Project). It was decided based on the queries that were posed by the participants, that a state specific FAQ will be developed by MSBB in collaboration with GIZ addressing gueries from Sec 7 companies for facilitating compliance on BD Act which will be put up on the MSBB website and which will also be revised periodically. This was one of the key outcomes of the workshop. Other SBBs can also benefit from such an FAQ list which would be instrumental in eliciting the required cooperation from bio-resource based industries on complying with BD Act. Dr. Aeshita Mukherjee gave the vote of thanks by expressing her gratitude to the participants for such an interactive and engaging discussion on various provisions of the BD Act and 2014 Guidelines on Access and Benefit Sharing and associated Traditional Knowledge. She thanked Mr. Ashraf and Dr. Bardekar for replying to the queries of participants and lastly thanked MCCIA for collaborating with GIZ in organizing the workshop.

Stakeholder Engagement on implementation of Biological Diversity Act in Maharashtra in collaboration with MSBB-IBBI-GIZ: Workshop held on 9 October 2019

The 1st workshop on 'Stakeholder Engagement on Biological Diversity Act Implementation in Maharashtra' was organised jointly by Maharashtra State Biodiversity Board (MSBB), GIZ and CII. The focus of the workshop was to bring together leading actors from biodiversity boards, businesses and civil societies at the state level for an exchange of dialogue and identifying challenges and solutions with respect to implementation of the Biological Diversity Act, 2002 (BD Act). The workshop was attended by 27 participants including government, business, NGOs and legal advisors.



The Workshop intended to:

- Provide an exchange forum for businesses and state biodiversity board
- 2. Documentation of best practices and develop guidelines
- 3. Development of action plan for successful

implementation of BD Act at state level

4. Planning workshops and stakeholder engagement as and when required

Tamil Nadu

Operationalisation of Biodiversity Management Committees (BMCs) – Training for Secretaries of BMCs between 21 February 2019 and 08 April 2019 at Coimbatore, Vellore, Trichy, Cuddalore, Tuticorin and Chennai, Tamil Nadu

The Access and Benefit Sharing (ABS) Partnership Project, along with the Tamil Nadu Biodiversity Board (TNBB), is conducting trainings for secretaries of Biodiversity Management Committees (BMCs) in all 385 block-level BMCs in Tamil Nadu.

The trainings aim to provide information on legal, administrative and financial aspects related to ABS, and other practical aspects needed to carry out functions mandated under the Biological Diversity Act, 2002, to the secretaries of BMCs in Tamil Nadu. It

also included practical sessions on hypothetical case studies and documentation of People's Biodiversity Registers (PBRs).

The first series of trainings were conducted at Salem and Madurai in December 2018. The workshop at Salem included secretaries of BMCs from the districts of Erode, Namakkal, Salem and Tiruppur and at Madurai, the workshop included secretaries of BMCs from districts of Dindigul, Madurai, Theni and Virudhunagar. Following this, a second series of trainings began in February 2019 at Coimbatore (21 Feb 2019), Vellore (22 Feb 2019), Trichy (26 Feb 2019), Cuddalore (27 Feb 2019), Tuticorin (05 Mar 2019) and Chennai (08 April 2019).

The workshop at Coimbatore included participation from BMC secretaries of Nilgiris and Coimbatore districts, the workshop at Vellore included participation from Krishnagiri, Vellore, Dharmapuri and Thiruvannamalai districts, the workshop at Trichy included participation from Trichy, Karur, Thanjavur, Thiruvarur, Nagapattinam and Pudukkottai districts, the workshop at Cuddalore included participation from Perambalur, Ariyalur, Cuddalore and Villupuram districts, the workshop at Tuticorin included participation from Tirunelveli, Kanyakumari, Thoothukudi, Ramanathapuram and Sivagangai districts, and the workshop from Chennai included participation from Chennai, Thiruvallur and Kanchipuram districts. The workshops were attended by a total of 188 participants encompassing all districts of Tamil Nadu.

Implementing the Access and Benefit-sharing provisions of the Biological Diversity Act, 2002: From principles to practice

In Tamil Nadu, as the District Forest Officers are designated as Nodal officers for the Forest Department, they have a vital role in terms of operationalizing the BMCs. One of the main functions of the BMCs mandated under the BD Act is to facilitate the Access and Benefit Sharing process. However, as per the current scenario, there are 385 BMCs at the block level in Tamil Nadu. But, many of those are not properly operational due to various challenges. Considering this, this workshop for the DFOs was organised on "Implementing Access and Benefit Sharing provisions of the Biological Diversity Act, 2002". The ultimate objective of this workshop was to recognise the key challenges of implementing the ABS provisions and to come up with possible solutions for those. Also, the workshop focused on sharing the lessons

learnt from the implementation strategies that were adopted in the pilot sites as a part of the ABS Partnership project.

The sessions focused on -

- Challenges in ABS implementation and the changes made in the new ABS regulation.
- Current scenario in Tamil Nadu regarding BMC operationalisation and the challenges.
- The challenges faced in documenting PBR and how to overcome it.
- Sharing examples and ideas on how the BMCs can levy fees over usage of certain biological resources.

The workshop was held on 24th September 2019 in Chennai. The workshop was attended by 40 persons including 25 District Forest Officers from all over Tamil Nadu. Hon'ble Minister of Forest and Chairperson of Tamil Nadu Biodiversity Board, Thiru. Dindigul Srinivasan inaugurated the workshop in presence of Thiru. Hans Raj Varma, IAS, ACS, Rural Development and Panchayati Raj, Thiru. Shambhu Kallolikar, IAS, Principal Secretary, Environment and Forests Department, Dr. Konrad Uebelhör, Programme Manager of Indo-German Biodiversity Programme of GIZ, India, Dr. P. Durairasu, I.F.S., PCCF (HoD), Thiru. Sanjay Srivastava, I.F.S, PCCF and Chief Wildlife Warden and Thiru. T.V. Manjunatha, I.F.S., Secretary of Tamil Nadu Biodiversity Board.

As a keynote speaker Dr. Balakrishna Pisupati, Chairperson, The Foram for Law, Environment, Development and Governance (FLEDGE) spoke on "Making Biodiversity Act work for development".

The technical sessions focused on the operational challenges of the BMCs in terms of different functions such as feedback to the ABS applications and documentation of PBR. The DFOs shared their field experiences and probable challenges they might face in facilitating the documentation of PBR. The participants debated in groups and they presented several important points on how to overcome those challenges and facilitate better. Several ideas for the collection of fees by the BMCs also came up followed by some success stories.

From the feedback it was analysed that the learnings from the workshop were well taken and they expressed their urge to consider those in the implementation process.







Business dialogues for ABS compliance in Tamil Nadu

Tamil Nadu Biodiversity Board together with GIZ-India and Covenant Centre for Development (CCD) under the ABS Partnership Project, organised business dialogues in three locations Madurai, Nagercoil and Chennai on 16th, 22nd and 24th October 2019 respectively to implement the Biological Diversity Act, 2002 effectively in Tamil Nadu.

The business dialogues started with introductory speeches given by the invited dignitaries. Few main key points made were:

At the Business Dialogue in Madurai, Mr. Bhosale Sachin Tukaram, IFS, District Forest Officer, Theni Forest Division, mentioned that limitations were present in the implementation of the BD Act specifically with respect to ABS and that workshops and dialogues like these between industry representatives and regulators would help with the effective implementation of the BD Act.

At the Business Dialogue in Nagercoil, Mr. S. Anand, IFS, District Forest Officer, Kanyakumari Forest Division, gave an introduction to Access and Benefit Sharing and spoke about how it helps farmers and biological resource collectors conserve the business resources that they grow and harvest.

Mr. K. Thirumal, IFS, District Forest Officer, Tirunelveli Forest Division, briefed about the Convention on Biological Diversity, the BD Act and on how BMCs were documenting traditional knowledge and the availability of biological resources at the block level in Tamil Nadu.

Mr. Prashant M Wadnere, IAS, District Collector, Kanyakumari, spoke about the importance of the BD Act and its ABS functionality. He also stated that the region's biological resources were important and that it should be a subject of pride for the people.

At the Business Dialogue in Chennai, Mr. T. V. Manjunatha, IFS, APCCF & Secretary, Tamil Nadu Biodiversity Board discussed the importance of using biological resources sustainably. He also urged companies to converse with the Government regarding their difficulties with compliance to the Act.

Dr. K.P. Raghuram, Technical Officer (Benefit Sharing), National Biodiversity Authority, gave an introduction to the BD Act and spoke about the reason for the BD Act and how the NBA goes about processing ABS applications. He also encouraged participants to ask questions during the business dialogue and answered queries during the reminder of the workshop.

The introductory speeches of all 3 workshops were followed by an interactive lecture from Dr. Suhas Nimbalkar, Consultant, Eitimo Ventures, on the BD Act, its purview and on the requirements for its compliance. To conclude for lunch, a short interactive quiz on ABS situational cases was conducted by Dr. Geetha Nayak, Team Leader, ABS Partnership Project, GIZ India, to give participants a practical understanding on

how to check whether their businesses fell under the purview of the BD Act or not. Participants' questions were also answered during both sessions.

For the session after lunch, participants were divided into groups to discuss internally their challenges with BD Act compliance and the solutions that could be proposed to tackle them. Participants were also asked to discuss how they would address the issue of source traceability with respect to their biological resources and how they could go about addressing it. The results of their group discussions were then presented by the group members to the other groups and the regulators present at the workshop.

The 3 business dialogues brought together over 120 business representatives, researchers, legal professionals, representatives of National Biodiversity Authority, State Biodiversity Boards and officials of Ministry of Environment, Forest and Climate Change (MoEFCC) to foster dialogue on ABS and BD Act compliance. The participants appreciated the efforts of the organizers for providing a platform for the dialogue.

Details of the workshops:

- 16 October 2019, Madurai: With participation of companies from the Madurai district and was presided over by Ms. C. Vidhya, IFS, District Forest Officer, Dindigul Forest Division; Mr. P. Muhammed Shabab, IFS, District Forest Officer, Madurai Forest Division; Mr. Bhosale Sachin Tukaram, IFS, District Forest Officer, Theni Forest Division; Dr. Mariappan, Drug Inspector, Madurai & Theni and Dr. Vijaya, Drug Inspector, Dindigul.
- 22 October 2019, Nagercoil: With participation of companies from Kanyakumari, Thoothukudi and Tirunelveli districts and was presided over by Mr. T. V. Manjunatha, IFS, APCCF & Secretary, Tamil Nadu Biodiversity Board; Mr. Prashant M. Wadnere, IAS, District Collector, Kanyakumari; Mr. S. Anand, IFS, District Forest Officer, Kanyakumari Forest Division; Mr. K. Thirumal, IFS, District Forest Officer, Tirunelveli Forest Division; Dr. Eleza, Drug Inspector, Kanyakumari; Dr. J. Mabel Arulmani, Drug Inspector, Tirunelveli and Dr. R. Rajaselvi, Drug Inspector, Thoothukudi.
- 24 October 2019, Chennai: With participation of companies from Chennai and was presided over by Mr. T. V. Manjunatha, IFS, APCCF & Secretary, Tamil

Nadu Biodiversity Board; Mr. Syed Muzammil Abbas, IFS, PCCF & Chief Project Director, Tamil Nadu Biodiversity Conservation and Greening Project; Mr. Amit Asthana, IFS, PCCF & Chairman (HoFF), Arasu Rubber Corporation, Tamil Nadu and Mr. Pitchiah Kumar, State Licensing Authority (Indian Medicine), Chennai.







Uttarakhand

Workshop on role of Media in Effective Implementation of Biological Diversity Act, 2002 on 6 March 2019 at Dehradun, Uttarakhand

"Community is the custodian of Bio-resources and Biodiversity Act, 2002 gives the power to the communities. This Act will benefit the community of the state through fair and equitable benefit sharing by the industries through State Biodiversity Board. In order to achieve this, State Biodiversity Board is forming Biodiversity Management Committees (BMCs) at Block and Village level"—Mr. S.S. Rasaily, Member

Secretary Uttarakhand
Biodiversity Board (UBB) at
the workshop on conservation
of biodiversity and role of
media in effective
implementation of the Act.



The workshop was jointly

organised by the Uttarakhand Biodiversity Board and ABS partnership project of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH at Dehradun, Uttarakhand on 6 March 2019. The main objective of the workshop was to sensitise people via media and communicate the role and advantages of the Biodiversity (BD) Act, 2002. Mr. S.S. Rasaily, Member Secretary of Uttarakhand Biodiversity Board, shared information on the BD Act with the participants.

Eminent journalists from renowned media organisations, such as the Times of India, Hindustan times, All India Radio (AIR), Rashtryia Sahara, Shah Times, Dainik Jagran, Dainik Bhaskar, News 18, Hindi Khabar, Punjab Kesari as well as Mass Communication Interns from Doon University and other Institutions participated in the workshop.



The Member Secretary of the Uttarakhand Biodiversity Board briefed the participants about the Act and their achievements so far. He shared that nearly 1000 BMCs have been constituted at different

levels in the state, by the Board and that the target was to form BMCs at local level. He added that as part of Access and Benefit Sharing (ABS), 1256 companies have been identified for benefit sharing and notices have been served for compliance. So far, 84 companies have come forward for the payment of ABS. As per the provisions of the Act, 95% of the ABS will go back to the BMCs for conservation and management of the resources. He also shared the status of PBR in the state as well as the fact that traders of bio-resources in the state are currently not being considered by the Board for ABS.

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) presented the Indo-German ABS partnership project and the activities implemented as part of the project. They shared that awareness; capacity development and development of good practices related to benefit sharing are being developed in the three states Tamil Nadu Uttarakhand, and Maharashtra. Development of a nationally recognised IT monitoring system for the National Biodiversity Authority is also in the works. As part of the activities, various training programmes, awareness workshops and seminars are being undertaken and implemented. In the state, GIZ is developing models for conservation via BMCs in Almora



and Pithoragarh which will be a landmark for BMC-based conservation through ABS.

The workshop gave the participants an opportunity to ask questions related to the Biodiversity Act and ABS. The people from the media enquired about the status of companies, different slabs of benefit sharing and the mechanism for ploughing back of ABS money. Mr. S.S. Rasaily addressed their queries and emphasised the significant role of the media in communicating the message of ABS to the people of the state.

Training of Uttarakhand Biodiversity Board on Certification process at Hungary

The "FairWild Forum 2019", was held between 24 - 27 April in Budapest, Hungary. The FairWild Forum is an international training, networking and professional development event focused on the verification of sustainable wild collection according to principles of the FairWild Standard for sustainable and equitable trade of wild plants, fungi and lichen.

The event was organised in the framework of the FairWild Auditor Competence Program (building capacity and knowledge of FairWild auditors) and will be held in conjunction with a meeting for accredited FairWild control bodies. Participation will enable scheme managers of FairWild-accredited control bodies (CBs) to perform own training courses for new auditors of their organization.

Mr. Sargam Singh Rasaily, Member Secretary of Uttarakhand Biodiversity Board participated in the training as part of the ABS Partnership project. (detail report Annexed).

Interactive workshop with Officers of Forest Development Corporation and Traders of Bio-resources, Kumaon, Uttarakhand on Awareness Generation & Communication of BDA

Fair and equitable sharing of the benefits arising out of biological resources is one of the most important objectives of Biodiversity Act 2002. Industries, traders and Forest Development Corporation (FDC) are important stakeholders in the value chain of bio-resource trade. Considering this, a one- day workshop on Biodiversity Act and Access and Benefit Sharing for traders of Kumaon region dealing in bio-resources was organized on the 07th of May 2019 at Corbett Riverside Resort, Dhikuli Ramnagar, Dehradun.

The main idea to conduct this workshop was to bring traders and Forest department/Forest development corporation authorities together and make them aware about the Biodiversity Act 2002 and ABS mechanism. The workshop also gave an opportunity to know about the issues being faced by the traders in the region, source/origin of bio-resources and procurement issues of the stakeholders including industries in the workshop.

The workshop was conducted with the following objectives:

To introduce Biodiversity Act 2002 to the stakeholders;

To understand the trade of bio-resources in the region;

To know the scope of value addition of bio-resources in the region for livelihoods improvement;

To develop market linkages between traders and industry;



Mr. G C Pant, Regional Sales Manager Forest Development Corporation was the special guest for the programme while Mr. S.S. Rasaily, Member Secretary Uttarakhand Biodiversity Board chaired the workshop. Mr. Jainandan Aggarwal, Chairman of Kumaon medicinal plants traders'

association was the special invitee for the event. Mr. Anil Joshi and Dr. Pradeep Mehta (GIZ, Technical Experts) moderated the workshop.

Traders from different parts of Uttarakhand i.e., Haldwani, Tanakpur, Ramnagar, regional sales officers of FDC and Forest department alongwith staff members of Uttarakhand Biodiversity Board participated in the workshop.

<u>Agenda</u>

At the start of the workshop, detail agenda of the workshop was shared with the participants which is given as under:

Introduction to agenda and objectives;

Welcome by Mr. S.S. Rasaily, Member Secretary Uttarakhand State Biodiversity Board:

Address by special guest Mr. GC Pant, Regional Sales Manager FDC;

Introduction of participants and expectations;

Introduction to Biodiversity Act 2002 and ABS;

Introduction to ABS partnership project;

Wrap up, learnings and vote of thanks

Sustainable trade of Bio-resources, Mr. Mahesh Joshi, Dabur;

Experiences of benefit sharing good practices, Dr. Pankaj Tewari, CHEA

Strengthening dialogues through trade-industry dialogues forum, Anil Joshi, GIZ

Exposure visit to Indian Medicines Pharmaceutical Corporation Limited (IMPCL)

Welcome & Inaugural Session

At the start of the workshop Mr. Anil Joshi, Technical Expert welcomed the special guest and participants. Setting the context of the workshop he briefed about the objectives of the workshop and the intended outcomes of the workshop. He also explained the Indo-German Partnership project on Access and Benefit Sharing being implemented in Uttarakhand.

Mr. S.S. Rasaily welcomed the participants and the special guest on behalf of UBB and in his address he mentioned that the Biodiversity Act 2002 is the first act which gives the right to the local communities. He also mentioned that one of the outcomes of the workshop is to systematize and legalize the trade of bio-resource in the state.

Mr. GC Pant, the special guest in his inaugural address said that it's important to understand the legal compliances of the Biodiversity Act 2002 and following the



procedures and provisions would be important factor for biodiversity conservation. The commercial use of bio-resources and traditional knowledge are important when it comes to biodiversity conservation and access and benefit sharing.

Introduction of participants and expectations

In this session, participants gave their brief introduction and their role in the value chain of the trade of medicinal plants and bio-resources. They mentioned the species in which they trade. They also mentioned about the value chain of the bio-resources they trade in. The participants expressed their expectations from the workshop while they were also briefed about the expectation of GIZ and UBB from the entire workshop.

In order to prepare the baseline and prepare the evaluation of the workshop, a participatory exercise was done to understand the status of the participants on the objectives set for the workshop. In the exercise, each participant was asked to rate their existing knowledge on BD Act 2002; understanding about ABS and understanding on provisions for traders under BD Act 2002 on the scale of zero to 10





where zero was minimum and 10 was maximum. The result of this exercise showed that majority of the participants were at zero to two except for two participants for the question knowledge on BD Act 2002. While for knowledge on ABS majority were at one while three participants rated themselves at 3 and 4. For knowledge on provisions for traders under BD Act 2002, the majority traders rated them at one.

This preliminary survey at the start of the workshop revealed that the understanding of the BD Act and ABS was very low among all the stakeholders in the workshop present.

This initial interaction during introduction, different issues related to trade of bioresource were also shared by the different stakeholders along with some suggestions which are given as under:

Expectations:

Explanation on terms like why India is a signatory and USA is not, the ploughing back mechanism of ABS and awareness of stakeholders

The source of material and sustainable extractions methods vis-à-vis limits of extraction

The contradictions in the Forest act 1927 and BD Act, 2002 clarity of terms in BD Act 2002

Conservation mechanism of RET species (Atees, Koot, kutki etc.)

Role of different institutions in the implementation of the Act

Decentralised approach in awareness and capacity building (farm level awareness and innovation for decentralisation)

Procurement rules of threatened species and Abs at end user level

Prior intimation and Mutually agreed terms related clarifications and specialisations

Role of Forest deptt and penal provisions in the Act regarding the trade of bioresources

Trade mechanism of forest collected resources such as Jhula, Moss, Pine Guliya and spices etc, the application of BD Act and Forest Act in such cases

Linking livelihoods to the trade assurance to farmers on clarity of rates of bioresources

The information on origin of bio-resources through compartmental information (Ravanna), given to traders

Rate standardisation (MSP), transport charges in the medicinal plant sector

Training/Capacity building of different institutions like, Bhesaj Sangh, HRDI, and Horticulture department, etc.

Training on understanding of traditional phytotherapy and associated Traditional knowledge for ensuring economic benefits

Introduction to BD Act 2002

In order to introduce the BD Act 2002, a talk was given by member secretary UBB Mr. Rasaily. In his talk, he mentioned about the origin of the act by mentioning about the United Nations Convention on Biological Diversity in which India was a party and signed it on 5th day of June, 1992. The Convention came into force on the 29th December, 1993. After ten years of this, Biological Biodiversity Act, 2002 came into force which extends to entire India.

He then elaborated upon the objectives of the Act i.e., Conservation of biodiversity; sustainable use of bio-resources and fair and equitable sharing of the benefits arising out of the use of biological resources. They were also explained the structure of the various authorities like National Biodiversity Authority; State Biodiversity Board and Biodiversity Management Committee (BMC). The participants were explained in



detail about the BMC, its objectives and its functioning. The participants were also told how they can work with the BMC's.

In addition to the above, the participants were briefed about the different definitions and compliances i.e., different forms required, with the help of the charts for better understanding.

Giving various examples, he explained why ABS is important for foreign trade and how ABS Compliant products are valued in international markets. He also briefed the participants that without ABS, they would not be able to export their products. They were also told about the compliances for species listed in CITES (Convention on international Trade in endangered Species of Wild Fauna and Flora).

This was followed by an interactive session where participants talked about the real concerns in the trade of bio-resources and gave various suggestions to improve the trade of bio-resources in the state so that the farmers who are cultivating the medicinal plants can be benefitted.

Dr. Pradeep Mehta, focussed on the different aspects of the Biodiversity regime and narrated the role of GIZ and international cooperation in the ABS partnership project. He moderated the introduction of participants and asked them about their expectations from the whole process and the workshop in particular.

Mr. Rasaily, informed the participants about the available provisions and guidelines in the BD Act 2002. He mentioned about the different sections of the Act regarding the queries of the participants.

Mr. Anil Joshi explained the overall mechanism including international treaty through the ABS simply explained movie in Hindi. In this section he also informed the participants through the different Bus stops on International convention provisions, BD Act 2002, Rules and guidelines 2004/state guidelines on the Act 2016 etc.

Mr. Mahesh Chandra Joshi, Principal Scientist, Dabur explained about trade requirements of Dabur and contribution of wild and cultivated resources in the overall trade of Dabur. He explained about the good practices that Dabur is taking care of in the procurement and processing of BRs in the country.

Dr. Pankaj Tewari, CHEA explained about their experiences of Good practices development and BMC based trade of bio-resources at Almora and Pithoragarh. He explained the process of BMC capacity building to the participants adopted by CHEA.





Mr. Pant, FDC explained about the certificate of origin mentioned in all FDC related trade and auction process. He invited the traders and companies to come forward and take part in the process of BR auction monthly organised at the regional depots

of FDC. He thanked the organisers for providing clarity on different aspects of the legal provisions and assured to cooperate the Board on every aspect of the trade related information required for Access and Benefit Sharing (ABS).

The Exposure visit to Indian Medicinal and Pharmaceutical Ltd. (IMPCL)

As part of first objective regarding awareness and communication of stakeholders, GIZ and Uttarakhand State Biodiversity Board conducted an "Interactive Workshop for Officers of Forest Development Corporation and Traders of Bio-resources Kumaon Region, Uttarakhand. In regard to the same, a visit of the participants organised to IMPCL post lunch. This was to give an exposure to the participants on value addition and sustainable trade of bio-resources. The visit was being organized with the following objectives:

To identify different bio-resources of the region;

To understand the trade of bio-resources in the region;

To know the scope of value addition of bio-resources in the region for livelihoods improvement;

To develop market linkages between traders and industry



Time: 15:00 to 17:00 PM

Number of participants: 40

Activities detailed:

Interaction with the system of IMPCL and detail of different facilities like; procurement, storage, Quality testing, manufacturing and packging etc.

Procurement model of Bio-resources, production system and value addition etc.

Q& A and interaction of the factory staff and participants

Way forward

The first session of the workshop was very fruitful and interactive in the way it was conducted. The participants interacted with the Board and got some answers to their queries relate to the notices served by the Biodiversity Board. In the second session participants learned about the real situation of trade of Bio-resources in the Industrial sector. The trade mechanism and procurement system of the BRs was understood by the participants:

Awareness and communication at the BMCs/farm level. Training of BMCs for Biodiversity conservation and benefit sharing, the Biodiversity Board will tie up with FDC and forest department on the trainings at local level

Conservation policy of wild collected and cultivated resources to discussed and prepared by different stakeholder together

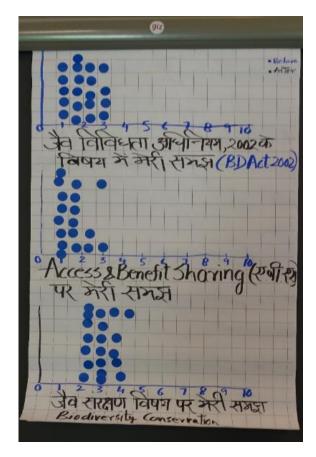
Complete flyer form information is to be prepared and disseminated among different stakeholders regarding the ABS mechanism

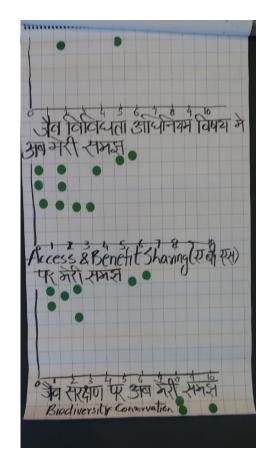
Communication among Forest dept., Forest development cooperation and Uttarakhand Biodiversity Board for information exchange and collection

Regarding the Exposure visit many participants were quite enthusiastic and energetic, therefore everybody requested to include such visits demonstrating live use of bio-resources and their trade/processing

These were the key takeaways from the workshop. GIZ and UBB will be working together to implement the agreed activities during the workshop.

Evaluation of the workshop





Workshop was evaluated with the help of evaluation express method in which a preevaluation and post evaluation of the workshop was done. There was a great improvement in the knowledge of the participants by the end of the workshop on all the three objectives which were covered during the workshop. The result of the pre and post evaluation can be analysed from the below given results.

Vote of Thanks

At the end of the workshop a vote of thanks was given by the member secretary Mr. Rasaily in which he expressed that the workshop was very fruitful and thanked all the stakeholders from Forest Development Corporation, Forest deptt., and traders from different parts of region. In his concluding remark he said that the participants are the ambassadors who will act as the messengers and take the message and convey it to the other stakeholders of the region so that BD Act and ABS can be executed in the state and Uttarakhand can become a leader in ABS in India. He thanked the GIZ team which has also came from a long way from Delhi to manage the workshop requirements.

Capacity building workshop for Providers (BMCs) and the Users (bio-resource based industries) for formalizing mutually beneficial ABS mechanism Background

The Biological Diversity Act, 2002 is an Act for Conservation & Sustainable use of biological diversity in India and provides mechanism for equitable sharing of benefits arising out of the use of traditional biological resources and knowledge. The Act was enacted to meet the obligations under Convention on Biological Diversity (CBD), to which India is a party. The National Biodiversity Authority (NBA) implements the provisions under the Act. State Biodiversity Boards (SBB) has been created in 28 States along with around 31,574 Biological Management Committees (BMCs) across India including Uttarakhand. Under the Biological Diversity Act, 2002, every local body in the State shall constitute a BMC within its area of jurisdiction for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties & cultivators, domesticated stocks and breeds of animals and micro-organisms and chronicling of knowledge relating to biological diversity.

Bio-resources constitute an important source of livelihood for millions of people from forest fringe communities across the world. The economic value of most of these forest resources are often not captured by the market. The potential of these resources has been underestimated since ages due to lack of awareness among the stakeholders and appropriate knowledge about management and usage of bio-resources. This had resulted in improper management of bio resources and their rapid depletion.

Strengthening the implementation of policy, legislative and administrative measures for biodiversity conservation and management is part of the National Biodiversity Action Plan. But so far, very few ABS agreements have resulted into benefit sharing with local communities. For the ABS to meet the biodiversity conservation objectives fair and equitable sharing of benefits needs to incentivize local stewardship for biodiversity conservation.

Considering ABS as an important issue, the Government of India and GIZ has jointly launched the project dedicated to conservation and sustainable use of bio-resources in India under the Indo German Biodiversity Programme. The main aim of the

support is to explore potential bio resources, availability, existing mechanism of supply chain inclusive of value addition and scope for ABS. The assessment of bioresources having potential of ABS and value chain has been studied in Kumaon and Garhwal with potential to piloting the selective bio resource value chain leading to effective ABS.

Three such best practices are being developed as part of the Indo-German project along with UBB. The three bio-resources i.e., Chyura (*Diploknema butyracea*), *Kutki* (*Picrorhiza kurroa*) and *Kuth** (*Saussurea lappa*)[*Cultivated] have been identified and the value chains have been identified. The three related companies procuring the respective BRs are Manorma Industries, Dabur India Pvt. Ltd., Agasti Pharmaceuticals, Pune were invited for the workshop. BMC's have been formed in the identified villages by the department and representatives from these BMC's were also invited for the workshop.

A workshop to streamline the process of ABS for the identified BRs was conducted on **13**th **of August**, **2019** at Uttarakhand State Biodiversity Board, 423 Indra Nagar Dehradun. The workshop was attended by growers, BMC members, NGO's, traders and pharma companies.

Welcome & Introduction

At the start of the workshop, the participants were welcomed by Mr. LM Kaul, Research Officer from Uttarakhand Biodiversity Board. The member secretary of Uttarakhand Biodiversity Board Mr. SS Rasaily set the context of the



workshop by briefing the participant about Access & Benefit Sharing (ABS) their role in ABS.

An introduction of the participant was done which was facilitated by GIZ. This was followed by aims, objectives and proposed outcomes of the workshop which are given as under:

Goal: Promote the conservation of tradable bio-resources by strengthening the Access & Benefit Sharing (ABS) mechanism while improving the livelihoods of the communities in Uttarakhand

Objectives:

To strengthen ABS mechanism by formalizing ABS process through collaboration of BMC's with companies to complete ABS cycle;

To understand the existing trade mechanism and value chain of the three identified Bio-Resources i.e., Chyura (*Diploknema butyracea*), Kutki (*Picrorhiza kurroa*) and Kuth* (*Saussurea lappa*) [*cultivated];

To develop the capacity of BMC and empower them for granting Prior Informed Consent (PIC) and setting the terms for mutual agreement (MAT) for commercial use of bio-resources;

Proposed Outcome:

A SOP for:

Granting Prior Informed Consent (PIC) to bio-resource based Companies by the BMCs.

Signing of Mutual Agreed Terms (MAT) between company and UBB

The use of ABS fund for the conservation, development, and sustainable harvesting of Bio-resources by the BMCs.

User friendly guidelines on ABS, biodiversity conservation measures etc. for BMCs

Publication of Case Studies on the standard implementation practices of ABS mechanism in Uttarakhand.

ABS: An effective mechanism for conservation of Bio-resources while improving the livelihood of the communities – Dhanajay Prasad



A talk on ABS was delivered by Mr. Dhanajay Prasad, Deputy Director UBB. In his talk, he briefed the participants about the origin of BD Act i.e., Rio Summit, Convention of Biodiversity; and its objectives. He also spoke about Nagoya Protocol 2010. He explained the process of ABS in detail which included Prior

Informed Consent (PIC) and Mutually Agreed Terms (MAT) which are the basis of ABS. He also briefed the participants that BMC can collect levy fee or collection fee but PIC and MAT are to be done by the respective State Biodiversity Boards. He told that the Strategic Operation Plan (SOP) for ABS process with industries has been prepared by the board and is available on UBB website.

Talking about the achievements of UBB, he briefed that almost 5000 BMC's have been formed by the board and approximately 1200 notices were given to the companies in Uttarakhand out of which almost 100 companies have come forward to pay ABS. Speaking about the challenges, he mentioned that due to traceability issue, its difficult to plough back ABS money back to the community. Another challenge he mentioned was bringing different stakeholders together.

Address of the Chairman, Uttarakhand Biodiversity Board: Dr. Dhananjai Mohan

Dr. Dhananjai Mohan, Chairman of UBB addressed the participants. In his address, he thanked GIZ for organizing the workshop. He mentioned that workshop like these are an important step to bring farmers, BMC's, traders, researchers and companies together. He suggested that such workshops should be done regularly to benefit the communities. Referring this workshop as an important step, he said that though UBB is a leading board but still there is lot to be done. Praising the BMC's of remote area, he said that there are limited BRs but its good to see that remote areas are doing good.

<u>Presentation on the SOPs for PIC, MAT and the use of ABS fund: Mr. SS Rasaily, Member Secretary UBB</u>

A detail presentation on SOP for PIC, MAT and use of ABS funds was given by the Member Secretary Mr. SS Rasaily. He briefed about the approach of UBB for the formation of BMC's. Talking about ABS process he briefed the necessary perquisites for a successful ABS process:

Presence of High VALUE or High DEMAND Bio-resource(s) available or being exploited / cultivated for commercial purpose(s)

Awareness about the importance of Conservation of Biodiversity or Bio-resource(s) among the local people

Benefit claimers [*Providers – the BMCs / growers of Bio-resources or owners associated Traditional Knowledge (TK)*]

Awareness about the importance of conservation of the concerned Bio-resource(s) among the users of Bio-resources – Traders / Manufacturers



He also briefed different scenario's and the steps to be taken for execution of a successful ABS agreement:

Scenario 1

When High VALUE or High DEMAND Bio-resource(s) is available or is being exploited / cultivated for commercial purpose(s)]

Formation of BMC(s)

BMC informs the user about the availability of commercially important bio-resources through the SBB

Or Sends notice to the collectors / exploiters / traders through the SBB

User either seeks consent of the producer or responds to the notice sent by the BMC

SBB signs an ABS agreement with the user under Mutually Agreed Terms put by the BMC after giving a Prior Informed Consent

95% of the ABS fund deposited with the SBB is made available to the concerned BMC for financing project(s) for the conservation of the concerned bio-resource or the area or maintenance of the land where from where the bio-resource had been sourced from

BMC with the help from the SBB or any other institution prepares a conservation micro-plan which will be validated by the concerned user trader / manufacturer

The micro-plan is then sent to concerned experts or department(s) for technical & financial validation

After technical & financial validation, the SBB sanctions the project and starts releasing fund for the project in mutually agreed pre-decided installments

The MAT will also include terms and conditions for harvesting and supply of the concerned bio-resources to the user partner

If the concerned bio-resources comes within the banned/restricted list, SBB will intervene to get requisite permission(s)

Scenario 2

High VALUE or High DEMAND Bio-resource(s) neither available or nor being exploited for commercial purpose but presence of areas of High Conservation Value

Awareness about the importance of Conservation of Biodiversity among the local people

ABS fund for funding conservation measures

For SOP regarding PIC and MAT, he briefed that the BMC will inform the user about the availability of commercial BRs through SBB. Or BMC will send notice to the collector/s. User will either seek consent of the producer or respond to the notice sent by the BMC. SBB will sign an ABS. He further briefed the process for ABS which is given as under:

UBB will design a format for PIC & MAT to suit different conditions

UBB has already prepared format for preparing conservation micro-plan for forestry related activities. Format for other sectors like agro-diversity, animal husbandry, pisciculture, apiculture etc., are being prepared

Regarding the ploughing back of ABS money, he mentioned the different activities which could be financed under ABS funding:

Any activity related to

conservation of both wild and domesticated biodiversity

Awareness building about and for the conservation of biodiversity

Documentation of biodiversity and associated TK

Creation of facilities for scientific harvesting, storage, packaging, transportation etc.

Training and capacity building etc.

<u>Presentation on Value Chain of Kuth (Saussurea lappa) – Dr. J.S. Butola, Human India</u>

Dr. J.S. Butola from Human India presented the value chain of *kuth*. Talking about *kuth*, he mentioned that the plant is native to India and in Jammu and Kashmir where it grows near water bodies at an elevation of 2200 to 3500 meters. In J&K, there is a special law for this species. Due to its extensive exploitation, the species has been declared as rare and endangered. Its extraction from the wild is completely banned by the Indian Government as well as CITES (The Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention).



He also explained the following importance of kuth:

Used for curing leprosy;

In superior quality of perfumes and toiletries;

Its oil is antiseptic and antibiotic, therefore, is used for protection of woollen clothes; It is beneficial for asthma, cough and heart problem;

In China they use the roots as incence.

Talking about the distribution of the specie, he explained that after the extinction from its natural habitat, the cultivation of the species started from 1920 in the Himalayan areas of Lahaul Spiti in Himachal and Bhuna in Chamoli, Uttarakhand (then Uttar Pradesh). Presently, the species is being grown in Uttarkashi, Chamoli, Bageshwar, Pithoragarh, Tehri and Rudraprayag districts of Uttarakhand. Apart from India, the specie is also grown in Pakistan, China, and North Korea. He also explained the cultivation practice of *kuth*. The production per hectare in Uttarakhand is 35-40 quintal while in J&K, it is 20-35 quintal. He also mentioned the value addition practices for *kuth* like washing in herbal dryers, cutting and drying in fibre

roof poly-houses. He told that due to poor value addition practices, Indian *kuth* is less in demand in comparison to Chinese *kuth*.



Indian Vs Chinese kuth

He also mentioned some best practices for kuth like washing, drying, grading and packaging which are illustrated below:

The total demand of this specie is approximately 100 tonnes but the maximum supply from Uttarakhand and Himachal Pradesh is 20 tonnes.

Talking about value chain analysis of *kuth* and *kutki* under Indo-German Biodiversity Programme (IGBP), he briefed that the following developments have been done so far:

Cluster Identification for Kuth & Kutki Value Chain

Grassroot level survey – Resource mapping, Success stories of farming, ABS and market chain study

Operational plan meeting and interviews with different Stakeholders

Initiation of ABS with the buyers

He also presented the value chain map of both the bio-resources which is illustrated in the figure below:



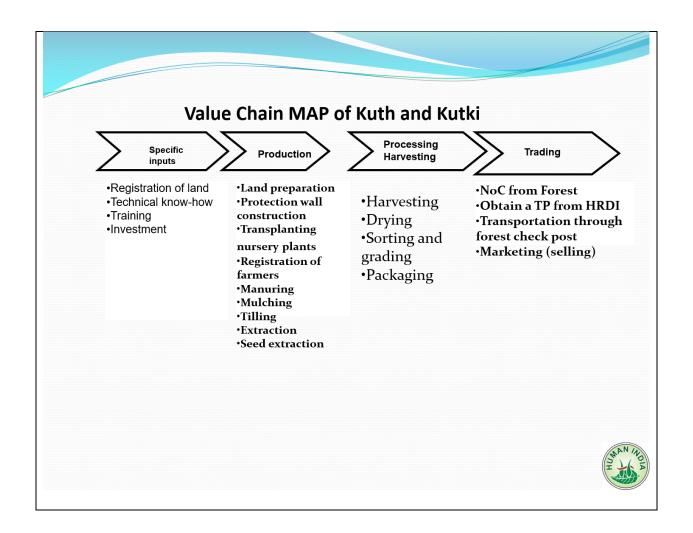
The important stakeholders in the value chains are FARMERS (Growers); HRDI (Nodel agency); NMPB (Financial support); FOREST (NoC/LPC for produce); HUMAN (Aggregator/Trader) and DABUR (Buyer). All the important stakeholders are interested to sign the ABS with UBB.

Some of the challenges he mentioned in his deliberations were:

Lengthy process of permissions, verifications and transit permit;

Difficulty in getting export license;

Production norms of HRDI are back dated in which production per unit area is low. These norms need to be revisited;



MoU with Law College, Uttaranchal University for the inclusion of BDA in course curriculum

As part of Indo-German Biodiversity Programme, Access and Benefit Sharing Partnership Project of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH Memorandum of Understanding (MoU) was signed on 11 October 2019 between Uttarakhand Biodiversity Board (UBB), Dehradun, Uttarakhand and Law College Dehradun faculty of Uttaranchal University). The MoU was signed for The Inclusion of Biological Diversity Act, 2002 in Course Curriculum of the Law College Dehradun, Uttaranchal University (LCD UU) and Capacity building of Law students regarding the legal provisions of Biodiversity Conservation in general and Access and Benefit Sharing (as provided for in the Biological Diversity Act, 2002) in particular.

Welcome Session

The Dean of Law College, Professor (Dr.) Rajesh Bahuguna welcomed the dignitaries. The chief guest Dr. Dhananjai Mohan, Chairman UBB and special guest Mr. Sargam Singh Rasaily, Member Secretary, UBB were presented a bouquet by the Chancellor of Uttaranchal University Mr. Jitendra Joshi. To mark the occasion and for long term partnership lighting of the lamp was done by the dignitaries.

During his address Mr. Bhaguna thanked UBB and GIZ for collaborating with LCD UU. He specially thanked GIZ for facilitating the entire process. Dr. Pradeep Mehta, Technical Expert GIZ gave an overview of GIZ and Indo German Partnership ABS Project. He explained the goal and the key objectives of the MoU which are as under:

Goal:

To develop a cadre of lawyers well versed with the provisions of Biological Diversity Act, 2002 so as to enable them to provide their legal services to a wide range of stakeholders.

Objectives:

To develop a comprehensive course curriculum on Biological Diversity Act, 2002 and associated legal matters for Law students.

Inclusion of Biological Diversity Act in the course curriculum of Law College of Uttaranchal University.

Formulate awareness building strategies and develop awareness material for the use of other stakeholders such as the industry representatives, traders, collectors & cultivators, research institutions, BMCs, Traditional Knowledge (TK) holders etc.

MoU Signing

The MoU was signed by Mr. SS Rasaily, Member secretary UBB and Prof. (Dr) N.K Joshi, Vice Chancellor, UU. The MoU was exchanged between Dr. Dhanajai Mohan, Chairman UBB and Mr. Jitendra Joshi, Chancellor, UU.

Address by Member Secretary

Speaking on the occasion, Mr. Rasaily, Member Secretary said, "This is a landmark MoU between any State Biodiversity Board with Law College which will act as an example for other states and the results of this will be seen in the long run."

Address by Chairman

















Glimpses of the Programme

Addressing the gathering as the chief guest, Dr. Dhananjai Mohan, Chairman of UBB said, "Uttarakhand is one of the leading states when it comes to biodiversity conservation and its imperative that when an MoU of this kind has to be signed, Uttarakhand had to lead the way and it has rightly turned so." He congratulated GIZ for facilitating the entire process of MoU and considered it as a major achievement of the project.

Dr. Rajesh Bahuguna, Dean Law College UU, facilitated the programme. Other's present were Anil Joshi, Technical Expert GIZ, Dr. Poonam Rawat, H.O.D.(Law), Dr. Lakshmi Priya Vinjamuri, Assistant Professor Law College and Prof. Ajay Katuri, Hazard Risk Vulnerability Analysis Expert, National Disaster Management Authority, Govt. of India. Approximately 250 law students were present to witness the MoU signing.

This MoU between the two institutions (UBB and LCD UU) was facilitated by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

Radio Programme prepared and relayed on All India Radio for BDA & ABS

A one-month series on Biodiversity Act 2002 and ABS was designed and broadcasted through All India Radio. The road series was planned to reach to the remotest villages and aware them about BD Act, ABS and importance of Biodiversity. Messages by the Chairman and Member Secretary of Uttarakhand Biodiversity Board were given through radio while technical staff of GIZ gave the knowledge about Biodiversity, BMC and ABS. Messages of BMC representatives were also broadcasted.

A two-way communication through question and answer between community and experts was also done. This entire one-month series helped to reach wider audience in the remotest villages of the state. Resultantly, the Board receive various queries from the various stakeholders.

Workshop for Law students of Law School of ICFAI

As part of Indo-German Biodiversity Programme, Access and Benefit Sharing Partnership Project of Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH an interactive workshop for law students of ICFAI Law School, Dehradun was conducted on 15 October 2019 by GIZ. The main purpose of the workshop was to

make the students aware about biodiversity conservation and Biodiversity Act 2002 and develop their capacity regarding the legal provisions of Biodiversity Conservation in general and Access and Benefit Sharing (as provided in the Biological Diversity Act, 2002) in particular.

The half day workshop was conducted in the auditorium of ICFAI Law School. Almost **168** law students (161) and faculty (07) attended the workshop. Three main sessions were conducted during the workshop i.e., biodiversity and ecosystem services; Introduction to Biodiversity Act 2002 and Introduction to Access and Benefit Sharing (ABS).

Pradeep Mehta, Technical Expert GIZ took the first session. At the start he welcomed the participant and gave a brief about GIZ and its projects (globally, nationally and in the state). He then explained the term biodiversity and ecosystem services through power point presentation for better understanding. The students were also sensitized about the importance of biodiversity.

The second session was on BD Act 2002. Mr. Sargam Singh Rasaily, Member Secretary of Uttarakhand Biodiversity Board. He gave a brief history of Convention of Biodiversity (CBD) and how the BD Act 2002 was promulgated. He explained how the act is being implemented with the help of a three-tier system – National Biodiversity Authority (NBA) at the centre; State Biodiversity Board (SBB) at the state level and Biodiversity Management Committee (BMC) at village level. Mechanism of ABS and compliance of bioresource based companies was also explained to the students.









Anil Joshi, Technical Expert, GIZ, introduced the students to ABS. The students were shown a film on ABS followed by an interactive lecture on ABS. He explained the mechanism of ABS and how the ABS money is ploughed back to the community for conservation of bioresources. A handbook of BD Act and a flier of ABS were also provided to the students for reference.

At the end there was a question and answer session, in which the students and faculty asked various questions related to the act and ABS. The queries by answered by the three speakers.

Vote of thanks was given by the Dean of ICFAI law school Professor (Dr) Yugal Kishore in which he thanked GIZ and UBB for conducting the workshop. The law school also expressed interest in future collaborations to conduct Moot Court Competition and inclusion of BD Act 2002 in course curriculum of Environmental Law paper.

Stakeholder Engagement Workshop on Biological Diversity Act in Uttarakhand

The Biological Diversity Act 2002 (BD Act) was developed in India to implement the Convention of Biological Diversity's (CBD) three objectives i.e. conservation of biodiversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge.

Access and Benefit Sharing (ABS) is the third important objective of the CBD and the BD Act. It is also a tool for meeting the financial requirement for achieving the all the objectives of Act. ABS can also play a very critical role in businesses which depends on biological resources for sustainable management of supply chain and opportunities to explore global market with ABS compliant products.





The workshop aimed to bring together leading actors from biodiversity boards, businesses and civil societies to develop an interactive stakeholder engagement platform in Uttarakhand to identify challenges and find scalable solutions for implementation of the BD Act at state level.

- Establish a dialogue Forum at state level
- Setting the Agenda for Action for the Forum

The workshop on "Stakeholder Engagement on Biological Diversity Act Implementation at Uttarakhand", the first of its kind in Uttarakhand, was opened by the Confederation of Indian Industries (CII). The panel discussions were led by Mr. SS Rasaily, Member Secretary, Uttarakhand Biodiversity Board; Dr. S Farooq, Past Chairman, CII Uttarakhand State Council and President, Himalaya Drug Company, Dehradun; Mr. Anil Joshi and Dr. Pradeep Mehta, Technical Expert, GIZ India and CII representative- Dr Pravir Deshmukh, Counsellor, CII.

Dr. Pravir Deshmukh, Counsellor, CII said that there were multiple issues in implementing the BD Act and the "need for stakeholder engagement to identify these issues and develop probable solutions to address them. BD Act implementation provides as a positive tool for integrating sustainable supply chain management and sustainable utilisation of biological resources. The industry and the biodiversity board need to discuss the ways to make implementation successful." Mr. Anil Joshi, Technical Expert, GIZ India spoke on the need for a dialogue forum to involve multiple stakeholders to understand challenges and resolve issues. He said that "the role of the forum needs to be defined in terms of objectives and support needed at the policy front for better implementation."

"Biological Diversity is not just about threatened, endangered or extinct species but about the wellbeing of humans and all life forms on earth. The Act has become a concern for the industry and other stakeholders as there is little awareness about the act. The dialogue exchange should be what the industry and government can do to safeguard nature and live in harmony", said Dr. S Farooq, Past Chairman, CII Uttarakhand state council and President, Himalaya Drug Company, Uttarakhand.

"ABS is not a tax, it is an investment for protection of biological resources, community development and secured supply chain. The Biodiversity board is keen to know the concerns and issues of the industries and helps in understanding and providing solutions for implementation. It is this generations' prime responsibility to safeguard life on earth. Today, the biggest concern is the speed at which the mass extinction is happening, and ABS/BD Act provide the way this extinction and loss can be halted and reversed", said Mr. Rasaily, Member Secretary, Uttarakhand State Biodiversity Board

In the second and third sessions, the participants were divided into two groups to identify the objectives of the dialogue forum, its role and responsibilities, and the model of functioning in the future course of action, moderated by GIZ and CII.

Outcomes of the workshop:

- Stakeholders identified: DGCI, Representatives of associations, CII, SBB
- Identified Activities:
 - BD Act awareness and capacity building
 - Sectoral application of BD Act
 - Developing SOPs and knowledge products
 - Development of FAQs and communication channels
 - Developing best practice case study documents
- Dialogue Forum: Uttarakhand Biodiversity Working Group

All the stakeholders have been requested to share nominations of representatives to be part of this working group. Future dialogues will be more focused on the specific issues and objectives.

II. Development of good practices of benefit sharing with communities

2018

Maharasthra

Establishment of Market Linkages between Users from Nagpur & Providers of bio-resources from Gadchiroli district of Maharashtra held on 8th January 2018 Maharashtra State Biodiversity Board (MSBB) in cooperation with the ABS Partnership Project supported by GIZ, has taken the onus of facilitating dialogue and developing direct linkages between users & providers of bio-resources in Maharashtra. Under this initiative, a Scoping Workshop was organized on 8th Jan 2018 with a goal of establishing a market linkage between bioresource based industries from Nagpur and Community organizations from Gadchiroli, supported by Gondwana Herbs Initiative of Forest Department, Gadchiroli. Representative of around 11 bioresource based industries and Ayurvedic Drug Manufacturers Association (ADMA) participated in this workshop. Chairperson of Gondwana Herbs Vanaushadi Vaidu Mandal facilitate the interaction with industries.



Key issues highlighted in the discussion were

- Ensuring supply of high quality bioresources
- Fulfilling demands for rare species available in forest of Gadchiroli
- Improve the scope for offering a competitive pricing standard and opening up credit facilities to buyers
- Opportunity to encourage value addition to the product through certification, such as Organic, Fair Wild etc.





Dr Dilip Singh, Member Secretary, MSBB expressed his willingness towards addressing these issues and assured all possible support from State Biodiversity Board in facilitating the linkages.

This workshop was a stepping stone towards the establishment of a unique "Good Practice" that ensures fair and equitable sharing of benefits between users & providers arising from utilization of bio resources.

Workshops on awareness building among gram panchayats on establishment of BMC and process of preparation of People's Biodiversity Register on 28 December 2018

<u>Background:</u> Applied Environmental Research Foundation (AERF) initiated capacity building activities and support in documentation of People's Biodiversity Register (PBR) for four BMCs in Sangameshwar block under the scope of ABS Partnership Project.

AERF selected Devade, Kosumb, Ujgaon and Devale villages as these villages have FairWild certificated sites and their BMC formation process has been completed. The objective of this assignment is to strengthen these BMCs and involve them as pilot BMCs towards development of ABS Good Practice.

AERF organized several meetings with BMCs and Gram Panchayat members to create awareness among them about the Biodiversity Act 2002, Role of BMC, PBR process and allied activities. All four BMCs were enthusiastic and committed for

successful implementation of PBR. AERF conducted two training and capacity building session per village and with the support of local community initiated the process of documentation of PBR.

In order to promote these activities in other villages the said workshop was organised.



Experience sharing Workshop:

BMC members and Gram Panchayat members of around 28 villages in Sangameshwar block were invited for this workshop

Following were the key objectives of this workshop:

- To familiarize the BMC members, Gram Panchyat members and villagers in general about the Biological Diversity Act and Role of BMCs in the implementation of this Act
- To discuss the process of PBR preparation adopted in four villages and encourage other villages to adopt it

Workshop was attended by BMC members, Gram Panchayat members, Gramsevak and locals. AERF also invited local experts who are doing biodiversity conservation and its sustainable harvesting. Mr. Dharma Lobhi an agrobiodiversity expert from Thakar indigenous community, Alibaug and Mr. Kundalik Kondawale, from Mahadev Koli indigenous community, Bhimashankar participated in this gathering and shared their experiences.

Dr. Archana Godbole, director of AERF and Mr. Gunwant Mahajan welcomed all participants. Dr Godbole briefed about Biodiversity Act, formation of BMCs, nature and functions of BMCs at village level, PBR activity and potential of biodiversity base livelihood sources on local level. Gunwant explained the process of PBR preparation



and capacity building sessions and key findings. Chairperson of BMCs from these four villages and representatives of gram panchayats, self-help groups shared their opinion on how useful the process of documentation of biodiversity through PBR is. They also highlighted

methodology adopted in development of a village resource mapping with AERF team and mentioned that it was an eye opening experience for them, which provided them with a new perspective to look at their village and biodiversity.

Mr. Dharma Lobhi expressed his thoughts around the importance of forests for indigenous people and role of agrobiodiversity in healthy diet. Mr. Kundlik Kondhvale explained the situation of bees and importance of bees for pollination. He shared his experiences of *sateri bees* and their friendly behaviour for bee keeping. Since these topics were very native, participants had a detailed discussion with experts on it.

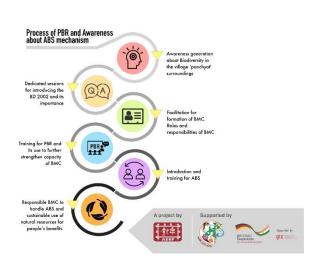
AERF team members Mr Omkar Pai, Mr Akash Patil and Mr Sanjay Pashte shared their experiences of the PBR process and how that has increased their understanding about these villages and its biodiversity.

Workshops on awareness building among gram panchayats on establishment of BMC and process of preparation of People's Biodiversity Register on 01 March 2019

Second round of workshop for BMC members and community was organized for Awareness Building among the Gram Panchayats on establishment of BMCs, Preparation of PBRs under the scope of ABS Partnership Project. This workshop was attended by 127 participants from 42 villages in Sangameshwar block of Ratnagiri district.

The key objective of this workshop were:

- BMC members sharing their experience of PBR development in four villages- Ujgaon, Deole, Devade, Kosumb
- 2. Launch of village posters displaying the biodiversity of their respective villages, Resource Maps & process of PBR preparation



- 3. Importance of establishing a BMC & preparation of PBR
- **4.** Guidance from MSBB on role and functioning of BMCs and potential support

Dr. Archana Godbole introduced the meeting and provided insights of process followed and facilitation provided by AERF team to four Gram Panchayats in Sangameshwar block for PBR preparation. She reiterated the fact that PBR could be effective for monitoring the use of bio-resources and benefits arising out of it, to the local people who have been guarding and protecting biodiversity for generations. She

also mentioned that it is not important to just publicize the biodiversity but to make

wise use of it for the benefits of community and its provider.

Dr Vilas Bardekar, Chairman, MSBB expressed his gratitude for very positive response by communities and their deep interest in the process of



preparation of PBR. He complimented members of four BMCs over the village posters developed by them. He also provided some examples of the successful PBR prepared elsewhere in Maharashtra. He expressed support from MSBB for strengthening of BMCs and effective implementation of the BD Act and ABS guidelines

Women representatives of four BMCs shared their experiences of PBR development. Mrs Kala, BMC member, Ujgaon said that "The process of PBR preparation has introduced me to my own village with altogether a new perspective. The way I look at



my village now is very different, I could more relate to the biodiversity of my village".

Dr. Aeshita Mukherjee expressed her appreciation for overwhelming response of the local people for PBR preparation. She explained in brief the importance of BD Act

and how it preserves the right of local community over their bio-resources & associated traditional knowledge.

Mr. Vijay Surve, DFO, Chiplun discussed the importance of PBR and training for the conservation of biodiversity in non-protected landscape. He emphasized on how the BD Act could be used to achieve long term protection of traditions like sacred grove and how provisions of the act could be used effectively for safeguarding valuable biodiversity.

Finally vote of thanks was given by Mr. Jayant Sarnaik, Joint Director, AERF.

Posters launched at the event- Briefly displaying the biodiversity of these villages, Resource Maps and Impact of PBR process





Under Section 41 of Biological Diversity Act 2002, every local body shall constitute a Biodiversity Management Committee (BMC) within its area for the purpose of promoting conservation, sustainable use of bio-resources and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and recording of knowledge relating to biological diversity.

Applied Environmental Research Foundation (AERF) has been working in Sangameshwar taluka for more than 20 years to implement many forest & biodiversity conservation programmes with community participation. Under the scope of ABS Partnership Project, AERF has undertaken series of training & capacity building sessions for BMC of Ujgaon village and supported them in preparing People's Biodiversity Register (PBR) since 2018. BMC members and local knowledge holders of Ujgaon has recorded the information about the biodiversity occurring in their village and developed a People's Biodiversity Register.





Effect of trainings & PBR development process

- nonitoring the use of bio-resources accessed from their surrounding od that provisions of BD Act could be applied to protect the biodiversity in their village









Sangameshwar Block

People's Biodiversity Register Capacity Building

Under Section 41 of Biological Diversity Act 2002, every local body shall constitute a Biodiversity Management Committee (BMC) within its area for the purpose of promoting conservation, sustainable use of blo-resources and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and recording of knowledge relating to biological diversity.

Applied Environmental Research Foundation (AERF) has been working in Sangameshwar taluka for more than 20 years to implement many forest & biodiversity conservation programmes with community participation. Under the scope of ABS Partnership Project, AERF has undertaken series of training & capacity building sessions for BMC of Devade-Wadi Adhisti village and supported them in preparing People's Biodiversity Register (PBR) since 2018. BMC members and local knowledge holders of Devade-Wadi Adhisti has recorded the information about the biodiversity occurring in their village and developed a People's Biodiversity Register.



Effect of trainings & PBR development process on local people:









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Tamil Nadu

Consultation meeting with Irula community to operationalise Access and Benefit Sharing Provisions on Snake Venom Extraction and Trade held in Chennai

The Tamil Nadu Biodiversity Board (TNBB), Chennai along with the National Biodiversity Authority (NBA), Chennai and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, New Delhi held a consultation meeting on 1 August

2018 at Dr. Cleghorn Conference Hall, Panagal Maligai, Chennai. The meeting brought together representatives from the Irula Snake Catcher's Industrial Cooperative Society (Irula Society) and senior officials of the Forest



Department, TNBB and NBA. Ms. Shameeka Rao, interning with the Access and Benefit Sharing (ABS) Partnership Project had collated data on the sale of venom from various records for a study to operationalise ABS.

The Irula Society, functioning since 1978, is the largest organised supplier of snake venom in the country. The Irula Society maintains a venom extraction centre and partially processes the venom for storage and transport. Membership into the Irula Society is subject to various criteria and the members receive an annual bonus in terms of health insurance, housing benefits, etc. They currently have over 300 members and work in 3 districts of Tamil Nadu – Kancheepuram, Chennai and Thiruvallur.

Mr. Udhayan IFS, Secretary, TNBB presented the meeting agenda and Mr. Rabikumar IFS, Secretary, NBA highlighted the importance of the study for the implementation of ABS provisions on biological resources obtained from animals sources. Mr. R.K. Upadhyay IFS, PCCF (HoFF), Tamil Nadu Forest Department lauded the efforts of Tamil Nadu Biodiversity Board for initiating implementation of ABS in the state. Mr. T. P. Raghunath IFS, PCCF & Chief Wildlife Warden, explained the role of the Forest Department as one of the regulators of the trade alongside the Department of Industries and Commerce. They provide licences to the snake-catchers, restrictions

on the number of snakes that can be captured, and permits for the sale of snake venom from the Irula Society. Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme emphasised the need for recognising the local communities in three districts as protectors of the habitats beyond the role of the Irula Society who are directly involved in the trade of snake venom.



The salient features of the Biological Diversity Act, 2002 and implications of the ABS provisions on their trade were explained to the members of Irula Society. The need for stakeholder-specific materials in Tamil language was highlighted to ensure easy understanding of the Biological

Diversity Act, 2002 and related Rules and Guidelines.

Follow-up meetings with various stakeholders, specifically with the Irula Society and the companies/entities that procure venom for commercial use and/or research are to be conducted. Further work will be taken up to identify aspects of the trade that could affect conservation of the snakes and their habitats.

Workshop on documentation of People's Biodiversity Registers for District Nodal Officers on 13 November 2018

The documentation of People's Biodiversity Registers (PBRs) is one of the main functions of Biodiversity Management Committees (BMCs), as established under the Biological Diversity Act, 2002. The Tamil Nadu Biodiversity Board (TNBB), along with the Rural Development and Panchayat Raj (RDPR) Department, facilitated the constitution of BMCs, one of the three-tiered institutions established under the Act. There are 385 block-level BMCs in Tamil Nadu, and the Access and Benefit Sharing (ABS) Partnership Project has undertaken various capacity-building measures to strengthen these local level institutions.



A workshop was conducted on 13 November 2018 at Chennai, to discuss the processes involved in documenting PBRs with District Nodal Officers from all districts of Tamil Nadu. Senior officials from the Tamil Nadu Forest Department, Dr. H.

Malleshappa IFS, PCCF (HOD), and Mr. T. P. Raghunath IFS, PCCF and Chief Wildlife Warden, initiated the workshop. They urged the District Nodal Officers, who are also the District Forest Officers, to take proactive measures in strengthening BMCs to carry out activities as mandated under the Biological Diversity Act, 2002. They also lauded the efforts of the ABS Partnership Project in this regard. Dr. Oommen V. Oommen, former Chairperson, Kerala Biodiversity Board, and Dr. Kunal Satyarthi, Member Secretary, Himachal Pradesh Biodiversity Board, were the resource speakers for the workshop.

Dr. Oommen provided an overview of the process of PBR documentation as followed by the Kerala Biodiversity Board. The Board involved retired professors from biology backgrounds and forest officials to undertake field survey and data collection for PBRs. Several capacity-building and sensitisation programmes were undertaken along with training the BMC members on their responsibilities and on notification of Biodiversity

Heritage Sites (BHS). Financial assistance for PBR documentation was obtained through the panchayat, municipality or corporation funds. He also highlighted the importance of documenting coastal biodiversity and stated that Kerala is now in the process



of documenting marine biodiversity up to 13km into the sea, with the help of fishermen. He revealed that BMC members also keep track of the loss of biodiversity and update their PBRs every few years. He also recommended that PBRs be documented in the vernacular language.

Dr. Kunal Satyarthi shared his experience of working in Himachal Pradesh. Due to the unique geography of the state, the Board established BMCs at appropriate levels of administration, based on their topography. For example, middle Himalayan districts

have BMCs at the village panchayat level, whereas the districts on the plains have BMCs at the district level. PBR documentation is undertaken by various universities in the state and this information is digitised. Currently they are in the process of documenting all the sacred groves in the state, the best of which will be notified as BHS.

Mr. A. Udhayan, Secretary, TNBB, along with the resource speakers, then addressed queries on the confidentiality of PBRs, technical support from NGOs and other institutions, and financial resources available for documentation. PBR formats prescribed by the National Biodiversity Authority were also presented to the nodal officers.

As the next step, the ABS Partnership Project will be conducting capacity needs assessment workshops in three locations – Madurai, Namakkal and Tuticorin in November 2018 and training for secretaries and workshops for NGOs in December 2018.

Workshops on capacity needs assessments for Biodiversity Management Committees held in November 2018 at Madurai, Tuticorin and Namakkal, Tamil Nadu

The Access and Benefit Sharing (ABS) Partnership Project is supporting three pilot



the Biological Diversity Act, 2002. The project conducted workshops to identify capacity development needs of Biodiversity Management Committees (BMCs) in Tamil Nadu. These workshops

states: Maharashtra, Tamil Nadu and Uttarakhand. The objectives of the project include strengthening statutory institutions, State Biodiversity Boards, and Biodiversity Management Committees (BMCs) for effective implementation of ABS provisions under



were held in three districts, Madurai (14 November 2018), Tuticorin (16 November 2018) and Namakkal (23 November 2018).

The District Forest Officers (DFOs) of the host districts, Mr. Samartha JR, IFS at Madurai, Mr. D. Sampath, IFS at Tuticorin, Dr. R. Kanchana, IFS at Namakkal, and officials from the District Rural Development Agency, Mr. S. S. Thanapathi, Project Director, Tuticorin and Ms. S. Maheswari, Assistant Project Officer, Namakkal, presided over the workshops. Mr. G. Balasubramanian, Assistant Conservator of Forests and Mr. N. Sakthivel, Forest Extension Officer were present at Tuticorin and Namakkal, respectively.



Capacity needs assessment was conducted through focus group discussions and self-assessment questionnaires. The focus group discussions assessed BMC member's understanding of biodiversity, the Biological Diversity Act, 2002, their

impression of the role of BMC members, skills they currently possess, and other skills required for effective functioning of BMCs. Also discussed, were process of decision-making in the committee, report preparation, their knowledge of bio-resources traded, major traders and research institutions in the area, and further training they require to facilitate functioning of BMCs.

Self-assessment questionnaires followed the focal group discussions and focused on the individual's knowledge and skills such as their educational and professional background, their relevant experiences as part of other committees, dealing with local communities or natural resources.

The workshops were well-attended by over 50 participants, representing 13 and 12 block-level BMCs at Madurai and Tuticorin respectively, and over 70 participants from 15 block-level BMCs at Namakkal. The ABS Partnership Project will use the



outcome of the assessment to prepare customised trainings and communication tools to operationalise ABS through BMCs.

2019

National Biodiversity Authority

Consultation workshop on good practices of Access and Benefit Sharing on 07 February 2019 at Chennai

The meeting began with a welcome address by Mr. T. Rabikumar (Secretary, NBA). He started the consultation by giving an introduction of the ABS Partnership Project. He said that there was a need for more cases to understand the implications of ABS. The purpose of the consultation was to seek the input of all the participants. Since it was desired to have an intense discussion and hence, the number of experts was kept to a minimum. He hoped that the deliberations would be fruitful in fulfilling the objective of the consultation.

Mr. Shreyas Bhartiya (moderator) began with a short introduction on how the concept of Good Practices came about and set the scene during his presentation for facilitating further deliberations on the draft document on Good Practices of Access and Benefits Sharing. He emphasised the need to come up with Good Practices of Access and Benefit Sharing mainly because, the implementation of the BD Act and its provisions was not effective primarily due to the challenges faced by key stakeholders and the complexity of the ABS mechanism which resulted in inefficient cooperation between them. The idea behind developing Good Practices was to enable the key actors in fulfilling their roles and implementing the processes under the ABS mechanism resulting in the fair and equitable sharing of benefits with communities. He stressed on the need to present the draft document before a panel of experts to seek their insights and validation on it for making it simpler to comprehend and robust. The document would form the basis for the 10 Good Practices of Access and Benefit Sharing that the project would be developing and implementing in the pilot states of Uttarakhand, Tamil Nadu and Maharashtra. He hoped that some of these good practices may eventually take the form of best practices in the future. With this he

provided an overview on the document and its various sections to the experts on which further deliberations could be based.

The presentation on Good Practices of Access and Benefit Sharing (attached below) covered the following aspects of the document

- How the document draws insights/learnings from the interactions with key stakeholders and other sub- project verticals
- The document takes a holistic approach with due recognition to interlinkages in the ABS mechanism rather than only looking at the end result ie. Benefit Sharing
- The document does not prescribe but rather provides an orientation to key actors
- Defining the terminologies namely "Benefit Sharing "and "Good Practices"
- The objective of the document and the key stakeholders in adopting Good
 Practices of Access and Benefit Sharing
- Possible contributions to a Good Practice by these stakeholders
- Processes under the ABS mechanism, criteria and indicators for assessing a Good Practice, framework for analysing a potential practice and the methodology for validating it along with the inferences that can be drawn from the analysis.

Post the presentation the participants were asked to provide their first impressions, suggestions that they may have noted during the presentation or before the consultation since the draft document had already been shared with them.

Below are the suggestions provided by the Expert panel

Mr. Rabikumar mentioned that the process of assessing a potential practice for a "good "one is of critical importance and the criteria and indicators facilitate the same. The proposed absolute weightage assigned to indicators can be in the form of spectrum rather than giving absolute values

Dr.Ruchi Pant- As a jury member to the Biodiversity Awards she stated that there was confusion on which case study to consider as a "Good Practice" as there was no clear mechanism to identify one. This document would indeed be helpful in that regard and she congratulated the project for developing the document which was very well

prepared. Instead of using the word "economical" as an indicator, perhaps it was better to use the word "viable" in her opinion.

Dr. Kalaghatgi asked as to what comes next post the identification of a good practice or in the case of a practice not identified as a good practice, what should be done to improve the practice so that it becomes a good practice.

Dr. A P Singh said that the document provides for a practical approach at defining how stakeholders can contribute to Good Practices with apt terminologies, but how do we implement the good practices based on the document would ensure its practical application. Also, he suggested that a case regarding conservation of threatened species through ABS can also be documented and taken up as a Good practice. Some examples of industries applying good practices should also be considered.

Dr. Varaprasad said the document is too dry for usage. He said that a list of good practices for each stakeholder should be added. Practices that need to be followed as a user, a provider and for all levels of the stakeholders needs to be clearly listed. Secondly it should be mentioned that the BMC lies at the top. The document needs to refine the various good practices and add examples for stakeholders such as corporates and so on.

Dr.V K Sinha said to better use the word "Financial" instead of using the word "Economical" as an indicator. He said that instead of taking values as zero or whole, it is better to have some scale and try to be explicit when the grade will change. A 12-point scale is quite a massive approach, which can be reduced. When people start using their own views, it is better to have a simpler interpretation. He mentioned that some of the items may be difficult to define objectively and that should lead to reducing the number of criteria. For example, innovation may be difficult to pin down in the field. It is better to take cases and apply the criteria to that particular case and whichever criterion is not suitable, that can be dropped. He also said that when the document is describing a case, it straight away starts critiquing the case. Better to first describe the case, then start critiquing it. The project will have to identify some good cases which are already handled from end to end. These cases should bring out PIC, MAT and the associated Good Practice. In his opinion, one-third of the criteria should be discarded as they made the practice more complicated and too ideal for real scenarios. Also, the Act does not talk of traditional knowledge only. It deals with associated knowledge

from the use of biological resources and accordingly corrections should be made to the core process regarding documentation of TK within the ABS mechanism.

Dr. Bhatt told to remove the word "INHERENTLY" from inherently participatory as an indicator as it is confusing. He also stated that one needs to pin point who is the doer of the good practice and for whom is it targeted towards.

Dr.Vidya said that the word should be participatory and gender sensitive so that it includes how men and women benefit from the process.

The next session was a group work wherein the experts were asked to divide themselves into three groups namely regulatory authorities at the national and state level, users of bio-resources and people working at the ground level comprising of communities, NGO's and BMC. The key task assigned to each of the three groups was to identify key challenges that the particular stakeholder which the group was representing faced and provide suggestions to address some of those issues through co-operation with other key stakeholders. Since the experts were chosen in such a way it made possible for all the three groups to include a member from each of the key stakeholders so as to facilitate perspectives from all of them in coming up with the desired suggestions that required cooperation not only from within the institution but from other stakeholders as well. Approximately 45 mins were provided to each group for identifying challenges and suggestions/solutions which could possibly lead to or contribute in the development of a potential Good Practice of Access and Benefit Sharing. The group was also required to validate what was already in the document regarding possible contributions to a Good Practice and provide inputs in case if there were any disagreement. One person from each group was required to present for which 15 min were allotted to each group and feedback was sought from other groups on the presentation.

GROUP 1 - USERS

Dr. Varaprasad had included industries, research institutions and the community as users and gave the presentation on behalf of the group.

CHALLENGES

Most people feel that bioresources are a free resource.

- Also, private industries often claim that they used bioresources earlier and do not take anything presently.
- Private industries also say that prior intimation is not required for conventional breeding (and most products are under conventional breeding)
- Difficulty in defining/understanding terminologies in the Act such as "conventional breeding"
- Lack of awareness of ABS and BDA is not much
- Guidelines on compliance under BD Act for research organizations (public/private) is not provided for
- Origin and use are often confused
- Often, BMCs get excited when we talk of benefit sharing. But when benefits are not enough, it can be counter productive
- BMC should have the freedom to use the money at the local level
- Users do not know from where the material is coming
- The industries are not comfortable with the current guidelines and procedures for applying for access to BRs. Many companies are apprehensive that their sales figures are becoming public.

SUGGESTIONS

- There needs to be a specific document catering to the bioresources being commercially utilised in a village
- Regarding ABS payment, it should percolate to the benefit claimers as holding them defeats the very purpose of the Act
- Harmonizing IPR guidelines with ABS regulations
- NBA should make a dedicated panel on ABS related enquiries.
- There are provisions in the Act for the state boards for constituting several expert groups and they should be constituted on priority.
- The users should have access to expert committees as and when they require assistance
- At the implementation level, the state level SBB should be a key party
- Any act matures after cases are filed but in the case of the BD Act, there are
 just not enough cases in this regard. All the court cases should be compiled
 and brought out as a small report

- A code of ethics needs to be adopted by companies for following ABS obligations
- Formal interactions between industry and regulatory authorities should be done
 more frequently rather than resorting to notices
- Encouraging user agencies to go for self-declaration of the bioresources utilized in the past and available with them presently, as a social responsibility for sharing benefits with community
- Suppose an organisation is honouring the mandate of entering into ABS, at present there is no incentive for that organisation and there is no disincentive for any organisation that is avoiding. This needs to be acted upon.

GROUP 2 – REGULATORS (SBB'S and NBA)

Dr.Sinha gave the presentation on behalf of the group

CHALLENGES

- The group did not agree on the statement "Decide on the nature of benefit sharing components" as mentioned in the document as it is already part of the established norm
- PIC and MAT is not easy to implement. To give full information of associated harvest issues to the community may not be always possible. Also, the agreed terms for access are difficult to monitor.
- What practices needs to be undertaken when talking of sustainability, is currently based on limited information scenario
- As a regulator, the group felt that more capacity building should be done. They
 also said that different states should not have different types of BMCs and State
 Biodiversity Rules. Another issue was the lack of experts within the SBB's.
- Segregate issues and delegate activities to the line department level is imperative which is not happening right now due to the reluctance of the line departments and often of the SBB.
- With respect to line departments, their internal department heads should bring their respective line department to a common understanding on the ABS mechanism and facilitate all the necessary cooperation.
- Act provides authority to SBBs and NBA to provide directives. But directives are not being issued.

- Inconsistency of interpretation of rules and guidelines. Fear that sometimes even courts are not able to understand the guiding spirit of the act
- Pace of preparing PBRs is inconsistent from state to state and not as fast as it should happen.

SUGGESTIONS

- Already published documents on flora and fauna of the geographical area could be used as baseline for PBRs and should be an integral part of PBR.
- Legal status of BMC and how will they execute things legally. The impression
 of the group was that penal provisions are not strong and need to be
 strengthened.
- Synergy between NBA, SBB and BMCs needs to be established and how it could be addressed through development of an appropriate mechanism
- Develop mechanism for mapping of bioresources in a particular catchment and respective users utilizing those BRs from that area
- Have a separate consultation to demonstrate that ABS has been paid That
 can be a good case study especially for building trust amongst stakeholders
 and demonstrating visible benefits
- Traceability Village level BMC prepared bio-resource register can be a good reference point
- Develop a plan for giving recognition to companies for being ABS compliant in the form of a marking or stamp to give an edge to those who adhere to ABS
- Simplify ABS procedures for making payments by users
- Where SOPs have been developed, NBA can then let go of its routine work and focus on more strategic issues
- Remove the word "innovative" from the term "innovative awareness" mentioned in the document.

GROUP 3 – BMC/Community

Dr.Joshi gave the presentation on behalf of the group

CHALLENGES

 Awareness regarding formation and functions of BMC is lacking not just amongst the community but BMC members as well

- BMCs does not exist in many places
- Benefits shared from commercialization of BRs is not reaching the community
- While forming BMCs, people with knowledge need to be made as members
- Educational background of the members also needs to be considered
- Capacity and capability of members are often not up to the mark
- There should be continuity of training and support to Technical Support Groups
- States have different rules and one needs to study about which is the most effective way to have a good strong BMC
- There are conflicts regarding management of BMCs and they need to be addressed
- Not only synergy, but clarity of role of institutions at the ground level is required.
 Even trainers who go for training often are not clear in this regard and they make a mess of things.
- Panchayat act charges an amount, FRA charges an amount, creating confusion for users who want to abide by the regulatory compliance. If everyone levies charges, how much will be deducted for ABS and given to BMC

SUGGESTIONS

- Constitution of BMC's should be uniform in all states.
- Meetings at village level on knowledge on biodiversity and clarity on their roles as BMC members should be discussed on a regular basis
- BMC in collaboration with other departments such as forest, tribal etc should develop a mechanism for registering any transactions related to BRs for commercial sale to industries
- ITC tools can be used to build capacity of BMC and community
- Post graduate students can be made part of TSG/village panchayat who can train BMC on preparation of PBR and BD Act
- Regular flow of funds through ABS/levy fees can foster continuous engagement and consultation
- Every year, audit of BMC is to be done and submitted, hence some sort of manpower needs to be there to do the audit
- Should there be a conflict between BMC and other committees at the village level, competent authority needs to be identified for redressal of issues

- The power is given to the state government to make rules and hence, there should be a provision in the state government rules where such authority is properly defined.
- We need to understand what models are being followed in different states and select what is ideal based on the experiences amongst various states.
- The Act says that the local body shall constitute the BMC. Local bodies behave as per the local panchayat and that is usually the trend followed in each state.
- In Gujarat, when PBRs were being made, village panchayats were chosen. But PBRs can be taken and made at the taluka level as bioresources are common in a cluster comprising of surrounding villages.
- Landless and marginalised people who are involved in collection need to be involved in the preparation of PBR as well
- A good utilization plan for the benefits reaped through ABS for the conservation and sustainable utilization of BRs needs to be developed for BMC to execute
- Difference between levy charge and ABS Dr Ramesh said that levy charge should not be mistaken for a service charge, cess, tax or a duty. BMC is a local custodian of the BR. In a way, it acts as a sovereign who allows others to access the BR for deriving benefits commercially. Thus, the user is acknowledging the BMC and thanking the BMC to use the resource in the form of a levy. Levy is not a taxing statute. It is a social welfare legislative exercise and should not be considered as a tax. It is a statutory provision and should be followed.

Final Session

Mr. Shreyas explained the methodology for determining Good Practices of Access and Benefit Sharing to the participants. For each of the processes within the ABS mechanism a set of success factors were listed that in a way were critical to the successful implementation of the specific process.

Post the presentation the experts were asked to provide their inputs on how the methodology could be revised and their validation was sought as well. Below are the inputs provided by the expert panel:-

ACCESS

- Regarding "PIC and MAT" sections under the process "Access" on page 13 of the document - description given is slightly misleading. Between user and provider, the sharing is between the user and representative of the provider (In India, they are NBA, SBB and BMC). All dealings of the user are between the representative of the provider.
- Suppose, we want to bring the user and provider together that needs to be studied
- Page 13 remove the word BEST practice and replace it with "Core Process".
- Dr. Narshimhan pointed out that there was no mention of seeking consent from the community as per the Act on behalf of the user.
- Prof. Ramesh explained the difference between PIC and free consent. PIC should only mean seeking consent from the concerned authority (NBA and SBB) and their consultation with BMC. To that extent is the applicability of PIC in the context of ABS implementation in India.
- Core of entire ABS is having equity
- Same is the case with MAT where the user need not negotiate the sharing of benefits with community or BMC. Little bit of bargaining of NBA and SBB on one side and user on the other side can basically lead a better bargain for the BMC
- Instead of PIC, use the word "Informed Consultation"
- Pg 13 "Success factor "may be removed and replaced with the word "Factors to be considered"
- Regarding MAT standardised format is already there so that can be removed
- Voluntary adoption sentence needs to be changed and put somewhere else
- Research institutions can be considered
- Criticality of the resource needs to be considered from different aspects when it comes to accessing the BR
- Objective of the access is also another critical factor
- The level of consultation and the willingness of BMC is necessary
- Cautionary exercise with respect to harvest of the resource also needs to be factored in
- Seeking permission from relevant line departments

- When something is to be justified as a good practice, factors that are already prescribed cannot be a criterion
- When there is no BMC, the local body can act as a BMC. But as per a law, if there is no BMC, then they must form a BMC
- Bringing on board all line departments and managing conflict was identified as a key factor
- Dr. Varaprasad mentioned that since an Indian research institution is exempted from ABS under BD Act, a potential good practice could be a voluntary disclosure of actions. This can address the issue of traceability at the time when they go for commercial utilisation of the accessed BR, by the end of a certain time period, the SBB and the institution may be in a position to attribute the benefits shared to the origin of the bioresource.

BENEFIT SHARING

- Additional ABS paid by user to comply (i.e. a company willing to pay more) can be a good practice
- BMCs should be consulted on the method of benefit sharing
- Benefit sharing mechanism vis a vis sector industry can be developed in collaboration between industries and regulators
- Regulators should come out with auditing standards for annual reports of Users which takes into account the usage of various BRs, purchase price and traceability
- Traceability for the users also needs to be factored in when it comes to Benefit
 Sharing with communities
- Recognition should be given to companies who are complying with the act

COMPLIANCE

- Clarity on compliance requirements
- For ABS, transparency of benefits to be shared with community is mandated by law. But anything more than that is what is desirable
- Greater degree of confidence with the provider adopting a communication strategy that fosters cooperation between regulators and companies.

- Monetary and tracking authorities are required to be supported and that support needs to come from the BMC.
- The user should help the regulators so as to help themselves
- Good practice beyond basic compliance needs to be made
- Better to use the term "actors" instead of stakeholders as NBA/SBB are not stakeholders under the ABS mechanism
- Adopting conservation of BRs as part of company's policy
- Augmenting the efforts of regulator in monitoring of compliance

Knowledge and Practices Associated with BR's

- Documentation of traditional knowledge and knowledge associated with the use
 of BR in PBR through a participatory approach
- Special documents recognized by BMCs
- How much should be recorded and in what form for the preparation of PBR must be clarified by regulatory authorities

Conservation + Sustainable Use

- Collation of knowledge already available
- Flow of benefits sharing amount should be clear
- Sustainable harvest practices adopted
- Stakeholder wise good practices needs to be documented

Good Practices Criteria

A brief description regarding the criteria and indicators as key ingredients of a Good Practice were presented to the experts along with the weighted average methodology post which their inputs and validation was sought.

- "Relevance" to be removed as it was unnecessary in the present context.
- "Economical" to be replaced with "Viability"
- Making criteria more explicit and not just confining to commercial users
- Instead of assigning absolute weights, it is better to rate them as Good Medium
 High on a three- or five-point scale.
- Deliberations were made on the good practice criteria and indicators was discussed. Various suggestions were made, and the indicators were finalised

- The definitions of the criteria need to be crisp, precise and relevant to the context. The project can relook as to how to define some of these criteria than just adopt it from the FAO website. There was some ambiguity found by experts with regard to the definitions.
- The experts gave their validation to the weighted average method as it was simple to apply

Case Studies on Good Practices

- With regard to documentation of case studies it was suggested to first document the case as an abstract and then go further into the analysis by identifying criteria and using the weighted average methodology. The template could be used to document the case however the logical flow has to be maintained. Some of the cases were difficult to comprehend due to the absence of logical flow and merely documenting what was required as per the template.
- It was noted by experts that there was not much information or documentation on case studies related to Good Practices of Access and Benefit Sharing in India. It was suggested to the project to check for possible case studies from Secretary, NBA and Mr. Raghuram specially on those for which India Biodiversity Awards have been given. Dr. Ruchi Pant (as a jury member to the awards) would also assist in identifying potential cases in this regard.
- An ideal scenario would be when those type of cases are documented such that they represent the whole rather than focus on a few stakeholders or are limited in perspective.
- Comparative studies can also be undertaken to draw analogies from renowned international case studies

Way Forward

Based on the deliberations and the inputs/ recommendations/insights provided by the experts, the document on Good Practices would be revised accordingly. The expert panel gave their validation on the mentioned changes.

Mr. Rabi Kumar gave the vote of thanks where he thanked all the experts for taking out the time from their busy schedule to attend the consultation and for providing their valuable suggestions and insights in making the document simple to comprehend and robust for practical application by stakeholders. He suggested that NBA will also be

circulating the document to all SBBs for seeking their inputs within a stipulated time frame. He expressed his gratitude to the ABS team for taking efforts in coming up with such a document and thanked all the participants for an engaging and interactive consultation.

Consultation meeting with Kodaikanal Biodiversity Management Committee to obtain feedback on ABS application on 8 August 2019 in Kodaikanal, Tamil Nadu

The provisions of the Biological Diversity Act, 2002 lay emphasis on obtaining feedback from Biodiversity Management Committees (BMCs) or the local bodies while taking any decision on matters relating to the use of biological resources and associated knowledge [Sections 24(2) & 41(3)]. Access to biological resources and fair and equitable sharing of benefits (or ABS) essentially has two elements –

- Prior Informed Consent (PIC) which is granted by the National Biodiversity
 Authority (NBA)/ the State Biodiversity Board (SBB) that sets conditions for
 access;
- Mutually Agreed Terms (MAT), which is an agreement signed between NBA/SBB and the users of biological resources (BR). Feedback obtained from BMCs becomes an integral part of MAT.

A consultation meeting was held with the members of Kodaikanal BMC (Tamil Nadu) on 8th August 2019 to discuss the ABS application (form-1) for access to a BR (name withheld to maintain confidentiality) from the Kodaikanal region and facilitate a collective decision-making process among the BMC members to obtain their feedback on the ABS application.

Four BMC members, including the Chairman, participated in the consultation meeting which was facilitated by the Range Forest Officer of the Tamil Nadu Forest Department (designated as Secretary of BMC of Kodaikanal BMC) and representative of Block Development Officer. The Kodaikanal BMC was established on 12th November 2018 and held its first meeting on 9th March 2019.

The District Forest Officer of Kodaikanal, Mr. S.N. Thejasvi, IFS., spoke about Access and Benefit Sharing provisions of the Biological Diversity Act and its process. He encouraged the members to discuss the access application in detail and welcomed queries that will facilitate feedback on the ABS application. Ms. C. Vidhya, IFS., the District Forest Officer of Dindigul district and Nodal officer for facilitating establishment of BMCs and documentation of People's Biodiversity Registers (PBR) in the district talked about the objectives of the Act and the roles and functions of BMCs. She also stressed on the need for wider participation of communities in promoting local area conservation and other BMC activities such as documentation of PBR. This was followed by detailed discussion on nature of activity that will be carried out using the biological resources access from Kodaikanal. Ms. Dhivyalakshmi Sridhar, Junior Technical Expert from the ABS Partnership Project, who explained the nuances of the ABS process in local language, to ensure BMC members are well informed about all the different aspects of ABS, how ABS agreements are made and also answered all the queries.

The Chairman and three members of the BMC (a farmer, and members of a Self-Help Group and the Village Poverty Reduction Committee, respectively), after much deliberation, resolved to provide their consent to access the BR requested by the user.



Members and Secretary Biodiversity Management Committee in discussion



Ms. C. Vidhya, IFS., District Forest Officer of Dindigul district (sitting) and Mr. S.N. Thejasvi, IFS., District Forest Officer of Kodaikanal (standing) addressing BMC members

The Access and Benefit Sharing Partnership Project has been supporting capacity development of 10 pilot BMCs across 8 districts in Tamil Nadu to strengthen knowledge, skills of BMC members to perform functions mandated under the Biological Diversity Act, 2002. The project has also identified value-chain of selected BR to facilitate ABS process and develop ABS good practices.

Writeshop for development of curriculum for training the members of BMCs

A writeshop was organized by the National Biodiversity Authority together with GIZ-India under the ABS Partnership Project on 6th, 7th and 8th November 2019 in Chennai to develop a curriculum and write content for professional trainers who could in turn train members of the Biodiversity Management Committee. Following modles were developed to be part:

- Biodiversity and Us
- The Biological Diversity Act
- Biodiversity Management Committees (BMCs)
- Functions of the BMC
- People's Biodiversity Registers (PBRs)
- Access and Benefit Sharing (ABS)

Day 1 of the event started with welcome address by Dr. Geetha Nayak, Team Leader, ABS Partnership Project, GIZ India followed by Dr. V. B. Mathur, Chairman, National Biodiversity Authority and Mr. J. Justin Mohan, IFS, Secretary, National Biodiversity Authority where the need for teaching BMCs, improving their operationalization and building a curriculum for their training was discussed. The participants were also informed about the expected outcome and format of the curriculum that was to be developed.

Subsequently, participants were divided into 3 groups each with a moderator to facilitate discussions about their assigned topic and to write content for the curriculum that would be later taught to professional trainers who would in turn teach BMC members. Participants were also encouraged to provide case studies, pictures and examples relatable to BMC members in their written content. After writing, the groups presented their content to the rest of the participants for peer review and to obtain feedback on their work. After the presentations, participants were asked to make changes to their content based on the unanimous decisions taken during the peer review.

Day 2 of the event followed the same sequence of events of Day 1 where participants wrote, presented and reworked content about the remaining 3 topics.

Day 3 of the event involved all participants performing a final peer review on the consolidated written content which was collected from the participants. Participants were then asked to make the final updations to their content from the comments during the final peer review. The organizers then collected all the written content and after reviewing, will print the curriculum and content so that it could facilitate the training of BMC members. This followed with concluding statements and a vote of thanks from Dr. Geetha Nayak, Team Leader, ABS Partnership Project, GIZ India followed by Dr. V. B. Mathur, Chairman, National Biodiversity Authority and Mr. J. Justin Mohan, IFS, Secretary, National Biodiversity Authority. The participants appreciated the efforts of the organizers for organizing the writeshop and providing a platform for curriculum development for training BMCs.

Details of the workshop:

• 6th - 8th November 2019, Chennai: With participation of 20 experts from all around India and was presided over by Dr. V. B. Mathur, Chairman, National Biodiversity Authority and Mr. J. Justin Mohan, IFS, Secretary, National Biodiversity Authority.



Maharashtra

Consultation on Good Practices of Access and Benefit Sharing held on 7 February 2019 in Chennai

An expert consultation on developing Good Practices of Access and Benefit Sharing



was organized at NBA, Chennai. The consultation facilitated discussion by the expert panel on the draft document on "Good Practices of Access and Benefit Sharing" developed under the ABS Partnership project which also entailed deliberations on key

stakeholders, their challenges and possible contributions to a Good Practice, framework and methodology for assessing and analysing a potential practice and

identifying and exploring potential cases of Good Practices of Access and Benefit Sharing. The end objective of the consultation was to seek insights, ideas, recommendations, validation and subsequent finalization of the document. Post the consultation, after incorporating the suggestions from the expert committee and reviewing, the document on Good Practices of Access and Benefit Sharing was published and released during the workshop on "Strategic communication for effective implementation of Access and Benefit sharing (ABS) mechanism on 8th of July, 2019 in Chennai.

Criteria of Good Practices: for Access and Benefit Sharing: Document https://indo-germanbiodiversity.com/pdf/publication/publication15-07-2019-1563191397.pdf

Capacity building of pilot BMCs in Gadchiroli on BD Act and its provisions: Workshop held on 27 July 2019 in Gadchiroli



A workshop on capacity building of pilot BMCs was organized by GIZ in collaboration with MSBB and CRANES (local NGO) in Dhanora, Gadchiroli. Apart from BMC members, the other participants included MSBB officials, forest department officials, members from village development committees (VDCs) such as PESA, JFMC etc who attended the workshop.

A number of committees at the village level are operational that trade in biological resources. These committees, as mandated under their respective Acts have specific functions and exercise their ownership on the biological resources within their jurisdiction. Furthermore, these committees are found to be vital and can play a pivotal role in supporting BMC in its core functions. Given the importance of these committees in terms of their close association with conservation of bio-resources,

improving livelihoods of communities through trade of bio-resources and undertaking village development activities, there is a core need to create synergies in the form of interlinkages between committees such that they work and support the BMC as a cohesive unit rather that each of them working in silo and leading to conflicting situations that undermine their efforts and that of the BMC in the effective management and monitoring of bio-resources within their jurisdiction.

Eliciting cooperation from village development committees (VDCs) in the effective management of biodiversity and implementation of access and benefit sharing mechanism by the pilot Biodiversity Management Committees is the core objective of the Good Practice that CRANES (NGO) in collaboration with GIZ and MSBB is implementing in Gadchiroli under the scope of ABS Partnership Project.

The key objectives of the workshop were:-

Knowledge decimation regarding key aspects of BD Act with focus on ABS, PBR and functioning of BMC

Understanding operational challenges in implementing BD Act by BMCs and answering queries raised by participants

Orienting the VDCs towards supporting the BMC in its functions for the effective implementation of BD Act as a Good Practice of ABS

Documentation of case study on ABS Good Practice on 'Certification based approach for successful implementation of ABS provisions https://indo-germanbiodiversity.com/pdf/publication/publication28-02-2020-1582889836.pdf

Trainers to undertake training for Biodiversity Management Committees: Orientation Workshop on 26th August 2019

Under the scope of ABS partnership Project, a one day 'Orientation Workshop for Trainers to undertake training for Biodiversity Management Committees' from forest training institutes and reputed NGOs across the state of Maharashtra was organised at the Van Bhavan, Pune on 26th August 2019. 56 trainers participated in the event.

This workshop focused on orienting a pool of trainers, already working in the field of biodiversity conservation, to conduct need-based trainings at district-level for local organisations and Biodiversity Management Committees (BMC). It helped participants deepen their understanding on efficiently supporting BMCs in fulfilling their roles and responsibilities with live case studies and focusing on the key aspects of the Biological Diversity Act 2002 that strengthen BMCs.

Key sessions focused on:

- Motivating the Gram Panchayat to form BMCs and making them functional, the role and responsibilities of BMCs, levy fees, consulting with the State Biodiversity Board
- Process of preparation and community mobilisation to gather information for the People's Biodiversity Register
- Experience sharing by proactive BMCs from Ratnagiri district The participants of this workshop also had the opportunity to register themselves as trainers with the Maharashtra State Biodiversity Board (MSBB). On successful completion of the ToT course, MSBB would use the trainers to conduct state-wide BMC trainings and capacity building.



Tamil Nadu

Consultation Workshop on Analysis of Value-Chain of Medicinal Plant Trade in Tamil Nadu held on 01 February 2019 at Chennai

The Access and Benefit Sharing Regulations, 2014 provides guidelines for implementing the third objective of the Biological Diversity Act, 2002, i.e. fair and equitable sharing of benefits arising out of the use of biological resources and associated knowledge. This is commonly known as Access and Benefit Sharing (ABS). As per the guidelines, there are two options of benefit-sharing – 1) on the purchase price of biological resources, and 2) on the annual gross ex-factory sale of the product. In order to facilitate the implementation of ABS provisions at the ground level, it is imperative that regulators are aware of bioresources, products and actors involved in the trade. Owing to lack of knowledge on this matter, implementation has been slow.



The Access and Benefit Sharing
Partnership Project commissioned a
study to analyse the value-chain of
medicinal plants trade in the state to
support the Tamil Nadu Biodiversity
Board with information needed to
implement ABS under the Biological

Diversity Act, 2002. Information on the value-chain of selected bioresources, its market linkages, source locations, information on processes and various actors involved in the trade of biological resources were analysed. The study was conducted by Covenant Centre for Development (CCD), Madurai, which has over three decades of experience in working with local communities on aspects of conservation, collection, cultivation and trade of medicinal plants. CCD was also instrumental in establishing Gram Mooligai Company Ltd., a producer company that promotes trade of medicinal plants and agriculture commodities to promote sustainable livelihoods and poverty alleviation.

A consultation workshop was organised by the Tamil Nadu Biodiversity Board (TNBB) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on 1st February 2019 to discuss the draft report and obtain feedback from regulators and other experts. Senior officials from the Tamil Nadu Forest Department, Mr. R. K. Upadhyay IFS, PCCF & Chairman – TAFCORN, Dr. Durairasu IFS, PCCF &

Chairman, Arasu Rubber Corporation, Mr. Sanjay Srivastava IFS, PCCF & Chief Project Director – Tamil Nadu Biodiversity and Greening Project, Mr. K. Chidambaram IFS (Retd. PCCF), Dr. V. Arivudai Nambi and Dr. D. Narasimhan, expert members of TNBB,



and Mr. N. Muthuvelayutham and Mr. John Britto from CCD were present in the consultation workshop.

Mr. A. Udhayan IFS, Secretary, Tamil Nadu Biodiversity Board, welcomed the participants and highlighted the importance of identifying value-chains in the trade of medicinal plants in order to implement ABS provisions as mandated under the Biological Diversity Act, 2002. Mr. R. K. Upadhyay complimented the ABS Partnership Project for undertaking the study and suggested that outcome of this study be used to explore practical ways to implement ABS. Mr. Chidambaram emphasised on the need to identify the benefit claimers in the trade of medicinal plants, and to ensure that the ABS amount reaches the benefit claimers. Mr. Sanjay Srivastava highlighted the need for ensuring sustainability in the trade.

Mr. Kunal Sharma, GIZ India, provided details on key aspects of trade investigated in the study – identifying the process of bioresource trade for ABS compliant value-chain, the main actors and their role in the trade, the value of the bioresources at each stage of the trade and its ABS potential. The



study was conducted on 20 highly traded species, which are not included under Section 40 of the Biological Diversity Act, 2002.



Mr. John Britto, Covenant Centre for Development, Madurai, presented the results of the study. The study identified the socio-economic status of the gatherers involved in the trade of these 20 selected species, the commonly collected parts of the medicinal plants, methods of gathering

the plants, reasons for decline in the quantities collected and other external factors contributing to reduced gathering of medicinal plants. The study also identified the processing at various stages in the trade from the gatherers and medicinal plant cultivators to agencies, agents and traders, to processors and exporters. The traditional knowledge of gatherers for sustainable harvesting and traders for their insights into the demands of the trade were also highlighted. Other actors identified in the study were traditional healers and research stations.

Major points of recommendations included the identification of which stage of the trade would ABS be applicable, ways to ensure that ABS amount will be used for the purposes stipulated by the Biological Diversity Act, 2002, integrating other existing village-level committees with BMCs to ensure its effective functioning, methods for traceability of bio-resources in the value-chain, and challenges when the bio-resources move across state lines. Recommendations will be incorporated to finalise the study report.

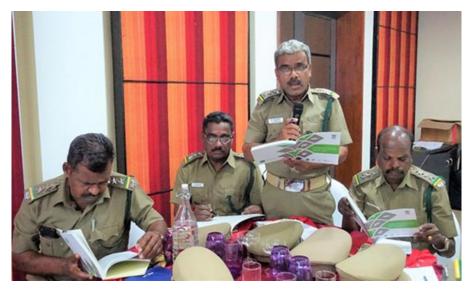
Analysis of value chain of medicinal plants trade in Tamil Nadu for effective implementation of ABS provisions under the Biological diversity act 2002

A study on value-chain of medicinal plants trade in Tamil Nadu was commissioned by the project to Covenent Centre for Development, Madurai. Report is currently being finalised. Finding of the study was presented in SBB meeting organised by CEBPOL held on 25 Feb 2019 at NBA.

Operationalising Biodiversity Management Committees: Trainings for BMC Secretaries across Tamil Nadu held on 8 April 2019 in Chennai

The Tamil Nadu Biodiversity Board completed the constitution of block-level Biodiversity Management Committees (BMC) across 385 blocks in the state in May 2018. This was as per Section 41(1) of the Biological Diversity Act, 2002. A BMC usually comprises of 7 members and a non-member secretary who is responsible for the functioning of these committees. In Tamil Nadu, Forest Range Officers (FRO) with the Tamil Nadu Forest Department were notified as the secretaries of these BMCs as per the requisite block jurisdiction. Their role includes co-ordinating and convening the meetings of the BMC, maintenance of the records of proceedings and other functional aspects (Tamil Nadu Biological Diversity Rules, 2017).





Recognising the pivotal role of BMC secretaries in the functioning and operationalisation of its mandates a series of trainings across 385 block-level BMCs in Tamil Nadu were organised and conducted by the <u>Tamil Nadu Biodiversity Board</u> (TNBB) and the Access and Benefit Sharing (ABS) Partnership Project.

The trainings aimed at providing information on legal, administrative and financial aspects related to ABS, and other practical aspects under the Biological Diversity Act, 2002. It also included practical sessions on hypothetical case studies and documentation of People's Biodiversity Registers (PBRs).

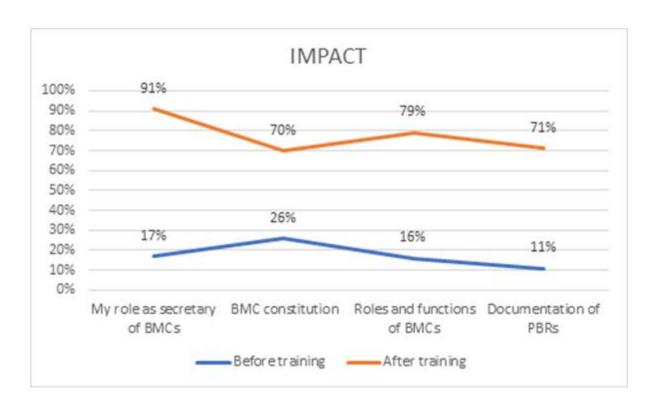
The <u>first series</u> of these trainings were conducted at Salem and Madurai in December 2018. Following this, a second series of trainings began in February 2019 to train secretaries of BMCs from all other districts of Tamil Nadu.







The workshops were attended by over 180 participants across Tamil Nadu. Feedback from the participants indicated that the workshops were well received. The results depicted on the graph are a collation of assessment and feedback forms that the participants had to fill before and after the workshops. They depict the positive impact that the series of training workshops had on the knowledge levels of the BMC secretaries.



Details of the workshops:

- 21 February 2019, Coimbatore: With participation of BMC secretaries from Coimbatore and Nilgiris districts
- 22 February 2019, Vellore: With participation of BMC secretaries from Dharmapuri, Krishnagiri, Tiruvannamalai and Vellore districts
- 26 February 2019, Trichy: With participation of BMC secretaries from Karur,
 Nagapattinam, Thanjavur, Thiruvarur and Trichy districts
- 27 February 2019, Cuddalore: With participation of BMC secretaries from Ariyalur, Cuddalore, Perambalur and Villupuram districts
- 5 March 2019, Tuticorin: With participation from Kanyakumari,
 Ramanathapuram, Sivagangai, Tirunelveli and Tuticorin districts
- 8 April 2019, Chennai: With participation from Chennai, Kanchipuram and Tiruvallur districts.

Workshop participants included Mr. A. Udhayan, Secretary, Tamil Nadu Biodiversity Board, Mr. A. S. Marimuthu, IFS, Wildlife Warden Pollachi, Annamalai Tiger Reserve and Mr. D. Venkatesh, IFS, District Forest Officer (DFO) Coimbatore at Coimbatore; Mr. K. K. Kaushal, IFS, APCCF Northern Region Vellore and Mr. V. A. Saravanan, ACF Vellore at Vellore; Mr. K. V. Giridhar, IFS, Managing Director TAFCORN, Mr. T.

V. Manjunatha, IFS, CCF Trichy, Mr. Anandkumar M., DFO Pudukkottai, Mrs. D. Sujatha, IFS, DFO Trichy and Mr. G. Naga Sathish, IFS, DFO Nagapattinam at Trichy; Mr. Rakesh Kumar Jagenia, IFS, Conservator of Forests, Villupuram circle, Mr. Abhishek Tomar, IFS, DFO Villupuram and Mr. E. Rajendran, IFS, DFO Cuddalore at Cuddalore. The workshop at Chennai was attended by Dr. Durairasu, IFS, PCCF & Chairman, Arasu Rubber Corporation and Mr. Yogesh Dwivedi, Secretary, Tamil Nadu Biodiversity Board.

Orientation workshop for trainers and Range Forest Officers for Operationalising Biodiversity Management Committees in Tamil Nadu held on 27 June 2019 in Chennai

The <u>ABS Partnership Project</u> conducted an orientation workshop in collaboration with the Tamil Nadu Biodiversity Board (TNBB) and <u>State Institute for Rural Development</u> <u>& Panchayat Raj (SIRD)</u>. The workshop was organised for trainers empanelled by the National Institute of Rural Development (NIRD), SIRD and Forest Range Officers from 31 districts who were selected for the Training of Trainers (ToT) programme on operationalisation of Biodiversity Management Committees (BMC). TNBB has facilitated the constitution of BMCs in 385 blocks in Tamil Nadu, as per Section 41 of the Biological Diversity Act, 2002.



The ToT programme will train a pool of experts on various aspects of the Biological Diversity Act, 2002 and BMC functioning. These trainers will then train BMCs and

support in documenting the People's Biodiversity Registers, which is an important function of the BMC as mandated under the Act (apart from advising on any biodiversity related matters referred to it by the State Biodiversity Boards or National Biodiversity Authority).

In order to design the curriculum for the ToT, a detailed training-needs analysis was carried out during the orientation workshop to assess participant's knowledge of biodiversity, biodiversity-based products and perception of various biodiversity issues. Participants were also provided with an overview of the 5-day ToT, their roles and preparatory work needed before the training.





The ABS Project in partnership with SIRD in Tamil Nadu will be conducting 5-day ToT programmes. Forty-nine trainers empanelled by SIRD, NIRD and 31 FROs attended the orientation workshop and will undergo the ToT programme in the coming months.

The ToT programme, organised on 27th June 2019, was inaugurated by Ms Meenakshi Rajagopal, IAS, Additional Chief Secretary & Director-General (Training), Rural Development & Panchayat Raj, Government of Tamil Nadu. She highlighted the importance of conservation of biodiversity and encouraged the participants to include the theme of biodiversity and its significance in the training programmes. Various initiatives strengthening BMCs by the Tamil Nadu Biodiversity Board were also discussed by Mr Yogesh Dwivedi, IFS, APCCF and Secretary, Tamil Nadu Biodiversity Board.



Pilot testing of training modules on operationalisation of Biodiversity Management Committees held on 29 August 2019 in Attapadi, Kerala

Biodiversity Diversity Management Committees (BMC) are decentralised, third-tier institutional structures established under Section 41(1) of the Biological Diversity Act, 2002. It is the mandate of every local body to establish BMC's in their territorial jurisdiction. A BMC's main function is to document People's Biodiversity Registers (PBRs). It is also responsible for ensuring that biological resources in its area are used sustainably. The Access and Benefit Sharing Partnership Project carried out a Capacity Needs Assessment in Madurai, Tuticorin and Namakkal in 2018 and found that there is large divergence between the present and future/intended state of

knowledge, attitude and practices (KAP) required to fully operationalise BMCs. The BMC members need to receive tailored information on ABS and be convinced of its potential for the communities. The ultimate objective of the trainings is to enable and encourage BMC members to fulfil mandated as well as required role in ABS process.

In partnership with Kerala Institute of Local Administration (KILA), the Access and Benefit Sharing Project developed training modules on various aspects of the Biological Diversity Act and ABS using participatory approach. The training modules focused on:

- Building on basic knowledge of biodiversity and drawing interlinkages between biodiversity and associated practices in the community
- Identifying location specific threats to biodiversity and its impact on their livelihoods
- Administrative functions of BMC
- Negotiation techniques through role plays
- Providing hands-on training on record keeping and process of documentation of PBRs
- Structured Learning Visit (SLV) to document PBRs

The training was held at the KILA Centre for Tribal Development and Natural Resource Management (CTDNRM), Attapadi during 26-29 August 2019. Attapadi is a scenic town in Western Ghats well-known for conservation initiatives of tribal communities and is 20 km from Silent Valley National Park in Kerala.

The training began with a speech by Mr. K. Sivasankaran, Vice President, Attapadi Block Panchayat. He spoke about various initiatives of the Attapadi BMC and welcomed participants to visit the BMC and interact with the BMC members. Mr. Mathew Andrews, Assistant Director of KILA and course coordinator provided an overview of the 3-day training and encouraged the participants to use this opportunity to interact with the trainers, KILA staff and other BMC members. Mr. K. Gopi, and Mr. S. Umesh, Coordinators at KILA-CTDNRM, Agali led the field visits during the training.

Members of pilot BMCs under the ABS Partnership Project participated in the training. The project has strategically selected 10 block-level BMCs across 8 districts in Tamil

Nadu to develop ABS good practices. Twenty-four members of various BMCs in Radhapuram block (Tirunelveli district), Natham and Shannarpatti blocks (Dindigul district), Kariapatti (Virudhunagar district), Melur and Sedapatti (Madurai district), Thiruppuvanam (Sivagangai district) and Thiruvattaru (Kanyakumari district) participated in the training.

Inputs gathered from participants will be used to revise the training modules to conduct Training of Trainers in coming months.





Marketplace to explain biological resources Normally Traded as Commodities



Presentation of group work by the BMC members



Field visit to document PBR

Training of Trainers Programme for operationalising BMCs in Tamil Nadu

A Training of Trainers Programme was conducted by TNBB in collabooration with State Institute of Rural Development (SIRD) at the SIRD campus in Tamil Nadu for 2 batches of trainers from 11th - 13th November 2019 and 14th - 16th November 2019 respectively. From both batches, a total of 47 trainers participated in the programme. Following topics were dealt in the training.

 Building on basic knowledge of biodiversity and drawing interlinkages between biodiversity and associated practices in the community

- Introduction to the Biological Diversity Act, 2002 and the core sections under the Act
- Introduction to Biodiversity Management Committees (BMCs) and its composition
- Functions and Operationalization of BMCs
- Providing hands-on training on record keeping and process of documentation of People's Biodiversity Registers (PBRs)
- Access and Benefit Sharing (ABS) with respect to the Biological Diversity Act,
 2002

The training began with an introductory speech by Dr. A. Arputharaj, who spoke about the importance of capacity building for BMCs and their role in the effective implementation of the Biological Diversity Act, 2002. Subsequently, Mr. M.R. Prabhagaran, Mr. Ranjith Kumar, and Nandakumar S., master trainers, conducted the training above topics using participatory methods such as interactive lectures, marketplace, fishbowl and situational role-play methods. The 3 facilitators also provided local and relatable examples to the participants wherever possible so that the participants could better understand and relate to the taught topics.

Field visits were also organized and led by the facilitators. The participants were divided into 3 groups and each facilitator led their groups to different sites such as the Thiruporur BMC office, the Irula Tribe Women's Welfare Society (Traditional Knowledge holders) and a farmers group based in Sirukundram, Tamil Nadu. This gave participants practical knowledge and hands-on training on the documentation of PBRs. Later, participants shared their experience and insights from the field visits

The training ended with closing statements and a vote of thanks from Dr. Geetha Nayak, Team Leader, ABS Partnership Project, GIZ-India and Dr. A. Arputharaj, Sr. Lecturer, State Institute of Rural Development, Tamil Nadu.

Details of the workshops:

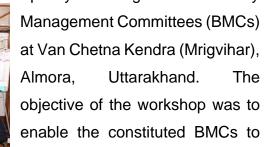
• 11-13 November 2019, Chengalpattu: With participation of 22 participant trainers and was presided over by Dr. A. Arputharaj, Sr. Lecturer, State Institute of Rural Development, Tamil Nadu.

- 14-16 November 2019, Chengalpattu: With participation of 25 participant trainers and was presided over by Dr. A. Arputharaj, Sr. Lecturer, State Institute of Rural Development, Tamil Nadu.
- 29-30 November 2019, Chengalpattu: With participation of 50 participant trainers and was presided over by Thiru. T.V. Manjunatha, I.F.S., Secretary of Tamil Nadu Biodiversity Board and Dr. A. Arputharaj, Sr. Lecturer, State Institute of Rural Development, Tamil Nadu.

Uttarakhand

Workshop on capacity building of Biodiversity Management Committees for People's Biodiversity Register documentation and ABS on 12 February 2019 at Almora, Uttarakhand

The <u>Central Himalayan Environment Association</u> (CHEA) and the Almora Forest Division, with support of GIZ and Uttarakhand Biodiversity Board, organised a one-day workshop, on 12th February 2019, on Capacity Building of Biodiversity



document their respective Peoples Biodiversity Register (PBR) and to understand the Access and Benefit Sharing (ABS) mechanism at large.

The workshop was attended by the newly formed BMC members of village panchayats of Dhaspad and Dodam-Pololi under the ABS partnership project, GIZ. The heads (*sarpanchs*) of the Village Forest Council (*Van Panchayat*) from the villages of Almora, and representatives of the Almora Forest Division, involved in BMCs formation and operation, participated in the workshop. The Range Forest Officers (RFO), knowledge partners of CHEA (e.g. Ecociates, Noida) also attended the workshop to understand the expectations of BMCs and *Van Panchayats* from BMCs. A total of 40 participants of BMCs, *Van Panchayats* and Forest department contributed to the workshop.

During the workshop, various aspects of BMCs, PBR and ABS were discussed using the 'ABS Simply Explained' film (Hindi), presentations and charts etc. Group exercises played a vital role in ensuring active engagement of all participants and for developing their understanding on the subject. During the open house session, issues related to BMCs, *Van Panchayat*, role of *Van Panchayat* after formation of BMC, coherence in the implementation of activities, were discussed. The panel included Mr. Dinakar Joshi (RFO), Dr. Pankaj Tewari and Mr. Kundan Bisht (CHEA), Mr. Anil Kumar Joshi (GIZ),

who facilitated the participant's questions on BMC, PBR, ABS and the role of various groups existing at village level. Topics related to wild animal conflict and crop destruction, climate change, depletion of natural



resources were also discussed. The forest department employees were interested to learn about resources like Myrica under Biodiversity Act. They also wanted to know about the "levy fee" process on natural resources levied by BMCs.

The workshop was successful in achieving the objectives, providing clarity on BD Act provisions and the concepts of bio-resources and biodiversity. The participants showed greater interest in maintaining the resource pool at their villages. The process on documentation of PBRs intrigued their interest in data collection and understanding of bio-resources. On the issue of benefit sharing, the participants agreed that income generation and conservation of the resources should be in consonance with the availability of resources in respective areas. The members from pilot BMCs of Dhaspad and Dodam enquired about backward and forward linkages of bio-resources (especially herbs) traded from their areas, they also stated requirements for strengthening their enterprise. The BMCs required equipment, training of production, and enterprise development. The members of four *Van Panchayats* also expressed interest to form BMCs in their villages and requested the Forest department to facilitate the process. In the discussions, CHEA and the Almora forest division agreed on documenting two PBRs in pilot villages initiated by GIZ.

The workshop helped in bringing forth new ideas on roles and responsibilities of BMCs and an understanding on conservation and sustainability. The pilot BMCs were motivated to contribute for bringing in good practices in their functioning. As a future course of action, CHEA talked about documenting two PBRs. Further discussion with the Uttarakhand Biodiversity Board planned on focusing on conservation and on sensitising people.

Workshop on Certification process of BRs

One of the biggest challenges in trade of medicinal plants especially CITES species is authentication of the source of BRs. This was highlighted in the previous trader's workshop organized by UBB and GIZ in November 2018. Considering this, it was decided to organize a workshop focusing mainly on



registration and certification of the BRs mainly CITES species which would help the farmers, traders as well as the industries and will strengthen the ABS mechanism in the long run.

A one-day capacity development workshop on Sustainable Trade of Bio-Resources and Associated Certification for Strengthening Access and Benefit Sharing (ABS) was organised on 16th May 2019 at Hotel Ramada Plaza, Dehradun. The workshop was organised by Uttarakhand Biodiversity Board (UBB) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). Other dignitaries present during the inaugural session were Dr. Konrad Uebelhoer, Director, Indo-German Biodiversity Programme (GIZ), Dr. Dhananjay Mohan (Chairman UBB), Mr. SS Rasaily (Member Secretary, UBB) and Dr. Rajinder Dobhal (Director General, Uttarakhand State Council for Science & Technology).

Presenters from different government, private certification agencies and industries participated in the workshop. Other important participants included farmers, traders, entrepreneurs, researchers, NGO's and representatives from government departments. A total 58 participants comprising of farmers, traders, entrepreneurs,

researchers, NGO's and representatives from government department participated in the workshop.





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Presenters from different government, private certification agencies and industries participated in the workshop. Other important participants included farmers, traders, entrepreneurs, researchers, NGO's and representatives from government

departments. The first technical session, focused on germplasm conservation,

followed by sessions on sustainable trade and quality control standards for bio-

resources (BR), Non-Wood Forest Products (NWFP) certification and FairWild

standards.

In the second technical session, the participants were briefed about different organic

certifications offered by the presenting certification agency. This was followed by a

session on sustainable trade and certificate of origin of BRs, followed by an

explanation of the certification process. Trainings for certification are now available at

varying fees as well as free of cost, as per the client. Different schemes of the SMPB

for the promotion and certification of medicinal plants were also discussed. In the last

session, participants performed a group exercise which ended with a presentation of

the challenges faced by farmers, traders, entrepreneurs and regulators.

The exercise clearly indicated the need for certification for trade (mainly export). It also

makes trade more legal and helps the authorities to track the BRs. From the Access

and Benefit Sharing (ABS) point of view, it helps to trace the origin of the bio-resource

from where it is traded so, that the ABS money can be ploughed back to the community

for the conservation of the resources. The workshop helped farmers and traders got a

clear idea on where to get the registration and certification for their bio-resources. The

workshop also helped in developing networks between the farmers, traders and

certification agencies.

Sessions:

Moderators: Dr. Pradeep Mehta and Mr. Anil Joshi, Technical Experts, GIZ

First technical session

Germplasm conservation: Dr. Veena Gupta and Dr. Anjali Kak Koul from

National Bureau of Plant and Genetic Resources, Indian Council for

Agriculture Research (ICAR)

Sustainable trade of bio-resources: Dr. Naresh Kumar Kumawat, National

Medicinal Plant Board, Ministry of AYUSH

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- Quality control standards for Bio-Resources (BR): Mr. Om Tripathi from Quality Council of India
- Non-Wood Forest Products (NWFP) certification: Mr. A.K. Bansal,
 Chairperson of Network for Certification and Conservation of Forests (NCCF)
- FairWild standards: Pramod Yadav from TRAFFIC India

Second technical session

- Organic Certifications: Mr. Jobin Jhon, from IndoCert, Kerala
- Sustainable trade and certificate of origin for BRs: Mr. Mahesh Joshi from DABUR
- Certification process and trade of BRs: Dr. L. Ibomcha Singh from OneCert Jaipur
- Schemes of the UK SBB: Dr. N.S. Bisht from State Medicinal Plant Board
- Group exercise and discussion of challenges faced by farmers, traders/entrepreneurs and regulators
- Concluding remarks: Mr. Rasaily, Member Secretary, UBB
- Vote of thanks: Dr. Aeshita Mukherjee, Team leader GIZ

Workshop Participants included Dr. Saket Badola, Director TRAFFIC India, Mr. Kunal Satyarthi, Dr. KK Joshi (Director Animal Husbandry), and Dr. Vinod Bhatt (Executive Director Navdanya). A total 58 participants comprising of farmers, traders, entrepreneurs, researchers, NGO's and representatives from government department participated in the workshop.

Capacity Building Workshop for BMC in Almora

The <u>Central Himalayan Environment Association</u> (CHEA) and the Almora Forest Division, with support of GIZ and Uttarakhand Biodiversity Board, organised a one-day workshop, on 12th February 2019, on Capacity Building of Biodiversity Management Committees (BMCs) at Van Chetna Kendra (Mrigvihar), Almora, Uttarakhand. The objective was to enable the constituted BMCs to document their respective Peoples Biodiversity Register (PBR) and to understand the Access and Benefit Sharing (ABS) mechanism at large.



The workshop was attended by the newly formed BMCs members of village panchayats of Dhaspad and Dodam-Pololi under the ABS partnership project, GIZ. The heads (*sarpanchs*) of the Village Forest Council (*Van Panchayat*) from the villages of Almora, and representatives of the Almora Forest Division, involved in BMCs formation and operation, participated in the workshop. The Range Forest Officers (RFO), Knowledge partners of CHEA (e.g. Ecociates, Noida) also attended the workshop to understand the expectations of BMCs and Van Panchayats from BMCs. In the workshop total 40 participants of BMCs, Van Panchayats and Forest deptt contributed.

During the workshop, various aspects of BMCs, PBR and ABS were discussed through ABS simply explained video (Hindi), presentations and charts etc. Group exercises played a vital role in ensuring active participation of all participants and for developing their understanding on the subject. During the open house session, issues related to BMCs, Van Panchayat, role of Van Panchayat after formation of BMC, coherence in the implementation of activities, were discussed. The panel included Mr. Dinakar Joshi (RFO), Dr. Pankaj Tewari and Mr. Kundan Bisht (CHEA), Mr. Anil Kumar Joshi (GIZ), who facilitated the participant's questions on BMC, PBR, ABS and the role of various groups existing at village level. Topics related to wild animal conflict and crop destruction, climate change, depletion of natural resources were also discussed. The forest department employees were interested to learn about resources like Myrica under Biodiversity Act. They also wanted to know about the "levy fee" process on natural resources levied by BMCs.

The workshop was successful in achieving the objectives, providing clarity on BD Act provisions and the concepts of bio-resources and biodiversity. The participants showed greater interest in maintaining the resource pool at their villages. The process on documentation of PBRs intrigued their interest in data collection and understanding of bio-resources. On issue of benefit sharing, the participants agreed that income generation and conservation of the resources should be in consonance to the availability of resources in respective areas. The members from pilot BMCs of Dhaspad and Dodam enquired about backward and forward linkages of bio-resources (esp. herbs) traded from their areas, they also stated requirements for strengthening their enterprise. The BMCs required equipment, training of production and enterprise development etc. The members of four Van Panchayats also expressed interest to form BMCs in their villages and requested the Forest department to facilitate the process. In the discussions CHEA and Almora forest division agreed on documenting two PBRs in pilot villages initiated by GIZ.

This also helped in bringing new ideas on roles and responsibilities of BMCs, understanding on conservation and sustainability. The pilot BMCs were motivated to contribute for bringing good practices in their functioning. As a future course of action CHEA informed on documenting two PBRs and discussion with Uttarakhand Biodiversity Board for their further use on sensitizing people and for conservation at large.



BMC Facilitation centres developed in two BMCs in Almora and Pithoragarh

Capacity Building of 30 BMCs at National Conference in Pauri

Fair and equitable sharing of the benefits arising out of biological resources is seen as one of the most important objectives of Biodiversity Act, 2002. Biodiversity Management Committees (BMCs), Industries, Researchers and the Forest department are important stakeholders in the value chain of bio-resource trade. Keeping this in mind, a one-day workshop-cum-exposure event on the Biodiversity Act, 2002 and Access and Benefit Sharing and capacity development of the stakeholders was organised. The initiative was taken for the capacity building of BMCs at local level with Uttarakhand Biodiversity Board and Forest department. The activities were organised on 26-27 May at the national conference on "The Himalayas: at the Cross roads of Environment and Development", by the HNB Garhwal University BGR campus at Pauri.



The main idea of the workshop was to bring already existing BMCs to a forum and initiate an interaction amongst them and the sector experts on biodiversity conservation vis-à-vis development of knowledge base. The workshop was conducted with the following objectives:

To introduce Biodiversity Act 2002 to the stakeholders;

- To understand the status of requirement of BMCs;
- To know the scope of value addition of bio-resources in the region for livelihoods improvement;
- To develop linkages of BMCs for further development;

The first session of the workshop initiated a discussion with sector experts on biodiversity conservation. Dr Pradeep Mehta (GIZ) welcomed the participants and spoke about the significance of biodiversity and its conservation. In the welcome address, Dr Vinod Bhatt said that the workshop aimed to empower and capacitate the system of biodiversity conservation at the grassroot level. Prof. A.K. Dobariyal, the special guest, said that it was important to understand the provisions of the Biodiversity Act, 2002 and ensure biodiversity conservation at grassroot level through BMCs.

The second session focused on trade of bio-resources, community-based bio-trade sector, the role of BMCs, process of People's Biodiversity Register (PBR) documentation and trade mechanism. The participants were introduced to the concept of PBR, its importance and role in getting ABS benefits to the community. A session introducing the Biodiversity Act and BMCs was also conducted. It was based on the process of forming BMCs, its duties and responsibilities. The session on Access and Benefit Sharing (ABS) focused on the importance of BMCs for implementing the ABS mechanism and maximising benefits to communities. Dr Bhatt also emphasised on synergies between village level institutions for effective BMCs and reliable PBRs. The format of documentation prepared by State Biodiversity Board which detailed the PBR preparation in the pilot villages.

An open house session focused on various issues related to BMCs, Van Panchayat, role of BMCs in conservation and process of PBR formation at the village level. Issues related to wild animal conflict and crop destruction, climate change and depletion of natural resources were also discussed.

Some key takeaways and discussions from the workshop included:

 Awareness and communication at BMC/farm level. Local level trainings of BMCs for biodiversity conservation and benefit sharing, requirements from Biodiversity Board, Forest department.

- Information dissemination on forming BMCs and documenting PBR.
- Conservation policy of wild collected and cultivated resources, and role of Biodiversity Act, 2002.
- Communication amongst the Forest department, Technical Support Groups
 (TSGs) and Biodiversity Board for different roles and responsibilities such and
 BMC formation, PBR documentation and capacity development.



A vote of thanks was given by Dr Vinod Bhatt on behalf of Uttarakhand Biodiversity Board. He expressed his satisfaction with the workshop and thanked all the stakeholders from Forest department, Garhwal University, TSGs, Experts and BMCs of the district. He also thanked the GIZ team from Dehradun for organising the workshop.

BMC's from Pauri district, officials from the Forest department, Technical Support Groups and other sector experts participated in the workshop. Mr M.K. Bahukhandi, Sub Divisional Officer of Forest department, Pauri and Prof A.K. Dobariyal of the University Campus were the special guests for the event along with Dr Vinod Bhatt, Dr Semwal and BMC members of the district. Mr Anil Joshi and Dr Pradeep Mehta (Technical Experts, GIZ) moderated the workshop.

The Access and Benefit Sharing (ABS) Partnership Project is implemented by National Biodiversity Authority (NBA), Ministry of Environment, Forest and Climate Change, Government of India (MoEF&CC) and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH under Indio-German Biodiversity Programme and is commissioned by German Federal Ministry for Economic Cooperation and Development (BMZ).

MoU finalization with GB Pant National Institute for Himalayan Environment & Sustainable Development

Mentioning about the works done as part of Indo German Biodiversity Programme Mr. Bisht mentioned that five Biodiversity Management Committee (BMC) have been formed in Almora and Pithoragarh districts. The details are given as under:

SI	District	ВМС	President	Secretary
1.	Pithoragarh	Khitoli	Mr. Rajendra Singh	Mr. Manoj Singh Jyala
			Mehta	
2.		Jamrari	Mrs. Nirmala Devi	Mr. Manoj Singh Jyala
3.		Bera	Mr. Ramesh Ram	Mr. Manoj Singh Jyala
4.	Almora	Dhaspad	Mr. Gopal Datt	Mr. Mahesh Chandra
	Doram		Pandey	Pandey
5.	Paloli	Doram	Mr. Deepak	Mr. Mahesh Chandra
		Paloli	Chandra	Pandey

He also mentioned the process of BMC formation and documentation which is depicted in the photos below:



The main BRs on which the BMC's are dealing are Chyura (*Diploknema butyracea*) in Pithoragarh and Coneflower (*Echinacea purpurea*); Comfery (*Symphytum officinale*) and Tulsi (*Ocimum tenuiflorum*) in Almora. The main BR on which CHEA has been working is Chyura and the organization is empowering BMC's to prepare different value-added products:

- Ghee (butter): extracted from Chyura seeds
- Handmade Soap value addition of the ghee
- Chuyra honey
- Chyura Ghee Diya (lamp)







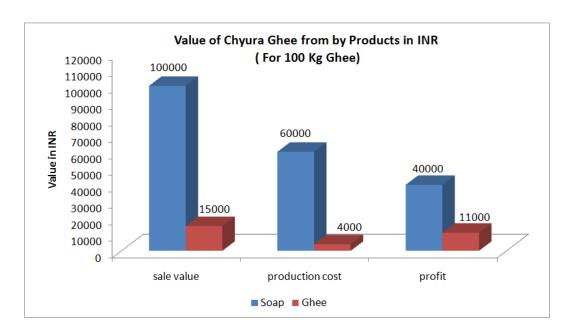
CHEA also presented the statistics of *Chyura* from three villages which is summarized in the table below:

НН	Qty of	Oil or	Qty	Averag	Sale	Productio	Net
involved	Chyura	Ghee	of	е	Value	n Cost	Profit
in	seed	extracte	Ghe	selling	(Rs)		(Rs)
Collectio	collecte	d (kg)*	е	price			
n	d (kg)		Sold	(Rs)			
			(kg)				
129	22420	13452	2320	150	3,48,00	92800	2,55,20
(91.49%)			**		0		0

^{*} The oil and butter are extracted from *chyura* seeds. Approximately 600 grams of oil can be extracted from 1 kg of seeds

Comparison of *chyura* ghee and value-added product was also presented which is illustrated in the chart below:

^{**} Only 27% HH sold ghee



Forward linkages with three organizations have been established namely Global Kinship Enterprises, Aajeevika (ILSP) and GB Pant National Institute for Himalayan Environment and Sustainable Development (GBPNIHESD).

The other important BR is Coneflower (*E. purpurea*). The economics of growing Coneflower and Tulsi (*Ocimum tenuiflorum*) was also shared which is given in the table below:

Economics of Coneflower (E. purpurea) cultivation

Year	Area	*Production	Sale Value	Cost of	Net
	(ha)	(qt)	(Rs.)	Production	Profit
				(Rs.)	(Rs.)
2016	0.6	33	198000	66000	132000
2017	_	33	198000	0	198000
2018	=	33	198000	0	198000
Total	0.6	99	594000	66000	528000

Economics of Tulsi (Ocimum tenuiflorum) cultivation

Year	Area	*Production	Sale Value	Cost of	Net Profit
	(ha)	(qt)	(Rs)	Production	(Rs)
				(Rs)	
2015	0.1	3	21000	9000	12000
2016	0.22	7.15	50050	19800	30700
2017		7.15	50050	19800	30700
2018		7.15	50050	19800	30700

The ABS process for all the above-mentioned BRs have been initiated which is being facilitated by CHEA and GIZ as part of Indo German Biodiversity Programme. BMC's



and buyers are ready for ABS. Capacity development of BMC's and traders have been done by CHEA and GIZ. He also informed that PBR formation is under way in these BMC's and ABS process for PIC and MAT will be initiated after guidance from UBB and GIZ.

Question & Answer Session

After the completion of all the presentation's, an interactive question and answer session was conducted in which the farmers, BMC representatives and companies interacted with the board regarding ABS procedure and other related queries.

Way Forward

Based on the discussions during the workshop, the following action points emerged as way forward:

- Guidelines for production of *kuth* and *kutki* to be reviewed with HRDI;
- SOP for PIC and MAT to be formulated by UBB and GIZ;
- PIC and MAT process to be initiated in all BMC's starting with Ghes BMC;
- Training programme for Ghes BMC to be conducted;
- FAQ (Frequently Asked Questions) to be made by the board and put on website:

Training methods developed for BMC trainings

Process documentation for PBR process developed and drafted

https://indo-germanbiodiversity.com/pdf/publication/publication28-02-2020-1582892820.pdf

Video on TK documentation prepared

III. ABS-Monitoring System

2019

National Biodiversity Authority

Successful demonstration of IT enabled ABS Monitoring Tool at CBD: Global Capacity-building Workshop on monitoring the utilization of Genetic Resources under the Nagoya Protocol held on 30 September - 2 October 2019 Currently in India most users accessing bio-resources for research and commercial purposes are outside the purview of the National Biodiversity Authority (NBA),

leading to potentially illegal and unsustainable use. Moreover, benefits arising out of its utilisation cannot reach providers due to lack of awareness. Thus, the NBA is seeking to enhance its capacity to monitor the utilisation of Indian bio-resources and associated traditional knowledge with the help of a digital application called as ABS Monitoring System (ABS-MS) developed under the scope of the ABS Partnership Project.

The Project was invited by the Convention on Biological Diversity (CBD) Secretariat at Bonn, Germany from 30th Sep- 2nd Oct 2019 to showcase a live demonstration of a working prototype of the ABS-MS. The prototype was explained with particular emphasis on the overall process of developing the system, generating key results, obtaining and using the information from this system as well as its limitations.

The Project was also invited to setup a booth to encourage discussions with the participants. Representatives of many countries such as Bhutan, Cambodia, Nepal, Pakistan, Kazakhstan, Costa Rica, Peru, Hungary, Namibia and other African nations were interested in learning about provisions which would enable them to develop similar systems in their own countries. Even User countries like Germany, UK and Netherlands were interested to have a similar system to monitor users for their own countries.



2020

National Biodiversity Authority

International Workshop on IT Monitoring Tool on ABS compliance in Chennai

A five-day international workshop was conducted jointly by the Ministry of Environment, Forest and Climate Change, National Biodiversity Authority, GIZ and the global UNDP project to provide practical training in methods and tools for monitoring access to genetic resources and benefit-sharing in India under the Biological Diversity Act.

This five-day workshop under the ABS Partnership project was organised from 19-24 January 2020 in Chennai, with international participants from Belarus, Botswana, Cameroon, Germany, Kenya, Madagascar, Philippines, Spain and UK along with Indian delegates from 15 State Biodiversity Boards, NGOs, Government Officials and staff from NBA. The event was followed up by a webinar organised by UNDP to reach other countries that had shown interest in the development of an IT tool for monitoring Bio-Resource utilisation in their countries.

The monitoring of access and benefit sharing involves the challenges of practically monitoring ABS and sustainably creating human and technical capacity to monitor ABS. In addressing human capacity to engage in monitoring it is important to recognise that ABS monitoring involves the use of knowledge and methods from a range of different disciplines, like biodiversity informatics; geographic data (coordinates and gis data); scientometrics/bibliometrics; patent analytics; the use of web services (application programming interfaces); visualization and network analysis; and software tools and basic programming skills. The challenge here was to ensure that the range of disciplinary skills required were represented and that a sufficiently large group of people was created to ensure long-term sustainability. Thus, the workshop aimed to contribute and create a small inter-disciplinary network to address the problem of long-term human capacity for ABS monitoring in India.