

ABS Project Stakeholders Convened to Revise Regulations on Access and Benefit Sharing of Philippine Genetic Resources

Quezon City, Philippines - The **Implementing the National Framework on Access and Benefit Sharing of Genetic Resources and Associated Traditional Knowledge in the Philippines Project** (ABS Project) conducted a national consultation workshop on November 25, 2022 to revise existing Access and Benefit Sharing (ABS) regulations, particularly the Joint DENR-DA-PCSD-NCIP Administrative Order (JAO) No.1, Series of 2005. The project's four competent national authorities - Department of Agriculture (DA), Department of Environment and Natural Resources (DENR), National Commission on Indigenous Peoples (NCIP), and Palawan Council for Sustainable Development (PCSD), and other key government agencies, academe, and private sector participated in the event.

The ABS Project is funded by the Global Environment Facility (GEF) and is being implemented by the Biodiversity Management Bureau (BMB) of the Department of Environment and Natural Resources (DENR) and the United Nations Development Programme (UNDP) in the Philippines.

Primarily, the project aims to increase economic opportunity and biodiversity conservation for indigenous peoples and local communities in the Philippines through the fair and equitable sharing of biodiversity benefits. During its 6-year implementation, the project, through selected partners, aims to develop at least two bioproducts from local genetic resources of banaba in Region III and pili in Region V.

The Philippines, as a party to the Convention on Biological Diversity (CBD), was among the first to enact a national ABS policy measure in 1995 (Executive Order 247), in accordance with CBD Article 15. Despite being an early adopter of the Nagoya Protocol, the country's level of awareness of ABS and its significance is lacking. One of the components of the ABS Project aims to harmonize ABS policies and administrative regulations in order to expedite obtaining permits to provide incentives in developing the country's bio-industry, conserving biodiversity, and increasing economic opportunities for indigenous peoples and local communities.

The national consultation workshop is the second in a series of meetings to revisit and improve the Joint DENR-DA-PCSD-NCIP Administrative Order (JAO) No.1, Series of 2005. On October 27, 2022, a national workshop on stocktaking and analysis of ABS regulations was held, with the four competent national authorities as well as key government agencies, indigenous peoples, academe, and civil society organizations soliciting ABS implementation updates and suggestions for the initial drafting of the said policy.

In her welcome remarks, Atty. Theresa Tenazas, OIC Division Chief of DENR-BMB Wildlife Resources Division, emphasized the importance of "reengineering" policies to reduce bureaucratic red tape and processing time by simplifying regulations.

Atty. Tenazas added that the draft revised inter-agency regulation aims to simplify access to Philippine biological resources and associated traditional knowledge by establishing a single-window application where all ABS applications are received and monitored. It also includes tracking and monitoring provisions, as well as an inter-agency mechanism to monitor ABS issues and how genetic sequences of Philippine biological material are transacted globally.

Director Dahlielyn Dait-Cawed of the NCIP-Foreign Assisted Programs and International Relations Office (FAPIRO) stated in her closing message that NCIP is committed to providing continued support to the ABS Project as it involves indigenous peoples (IP) as project partners in Region 3 provinces of Bataan, Pampanga, and Zambales.

"For NCIP, we would like to look at it as a continuing endeavor in terms of pursuing our duties to support the ABS Project. These are the two points that we would be expecting from the side of NCIP for the policy measure: (1) indigenous peoples involvement and participation; and (2) looking at the context of indigenous peoples organizations, specifically structures that they already have as organizations, which are hinged on their customary laws", Director Dait-Cawed added.

On October 25, 2022, a pre-meeting was held with the Maporac Aetas Organization - Certificate of Ancestral Domain Title (MAO-CADT) IP leaders, represented by Mr. Salvador Dimain including the city and provincial environment and natural resources officers (CENROS and PENROS) from DENR Region 3, to solicit inputs on their participation in the stocktaking workshop.

The ABS Project seeks to empower and strengthen indigenous peoples and local communities (IPLCs) as partners and sources of genetic resources and traditional knowledge. The project intends to help by involving IPLCs in all phases of project implementation, honoring Free Prior Informed Consent/Prior Informed Consent, and assisting in the drafting of mutually agreed terms (MAT) that could ensure optimal gains and a fair share of benefits.

In 2023, the ABS Project will resume policy consultations in Visayas and Mindanao, with the goal of presenting the draft Joint DENR-DA-PCSD-NCIP Administrative Order (JAO) by the end of the year.

PHOTO ESSAY

National Consultation Workshop to Revise Regulations on Access and Benefit Sharing of Philippine Genetic Resources - November 25, 2022



The ABS Project's key stakeholders from government agencies, academe, and the private sector gathered in Quezon City on November 25, 2022 for a national consultation workshop to revise existing regulations on Access and Benefit Sharing of Philippine genetic resources.



Atty. Theresa Tenazas, OIC Division Chief of the DENR-BMB Wildlife Resources Division emphasized the need to "reengineer" policies in order to reduce bureaucratic red tape and processing time by simplifying regulations.



In his virtual presentation, Atty. James Kho, Governance and Institutional Development Specialist of the USAID Fish Right Program, gave an overview of the 2005 ABS Guidelines, which would be the basis of the draft revised ABS guidelines. He added that there is a need to be clear about the context of regulating bioprospecting, as it should be more focused on biodiversity conservation than monetary gains.

Ms. Dahlielyn Dait-Cawed, Director of the National Commission on Indigenous Peoples-Foreign Assisted Programs and International Relations Office, reaffirmed NCIP's support for the ABS Project in her closing message.

National Stocktaking Workshop on Philippine ABS Regulations (October 27, 2022) and Pre-meeting with IP leaders (October 25, 2022)



Representatives from government agencies, civil society organizations, academe, the private sector, and indigenous peoples convened on October 27, 2022, for the National Stocktaking Workshop on Philippine ABS Regulations.



Ms. Nermalie Lita, Section Chief of the DENR-BMB Wildlife Resources Division, provided a historical context for ABS implementation, beginning with the implementation of the bioprospecting policy of 1995, or E.O. 247, and continuing through the creation of related policies such as IPRA in 1997 and the Wildlife Act in 2001.



Atty. Antonio GM La Vina, Deputy Director of the Manila Observatory and author of the Executive Order 247 of 1995 shared the history of ABS regulations in the Philippines. He stated that the issues identified by agencies in E.O. 247 three decades ago are the same ones flagged now.



L-R: A group photo of Atty. Elpidio Peria, ABS PMU-Policy Specialist; Mr. Anthony Foronda, ABS PMU-Project Manager, Atty. Theresa Tenazas, OIC Division Chief of the DENR-BMB Wildlife Resources Division, Atty. Antonio GM Lavina, and Ms. Maria Theresa Espino-Yap, UNDP Program Analyst.



The four competent national authorities, the DA, DENR, NCIP, and PCSD, were grouped into four groups to discuss their proposed revisions and other suggestions to improve the draft revised ABS guidelines.



During the gallery walk, Mr. John Pontillas, Division Chief of the Palawan Council for Sustainable and Development, discussed the current regulations in relation to the challenges in harmonizing the ABS guidelines.



Ms. Maria Theresa Espino-Yap, UNDP Program Analyst, mentioned that collaboration with NCIP is critical because the ABS Project involves IP communities in Region 3 where banaba is abundant. The ABS Project seeks to incorporate environmental and social assessment into policies in order to ensure that they are sustainable, respectful of community rights, and environmentally friendly.



Ms. Amparo Ampil, Chief of the DA-Food, Agriculture, and Fisheries Policy Division, stated that the ABS work is challenging but relevant as she was a part of the creation of E.O. 247 in 1995. She concluded her closing remarks by expressing her hope that the younger generation will be encouraged to continue working on ABS.



On October 25, 2022, IP leaders from the Maporac Aetas Organization, represented by Mr. Salvador Dimain, attended the pre-meeting. The purpose of the pre-meeting was to ensure that disadvantaged groups could navigate the topics of the stocktaking

workshop and contribute their insights in advance.	
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Photos and Text: Orange Omengan/ABS Project