

REPUBLIC OF CAMEROON

Peace – Work – Fatherland

REPUBLIQUE DU CAMEROUN

Paix – Travail - Patrie

ORDER N°. 111 /PM OF 06 OCT 2023

**TO LAY DOWN THE ORGANIZATION AND FUNCTIONING OF THE NATIONAL ACCESS AND FAIR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THE UTILIZATION OF GENETIC RESOURCES COMMITTEE.-**

**THE PRIME MINISTER, HEAD OF GOVERNMENT,**

**Mindful of** the Constitution;

**Mindful of** the Convention on Biological Diversity adopted on 22 May 1992 and ratified on 19 October 1994 together with its Nagoya Protocol adopted on 29 October 2010 and ratified on 30 November 2016;

**Mindful of** Law No. 64/LF/23 of 13 November 1964 on Public Health Protection;

**Mindful of** Law No 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations;

**Mindful of** Framework Law No. 96/12 of 5 August 1996 relating to Environmental Management;

**Mindful of** Law No. 98/005 of 14 April 1998 to lay down regulations governing water resources;

**Mindful of** Law No. 2000/017 of 19 December 2000 to regulate Veterinary Health Inspection;

**Mindful of** Law No. 2003/003 of 21 April 2003 relating to Phytosanitary Protection;

**Mindful of** Law No. 2003/006 of 21 April 2003 to lay down safety regulations governing Modern Biotechnology in Cameroon;

**Mindful of** Law No. 2018/011 of 11 July 2018 to lay down the Cameroon Code of Transparency and Good Governance in Public Finance Management;

**Mindful of** Law No. 2018/012 of 11 July 2018 relating to Fiscal Regime of the State and other Public Entities;

**Mindful of** Law No. 2021/014 of 9 July 2021 to govern access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from their use;

**Mindful of** Decree No. 92/089 of 04 May 1992 to specify the duties of the Prime Minister, as amended and supplemented by Decree No. 95/145 of 4 August 1995;

**Mindful of** Decree No. 94/199 of 7 October 1994 to lay down the General Rules and Regulations governing the Public Service, as amended and supplemented by Decree No. 2000/287 of 12 October 2000;

**Mindful of** Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018;

**Mindful of** Decree No. 2019/001 of 4 January 2019 to appoint a Prime Minister, Head of Government,

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**HEREBY ORDERS AS FOLLOWS:**

**CHAPTER I**  
**GENERAL PROVISIONS**

**ARTICLE 1.-** (1) This Order lays down the organization and functioning of the National access and fair and equitable sharing of benefits arising from the utilization of genetic resources Committee, abbreviated "ABS Committee" and hereinafter referred to as the "Committee".

(2) It is pursuant to the provisions of Section 34 of Law No. 2021/014 of 9 July 2021 to govern access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from their use.

**ARTICLE 2.-** (1) Placed under the authority of the Minister in charge of Environment, who is the Competent National Authority, the Committee shall serve as an advisory body on access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from their use.

As such, it shall be particularly responsible for:

- providing opinions on issues or problems relating to access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from their use;
- making any proposal or recommendation that could contribute to biodiversity management and conservation, the sustainable use of its components and the fair and equitable sharing of benefits arising from the use of genetic resources;
- promoting co-operation with specialised international ABS systems such as the Nagoya Protocol, the International Treaty on Plant Genetic Resources for Food and Agriculture;
- ensuring the participation and involvement of all stakeholders in the various stages of the ABS Process;
- encouraging the research that contributes to biodiversity conservation and its sustainable use;

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- ensuring the maintenance of an up-to-date information system on activities related to the use of genetic resources and traditional knowledge associated with genetic resources in different sectors;
- providing technical guidelines and monitoring the negotiation process of Mutually Agreed Terms, in accordance with Prior Informed Consent;
- examining and issuing a proper technical opinion on the files submitted to it by the Competent National Authority;
- examining and validating the annual work plan as well as the activity report of the implementation of the Nagoya Protocol in Cameroon.

(2) The Committee shall provide opinion on all other matters related to the implementation of the Nagoya Protocol in Cameroon.

## **CHAPTER II**

### **ORGANIZATION AND FUNCTIONING OF THE ABS NATIONAL COMMITTEE**

**ARTICLE 3.-** (1) Chaired by the Minister in charge of the environment, nature protection and sustainable development, the Committee shall be composed as follows:

- One (1) representative of the Presidency of the Republic;
- One (1) representative of the Prime Minister's Office;
- One (1) representative of the Ministry in charge of the environment;
- One (1) representative of the Ministry in charge of scientific research;
- One (1) representative of the Ministry in charge of agriculture;
- One (1) representative of the Ministry in charge of forestry and wildlife;
- One (1) representative of the Ministry in charge of public health;
- One (1) representative of the Ministry in charge of livestock and fisheries;
- One (1) representative of the Ministry in charge of justice;
- One (1) representative of the Ministry in charge of industries;
- One (1) representative of the Ministry in charge of social affairs;
- One (1) representative of the Ministry in charge of higher education;
- One (1) representative of the Ministry in charge of decentralisation;
- One (1) representative of the Ministry in charge of finance;
- One (1) representative of the Ministry in charge of external relations;
- One (1) representative of the Ministry in charge of economy and planning;
- Focal Point of the Convention on Biological Diversity;
- ABS National Focal Point;
- Focal Point of the National ABS Clearing-House;
- One (1) representative of the populations of the community concerned;
- One (1) representative of the Association of Traditional Rulers;

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- One (1) representative of the Association of United Councils and Cities of Cameroon (UCCC);
- One (1) representative of the Association of Traditional Healers;
- One (1) representative of civil society organisations working under the ABS;
- One (1) representative of the private sector;

(2) Members of the Committee shall be appointed by the administrative bodies and institutions they represent.

(3) The Chairperson of the Committee may invite any natural or legal person, based on their expertise or experience on the subject matter, to take part in deliberations in an advisory capacity.

(4) The composition of the Committee shall be established by decision of the Minister in charge of Environment.

**ARTICLE 4.-** The Chairperson may, if need be, set up ad hoc working groups within the Committee to examine specific issues falling under the competence of the Committee.

**ARTICLE 5.-** (1) For the discharge of its duties, the Committee shall be assisted by a Technical Secretariat, coordinated by the National Focal Point.

(2) The composition of the Technical Secretariat shall be established by decision of the Minister in charge of the environment.

(3) The Technical Secretariat shall be responsible for:

- proposing the agenda for Committee deliberations;
- preparing files to be submitted to the Committee for scrutiny;
- monitoring the resolutions adopted by the Committee;
- preparing the Committee's annual work plan;
- drafting the Committee's activity reports;
- carrying out any other task entrusted to it by the Committee.

**ARTICLE 6.-** (1) The Committee shall meet four (4) times a year in ordinary session and, as and when necessary, in extraordinary session, when convened by the Chairperson.

(2) Convening notices, together with the required working documents, shall be sent to Committee members at least seven (7) days prior to the date of the meeting. They must indicate the date, time, place and agenda of the meeting.

**ARTICLE 7.-** (1) The Committee may validly deliberate on the agenda only if the majority of its members is present.

(2) Its decisions shall be made by a simple majority of members present. In the event of a tie, the Chairperson shall have the casting vote.

**CHAPTER III**  
**MISCELLANEOUS AND FINAL PROVISIONS**

**ARTICLE 8.-** (1) The positions of Chairperson, Committee member, Coordinator and member of the Technical Secretariat shall be honorary.

(2) However, the persons concerned and persons invited in an advisory capacity shall receive a sitting allowance.

(3) The sitting allowance referred to in paragraph 2 above shall be determined by the Minister in charge of the environment, within the limits specified by the regulations in force.

**ARTICLE 9.-** The operating costs of the Committee shall be charged to the budget of the Ministry in charge of the environment.

**ARTICLE 10.-** Members of the Committee and the Technical Secretariat shall be bound by confidentiality obligations with regard to information disclosed to them.

**ARTICLE 11.-** The Chairperson of the Committee shall submit an annual activity report to the Prime Minister, Head of Government.

**ARTICLE 12.-** This Order shall be registered, published according to the procedure of urgency, and inserted in the Official Gazette in English and French. /-

Yaounde, 06 OCT 2023

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**Joseph DION NGUTE**

**PRIME MINISTER,  
HEAD OF GOVERNMENT**

