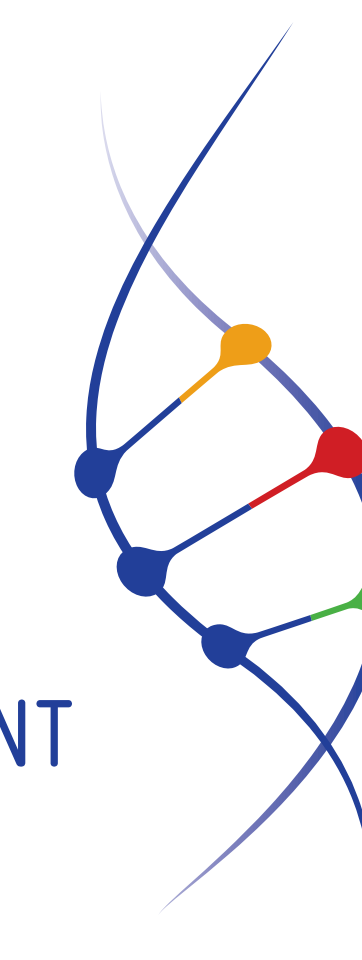


# NATIONAL IMPLEMENTATION OF ABS IN CAMEROON: *The Echinops Case* (2012-2017)

THE ABS CAPACITY DEVELOPMENT INITIATIVE



## User

The French family owned business **V. Mane Fils (Mane)** is one of the world's leading flavour and fragrance companies. Founded in 1871 it has now over 5.000 employees working in 34 countries. As a great part of Mane's business depends on natural resources, its General Director and President of the Mane Foundation, Michel Mane, had attended COP 10 and learned about the Nagoya Protocol.

## Provider

The **Kingdom of Magha-Bamumbu** in the South-West Region of Cameroon is located in a mountainous region dominated by grassy slopes. The main source of income is agriculture. Echinops is widely disseminated and, easily accessible for harvesting. The local community is a village of approximately 2,000 inhabitants and is located on high altitude of up to 2,000 metres. The traditional authority is held by His Majesty Lekunze Nembo Andreas, King of Bamumbu.

## Regulators

The official ABS related authorities in Cameroon are: the **Minister of Environment, Nature Protection and Sustainable Development (MINEPDED)**, the **ABS Focal Point** and the **ABS committee** consisting of representatives from seven Ministries and the traditional healers' community in Cameroon. An ABS regulatory framework as well as key institutions and provisions (competent national authority (CNA), publishing authority for the ABS Clearing-House, checkpoints, provisions of conflict resolution) to ensure compliance are still absent on the national level.

## Genetic Resource

*Echinops giganteus* is an herbaceous perennial plant from the genus of globe thistles within the sunflower family (Asteraceae), growing on high altitudes in Cameroon. The roots, flowers and leaves of Echinops are occasionally used to treat various ailments. It is also used as a spice in traditional Cameroonian dishes. Research indicates that the thistle's roots contain essential oils with commercial potential for cosmetic and food industries.

During a travel to Cameroon in 1999, Mane's area sales manager visits the Douala market and smells the root of *Echinops giganteus*, the essential oil from which is deemed interesting by Perfumers.



In late 2018 an interim ministerial decree defining the Cameroonian access procedures has been elaborated and is awaiting validation.

In 2012, Mane contracts the French NGO **Man and Nature** to establish contact with a possible provider of Echinops in Cameroon. Mane and Nature picks the Cameroonian NGO **Environment and Rural Development Foundation (ERU-DeF)** to manage the local process and to identify a local community providing access to Echinops.



As no fragrance containing Echinops essential oil has been sold yet, royalties have not been paid yet while other benefits are already shared as specified in the MAT: fair price for the dried Echinops roots, the foundation of a cooperative, including drying stations and a manual on sustainable harvesting and reproduction.

Based on the results of a survey, ERUDeF finally picks the **Kingdom of Magha-Bamumbu** as the local partner and negotiates a Pre-PIC. ERUDeF is informed by the ABS focal point that no fixed ABS regulatory procedure exists so far. Mane asks the ABS Initiative to backstop the inclusion of the responsible Ministry in the negotiation process.



The commercialization MAT is validated by the ABS committee and signed by Mane, the King of Bamumbu and the Minister of Environment. Export of necessary quantities for the commercialization of the Echinops essential oil starts.

The ABS focal point takes the lead in the Echinops ABS process. With financing from GIZ, a consultant is hired to draft MAT for the research phase and a ministerial decree to serve as an interim ABS legislation.



Encouraged by the research results, Mane aims to commercialize the essential oil extracted from Echinops to be used as a fragrance natural ingredient. Mane extends the contract with ERUDeF to draft the commercialization MAT which is negotiated at the village. Further support for the process is provided by the French Embassy.

The two drafts of the research MAT and the draft interim ABS regulation are validated by the National ABS Committee. The draft research MAT is finalized and approved by the Kingdom of Magha-Bamumbu.



The research MAT is signed between Mane, the King of Magha-Bamumbu and the Minister of Environment. Export of Echinops starts (4 times 200kg/year). Studies on the characterization and seasonal variation of the biochemical composition of Echinops essential oil is conducted by Mane in France.

## THE RESEARCH MAT

- Purchase of the quantities needed for the research for a fair price
- Construction of drying stations
- Sharing of research results with the respective Cameroonian Ministries
- Elaboration of an environmental and economic impact assessment relative to the harvesting of *Echinops*

## THE COMMERCIALIZATION MAT

- Purchase of a total annual amounts of 4,500 kg of dried Echinops roots from 2015 to 2017
- Monetary benefits: 25% of net profits directly attributed to the essential oil of Echinops to be transferred to the harvesters (including several women), the cooperative, the mayor, and the village development fund managed by the King who keeps the community informed about the accrued amounts.
- Core non-monetary benefits: a cultivation manual for Echinops, the support of local development projects and possibly scholarships for local students, in particular women.

## Analysis - User and Provider Activities

- The Echinops ABS case follows typical bioprospection patterns: discovery of resource, research and development, decision to commercialize the resource.
- Discounting the non-existence of an ABS framework, a functioning ABS agreement was concluded and has created a new income source for a local community.
- **User activities:**
  - Was prepared to negotiate ABS compliant agreements without the Nagoya Protocol being in force.
  - Challenged with: finding the right information, the right partners and the applicable standards in negotiating an ABS compliant agreement.
  - The user's contribution was significant to create a transparent scheme for distributing the benefits (money is wired to four different accounts)

### Regulator activities:

- Was involved in the ABS case at a later stage.
- Without a regulatory framework in place, could not give out clear instructions for the user on how to comply with ABS.
- Proactively seized the opportunity to create a model ABS case to build momentum for developing a national ABS legislation.
- Supervised drafting of an interim decree and of a specific ABS law, including implementing regulations.

### Provider/custodian activities:

- Legally, the government of Cameroon is the owner and thus the provider of the genetic resources. In this particular case, the Cameroonian government decided to uniquely play the role as regulator. All benefit-sharing had to be negotiated with the local community.
- For the local community, the ABS concept was unknown before being asked to enter into negotiations.
- The custodian community embarked on a learning process during which a cooperative was created. Identifying the appropriate negotiation partner between the cooperative and the traditional authority was a main challenge.
- The custodian provided effective support and was willing to learn harvesting techniques and first transformation steps such as cleaning and drying.

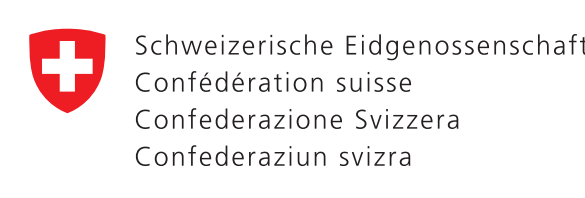
### OPPORTUNITIES PROVIDED BY THE NAGOYA PROTOCOL:

- With the ABS Clearing-house in place and the competent national authorities (CNA) and the national ABS focal points instituted with clear competencies, as defined by the Nagoya Protocol, it would have been less time consuming for Mane to contact the relevant institutions and to obtain clear indications on the administrative path to follow
  - The national ABS focal point and the CNA could have been contacted and briefed in the beginning in order to accelerate the negotiation process.
  - Use of the CHM would have provided Mane with clear instructions on how to comply with the ABS regulations in Cameroon.
  - With the CNA ABS capacities developed according to Nagoya Protocol, standards for an effective support of the negotiation process would have been guaranteed.
  - If model clauses were validated on a national level and MAT examples published, the MAT could have been drafted directly by the Parties of the process and hiring a costly external consultant could have been avoided.
  - Instead of the Minister an instituted CNA could have signed the MAT, resulting in a significantly simpler administrative procedure.

- An instituted CNA could also validate the MAT via PIC and/or permit, depending on the specifications in the regulatory framework.
- An instituted publishing authority could have published the permit on the ABS Clearing House which would have allowed the user to obtain the IRCC, needed for compliance within the European Union. An IRCC would have also increased the probability of selling the fragrance containing Echinops, since it would have been the first fragrance containing an ingredient sourced in an ABS compliant manner.

**INSTITUTIONALISED PROVISIONS:**  
An ABS regulatory framework as well as key institutions and provisions (ABS Clearing-House, checkpoints, provisions of conflict resolution) to ensure compliance are still absent on the national level. With increased political will for the implementation of ABS, Cameroon has ratified the Nagoya Protocol in 2016, and is now working in parallel on an interim ministerial decree and a specific ABS law including implementing regulations (October 2018).

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