

Community Protocols

Lessons Learned for ABS





Overview

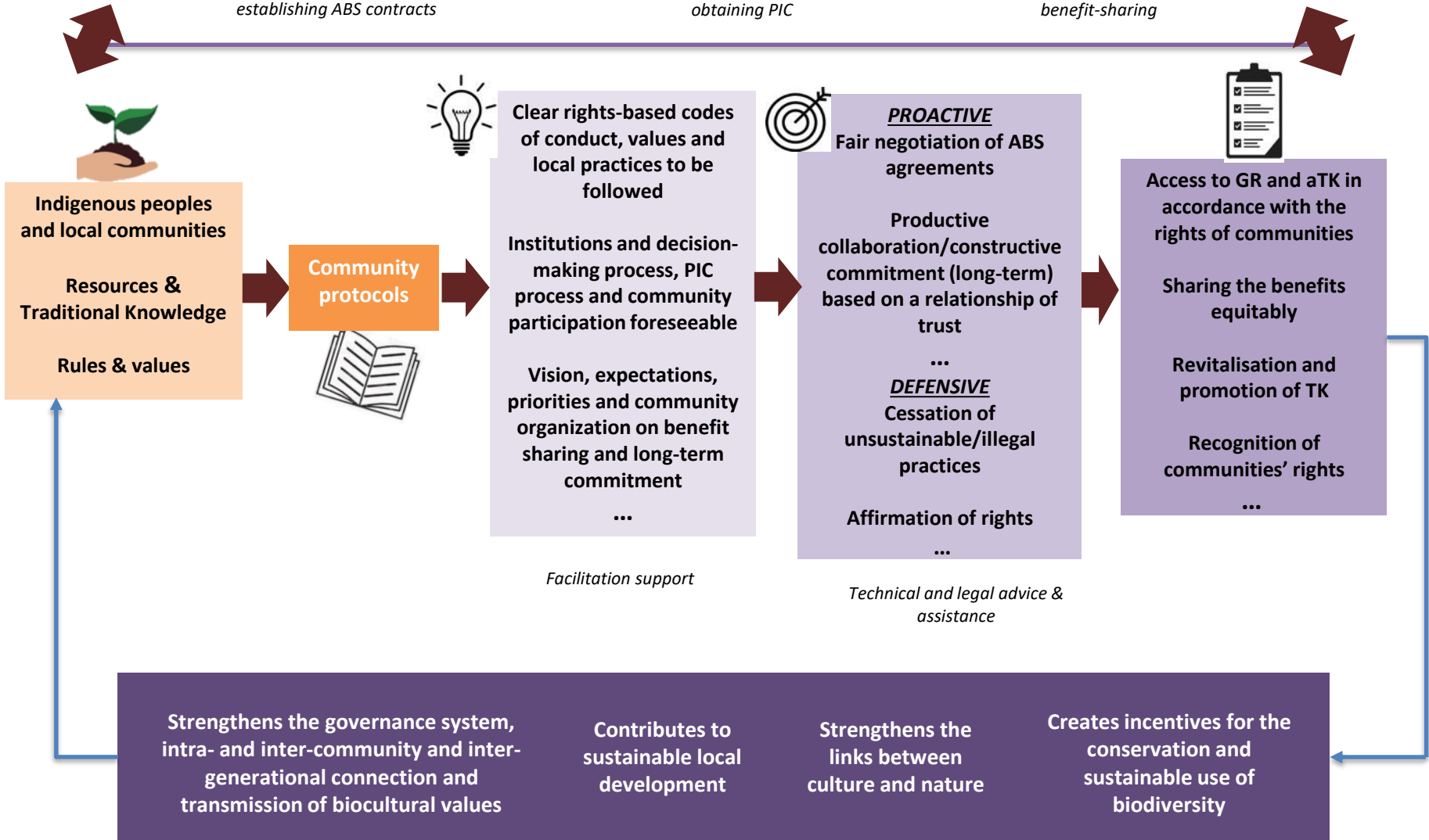
1. Theory of change
2. Exemplary content and process
3. Lessons learned on:
 - Content and focus
 - Process
 - Outside support
 - Role of government agencies
 - Legal recognition
4. The way forward

National, regional and international ABS framework recognizing community rights and customary procedures and protocols and integrating local experiences

Minimum conditions for negotiating and establishing ABS contracts

Procedure, criteria and/or processes for obtaining PIC

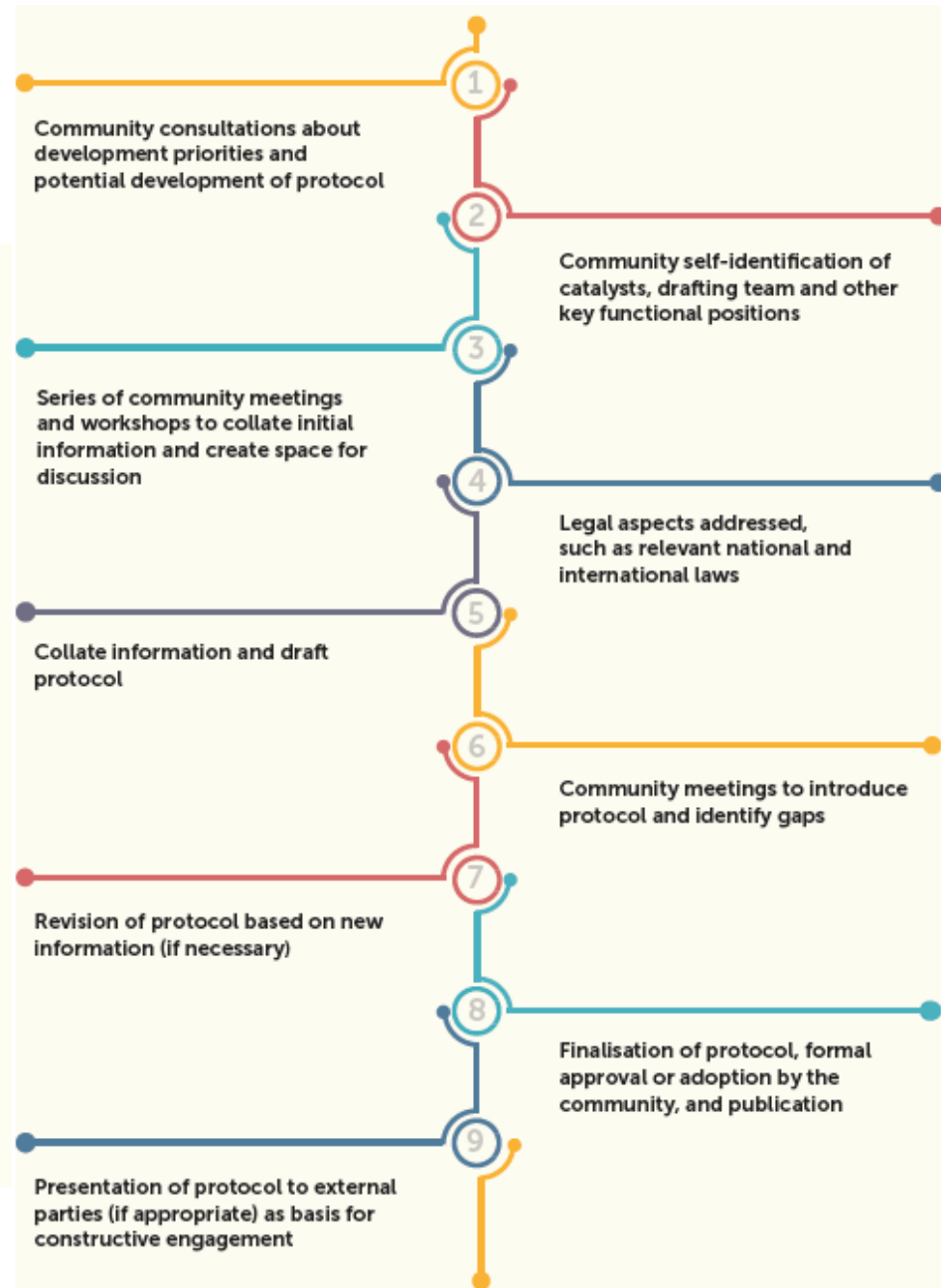
Standard contractual clauses for benefit-sharing



Poss. content and process

- Definition of the **community**;
- Leadership and **decision-making** processes
- Natural resource management systems, **TK, innovations, and practices**
- Ways of life, links between land/resources and **culture, spirituality, values**
- Rights, responsibilities according to **customary, national, and international law**
- Conditions for granting **access** to TK, GR, land etc. such as **FPIC, MAT**
- **Challenges** faced by the community and calls to stakeholders to engage on issues

Every protocol is different!



Content and focus



- Address issues from the community perspective
- But: identify main objectives, clarify expectations
- Respond to real opportunities and challenges, incl. beyond ABS

Process

- Let the community define the process and pace
- Definition of the community
- Include a variety of community voices
- Involve customary authorities
- Make governance a central element of discussion
- The process is as important as the output!



Outside support

- Facilitation
- Information and training
- Processing collected data
- Legal input and support
- Drafting



Role of government

- Involve government agencies and other stakeholders early on
- Government agencies can facilitate and help with implementation
- Maintain community ownership and flexible processes



Legal recognition

- National level, e.g. ABS laws
- Sub-national and local level: municipal decrees, letters of recognition
- Community protocol processes can inform emerging national frameworks
- CPs alone are not enough:
 - Need for clear PIC procedures at national level
 - Need for TK protection in legislation



The way forward

Recognize, mainstream and support CPs without sacrificing their essential aspects:

- Legal recognition, regulations and guidance
- BUT: avoid restrictions on process and contents – no top-down approaches, no one-size-fits all
- Actively support communities in developing their CPs when desired
- Leave the control over development to communities
- Train CBOs and community lawyers



THANK YOU

