



FRIDTJOF NANSENS INSTITUTT  
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# THE ACCESS AND BENEFIT SHARING RESEARCH PROJECT

## *of the Fridtjof Nansen Institute*

The *Access and Benefit Sharing (ABS) Research Project* of the Fridtjof Nansen Institute (FNI) focuses on the implementation of the Convention on Biological Diversity in Africa, with an emphasis on its provisions on access to genetic resources and the fair and equitable sharing of the benefits derived from the utilization of these resources.

As part of the ABS Capacity Development Initiative for Africa, the ABS Research Project seeks to improve the knowledge management and foundation related to access and benefit-sharing in Africa and internationally. The researchers at FNI have also previously worked within the area of international biodiversity governance and are bringing this expertise to the project.



*Madagascar periwinkle*

*Photo: Arria Belli*

## About the project

The ABS Capacity Development Initiative for Africa is a multi-donor initiative seeking to build human and institutional capacity in African countries, to enable them to deal with ABS issues. The secretariat of this initiative is currently hosted by the GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit). Norway is one of the contributors to this initiative, and the ABS project at FNI constitutes the research component of this contribution.

The ABS project addresses five particular research needs for the purpose of enabling effective implementation of ABS in Africa, in user countries, and at the international level. The first of these is ABS interfaces with other issue areas and the challenge of policy coherence. One challenge, both for international negotiations and national implementation of international agreements, is that a lot of uncertainty still exists related to the relationship between various international agreements and issue areas relevant to ABS. Sorting out the interfaces could relieve the implementation burden, something which is especially needed in developing countries. The research on this topic looks into the following regimes and how they interact with ABS: the International Treaty on Plant Genetic Resources (ITPGRFA); the World Intellectual Property Organization (WIPO) and the work it does on intellectual property rights, traditional knowledge and development issues; negotiations and funding mechanisms related to forest conservation and management; and the World Health Organization (WHO) and issues relating to the development of vaccines and medicines.

Since its second goal is to build capacity in Africa on ABS issues, the ABS project also examines African experiences with ABS. These experiences are analyzed with a particular focus on the various approaches that exist for developing ABS legislation in Africa, the implementation of ABS laws in Africa, experiences with ABS agreements, and sectoral approaches to ABS in a comparative perspective.

Third, as part of the effort to enable African countries to have a greater impact on the international ABS negotiations, the project also analyses the positions of the African group and the potential benefits for Africa of the various positions expressed during the negotiation process. The ABS researchers at FNI participate in relevant meetings to follow the process, disseminate information and provide advice.

Access  
and  
Benefit  
Sharing

ABS Capacity Development  
Initiative for Africa

The fourth research topic covered by the project is user-country measures. Research at the FNI has identified user-country measures as central to a functioning ABS regime, and the ABS project has published a paper that looks into relevant issues related to developing such a regime.

An analysis of the tools of the ABS Capacity Development Initiative itself constitutes the fifth research topic in focus for the ABS project at FNI. The objective of this analysis is to develop recommendations regarding how the initiative's instruments may be improved and possibly scaled up as well as the modification needs of the initiative in general.

The ABS project produces a variety of outputs, from side events and information dissemination at negotiation meetings, to scientific background studies, peer reviewed articles, technical briefing papers, information folders, and presentations held at various workshops and seminars.

## The team

The ABS team at FNI consists of the following researchers:

- **Regine Andersen** (*Project Coordinator*), Dr. Polit. and Senior Research Fellow;
- **Peter Johan Schei**, Cand. Real and Former FNI Director
- **Kristin Rosendal**, Dr. Polit. and Research Professor
- **Morten Walløe Tvedt**, Cand. Jur. and Senior Research Fellow
- **Tone Winge**, Master of Development Studies and Research Fellow
- **Ole Kristian Fauchald**, Dr. Juris and Research Professor

In addition to the in-house team, the ABS project also benefits from the expertise of international partners that participate on specific parts of the project.

### Contact:

Senior Research Fellow **Regine Andersen** (Regine.Andersen@fni.no)

Fridtjof Nansen Institute, P.O.Box 326, 1326 Lysaker, Norway

Tel: +47 67111900 / Fax: +47 67111910 / [www.fni.no](http://www.fni.no)

Project website: [www.fni.no/abs/](http://www.fni.no/abs/)

## Relevant FNI publications

**Implementing the Nagoya Protocol on ABS: A Hypothetical Case Study on Enforcing Benefit Sharing in Norway.** By Morten Walløe Tvedt and Ole Kristian Fauchald. *Journal of World Intellectual Property*, 2011.

**A Report from the First Reflection Meeting on the Global Multilateral Benefit-Sharing Mechanism.** By Morten Walløe Tvedt. *FNI Report* 10/2011.

**ABS Capacity Development Initiative for Africa: The Case of Prunus Africana in Cameroon.** By Raymond Achu Samndong. *FNI Report* 11/2010.

**Functionality of an ABS Protocol.** By Morten Walløe Tvedt and Olivier Rukundo. *FNI Report* 9/2010.

**Access to and Benefit Sharing of Genetic Resources in Cameroon: Legal and Institutional Developments and Challenges.** By G. Kristin Rosendal. *FNI Report* 8/2010.

**Analytical Framework for Analysing Experiences from Case Studies of ABS in Africa.** By G. Kristin Rosendal. *FNI Report* 7/2010

**International Agreements and Processes Affecting an International Regime on Access and Benefit Sharing under the Convention on Biological Diversity: Implications for its Scope and Possibilities of a Sectoral Approach.** By Regine Andersen, Morten Walløe Tvedt, Ole Kristian Fauchald, Tone Winge, Kristin Rosendal and Peter Johan Schei. *FNI Report* 3/2010.

**Balancing Building Blocks of a Functional ABS System.** By Tomme R. Young and Morten Walløe Tvedt. *FNI Report* 7/2009.

**The Disclosure Obligation: Fair and Equitable Benefit Sharing?** By Morten Walløe Tvedt. *Environmental Policy and Law*, 2008.

**Beyond Access: Exploring Implementation of the Fair and Equitable Sharing Commitment in the CBD.** By Morten Walløe Tvedt and Tomme Young. IUCN, 2007.

**Balancing Access and Benefit-Sharing and Legal Protection of Innovations from Bioprospecting: Impacts on Conservation of Biodiversity.** By G. Kristin Rosendal. *Journal of Environment and Development*, 2006.

**Access to and Legal Protection of Aquaculture Genetic Resources: Norwegian Perspectives.** By G. Kristin Rosendal, Ingrid Olesen, Hans B. Bentsen, Morten Walløe Tvedt and Martin Bryde. *Journal of World Intellectual Property*, 2006.

**The Convention on Biological Diversity: Tensions with the WTO TRIPS Agreement over Access to Genetic Resources and the Sharing of Benefits.** By G. Kristin Rosendal. In Oberthür & Gehring (eds): *Institutional Interaction in Global Environmental Governance – Synergy and Conflict among International and EU Policies*. MIT Press, 2006.