ABS ASPECTS OF THE
MOOREA BIOCODE PROJECT

CASE STUDY - FRENCH POLYNESIA

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- **What?** Scientific research program
- **Why?** Exhaustive inventory of Moorea’s biodiversity
- **How?** Genetic barcoding approach
- **Where?** Moorea Ecostation
- **When?** 3 years until 2010, more?
- **Who?** Biocode Consortium – U.S & French partners
ABS considerations of Biocode

1- **International**: *Convention on Biological Diversity (CBD)*
   
   + *ABS international regime*

2- **Local**: *French Polynesia*
   
   + *ABS Law in FP*

3- **Specific**: *Biocode*
   
   + *ABS code of conduct for Research*
ABS aspects of the MBP

International Level

CBD provisions & futur ABS regime

Convention on Biological Diversity
Biocode & CBD provisions on ABS

- **Objective** (Art.1)
  - Fair & equitable Benefit Sharing from genetic resources utilization
  - Genetic studies!

- **Rights & Obligations** (Art.15)
  - Sovereign rights of States = BIG PBS!!! Ownership, Money ect...
  - Obligations to regulate ABS + not impose improper restrictions!
  - Conservation activities!

- **Protection** (Art.8 j)
  - Indigenous & Local Communities (ILCs) related traditional knowledge
  - South Pacific!
Biocode & the futur ABS regime

- **CBOL Workshop:** ABS in Non-Commercial Research (Bonn, 2008)

  - Distinction between commercial & non commercial research?

- Conclusions provided to the ABS Working Group of CBD

  - Important to involve researchers !!!

  2010 ???
ABS aspects of the MBP

Local Level

FP implementation & futur ABS Law
Biocode & ABS in French Polynesia

ABS implementation in FP (France = State Party to the CBD)

- FP 2004 Autonomous Status: Jurisdiction in environmental concerns

✓ Draft ABS Law (2006) in suspense...

✓ FP Strategy on Biodiversity: Inventories = Urgent necessity!

➢ Importance of scientific research & the MBP in FP!
ABS aspects of the MBP

Specific Level

Biocode agreements
MBP Cooperation agreements in FP

University of California Berkeley (Gump Station)

User

Providers

French Polynesia (State)  Community based Organisation (ILCs)

➢ Prior Informed Consent - Access?
MBP & Memorandum of Understanding

- **Biocode Consortium: French & American partners**

  **Moorea Ecostation** *(UCB, CNRS – EPHE)*
  + **Paris, Florida & California Museums** *(MNHN; FLMNH; BNHM)*
  + **Scientific Research Institutions** *(SI; IRD)*

  - **Code of conduct** *under discussion* with FP – Rights respected!

- ✓ **Future model Material Transfert Agreement (MTA) for non-commercial research on genetic resources…**

  - Mutually Agreed Terms - Benefits Sharing?
ABS implementation frame of the MBP

For the moment…

**International**: CBD but **NO** ABS regime (binding?)

**Regional**: **NO** ABS strategy in the Pacific

**National**: **NO** French legislation

**Local**: **NO** ABS legislation in FP

- **Voluntary compliance of CBD obligations**!
MBP exemplary compliance & contributions regarding ABS requirements

1- **International scale:**
   - *In line with CBD* objectives
   - *Helping the Working Group* with the future ABS regime

2- **Local scale:**
   - *In line with the FP Strategy* on Biodiversity
   - *Helping FP Government* with its ABS Law

3- **Specific scale:**
   - *In line with FP & ILCs rights* recognized by the CBD
   - *Helping the Research Community* to develop a model MTA
Conclusions on Biocode & ABS

- **Crucial tool** for biodiversity protection in French Polynesia
- **Voluntary & exemplary** approach on ABS compliance
- **Paving the way** for future model code of conduct on ABS
- **Active involvement** for everybody’s benefits (Govt, ILC, researchers)

  - For future ABS legal instruments **ADAPTED**

  **to better protect Biodiversity & Traditional knowledge in FP!**
Thank You
Very Much!