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24 AOUT 2020

DECISION No. _____/D/MINEPDED/CAB OF _____

On the organization and functioning of the National Committee on Access to Genetic Resources, their Derivatives, Associated Traditional Knowledge and the Fair and Equitable Sharing of Benefits arising from their utilization.

THE MINISTER OF ENVIRONMENT, PROTECTION OF NATURE AND SUSTAINABLE DEVELOPMENT,

- Mindful of the Constitution;
- Mindful of the Convention on Biological Diversity adopted on 22 May 1992 and ratified on 17 January 1995 together with its Nagoya Protocol adopted on 29 October 2010 and ratified on 30 November 2016;
- Mindful of Law No.94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations;
- Mindful of Law No.64/LF/23 of 13 November 1964 on Public Health Protection;
- Mindful of Law No.96/12 of 5th August 1996 relating to Environmental Management and its subsequent instruments;
- Mindful of Law No.98/005 of 14 April 1998 on Water Regime;
- 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 on Phytosanitary Protection;
- Mindful of Law No. 2003/006 of 21 April 2003 to lay down safety regulations governing Modern Biotechnology in Cameroon and its subsequent instruments;
- 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 the Prime Minister, Head of Government,
- Mindful of Decree No.2018/9387/CAB/PM of 30 November 2018 to lay down conditions for the creation, organisation and functioning of Inter-ministerial and Ministerial Committees and Working Groups;
- Mindful of Order No.025/CAB/PM of 5 February 2019 to fix the amount of sitting allowances paid to members during the deliberations of Inter-ministerial and Ministerial Committees and Working Groups;

Considering the necessity of services,

HEREBY DECIDES AS FOLLOWS:

Article 1: This Decision lays down the organisation and functioning of the National Committee on Access to Genetic Resources, their Derivatives, Associated Traditional Knowledge and Fair and Equitable Sharing of Benefits arising from their utilization, known as "ABS Committee" hereinafter referred to as the "Committee".

Article 2: (1) Placed under the authority of the Minister in charge of environment who is the National Competent Authority, the Committee shall be an advisory body, responsible for providing advice or opinions in the area of Access and Fair and Equitable Sharing of Benefits.

As such, it shall be responsible for:

- providing opinions on issues or problems relating to the access to genetic resources and the fair and equitable sharing of benefits arising from their utilization;
- 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 utilization 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 and other relevant international instruments;
- 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;
- ensuring the maintenance of an up-to-date information system on activities related to the utilization of genetic resources and associated traditional knowledge in different sectors;
- providing technical orientations and monitoring the negotiation process of Mutually Agreed Terms, in accordance with Prior Informed Consent;
- examining the files submitted to them by the Minister in charge of environment who is the National Competent Authority;
- examining and validating the annual work plan as well as the mid-term report.

(2) Opinions provided by the Committee on technical issues shall be assent opinions.

Article 3: (1) The Committee shall be composed as follows:

Chairperson: the Minister in charge of Environment or his representative.

Members:

- a Representative of the Prime Minister's Office;
- a Representative of the Ministry in charge of environment;
- a Representative of the Ministry in charge of scientific research;
- a Representative of the Ministry in charge of agriculture;
- a Representative of the Ministry in charge of forestry and wildlife;
- a Representative of the Ministry in charge of public health;
- a Representative of the Ministry of livestock;
- a Representative of the Ministry in charge of justice;
- a Representative of the Ministry in charge of industry;
- a Representative of the Ministry in charge of social affairs;
- a Representative of the Ministry in charge of higher education;
- a Representative of the Ministry in charge of decentralization;
- a Representative of the Ministry in charge of finances;
- the Focal Point of the Convention on Biological Diversity;
- a Representative of Indigenous and Local Communities;
- a Representative of the Traditional Rulers Association;
- a Representative of the Traditional Healers Association;
- a Representative of the civil society organizations working within the framework of ABS.

(2) Members of the Committee shall be designated by the administrations and organisations they represent.

The Minister in charge of environment may invite any physical or legal persons to participate in the Committee's deliberations based on their expertise or experience on the subject matter. The persons so invited shall have an advisory status.

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

Article 4: The Minister in charge of environment may, if necessary, set up ad hoc working groups within the Committee to examine specific issues falling under the competence of the Committee.

Article 5: (1) To fulfil its duties, the Committee shall be assisted by a Technical Secretariat.

(2) The Technical Secretariat of the Committee shall be provided by the ABS Focal Point.

(3) The Technical Secretariat shall be responsible for:

- proposing the agenda of the Committee;
- preparing files to be submitted to the Committee for examination;
- monitoring the resolutions adopted by the Committee;
- preparing the Committee's annual work plan.

Article 6: (1) The Committee shall meet in ordinary session twice (2) a year and if necessary, it shall be convened by the Minister in charge of environment.

(2) Convening notices, together with the agenda and the related files and documents, shall be sent to the members of the Committee at least fifteen (15) days before the date of the meeting.

Article 7: (1) The duties of Chairperson, members of the Committee and the Technical Secretariat shall be honorary.

(2) However, the stakeholders as well as the persons invited in an advisory capacity shall receive a sitting allowance.

(3) Sitting allowances provided for in paragraph (2) above shall be fixed by the Minister in charge of environment, within the ceiling limits provided for by the regulations in force.

Article 8: The operating costs of the Committee shall be borne by the budget of the administration in charge of environment.

Article 9: Members of the Committee shall be bound by an obligation of confidentiality with regard to the information they have received.

Article 10: This Decision shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and in French. /-

Done in Yaoundé, **24 AOUT 2020**

**THE MINISTER OF ENVIRONMENT,
PROTECTION OF NATURE AND
SUSTAINABLE DEVELOPMENT**



HELE Pierre