

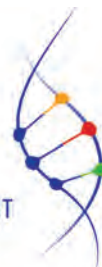
ACCESS AND BENEFIT-SHARING AGREEMENTS: RESOURCES AND BACKGROUND MATERIALS

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THE CHRISTENSEN FUND

TABLE OF CONTENTS

ABS AGREEMENTS	2
Model Agreements and Surveys of Contractual Clauses	3
Commercial Agreements	5
Collaborative Research Agreements and Memoranda of Understanding	5
Material Transfer Agreements	7
Developing and Negotiating Agreements	8
Additional Reading on ABS Agreements	9
THE BROADER LEGAL AND ETHICAL FRAMEWORK	11
UN Treaties, Protocols, and Guidelines on ABS	11
A Sample of Regional and Government ABS Measures	11
Additional Reading on National ABS Measures	13
Industry Policies and Guidelines	14
Institutional Policies and Agreements	14
Protected Areas	15
Codes of Ethics and Ethical Research Practices	15
Additional Reading: Codes of Ethics and Ethical Research Practices	16
Community Research Agreements and Biocultural Protocols	18
Indigenous declarations, guidelines, statements	18
ABS AGREEMENT AND PARTNERSHIP CASE STUDIES	20
ACKNOWLEDGEMENTS	23

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Sarah Laird, Anne L.S. Virnig and Rachel Wynberg

A large number of ABS agreements have been negotiated and signed over the last twenty years, and there is much to learn from past experiences and the evolution in understanding and practice. This document contains a range of resources to support development and implementation of ABS agreements, drawing not only upon examples of the agreements themselves, but also the supporting documents that provide advice and guidance on terms, negotiations, and approaches.

We have also included documents that indirectly, but significantly, impact ABS agreements by addressing the overarching ethical and legal framework within which ABS agreements are negotiated. Such documents provide detail on the nature of Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT), and the standards developed and employed by indigenous peoples, researchers, research institutions, and protected areas. There has been a great deal of migration in knowledge and approach between these various levels and types of ABS regulation, and it is important to understand how these issues are addressed by different groups, and at different stages in the ABS process.

In addition to sample agreements and other legal documents, we include a large number of case studies. One of the key lessons learned since the Convention on Biological Diversity (CBD) entered into force is the importance of partnerships in ensuring that the MATs, PIC, and benefit-sharing articulated in agreements are real and lasting. A written agreement is only as good as the relationship upon which it is built, and the more involved a partnership the wider the range and extent of benefits usually shared. Case studies provide us with background on how the terms of agreements were developed, including how the parties reached agreement and developed MATs; how PIC was received from different stakeholders; and how the benefits in agreements were articulated and prioritized by the different parties. Case studies also provide insight into the social, political, economic and ecological complexities that underlie agreements, and what worked and what did not.

We have not segregated documents by industrial sector because there is an increasing and extensive overlap between sectors, and significant differences within each sector. For example, biotechnology is now part of almost every industrial and manufacturing sector in the world, and the R&D strategies employed in pharmaceuticals, biotechnology, food, and agriculture that create demand for access to genetic resources share many features that are expressed in agreements. At the same time, a cosmetics company may sign an ABS agreement in order to access traditional knowledge used to produce an ingredient with a particular activity, and another and very different agreement for the commodity supply of raw material; and ingredient or supply companies seeking access and undertaking research on resources may sell the resulting products to companies from the food, cosmetics, botanicals, pharmaceutical, or other sectors. As a result, it behooves those seeking to understand ABS agreements to understand them broadly – across sectors, stakeholders, and regions – rather than narrowly.

The collection here is indicative, and not comprehensive, but is substantial enough to provide readers with a solid introduction. A number of organizations have done an excellent job of compiling ABS resources, and rather than duplicate their efforts we re-direct users of this collection to their work and websites. These include the CBD Clearing House (ABS measures, permitting, and agreements), WIPO (sample agreements), PIIPA (resource guide, including discussion of agreements), Natural Justice (community protocols and research agreements), International Society of Ethnobiology (codes of ethics and indigenous peoples' declarations), UEBT (partnerships), and others. A number of authors and groups have put a great deal of invaluable thought and time into the subject of ABS agreements, and we have also provided links to some key publications on this topic. Again, this is not a comprehensive list – and this document will be a 'living' document that will change and adapt with time and need. We welcome comments and suggested additions to the material included here.



ABS AGREEMENTS

ABS agreements, as reported by the CBD Secretariat, have concentrated in areas with high biodiversity. In a sample of 44 countries with ABS agreements, 65% were found to be in the top 40 biologically diverse countries, with Latin America reporting the largest number of agreements (<https://www.cbd.int/financial/abs.shtml>). Most ABS agreements are bi-lateral, however more involved collaborations may involve a series of agreements, or linked agreements, among a range of stakeholders. Parties to agreements include companies, governments, research institutions, protected areas, and community groups.

Most ABS agreements take at least a year to negotiate and the legal documents involved are varied and potentially numerous. They include permits from government, PIC from local communities that might take the form of a community research agreement, collaborative research and commercial agreements, material transfer agreements (MTAs), licensing agreements, and others. In this section, we include examples of ABS agreements of various types: model agreements and surveys of contractual clauses undertaken over the last few decades; a sample of commercial agreements; collaborative research agreements and Memoranda of Understanding (MOUs); and MTAs.

Model Agreements and Surveys of Contractual Clauses

Over the last few decades, a number of groups have developed model agreements, and provided surveys of contractual clauses employed. A sample of these types of documents is provided below. The basic contractual terms found in ABS agreements might include (PIIPA, 2013; Cragg *et. al.*, 2012):

- Roles and responsibilities of all parties, and nature of relationships (e.g., exclusive vs. nonexclusive; relationships between all involved)
- Access and collection of materials, traditional knowledge, or scientific information
- Limits to third party transfer of material without the written consent of all relevant parties
- Establishing terms of confidentiality and publication of results
- Commercialization – if materials are used in commercialization, conditions under which this is permissible; triggers for determining when research moves into commercialization; requirements for negotiation of a next phase agreement
- Intellectual property – rights that are attainable, who will secure those rights, who will own those rights, and rights retained
- Benefit-sharing – what, to whom, and according to what schedule.
 - Examples of financial benefits: royalties and fees, payments from and to whom, products on which payments will be made, and/or financial support for conservation programs;
 - Examples of non-monetary benefits: transfer of technology, training of researchers in provider countries in disciplines needed to carry out research (e.g., biology, taxonomy, chemistry, bioassays), education, and/or capacity and information building for conservation programs.



Sample Documents

- *Bioprospecting Case Studies: Summaries of Elements in ABS Contracts*. No Date. Direct download available through CBD website list of resources - <https://www.cbd.int/financial/abs.shtml>, "International Cooperative Biodiversity Groups (ICBG) – Maya". <https://www.cbd.int/doc/case-studies/abs/cs-abs-icbg.pdf>.
- *Biodiversity International Guidelines on Access and Benefit Sharing in Research Projects*. 2012. <https://www.cbd.int/abs/doc/bioiversity-guidelines-en.PDF>
- *Conservation Finance Guide to Bioprospecting*. <http://conservationfinance.org/guide/guide/indexc2f.htm>
- *CBD Clearinghouse Model ABS Agreements and Contractual Clauses Database*. Continually Updated. <https://www.cbd.int/abs/resources/contracts.shtml>
- *Ethiopia. Code of Conduct to Access Genetic Resources and Community Knowledge and Benefit Sharing in Ethiopia*. 2012. <https://www.cbd.int/abs/submissions/icnp-3/Ethiopia-code-of-conduct.pdf>
- *Ethiopia. A Guide to Access to Genetic Resources and Community Knowledge and Benefit Sharing in Ethiopia*. 2012. <https://www.cbd.int/abs/submissions/icnp-3/Ethiopia-Guide-Access-Genetic-Resources.pdf>.
- *Ethiopia Model ABS Contract*. No Date. <https://www.cbd.int/icnp3/submissions>
- *FLEDGE. Making Access and Benefit Sharing (ABS) Frameworks Work at State Level in India: FLEDGE Model ABS Contract (Agreement for use by the State Biodiversity Boards in India)*. 2014. No link, only document.
- Gollin, MA. 2002. *Elements of Commercial Biodiversity Prospecting Agreements*. In *Biodiversity and Traditional Knowledge*. Ed. Laird, SA. Earthscan: London. 310-332.
- *IUPAC General Features of Contracts for Natural Products Collaborations*. 1996. <http://old.iupac.org/publications/pac/1996/pdf/6812x2333.pdf>
- *MICROB3 Model Agreement*. 2013. <https://www.cbd.int/icnp3/submissions/> .
- *Model Biodiversity Prospecting Contract*. Downes, D, SA Laird, C Klein and BK Carney. From *Biodiversity Prospecting: Using Genetic Resources for Sustainable Development*. Ed. Reid, WV . 1993. World Resources Institute: Washington DC. No link, only document.
- *PIIPA Bioprospecting Resource Guide*. 2013. http://www.piipa.org/images/PDFs/PIIPA_Bioprospecting_Resource_Guide_2013_Final.pdf
- *Survey of Model Contractual Clauses, Codes of Conduct, Guidelines, Best Practices and Standards by the United Nations University Institute of Advanced Studies*. 2014. <https://www.cbd.int/doc/meetings/abs/icnp-03/information/icnp-03-inf-02-en.pdf>
- *State of Queensland Model Biodiscovery Benefit Sharing Agreement*. 2002. No link, only document.
- *Swiss Agreement on Access and Benefit Sharing for Non-Commercial Research: Sector Specific Approach Containing Model Clauses*. 2010. <https://www.cbd.int/abs/doc/model-clauses/noncommresearch-abs-agreement.pdf>
- *Third World Network Contract*. 1996. No link, only document.

Commercial Agreements

Most commercial agreements are not available to the public, however over the years a number of – usually redacted - contracts have been released and provide useful background for the development of ABS agreements. The International Cooperative Biodiversity Groups (ICBGs) released a large number of contracts at various points over the years, and these proved invaluable to many groups negotiating agreements. A sample of a few additional agreements is provided below. WIPO regularly updates its collection of agreements, and it is important to check their website.

It should be noted that understanding of the most effective approaches to ABS agreements has evolved, and so - while documents from a number of years ago can provide important context and background - they likely do not reflect current practice or ‘state of the art’ in ABS agreements (for example, see discussion below on the move towards a two-phase approach to agreements).

Sample Documents

- *AMRAD Discovery Technologies Pty Ltd and Northern Land Council*. 1998. No link, only document.
- *CSIR and South African San Council*. 1998. No link, only document.
- *Anonymous Commercial Agreement for R&D (industry agreement with company name removed)*. 2015. No link, only document.
- *Rapitrade Bioprospecting Permit and Bioprospecting Project*. No Date. No link, only document. GOVERNMENT PERMIT OR AGREEMENT?
- *Teff ABS Agreement and Annexes*. 2004. No link, only documents.
- *TBGRI. Licensing Agreement between The Tropical Botanic Garden and Research Institute, Kerala, India (TBGRI) and The Arya Vaidya Pharmacy (Coimbatore) Ltd*. 1995. Direct download available through CBD website list of resources (<https://www.cbd.int/financial/abs.shtml>, *Know How Licencing Agreement between The Tropical Botanic Garden and Research Institute, Kerala, India (TBGRI) and The Arya Vaidya Pharmacy (Coimbatore) Ltd, Coimbatore, India (the PARTY)*, dated November 10th, 1995
- *WIPO Contracts Database*. Continually Updated. <http://www.wipo.int/tk/en/databases/contracts/>

Collaborative Research Agreements and Memoranda of Understanding (MOUs)

Collaborative Research Agreements, or Memoranda of Understanding (MOU) Agreements, typically describe the total sum of activities that will be occurring and the general conduct of the research, and are useful when a mutual understanding is needed concerning the roles and activities of each of the participating organizations and entities, and the use and dissemination of data and materials resulting from research. They are used in a wide range of relationships, including basic research with no intention of moving into commercialization (PIIPA, 2013). It is important for those working on ABS agreements, and development of ABS measures that distinguish between academic and commercial research, to also be familiar with basic research, or academic, agreements that might fall within ABS regulations.

Research partnerships with potential commercial applications increasingly employ a two-phase approach in which the first phase agreement is negotiated within the context of academic research, with the inclusion of a commercial agreement “trigger”. This trigger requires negotiation of a commercial agreement as discoveries move into commercialization. The advantage of this approach is that – since commercialization is rare in many sectors – the



time and cost of negotiating commercial terms and benefit sharing (e.g., royalties, milestone payments) are put off until a second phase during which commercialization is more likely. Both the National Cancer Institute and the International Cooperative Biodiversity Group Programs employ this approach, and the sample documents below are examples used in phase one of research partnerships. As Cragg *et al.* (2012) describe, the Nagoya Protocol supports a form of phased agreements: “each Party shall...create conditions to promote and encourage research...including through simplified measures on access for non-commercial research purposes, taking into account the need to address a change of intent for such research.”

Sample Documents

- *Anonymous MOU between Botanical Gardens*. No Date. No link, only document.
- *Anonymous MOU between Home and Visiting Universities (2 Models)*. No Date. No link, only document.
- *Anonymous MOU Appendix (research institution partnerships)*. No Date. No link, only document.
- *Anonymous Note on Provisional Terms of References involving Proposed Research (research institution partnerships)*. No Date. No link, only document.
- *Argentinian Model Research Collaboration Agreement*. 2010. <https://www.cbd.int/abs/resources/contracts.shtml>.
- *CJVI. Biological Resources Access Agreement between the Commonwealth of Australia and the Craig J. Venter Institute*. 2004. <http://www.environment.gov.au/biodiversity/publications/biological-resources-access-agreement-between-commonwealth-australia-and-craig-j-venter>
- *National Cancer Institute Model Letter of Collection*. 2006. <https://dtp.cancer.gov/branches/npb/loc.pdf>
- *National Cancer Institute Model Memorandum of Understanding*. 2006. <https://dtp.cancer.gov/branches/npb/mou.pdf>
- *Wounaan Village National Congress-Runk MOU*. 2015. No link, only document.
- *Pew Biodiversity Research Protocols: Proposed Guidelines for Research and Local Communities Interested in Accessing, Exploring, and Studying Biodiversity*. No Date. No link, only document.

Material Transfer Agreements (MTAs)

Material Transfer Agreements (MTAs): Material Transfer Agreements are used when physical samples, such as biological material or chemical compounds, are exchanged between two parties. MTAs are entered into to control the use of genetic resources and limit the transfer of materials to third parties, protect the intellectual property rights of the provider, to limit the liability of the provider with respect to the recipient's activities, and may also contain license and other terms governing the recipient's commercial use of the provided material (PIIPA, 2013).

Sample Documents

- *Argentinian MTA (2 Models)*. No Date. <https://www.cbd.int/abs/resources/contracts.shtml>.
- *BIO Model MTA*. No Date. <http://www.wipo.int/tk/en/databases/contracts/texts/bio.html>.
- *Celera Free Public Access Agreement of the Celera Whole Genome Sequence*. No Date. No link, only document.
- *ECCO Core MTA*. 2009. https://absch.cbd.int/api/v2013/documents/C57C3F4D-B81D-77A8-88C3-9A188D8A4AE2/attachments/ECCO_core-MTA_V1_Febr09.pdf.
- *Final Research Agreement for a Project on Iiyiyiu Anti-Diabetic Plant Medicine*. 2003. <https://www.cbd.int/financial/bensharing/canada-universities.pdf>
- *Food and Agriculture Organization Standard MTA*. 2006. <ftp://ftp.fao.org/ag/agp/planttreaty/agreements/smta/SMTAe.pdf>
- *Genetic Resources Consulting Model MTA*. 1996. No link, only document.
- *International Centre of Insect Physiology and Ecology Model Agreement for the Transfer of Biological Material and/or Related Information*. 2000. Link only: <http://www.wipo.int/tk/en/databases/contracts/texts/icipe.html>
- *Kew Policy on Access to Genetic Resources and Benefit-Sharing*. 2004. No link, only document.
- *Kew Access and Benefit-Sharing Agreement with Government*. 2010. No link, only document.
- *Kew Access and Benefit-Sharing Agreement without Government*. 2010. No link, only document.
- *Kew Memorandum of Collaboration for Herbarium Material*. 2012. No link, only document.
- *Kew Memorandum of Collaboration for Research*. 2012. No link, only document.
- *Kew Donation of Plant and Fungal Material*. 2014. No link, only document.
- *Kew Material Supply Agreement for Seed Material*. 2004. No link, only document.
- *Kenya Sample Material Transfer Agreement*. No Date. No link, only document.
- *Kew Donation of Plant and Fungal Material*. 2014. No link, only document.
- *Kew Material Supply Agreement for Seed Material*. 2004. No link, only document.
- *MOSAICC*. No Date. <http://www.wipo.int/tk/en/databases/contracts/texts/bccm.html>
- *NCI MTA*. 1999. <https://dtp.cancer.gov/branches/npb/mta.pdf>
- *Teff and Veronia MTA and Commentary*. 2009. No link, only document.

Developing and Negotiating Agreements

A number of groups have developed resources to assist with the negotiation of agreements, and a few have examined the nature of what constitutes Prior Informed Consent, including from indigenous groups.

Sample Documents

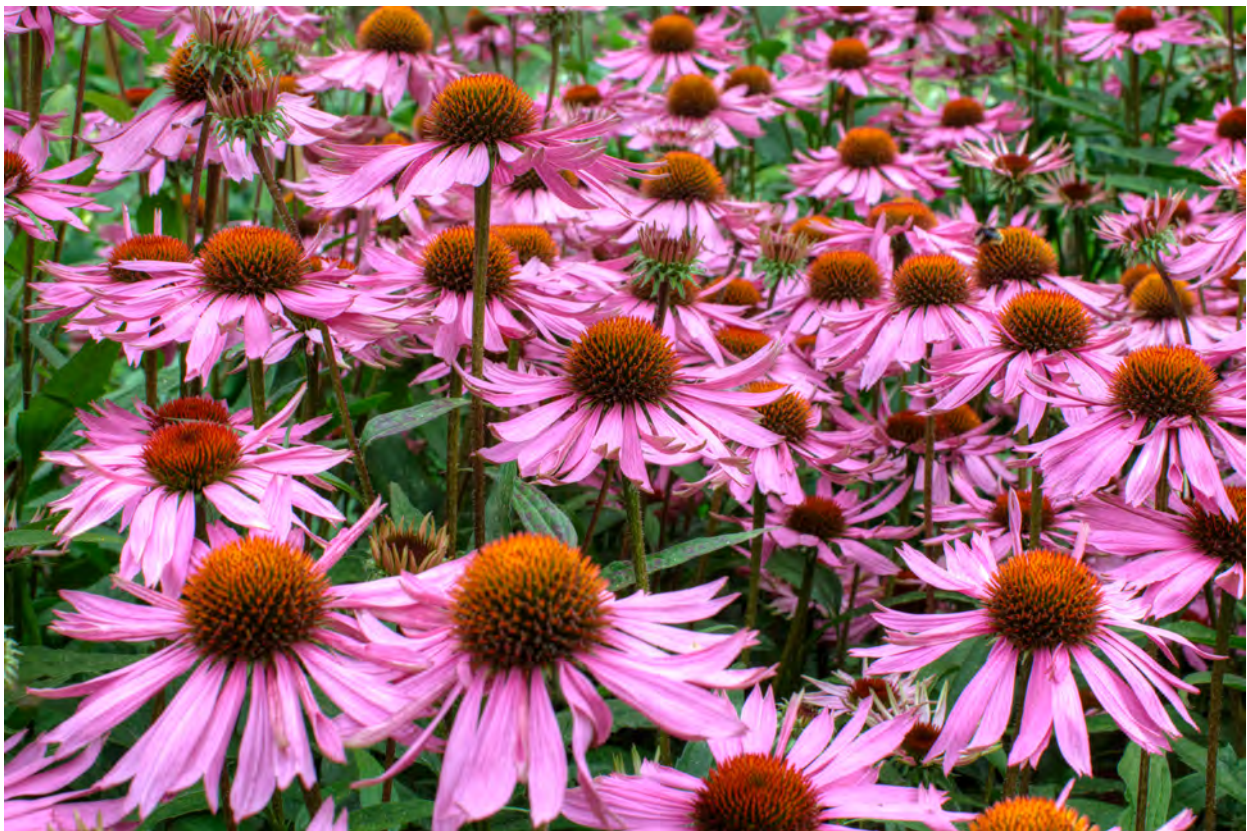
- Alexiades, M and DM Peluso. 2002. *Prior Informed Consent: The Anthropology and Politics of Cross-cultural Exchange*. In *Biodiversity and Traditional Knowledge*. Ed. Laird, SA. Earthscan: London. 221-227.
- Guerin-McManus, M and D Kim. 2002. *Prior Informed Consent: Protocol and Form*. In *Biodiversity and Traditional Knowledge*. Ed. Laird, SA. Earthscan: London. 233-238.
- *Conference of the Parties to the Convention on Biological Diversity Fifth Meeting Nairobi: Report of the Panel of Experts on Access and Benefit-Sharing*. 2000. Guidelines for Free and Prior Informed Consent. <http://www.biodiv.org/doc/meetings/cop/cop-05/official/cop-05-08-en.pdf>
- *Ethics and Practice in Ethnobiology and Prior Informed Consent with Indigenous Peoples, Regarding Genetic Resources*. 2013. <http://law.wustl.edu/centeris/Papers/Biodiversity/PDFWrdDoc/ChennelFinalApril2003.pdf>
- *Indigenous People's Guide on FPIC*. 2012. (http://www.firstpeoples.org/publish/FINALfinal_guidebook_5.10.12.pdf).
- *PIIPA Bioprospecting Resource Guide*, see Section 4 "Negotiation Issues" pp. 32-36. 2013. http://www.piipa.org/images/PDFs/PIIPA_Bioprospecting_Resource_Guide_2013_Final.pdf



Additional Reading on ABS Agreements

- Bellivier, F, and C Noiville. 2006. *Contrats et Vivants – Le Droit de la Circulation des Ressources Biologique*. LGDJ: Paris.
- Bhatti, S, S Carrizosa, P McGuire and T Young, Eds. 2009. *Contracting for ABS: The Legal and Scientific Implications of Bioprospecting Contracts*. See Chapters 1, 2, and 3. <https://portals.iucn.org/library/efiles/documents/EPLP-067-4.pdf>
- Carrizosa, S, SB Brush, BD Wright and PE McGuire, Eds. 2004. *Accessing Biodiversity and Sharing the Benefits: Lessons from Implementing the Convention on Biological Diversity*. <https://portals.iucn.org/library/efiles/documents/EPLP-054.pdf>
- Costanza, C, L Chirstoffersen, C Anderson and JM Short. 2007. *Deal Making in Bioprospecting, Chapter No. 16.4. In Intellectual Property Management in Health and Agricultural Innovations: A Handbook of Best Practices*. http://ipmall.info/hosted_resources/IP_handbook/ch16/ipHandbook-Ch%2016%2004%20Costanza%20et%20al%20Deal%20Making%20in%20Bioprospecting%20rev.pdf
- Consortium of European Taxonomic Facilities. No date. *CETAF Code of Conduct and Best Practice for Access and Benefit Sharing*. <https://www.cbd.int/abs/submissions/icnp-3/EU-Taxonomic-practices.pdf>.
- Cragg, GM, F Katz, DJ Newman and J Rosenthal. 2012. *The Impact of the United Nations Convention on Biological Diversity on Natural Products Research*. No link, only document.
- Cragg, GM, F Katz, DJ Newman, and J Rosenthal. 2012. Legal and Ethical Issues Involving Marine Biodiscovery and Development. In *Handbook of Marine Natural Products*, 1314–42. Springer.
- Downes, D, SA Laird, C Klein, B Kramer Carney, WV Reid, CA Meyer, R Gómez, A Sittenfeld, DH Janzen, and MA Gollin. 1993. Biodiversity Prospecting Contract. In *Biodiversity prospecting: using genetic resources for sustainable development*, 255–87.
- Gollin, MA. 2002. *Elements of Commercial Biodiversity Prospecting Agreements*. In *Biodiversity and Traditional Knowledge*. Ed. Laird, SA. Earthscan: London. 310-332.
- King, S, R Thomas, J Carlson, and K Moran. 1996. Biological Diversity, Indigenous Knowledge, Drug Discovery and Intellectual Property Rights: Creating Reciprocity and Maintaining Relationships. *Journal of Ethnopharmacology* 51 (1):45–57.
- King, SR, TJ Carlson, and K Moran. 1996. Biological Diversity, Indigenous Knowledge, Drug Discovery, and Intellectual Property Rights. In *Valuing Local Knowledge: Indigenous People and Intellectual Property Rights*, edited by D Stabinsky and SB Brush, Island Press.
- Laird, SA, WV Reid, CA Meyer, R Gomez, A Sittenfeld, DH Janzen, MA Gollin, and C Juma. 1993. Contracts for Biodiversity Prospecting. In *Biodiversity prospecting: using genetic resources for sustainable development*, 99–130.
- Laird, SA and K ten Kate. 2002. Linking Biodiversity Prospecting and Forest Conservation. In *Selling forest environmental services? Market-based mechanisms for conservation and development*, 151–72.
- Lapeña, I, I López, and M Turdieva. 2012. *Biodiversity International/GEF Guidelines on Access and Benefits Sharing in Research Projects*. <https://www.cbd.int/abs/doc/bioersity-guidelines-en.PDF>

- Moran, K. 1997. Returning Benefits From Ethnobotanical Drug Discovery. In *Biodiversity and Human Health*, edited by Francesca Grifo and Joshua Rosenthal, 243–63. Island Press.
- Riley, M, B Simon, SM Englander, O Livne, C Osegueda Jr., J Schnitzler. 2013. *PIIPA Bioprospecting Resource Guide*. http://www.piipa.org/images/PDFs/PIIPA_Bioprospecting_Resource_Guide_2013_Final.pdf
- Rosenthal, J and F Katz. 2009. *Plant-based Research among the International Cooperative Biodiversity Groups*. No link, only document.
- Schuster, BS, JE Jackson, CN Obijiofor, CO Okunji, W Milhous, E Losos, JF Ayafor and MM Iwu. 1999. *Drug Development And Conservation Of Biodiversity in West and Central Africa: A Model for Collaboration with Indigenous People*. <https://www.cbd.int/financial/bensharing/africa-usa.pdf>
- Soeharto, DD, C Gyllenhaal, HHS Fong, LT Xuan, NT Hiep, NV Hung, TQ Bich, B Southavong, K Sydara and JM Pezzuto. 2004. *The UIC ICBG (University of Illinois at Chicago International Cooperative Biodiversity Group) Memorandum of Agreement: A Model of Benefit-Sharing Arrangement in Natural Products Drug Discovery and Development*. <https://www.cbd.int/financial/bensharing/several-icbd2004.pdf>
- Tobin, B. 2002. *Biodiversity Prospecting Contracts: The Search for Equitable Agreements*. In *Biodiversity and Traditional Knowledge*. Ed. Laird, SA. Earthscan: London. 287-309.



THE BROADER LEGAL AND ETHICAL FRAMEWORK

ABS agreements are developed and negotiated within a broad legal and ethical context that directly and indirectly impacts their design and effectiveness. At the international level this includes the CBD, Nagoya Protocol and Bonn Guidelines, and, indirectly, a myriad of measures addressing research, trade, natural resources, and other fields. National ABS measures often include terms and requirements for ABS agreements, with ABS permits often conditional upon securing prior informed consent and signing a benefit-sharing agreement. Industry policies and guidelines provide insight into the approach and views of companies and industry associations. Institutional policies and researcher's codes of ethics help us to understand the same for the academic, and to a lesser extent commercial, research community.

Community research agreements, as well as local policies and customs, and tools such as biocultural protocols, may articulate indigenous and other communities' priorities and concerns, and in some cases views on ABS, including appropriate PIC, MAT and benefit-sharing, which are invaluable background for negotiation of ABS agreements involving traditional knowledge or collections of resources on indigenous peoples' lands. Indigenous peoples' declarations more broadly, but also importantly, outline the priorities and concerns of communities and traditional knowledge holders. Protected areas policies provide guidance on standards practiced within different countries at the point of collection. Taken together, these documents contribute invaluable insight and background on stakeholders and key issues underlying ABS agreements.

UN Treaties, Protocols, and Guidelines on ABS

- *Bonn Guidelines*. 2002. <https://www.cbd.int/abs/bonn/>
- *Convention on Biological Diversity*. 1992. <https://www.cbd.int/convention/text/>
- *The International Treaty on Plant Genetic Resources for Food and Agriculture*. 2009. <http://www.planttreaty.org/content/texts-treaty-official-versions>
- *Nagoya Protocol*. 2011. <https://www.cbd.int/abs/>

A Sample of Regional and Government ABS Measures

AFRICA

- *Organization of African Unity: African Model Legislation for the Protection of the Rights of Local Communities, Farmers and Breeders, and for the Regulation of Access to Biological Resources*. 2000. <https://www.cbd.int/doc/measures/abs/msr-abs-oau-en.pdf>

AUSTRALIA

- *Commonwealth of Australia: Statutory Declaration Template (for commercial permits)*. No Date. <http://www.environment.gov.au/topics/science-and-research/australias-biological-resources/permits>
- *Australian Government Commercial Application for a Permit to Access Biological Resources in Commonwealth Areas*. No Date. <http://www.environment.gov.au/topics/science-and-research/australias-biological-resources/permits>
- *Australian Government Guidelines for Offering Samples for Holders of Access to Biological Resources Permits*. No Date. http://www.environment.gov.au/system/files/pages/e3584028-d083-4aec-acdd-c0aa635a529f/files/guidelines-samples_1.pdf

- *Australian Government Commercial Reporting Template: Permit for Access to Biological Resources under Part 8A of the Environment Protection and Biodiversity Conservation Regulations 2000*. No Date. <http://www.environment.gov.au/system/files/pages/e3584028-d083-4aec-acdd-c0aa635a529f/files/permit-reporting-template.pdf>
- *Australian Government Non-commercial Permits*: Webpage. <http://www.environment.gov.au/topics/science-and-research/australias-biological-resources/permits-%E2%80%93-accessing-biological-resourc-1>
- *Australian Government List of Permits Issued 2006-2015*. Continually updated. <http://www.environment.gov.au/resource/list-permits-issued>
- *Model Access and Benefit Sharing Agreement: Commonwealth of Australia and Access Party*. No Date. <http://www.environment.gov.au/system/files/pages/e3584028-d083-4aec-acdd-c0aa635a529f/files/commonwealth-and-access-party-model-benefit-sharing-agreement-2012.pdf>
- *Australian Government Model ABS Agreement: Access Provider and Access Party*. No Date. <https://www.cbd.int/abs/resources/contracts.shtml>
- *Australian Government Explanatory Guide: Model Benefit-sharing Agreement*. 2012. <http://www.environment.gov.au/system/files/pages/e3584028-d083-4aec-acdd-c0aa635a529f/files/benefit-sharing-guide.pdf>
- *Northwest Territories Traditional Knowledge Policy*. 2005. http://www.enr.gov.nt.ca/sites/default/files/documents/53_03_traditional_knowledge_policy.pdf
- *Northwest Territories Traditional Knowledge Resources*. Continually updated. <http://www.enr.gov.nt.ca/node/3069>

COSTA RICA

- *Reglamento a la Ley de Biodiversidad*. Costa Rica. 2008. <http://webcache.googleusercontent.com/search?q=cache:1WpYBxw6Jy8J:www.iadb.org/Research/legislacionindigena/leyn/docs/C-R-Decreto-Ejecutivo-34433-08-Reglamento-Ley-Biodiversidad-.doc+&cd=1&hl=en&ct=clnk&gl=us>
- *The Link Between Biodiversity and Sustainable Development: Lessons from INBio's Bioprospecting Program in Costa Rica*. No Date. <https://www.cbd.int/financial/bensharing/costarica-absinbio.pdf>
- *Access and Benefit Sharing in Costa Rica: Lessons Learned for the Monitoring and Tracking of Genetic Resources in Access Contracts*. 2005. <https://www.cbd.int/financial/abs.shtml>

PANAMA

- *Panama Special System for the Collective Intellectual Property Rights of Indigenous Peoples for the Protection and Defense of their Cultural Identity and their Traditional Knowledge*. 2000. <http://www.wipo.int/wipolex/en/details.jsp?id=3400>

PERU

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