



# ABS-Management Tool

## Best Practice Standard



Schweizerische Eidgenossenschaft  
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Federal Department of Economic Affairs FDEA  
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# ABS-Management Tool

## Best Practice Standard

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## The ABS Best Practice Standard

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# 1.0 Getting Started

## 1.1 What is ABS and Why is it Important?

The Convention on Biological Diversity (CBD), under the United Nations, has three objectives: 1) the conservation of biological diversity; 2) the sustainable use of its components; and 3) the fair and equitable sharing of benefits arising out of the utilization of genetic resources. The third objective has been developed into a field of practice—and legal requirements—known as “access to genetic resources and benefit-sharing,” or “ABS.” Parties (i.e., governments) to the CBD have formalized ABS through certain Articles of the Convention, and through the *Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising out of their Utilization* (adopted in 2002). The Bonn Guidelines are directed to Parties, governments, users, providers and other stakeholders.

Specific requirements under the Bonn Guidelines address:

- Prior Informed Consent for access to genetic resources;
- Mutually Agreed Terms for access and the use of genetic resources; and
- Benefit-sharing from the utilization of genetic resources.

While the Bonn Guidelines provide overall guidance on ABS requirements under the CBD, and in particular to the Parties to the Convention, individual organizations—whether research organizations, companies or communities—have a need for clear guidance and tools to help them comply with and implement the Bonn Guidelines in their access and benefit-sharing activities.

Genetic resources provide substantial existing and potential opportunities for uses that benefit people around the world—including opportunities for scientific research and for the development and commercialization of pharmaceutical, agricultural, horticultural, herbal, industrial and other products. There are many well-known medicines, foods and other products that have been developed from genetic resources. For example, between the years 1981 and 2006, 78 per cent of anti-cancer drugs were either natural products or based on natural products.<sup>1</sup>

There have been, at the same time, actual and claimed cases of inappropriate collection or use of genetic resources (i.e., biopiracy). This has raised questions about what constitutes legal and appropriate collection practices to protect the interests of both those who own the genetic resources (e.g., governments and/or local and indigenous communities) and the interests of those who use the genetic resources (e.g., researchers or companies).

However, beyond the benefit of academic research, the commercial development of genetic resources can be a “risky business.” It can be time consuming and costly. It can require many steps in negotiation between the prospective user and the provider of the genetic resource and ongoing reporting by the user on its activities. At the same time, the commercial development of genetic resources can negatively affect the interests of governments or local and indigenous communities that are the “providers” of genetic resources if they are not able to make well-informed decisions about the genetic resources they own.

<sup>1</sup> Newman, David J. and Gordon M. Cragg, 2007, “Natural Products as Sources of New Drugs Over the Last 25 Years,” *Journal of Natural Products*. Vol. 70:461–77.

## 1.2 Purpose of the ABS-Management Tool

The ABS-Management Tool (ABS-MT) is a best practice standard and a handbook which provides voluntary guidance and tools on ABS practice to help companies, researchers, local and indigenous communities and governments ensure compliance with the Bonn Guidelines and ABS requirements under the CBD. It provides users and providers of genetic resources with a structured process, and fair and equitable means of participating in—and making decisions about—ABS negotiations and the implementation of ABS agreements for access to and agreed use of genetic resources. This document presents the five standards that make up the complete Best Practice Standard.

A key aspect of successful ABS activities is the building of confidence and trust between the genetic resource provider and the genetic resource user. The ABS-MT is designed to inform and guide both users and providers of genetic resources in a neutral way to help them establish necessary relationships based on confidence and trust. Without confidence and trust, the access and use of genetic resources can result in negative impacts—to the providers of a genetic resource through, for example, poorly informed decisions on access, or insufficient sharing of appropriate benefits with a provider; and, to the user of the genetic resource, through, for example, perceptions and claims that they have acted improperly in accessing and/or using genetic resources.

This ABS-MT is intended to apply to all stages of genetic resource activity:

- prior to access;
- access (collection and discovery);
- academic research;<sup>2</sup>
- research and development for commercial purpose; and
- commercialization.

## 1.3 Who Can Use the ABS-Management Tool?

The ABS-MT is intended for use by providers and users of genetic resources, particularly:

- companies/private enterprises (large and small) involved in, for example:
  - pharmaceuticals
  - botanicals
  - crop protection
  - nutraceuticals
  - biotechnology, including microbial sources of industrial products
  - horticulture, including ornamentals
- local communities;
- indigenous peoples;

<sup>2</sup> For academic research with no commercial intent, a separate guideline can be applied: the Swiss Academy of Sciences, *Good Practices for Academic Research in Genetic Resources*.

- public and private research institutions, including universities;
- holders of *ex situ* collections; and
- intermediaries—commercial and public.

It is structured to be particularly helpful to companies, communities and research institutions that do not have procedures in place to ensure compliance with the provisions of the CBD, and the Bonn Guidelines on ABS. It is also useful to more experienced companies and organizations as a source of guidance for ensuring they are meeting best practice in ABS; and, for governments as a guide to ABS process.

### For Users of Genetic Resources

The ABS-MT is targeted to genetic resource user organizations (e.g., research institutions, small and large companies and intermediaries who collect or use genetic resources, etc.) to enable them to:

- **voluntarily adopt an ABS standard** of practice which facilitates access to genetic resources by ensuring compliance with the CBD and the Bonn Guidelines,<sup>3</sup> including compliance with existing ABS laws, regulations and country policies; and
- **adopt good practices** in accessing genetic resources and providing fair and equitable benefits from their use.

### For Providers of Genetic Resources

The ABS-MT is also targeted to genetic resource provider organizations (e.g., national or state/provincial government authorities, indigenous and local communities, research institutions and intermediaries, etc.) to:

- help them make decisions about access by increasing their understanding of the requirements of the Bonn Guidelines and responsible practices; and
- determine expectations and requirements in negotiating agreements for access to and use of genetic resources.

### For Government Authorities

Beyond assisting governments in their role as providers of genetic resources, the ABS-MT can:

- help inform government authorities of important steps and practices necessary in ABS transactions; and
- serve as a capacity building guide.

## 1.4 Development Process of the ABS-MT

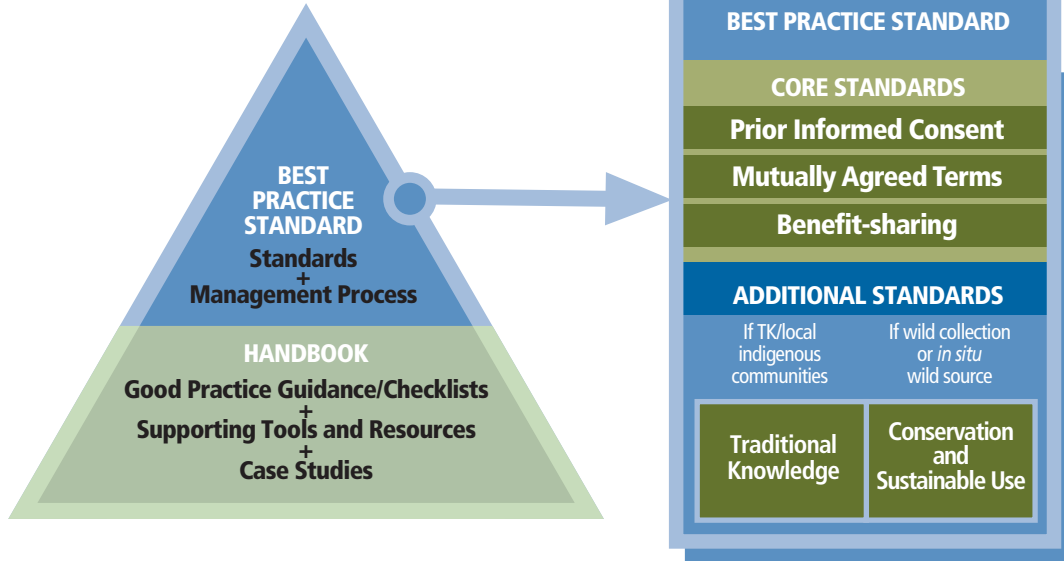
The ABS-MT has been developed through a process of:

- background research and analysis of ABS policies and practices, and broader biological resource management standards and initiatives for responsible practices;
- outreach and dialogue with a wide range of ABS stakeholders and practitioners, including stakeholder-specific meetings, participation in ABS workshops and meetings and side events on the margins of CBD meetings;
- analysis of results from field testing of the ABS-MT;
- review by an international workshop of ABS practitioners from different regions and a range of interests including industry, governments, indigenous peoples, researchers and NGOs; and
- review by the ABS-MT International Advisory Committee of experts.

<sup>3</sup> The ABS-MT is intended to be applied to genetic resources as they are defined in the Convention on Biological Diversity.

## 1.5 Structure of the ABS-MT

The ABS-MT is made up of the following components which are divided into two volumes: The Best Practice Standard and the Handbook. The Best Practice Standard and the Handbook are available together at [http://www.iisd.org/pdf/2007/abs\\_mt.pdf](http://www.iisd.org/pdf/2007/abs_mt.pdf)



## Definitions

Some key definitions to be considered include:

Element	Definition
Provider	Any government/organization/group of people that is/are the source of the genetic resource and/or owner, manager or custodian of these genetic resources.
User	Any organization/group of people that acquires/s and/or use/s genetic resources.
Best Practice Standard	A set of commitments to be followed by the genetic resource acquirer/user organization and provider of genetic resources to achieve an outcome that meets the requirements of the ABS provisions of the CBD and Bonn Guidelines (and represents the current state of best practice).
Good Practice Guidance	Steps or activities to help user/acquirer and provider/source organizations carry out good ABS management practices in support of the ABS best practice standard.
Challenge Tips	Potential solutions and advice on addressing challenges and uncertainties that arise in the process of ABS negotiations and the implementation of ABS agreements.
Owners, Managers or Custodians	Organizations or individuals that have a right over genetic resources (possession, property, etc.), in accordance with a country's legal system or customary law, and are in possession of the biological material that contains the genetic resources, <i>in situ</i> or <i>ex situ</i> , and have the right to transfer it to a third party.
Traditional Knowledge, Innovations and Practices of Indigenous Peoples and Local Communities	The term "traditional knowledge" refers to the content or substance of knowledge resulting from intellectual activity in a traditional context, and includes the know-how, skills, innovations, practices and learning that form part of traditional knowledge systems, and knowledge embodying traditional lifestyles of indigenous and local communities, or contained in codified knowledge systems passed between generations. It is not limited to any specific technical field, and may include agricultural, environmental and medicinal knowledge, and knowledge associated with genetic resources. <sup>4</sup>

<sup>4</sup>WIPO Revised Draft Provisions for the Protection of Traditional Knowledge, Article 3.

## 1.6 Basic Conditions for the Use of the ABS-MT

### 1.6.1 Willingness to Participate in ABS Negotiations

Both the provider and prospective user of a genetic resource must have the willingness to participate in good faith in ABS negotiations. If there is a lack of trust between potential parties involved in an ABS negotiation, the possibility of reaching a successful agreement that benefits all parties will be reduced. Relationships should be based on trust, dialogue and mutual benefit. Negotiations on access, as well as benefit-sharing arrangements, therefore, must be established and implemented in a manner that advances the participation of all relevant stakeholders, allows effective dialogue among these stakeholders and promotes mutual accountability.

### 1.6.2 Capacity for Negotiating and Decision-making

ABS negotiations are complex. For many governmental authorities, communities and indigenous peoples and other stakeholders, ABS is an unknown legal and administrative area. The Project Team has found that lack of capacity, and a lack of trust in one's own capacities, prevents potential providers from being engaged in ABS negotiations. This fear of making mistakes and the risk of responsibility/liability for possible improper activities, limits the willingness of providers to participate in ABS negotiations. For that reason, a minimum capacity for and knowledge of ABS issues/negotiations is necessary to use the ABS-MT. At the same time, the ABS-MT can be used as a capacity-building instrument by addressing relevant ABS issues to a prospective user; and providing a roadmap for ABS negotiations and discussing best practice.

Among the many lessons learned from use and testing of the draft ABS-MT is that sources providing practical guidance on ABS are few and far between and that the ABS capacity of all stakeholder groups need to be substantially increased to enable compliance with the Bonn Guidelines. This lack of capacity also prevents stakeholders from distinguishing between the practices and processes that comply with the CBD and Bonn Guidelines, and those that do not.

### 1.6.3 Minimum Legal Framework in Place

Between 20 and 25 countries have adopted specific ABS laws. Some of these countries have developed specific regulations and administrative procedures for implementing their laws, while the majority of countries only have enabling laws. This lack of substantive ABS-specific regulatory and administrative measures creates legal uncertainty. This limits the willingness of prospective genetic-resource users to seek genetic resources and negotiate agreements for access and benefit-sharing. At the same time, legal uncertainty limits the willingness and capacity of genetic resource providers (i.e., government agencies, communities and indigenous peoples) to engage in ABS negotiations.

The country's national legislation should provide for:

- (a) a regulatory framework that enables access to genetic resources (i.e., there is no *de facto* moratorium or prohibition on access);
- (b) a process for the formal recognition and approval of requests for access and use, either through a permitting system or customary process; and

- (c) a legal framework that effectively governs the negotiation and implementation of contracts, including dispute resolution.

### **1.7 ABS Decision-making and Use of ABS-MT**

**For Commercial Research:** The ABS-MT is designed to specifically address the situations and concerns of commercial research for genetic resources (bioprospecting) or academic research which has commercial potential. It does not address the broader collection and use of biological resources. While the ABS-MT is most readily used by larger-scale commercial genetic resource research efforts, it provides a straightforward set of standards to help both large and small entities meet the requirements of the CBD. It also provides guidance for smaller-scale companies and researchers to consider which management processes are appropriate to their situation and more detailed guidance, to larger companies on how to work to best practice.

**For Non-commercial Research:** The ABS-MT also provides an ABS best practice standard and guidance for individuals and institutions involved in the research of genetic resources for non-commercial (academic) purposes. However, there is no internationally-agreed distinction between academic and commercial research, and academic research on genetic resources may lead to the identification of commercial potential. As such, academic researchers may decide to use the ABS-MT if it is appropriate for the nature, scale and type of research involved (e.g., when traditional knowledge is involved or conservation and the sustainable use of the resource to be collected needs to be considered).

Since the ABS-MT standard could be difficult to use for individual academic researchers, there are instruments that are more appropriate for these cases, such as the Swiss Academy of Sciences' *Access and Benefit Sharing – Good Practice for Academic Research on Genetic Resources*.

The figures on pages 8–11 provide a decision-making path to the ABS-MT for prospective users and providers of genetic resources.

### **1.8 Architecture of the ABS-MT**

The ABS-MT is divided into the ABS Best Practice Standard, and a Handbook for Implementing Genetic Resource Access and Benefit-sharing Activities.

#### **ABS Best Practice Standard (Volume 1)**

**ABS Best Practice Standard** – provides an overview of ABS and the relevance of the ABS-MT as well as additional context for users and providers of genetic resources. It also includes a detailed description of the standard and key management processes to support its implementation.

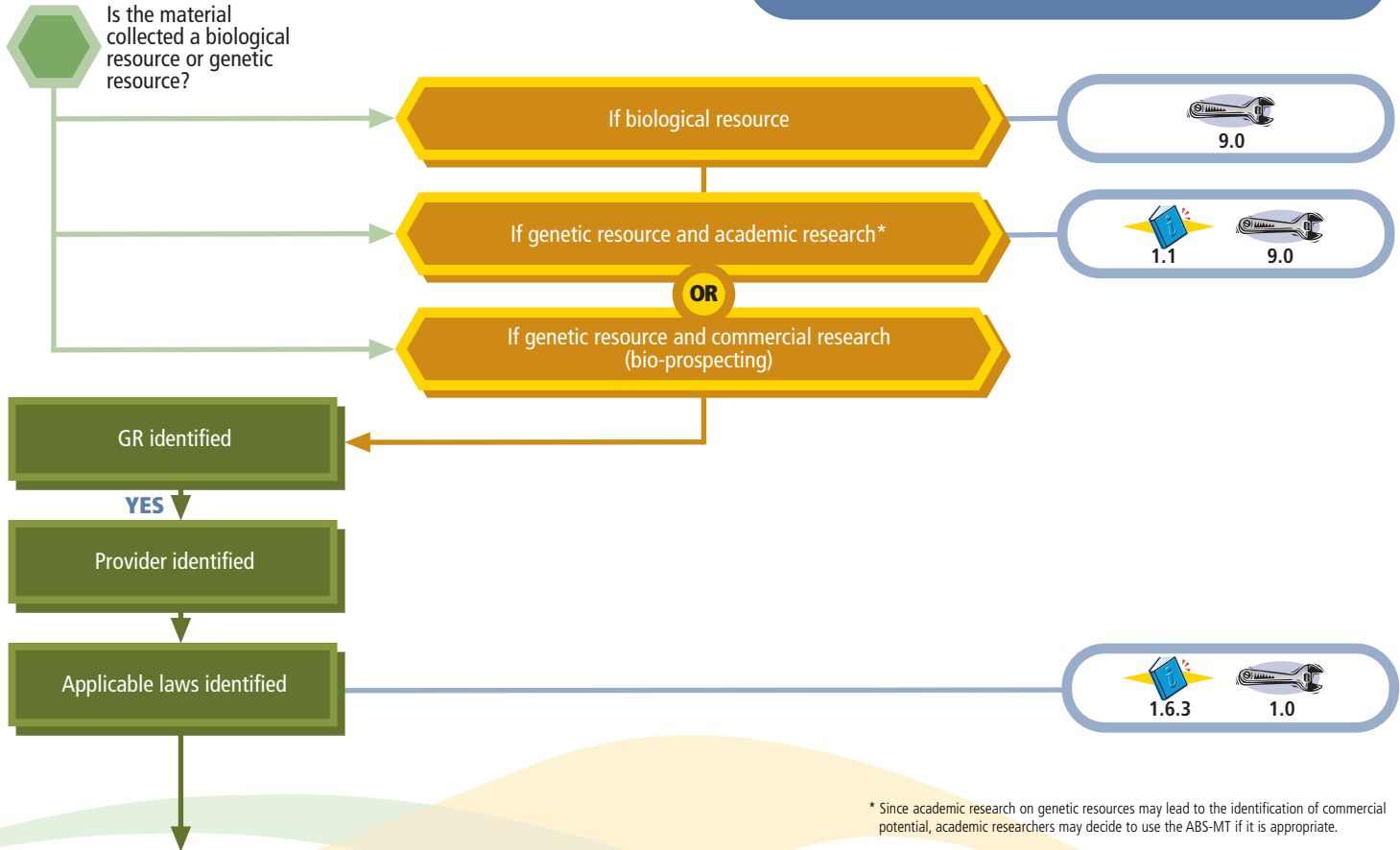
#### **Handbook (Volume 2)**

- 1** – Good Practice Guidance – provides a summary of good practice guidance for applying the ABS-MT standards;
- 2** – Supporting Tools – provides several supporting tools and examples for applying specific aspects of the ABS-MT; and
- 3** – Case Studies – specific case studies are included to provide additional guidance on applying the ABS-MT and highlight lessons learned from field tests and other ABS negotiations.

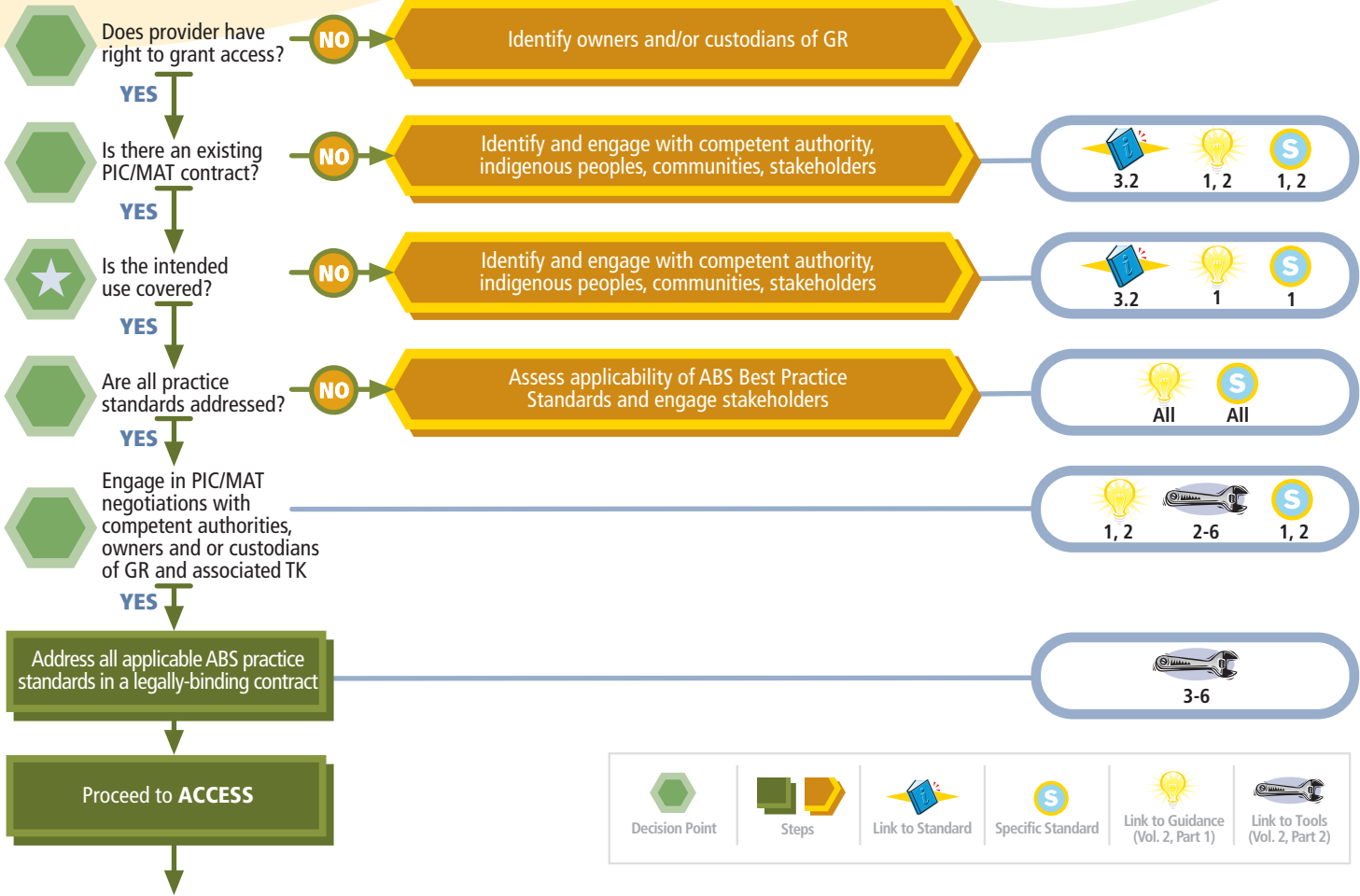
Volume 1 and Volume 2 are available together at [http://www.iisd.org/pdf/2007/abs\\_mt.pdf](http://www.iisd.org/pdf/2007/abs_mt.pdf)







# A Decision-making Path to the ABS-MT

## Pre-Access

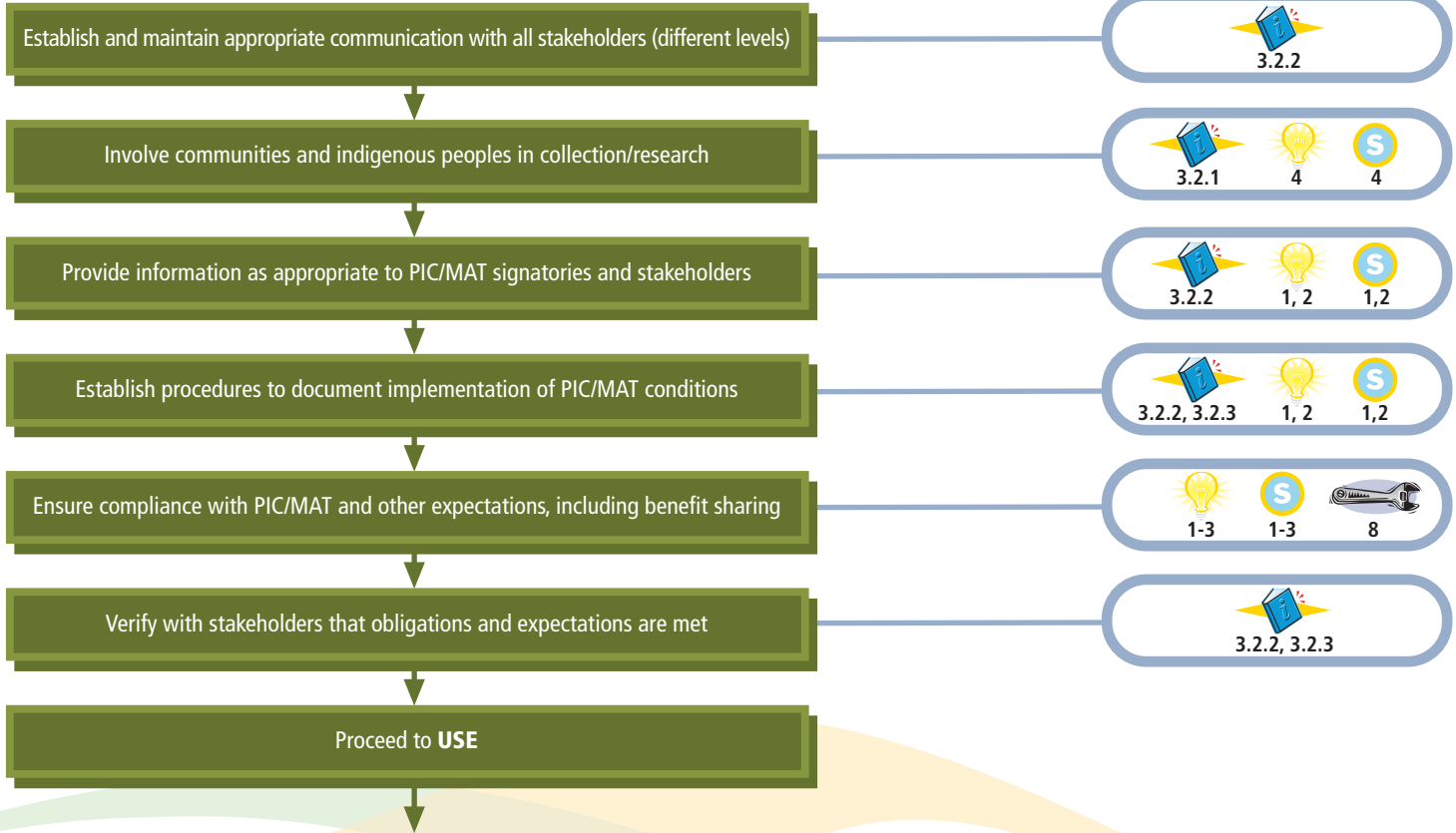


\* Since academic research on genetic resources may lead to the identification of commercial potential, academic researchers may decide to use the ABS-MT if it is appropriate.

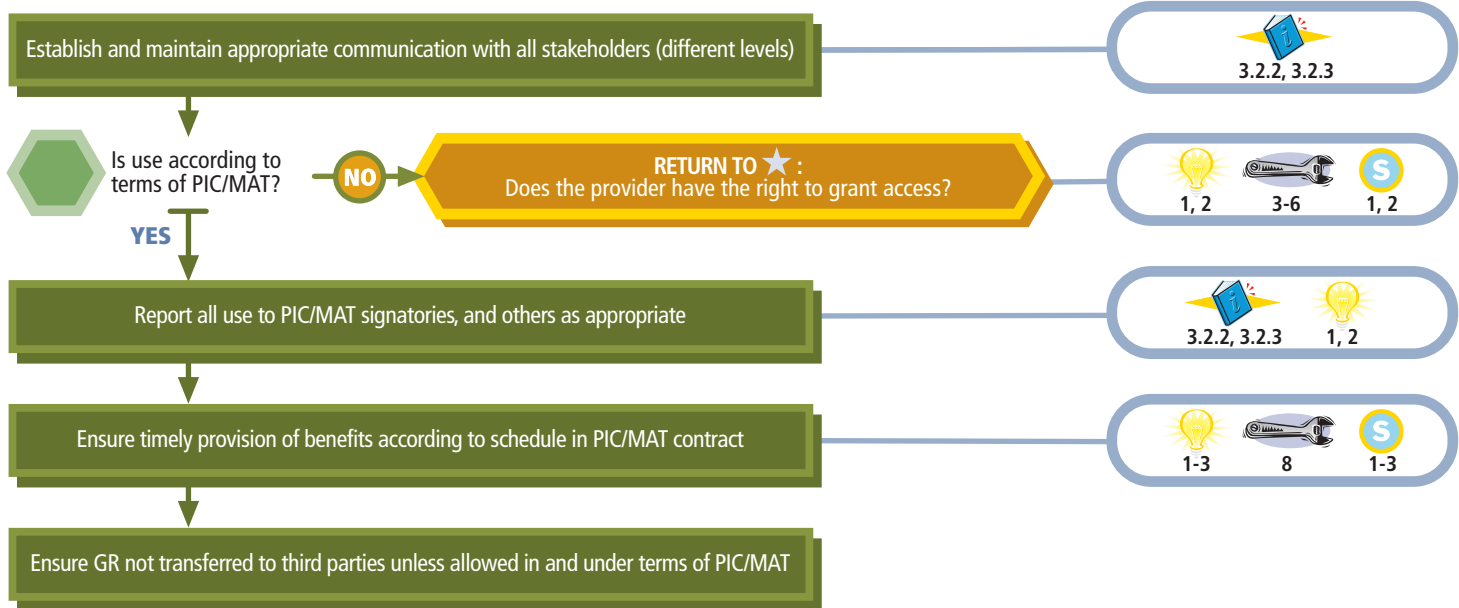


 Decision Point	 Steps	 Link to Standard	 Specific Standard	 Link to Guidance (Vol. 2, Part 1)	 Link to Tools (Vol. 2, Part 2)
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# Access



# Indicative Guide to ABS Decision-making



Decision Point	Steps	Link to Standard	Specific Standard	Link to Guidance (Vol. 2, Part 1)	Link to Tools (Vol. 2, Part 2)

## 2.0 ABS Best Practice Standard

### Core Standards

#### Best Practice Standard

##### 1. Prior Informed Consent (PIC)

*Prior Informed Consent* is consent obtained by the user from the government and other providers, as the case may be, after fully disclosing all the required information that permits access to their genetic resources and associated traditional knowledge, under Mutually Agreed Terms.

**1.1** PIC is prior, informed and consented in intent and practice.

**1.2** PIC is obtained in writing from the competent government authority, and from the relevant stakeholders, including local communities and indigenous peoples who are the owners, managers or custodians of genetic resources, or traditional knowledge associated with genetic resources.

**1.3** PIC is linked to a commitment to negotiate fair and equitable benefits for each stage of access and use. Genetic resources are used only for the purposes expressly outlined at the time of PIC negotiation, and a new Prior Informed Consent is given for any use that differs in type or scope from that originally outlined. An agreement is concluded with the provider that reflects the terms and conditions of PIC including, *inter alia*, terms and conditions regarding benefit-sharing.

**1.4** Where access is obtained from an *ex situ* collection, including from one or more intermediary, documentation is provided that appropriate PIC exists and that the transaction and intended use are consistent with that PIC, unless there is a clear and reasonable explanation as to why this is not feasible.

## 2. Mutually Agreed Terms (MAT)

*Mutually Agreed Terms (MAT)* are conditions and provisions of access and benefit-sharing, among others, negotiated between the user and the provider and involving other relevant stakeholders.

**2.1** MAT are negotiated in a manner that builds confidence and a relationship of trust between owners, managers or custodians of genetic resources who are the providers, and the users of genetic resources, and that establishes the basis for a long-term, transparent and respectful relationship and communication between them.

**2.2** MAT are negotiated in good faith by both users and providers, respecting the terms and understanding of Prior Informed Consent, allowing benefits to flow to the owners, managers or custodians of the genetic resource, and facilitating access.

**2.3** MAT take into account the differences in capacities and needs of the providers, including governments, and indigenous and local communities, holders of *ex situ* collections, and the intended user organizations, to allow fair processes of negotiation and equitable outcomes in the benefits to be shared.

### 3. Benefit-sharing

*Benefit-sharing* is participation in the economic, environmental, scientific, social or cultural benefits resulting or arising from access to genetic resources and associated traditional knowledge under Mutually Agreed Terms.

**3.1** A fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge is provided in order to support compliance with the three objectives of the Convention on Biological Diversity.

**3.2** Benefits are provided according to the specific stages of use set out in the PIC agreement (discovery, research, development and commercialization), and are renegotiated when the type of use is expected to change beyond the agreed PIC. Benefit-sharing considers and provides short-, medium- and long-term benefits.

**3.3** Benefits are shared fairly and equitably with all those who have been identified as having contributed to the resource management, scientific or commercial process. This may include governments at different levels, and/or indigenous and local communities, and relevant stakeholders who are the owners, managers or custodians of the genetic resource.

**3.4** Benefits are intended to create or strengthen capacity in the providers or other stakeholders, especially through technology transfer and training, which is relevant for the conservation and sustainable use of genetic resources.

**3.5** Benefit-sharing arrangements are implemented in good faith, respecting the terms and understanding of Prior Informed Consent agreed for use of the genetic resources collected, and the terms and conditions negotiated in the Mutually Agreed Terms.

**3.6** Benefit-sharing provisions are negotiated and implemented in a manner which contributes to the conservation of biological diversity.

## Additional Standards

**If access involves traditional knowledge associated with genetic resources and local or indigenous communities, apply standard 4.**

### 4. Traditional Knowledge

*Traditional knowledge (TK)* refers to the content or substance of knowledge resulting from intellectual activity in a traditional context, and includes the know-how, skills, innovations, practices and learning that form part of traditional knowledge systems, and knowledge embodying traditional lifestyles of indigenous and local communities, or contained in codified knowledge systems passed between generations.

As the protection of TK varies from country to country in accordance with national legislation, policy and practices, it is important to consult with the competent national authorities when applying this standard.

- 4.1** The integrity of TK associated with genetic resources that are accessed is respected by the collector of genetic resources and other users. The collection and use of TK is undertaken so as not to affect the integrity, sense and value of TK; so as to not denigrate it.
- 4.2** Fair and reasonable effort is made to preserve, respect and maintain traditional knowledge associated with genetic resources when that traditional knowledge is accessed and used.
- 4.3** Adequate compensation and sharing of benefits are provided, including a recognition of the community that holds the specific traditional knowledge associated with the genetic resource being accessed and used.

**If access involves wild collection or *in situ* wild sources of genetic resources, apply standard 5.** <sup>5</sup>

## **5. Conservation + Sustainable Use**

*Conservation and sustainable use* are practices that ensure or contribute to the maintenance of the diversity of genetic resources accessed.

**5.1** The collection and/or harvest of wild genetic resources is conducted using a precautionary approach, at a scale and rate and in a manner that does not exceed the sustainable yield and that does not impair ecosystem structure, functions and services.

**5.2** Domestication and the cultivation/captive breeding of genetic resources are conducted in a manner that maintains the genetic variation of the population or diversity of the gene pool.

**5.3** Species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and species considered to be globally or locally threatened according to the World Conservation Union (IUCN) Red List or equivalent categories are not collected, except for the purpose of species conservation research. No collection is undertaken in legally established protected areas that prohibit collection.

**5.4** Knowledge about biodiversity that arises from access to a genetic resource is shared in a manner that supports and enhances conservation management.

<sup>5</sup> The International Standard for Sustainable Wild Collection of Medicinal and Aromatic Plants (ISSC-MAP Version 1.0 2007) provides a more complete standard to ensure the conservation and sustainable use of biological resources including genetic resources.

## 3.0 Management Processes

This section provides a basic orientation to the ABS-MT's management procedures, guiding users on how to put such procedures into practice, or improve their existing management systems. It is not intended to prescribe the steps a user (e.g., company) or provider (e.g., community) must follow to comply with the Bonn Guidelines.

### 3.1 Use in an Organization's Management System/Procedures

All organizations have some form of procedures or "management" systems, whether they are formal or based on commonly used or traditional practices. The ABS-MT is designed to help any type of organization understand and improve compliance with the Bonn Guidelines on ABS in accessing—or providing access to—genetic resources.

Using the standards presented in Section 2.0, small- and medium-sized enterprises or research institutions can use the ABS-MT to help set their own internal objectives or standards and procedures to follow when requesting access to genetic resources; collecting such resources once Prior Informed Consent has been given; negotiating Mutually Agreed Terms; and providing

Benefit-sharing. Where it is appropriate, the ABS-MT can also help companies carry out the right activities to help ensure that traditional knowledge is appropriately respected and acknowledged, and the conservation and sustainable use of the genetic resource is maintained.

Larger organizations can use the ABS-MT to integrate the Best Practice Standards from Section 2.0 into their existing management systems and draw on the Management Process advice provided in Section 3.2.

### 3.2 Other Management Considerations

Once an organization has determined how it will address/use the ABS-MT Best Practice Standards, there are other important management considerations for proceeding with ABS access requests and negotiating ABS agreements. These considerations include:

- the participation of indigenous and local communities;
- documentation and information management and sharing;
- reporting; and
- emerging practices on certificate of origin/compliance with national law.

### 3.2.1 The Participation of Indigenous and Local Communities

Successful ABS relationships are built on trust. An essential factor in building and maintaining trust—and avoiding negative outcomes such as failure to reach an agreement on access, or claims of biopiracy—lies in providing sufficient and appropriate procedures for the participation of indigenous and local communities (the local owners, managers or custodians of genetic resources and associated traditional knowledge), who could be impacted (negatively or positively) in the ABS negotiation. A key factor in the participation of indigenous and local communities in ABS activities—whether initiated by the community itself or by an outside interest wishing to access genetic resources—is providing adequate time for consultations, engagement and capacity building.

As practices and requirements vary from country to country in accordance with national legislation, it is important to consult with the competent national authorities when seeking the participation of indigenous and local communities.

Suggested procedures for ensuring adequate and appropriate participation of indigenous and local communities in ABS activities include:

- maintaining effective communication and dialogue with indigenous and local communities and relevant stakeholders, including their involvement in obtaining PIC and the negotiation of benefits;
- responding to the specific concerns and interests of stakeholders, including local communities and indigenous peoples, through information sharing and a commitment to address their concerns (or providing a rationale for

why action is not taken; and

- involving indigenous and local communities that are owners, managers or custodians of genetic resources in decision-making on access and in the sharing of benefits derived from the collection and use of genetic resources.

Possible management steps which can be taken include:

- at the outset, clarifying in writing the roles, rights and responsibilities of the intended users (collecting institutions, individual researchers, sponsoring organizations, commercial entities and government agencies) and the providers of the genetic resource (governments and interested stakeholders including local and indigenous communities);
- consulting with other stakeholders who may be (directly or indirectly) impacted by genetic resource collection;
- working with governments to provide indigenous and local communities that are prospective providers of genetic resources with the means to access expertise on scientific and legal questions, or advice from experts to help them arrive at decisions on access and to help them negotiate their ABS agreement; and
- documenting the processes used by local communities and indigenous peoples to consult with stakeholders, seek access with Prior Informed Consent, negotiate Mutually Agreed Terms and implement Benefit-sharing arrangements.

### 3.2.2 Documentation and Information Management

Maintaining appropriate documents which record discussions, agreements reached and ABS transactions is important for managing a consistent ABS process. However, documentation requirements can be difficult for small companies, or communities, to meet if they are too detailed or onerous.

Suggested procedures for ensuring adequate and appropriate documentation and information sharing include:

- sharing information, including intended uses, in a transparent manner between potential providers and potential users of genetic resources in a manner appropriate to each stage of negotiation and agreement process;
- providing sufficient information to enable the genetic resource provider and the intended user to make informed judgments and decisions, and undertake actions to implement agreements;
- maintaining the confidentiality needs of commercial stakeholders and the holders of traditional knowledge while working towards the spirit of a transparent relationship; and
- where traditional and local knowledge associated with a genetic resource is involved, protecting traditional and local knowledge in the process of access and not making such knowledge available without the consent of local or indigenous communities.

Possible management steps which can be taken are:

- maintaining records of ABS collection and use, and making them available to the providers and users of the genetic resource, and to the government regulator whenever the provider may be a private party;

- communicating clearly the objectives and likely outcomes of collection activities, including intended uses of the genetic resources;
- establishing procedures to ensure that all relevant information can be communicated clearly in a language and manner understandable to all relevant stakeholders and in a timely fashion;
- addressing unrealistic expectations; and
- ensuring that sample suppliers are aware of and comply with the terms of collection, and benefits sharing.

### 3.2.3 Reporting

Reporting between parties to an ABS agreement, and appropriate public reporting can improve transparency and build confidence in ABS activities. Including reporting requirements and milestones in ABS contracts will allow stakeholders to monitor the access and use of genetic resources.

Voluntary public reporting of genetic resource activities by users, including research institutions and companies, ensures the transparency of activities and helps share information. This transparency can mitigate public or stakeholder concerns about inappropriate practices.

### 3.2.4 Emerging Practices on Certificate of Origin/Compliance with National Law

International discussions on certificates of origin/compliance and their relationship with national law are being held under the CBD. The ABS-MT will be updated to reflect good practice related to these certificates as the discussions proceed.









# ABS-Management Tool

## Best Practice Standard

The Access and Benefit-sharing (ABS) Management Tool – Best Practice Standard provides guidance on ABS practice to help companies, researchers, local and indigenous communities, and governments ensure compliance with the Bonn Guidelines and ABS requirements under the Convention on Biological Diversity. It provides users and providers of genetic resources with a structured process for participating in—and making decisions about—ABS negotiations and the implementation of ABS agreements for access to, and agreed use of, genetic resources.

The ABS Best Practice Standard is one of the two volumes that constitute the Access and Benefit-sharing Management Tool (ABS-MT). It provides an overview of ABS, a detailed explanation of the three core and two additional standards that make up the Standard, and basic orientation for management procedures to complement existing management systems.

For more information on Volume 2, the Handbook for Implementing Genetic Resources Access and Benefit-sharing Activities, contact:

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