



Effective National Implementation of the Access and Benefit Sharing and Traditional Knowledge Regime in Niger in accordance with the Nagoya Protocol

Part I: Project Information

GEF ID

10442

Project Type

MSP

Type of Trust Fund

GET

CBIT/NGI

☐ CBIT

☐ NGI

Project Title

Effective National Implementation of the Access and Benefit Sharing and Traditional Knowledge Regime in Niger in accordance with the Nagoya Protocol

Countries

Niger

Agency(ies)

UNEP

Other Executing Partner(s)

National Council for Environment and Sustainable Development (CNEDD)

Executing Partner Type

Government

GEF Focal Area

Biodiversity

Taxonomy

Focal Areas, Biodiversity, Supplementary Protocol to the CBD, Access to Genetic Resources Benefit Sharing, Influencing models, Convene multi-stakeholder alliances, Transform policy and regulatory environments, Strengthen institutional capacity and decision-making, Demonstrate innovative approaches, Stakeholders, Private Sector, Individuals/Entrepreneurs, SMEs, Local Communities, Civil Society, Community Based Organization, Academia, Non-Governmental Organization, Communications, Education, Awareness Raising, Public Campaigns, Strategic Communications, Behavior change, Indigenous Peoples, Beneficiaries, Type of Engagement, Partnership, Consultation, Participation, Information Dissemination, Gender Equality, Gender Mainstreaming, Women groups, Gender-sensitive indicators, Sex-disaggregated indicators, Gender results areas, Access and control over natural resources, Knowledge Generation and Exchange, Participation and leadership, Capacity Development, Capacity, Knowledge and Research, Enabling Activities, Knowledge Generation, Seminar, Training, Workshop, Knowledge Exchange, Targeted Research, Learning

Rio Markers**Climate Change Mitigation**

Climate Change Mitigation 0

Climate Change Adaptation

Climate Change Adaptation 0

Submission Date

3/16/2021

Expected Implementation Start

4/30/2021

Expected Completion Date

3/31/2024

Duration

36In Months

Agency Fee(\$)

82,420.00

A. FOCAL/NON-FOCAL AREA ELEMENTS

Objectives/Programs	Focal Area Outcomes	Trust Fund	GEF Amount(\$)	Co-Fin Amount(\$)
BD-3-9	Further develop biodiversity policy and institutional frameworks- Implementation of the Nagoya Protocol on Access to Genetic Resources and Benefit Sharing	GET	867,580.00	3,695,000.00
Total Project Cost(\$)			867,580.00	3,695,000.00

B. Project description summary

Project Objective

To create and apply the enabling conditions for the implementation of Nagoya Protocol on the Access and Benefit Sharing and Traditional Knowledge Regime in Niger.

Project Component	Financing Type	Expected Outcomes	Expected Outputs	Trust Fund	GEF Project Financing(\$)	Confirmed Co-Financing(\$)
1. Development of access and benefit-sharing legislative, regulatory, policy and institutional framework with a view to operationalizing the Nagoya Protocol	Investment	1.1 The Nagoya Protocol is operationalized in the Niger with institutions capable of discharging key functions.	<p>1.1.1. Strategy and action plan developed for the full implementation of ABS measures in Niger</p> <p>1.1.2. Legislative, regulatory, administrative, institutional and policy measures for the full operationalization of the Nagoya Protocol are developed in Niger</p> <p>1.1.3. Functional technical ABS institutions are in place in Niger applying procedures appropriate to the Nagoya Protocol, and exchanging information through the ABS Clearing-House</p>	GET	688,709.00	2,159,401.00

Project Component	Financing Type	Expected Outcomes	Expected Outputs	Trust Fund	GEF Project Financing(\$)	Confirmed Co-Financing(\$)
2. Awareness raising on the Nagoya Protocol and national ABS systems and capacity building for all relevant stakeholders in Niger	Technical Assistance	2.1 Relevant stakeholders in Niger are aware of the developed ABS legislative, regulatory and institutional frameworks and of potential business opportunities related to the use of high potential genetic resources and associated TK	2.1.1 A detailed ABS awareness raising strategy on the national ABS frameworks including materials tailored for specific stakeholder groups. (IPLC, civil society, researchers, private sector, government entities involved in ABS implementation.) are developed and rolled out in Niger 2.1.2. Training designed for specific stakeholder groups in Niger conducted on managing access to genetic resources on various aspects of valorisation to develop business opportunities for resources of high potentials including traditional knowledge associated with these resources	GET	100,000.00	1,214,699.00

Project Component	Financing Type	Expected Outcomes	Expected Outputs	Trust Fund	GEF Project Financing(\$)	Confirmed Co-Financing(\$)
Sub Total (\$)					788,709.00	3,374,100.00

Project Management Cost (PMC)

GET	78,871.00	320,900.00
Sub Total(\$)	78,871.00	320,900.00
Total Project Cost(\$)	867,580.00	3,695,000.00

C. Sources of Co-financing for the Project by name and by type

Sources of Co-financing	Name of Co-financier	Type of Co-financing	Investment Mobilized	Amount(\$)
Recipient Country Government	National Council of Environment and Sustainable Development (CNEDD), Niger	Grant	Recurrent expenditures	50,000.00
Civil Society Organization	Association des Tradipraticiens du Niger (ATPN)	In-kind	Recurrent expenditures	25,000.00
Recipient Country Government	Haut-Commissariat a l'Initiative 3 N (HC3N)	In-kind	Recurrent expenditures	3,620,000.00
Total Co-Financing(\$)				3,695,000.00

Describe how any "Investment Mobilized" was identified

- The High Commissioner of the 3N Initiative (HC3N) "les Nigériens Nourissent les Nigériens", is coordinating the implementation of two projects: a) The Agricultural support project of Irhazer, Tamesna and Air, which aims among others, at the valorization of agropastoral products through support to conservation, transformation and commercialization; and b) The livestock support program which aims at strengthening the capacities of the competent authorities and the structures of the Rural Code for the effective implementation of the Laws and the platform of concertation of civil society organizations. The investments of these two projects will provide strong baselines for this project. The anticipated ABS regime will for example, be applied to the valorization of agropastoral products in which the baseline projects are already intervening in Niger. Additionally, the second baseline project is building capacity which will certainly provide institutional mobilization and framework to support capacity development of relevant stakeholders for the national ABS Law.

D. Trust Fund Resources Requested by Agency(ies), Country(ies), Focal Area and the Programming of Funds

Agency	Trust Fund	Country	Focal Area	Programming of Funds	Amount(\$)	Fee(\$)
UNEP	GET	Niger	Biodiversity	BD STAR Allocation	867,580	82,420
Total Grant Resources(\$)					867,580.00	82,420.00

E. Non Grant Instrument

NON-GRANT INSTRUMENT at CEO Endorsement

Includes Non grant instruments? **No**

Includes reflow to GEF? **No**

F. Project Preparation Grant (PPG)

PPG Required

☐

PPG Amount (\$)

45,662

PPG Agency Fee (\$)

4,338

Agenc y	Trust Fund	Country	Focal Area	Programmin g of Funds	Amount(\$)	Fee(\$)
UNEP	GET	Niger	Biodiversity	BD STAR Allocation	45,662	4,338
Total Project Costs(\$)					45,662.00	4,338.00

Core Indicators

Indicator 11 Number of direct beneficiaries disaggregated by gender as co-benefit of GEF investment

	Number (Expected at PIF)	Number (Expected at CEO Endorsement)	Number (Achieved at MTR)	Number (Achieved at TE)
Female	7,000			
Male	13,000			
Total	20000	0	0	0

Provide additional explanation on targets, other methodologies used, and other focal area specifics (i.e., Aichi targets in BD) including justification where core indicator targets are not provided

The project will directly support the achievement of the following Aichi targets: ? Aichi Target 16 : ?By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation;? and ? Aichi Target 18 ?By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.? Additionally, Niger has taken a comprehensive approach in setting up her domestic ABS regulatory framework. This approach is instrumental in projecting the country towards future compliance with some of the key 2030 milestone targets currently envisaged in the draft Post 2020 Biodiversity framework. Indeed, in its August 2020 draft version of Post 2020 Biodiversity Framework, the interim formulation of the 2050 goals and 2030 milestones and associated monitoring elements and indicators provide under Goal C that ?the benefits from the utilization of genetic resources are shared fairly and equitably.? The 2030 milestones target: i) access and benefit sharing mechanisms are established in all countries; and ii) benefits are shared by [X%]. The project outputs linked to component 1 are all framed in view to establishing a comprehensive and broad-based domestic ABS regime in Niger that will not capture all the clusters of NP core obligations, but are also consistent with the emerging framing of ABS in the post 2020 Strategic Framework for Biodiversity.

Part II. Project Justification

1a. Project Description

Niger (?Project Country?) is located in sub-Saharan West Africa, a region facing significant development challenges stemming from population growth, climate change and environmental degradation. The country is ranked in the 10 least developed countries in terms of the Human Development Index.[1]¹ The major ecotypes of the country are the South Saharan Steppe and Woodlands[2]², Sahelian Acacia Savanna,[3]³ and West Sudanian Savanna[4]⁴. The West Saharan Montane Xeric Woodland is also found in Niger.[5]⁵ Due to strong trends of environmental degradation and deterioration from human and natural factors, WWF indicates that the status of the major ecotypes ranges from ?Vulnerable? (Saharan and Sahelian) to ?Critical/Endangered? (West Sudanian). Although the West Saharan Montane Xeric Woodland is considered stable, the small portion contained in Niger is on the List of World Heritage Sites as being in Danger.[6]⁶ Niger also shares the transboundary W-Arly-Pendjari (WAP) transboundary biosphere reserve with Benin and Burkina Faso, an invaluable ecosystem that supports a plethora of large mammals, hundreds of bird species and fish, but the biosphere is increasingly under pressure.[7]⁷ In Niger, biodiversity loss has accelerated over the past three decades due to repeated droughts and human impacts, including habitat degradation or destruction, overexploitation, reduction of protected areas, poor management of protected areas, and the limited role of local communities in natural resource management.[8]⁸

It has been estimated that 80 per cent of Africa?s rural population relies on traditional medicines (WHO 2009) such as the oils of cedar, cypress, licorice, myrrh and poppy (Chivian and Bernstein 2008). In addition, the variety of fruits, vegetables, honey, spices, oils, bush meat, fish, edible worms and mushrooms found in Africa?s ecosystems contribute to food and nutritional security on the continent. Genetic diversity also offers important opportunities for crop and livestock improvements, especially in enabling breeding varieties that are resistant to drought, pests and diseases that are projected to increase with climate change, as well as opportunities for the development of pharmaceutical products that can yield both health and financial benefits for local populations. Among the key drivers of the threats to biodiversity in Africa are the negative impacts of armed conflicts, inadequate knowledge of biodiversity species, weak cooperation initiatives / joint management of transboundary ecosystems, and

poor understanding of the economic value of environmental goods and services in the national economy. Additionally, key drivers of the threats to biodiversity are also linked to ineffective enforcement of existing policy and legislative measures and equitable benefit sharing regimes for communities whose livelihoods and by extension health depend on ecosystem services.[9]⁹

As of 23 October 1995, Niger is a Party to the Convention on Biological Diversity (CBD) and as of 10 December 2014, to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their utilization to the Convention on Biological Diversity (Nagoya Protocol) . The country has, therefore, the obligation to transpose into the domestic level the Parties' obligations arising from these multilateral environmental agreements through national-level relevant policy and legislation. It is therefore, in view to ensuring a comprehensive compliance with the provisions of the Nagoya Protocol that Niger is seeking financial resources from the Global Environmental Facility (GEF). This investment will ensure that there is effective implementation of the third objective of the CBD on the fair and equitable sharing of the benefits arising from the utilization of genetic resources as detailed in the Nagoya Protocol. This will build on Niger's implementation of the first two objectives of the CBD (art. 1), i.e. i) the conservation of biological diversity; and ii) the sustainable use of components of biological diversity. Niger has envisaged meeting those two objectives in its National Biodiversity Strategy and Action Plan (NBSAP) and reported on their implementation in the 05th National Report to the CBD. The 3rd objective of the CBD on the fair and equitable sharing of the benefits arising out of the utilization of genetic resources is the main objective of the Nagoya Protocol, which emphasises the need take into account all the rights over those GRs and to technologies, along the sharing benefits arising from the utilisation of traditional knowledge associated with GRs.

As briefly alluded to above, biodiversity conservation, including the conservation of associated genetic resources faces challenges linked to the anthropization of production landscapes in Niger, but also due to the hostile Sahelian climatic conditions. The ecosystems are vulnerable, and efforts to conserve them are constrained by two principal barriers linked to policy, legal and institutional gaps as well as lack of awareness. Overcoming these barriers will strengthen Niger's resolve and compliance with the Nagoya Protocol ? and support the generation of global environmental and sustainable development benefits associated with and expected from an effective Nagoya Protocol compliant ABS policy, legislative and institutional frameworks at domestic level.

- 1) the global environmental and/or adaptation problems, root causes and barriers that need to be addressed (systems description).

The political, administrative and legal context

The Republic of Niger is a unitary State where the executive, legislative and judicial powers coexist, and each performs its constitutional functions according to the principle of the separation of powers. However, there are other state structures besides the executive, legislative and judicial branches that support the democratic application of the rule of law in the country. In addition, in an effort to decentralize national-level governance structures to expedite institutional, legal and administrative reforms, Niger has adopted the General Code of Territorial Collectivities, Ordinance No. 2010. -54 of September 17, 2010. This reform has led to the creation of new Territorial Collectivities including eight (8) Regions, four (4) Towns with special status, sixty-three (63) Departments, fifteen (15) Municipal *Arrondissements* and two hundred and sixty-six (266) Urban and rural communities. Some of these entities (regions and departments) are administrative districts. Municipalities have gained independent legal functions and financial autonomy. Thus, the objective of this decentralization process is to promote grassroot-driven development agenda to support and complement the efforts of the central state. As a result, these decentralization efforts are a plus in strengthening the governance of natural resources including biological diversity as well as the achievement of SDGs. The State has also put in place national policies, strategies, plans and programs, and has subscribed to regional and international instruments for environmental management including biodiversity.

There are several national laws and regulations in Niger governing the conservation and use of biodiversity. Among others, these include the following:

- ? Constitution of the 7th Republic of November 25, 2010, which in its article 30 establishes the framework for the protection and management of the environment and the State's obligation to guarantee to every Nigerien the right to a healthy environment and appropriate management of natural resources;
- ? The Environmental Management Framework Law No. 98-56 of December 29, 1998; Ordinance n ? 93-015 of March 2, 1993 providing the guiding principles of the Rural Code;
- ? Ordinance No. 2010-54 of September 17, 2010 on the General Code of Territorial Collectivities of the Republic of Niger; Law n ? 2004-040 of June 8, 2004 on the forestry regime in Niger;
- ? Ordinance 92-037 of August 21, 1992 on the organization of the marketing and transport of timber in large towns and the taxation applicable to it;
- ? Law n ? 98-07 of April 29, 1998 establishing the hunting and wildlife protection regime and decree n ? 98-295 / PRN / MH / E / LCD of October 29, 1998 laying down its terms of application;
- ? Law n ? 98-042 of December 7, 1998 on the fishing regime in Niger;
- ? Ordinance 2010-09 of April 1, 2010 amending Law 98-014 of December 7, 1998 on the Water Code in Niger;

- ? Ordinance No. 97-001 of January 10, 1997 on the institutionalization of Environmental Impact Studies;
- ? Law No. 2004-048 of June 30, 2004 on the framework law relating to breeding;
- ? Ordinance 2010-29 of May 20, 2010 relating to pastoralism; and
- ? Law No. 2018-28 of May 14, 2018 determining the fundamental principles of environmental assessment in Niger.

At the regional and international level, Niger is a Party to several treaties relating to the management and use of biological diversity. Among others these include:

- ? Convention on Wetlands of International Importance known as the " Ramsar Convention ";
- ? Convention on International Trade in Species of Fauna and endangered wild flora (CITES);
- ? Bonn Convention on the Protection of Migratory Species of Wild Animals;
- ? Convention on the Protection of the World Cultural and Natural Heritage;
- ? International Convention for the Protection of Plants (IPPC); International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);
- ? Agreement on Trade-Related Intellectual Property Rights (TRIPS) of the WTO (GATT).; and
- ? Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization relating to the Convention on Biological Diversity; Cartagena Protocol on Biosafety..
- ? The African Convention on the Conservation of Nature and Natural Resources known as the "Algiers Convention which has become the Maputo Convention;

In terms of policies and strategies, Niger has developed key national and sectoral strategic and policy documents, programs, plans and projects which directly or indirectly consider environmental concerns and specifically biodiversity conservation. These include:

- ? National Strategy and Action Plan for Biological Diversity; National Strategy for Relaunching the Production and Marketing of Gum Arabic in Niger; National Strategy for Aquaculture Development in Niger;

- ? Niger National Biosafety Strategy; National Strategy for the Conservation of Wildlife in Niger;
- ? National Strategy and Action Plan for Climate Change and Variability;
- ? Niger Capacity Building Strategy and Action Plan for National and Global Environment Management;
- ? Great Green Wall Initiative Strategy and Action Plan (SPA-IGMV); National Strategy and Action Plan on Renewable Energies;
- ? National Strategy for Micro-finance in Niger; Fisheries and Aquaculture Development Strategy;
- ? Water and Sanitation Policy and Strategies;
- ? National action program to combat desertification and manage natural resources (PAN-LCD / GRN); and
- ? National Development Communication Policy (PNCD).

From an institutional perspective there are institutions already in place in Niger that are concerned with broader realization of sustainable development and specifically, environmental sustainability through the operationalisation of an international environmental agreement like the Nagoya Protocol on ABS. These institutions include:

- ? Government administrations such as the Prime Minister's Office through the Executive Secretary of the National Environment Council for Sustainable Development (SE / CNEDD) which is the Focal Point of the Convention on Biological Diversity (CBD) and the Nagoya Protocol on the APA;
- ? The Ministry of the Environment, Urban Health and Sustainable Development; and
- ? The Ministry of Agriculture and Livestock and the Ministry of Hydraulics and sanitation.

As a cross-cutting development issue, other government departments likely to have direct or indirect roles in the ABS landscape are:

- ? The Ministry in charge of Higher Education and Scientific Research; the Ministry in charge of Primary Education, Literacy, Promotion of Languages and Civic Education;
- ? The Ministry in charge of Vocational and Technical Education; the Ministry in charge of Health;
- ? the Ministry in charge of Finance; the Ministry in charge of Planning and Regional Development; the Ministry in charge of Culture;

- ? The Ministry in charge of Foreign Affairs and Cooperation; the Ministry in charge of Tourism and Handicrafts;
- ? The Ministry in charge of Trade; and
- ? The Ministry in charge of Transport and National Meteorology; the Ministry in charge of Justice.

Apart from the government departments, other public institutions and those with dedicated missions include:

- ? The High Commission for the "3N" Initiative "Nigériens Feed Nigériens" for food security and sustainable agricultural development;
- ? The High Commission for the Development of the Niger Valley, the National Council for Scientific and Technical Research (CNRST), thematic commissions and committees relating to multilateral agreements (biological diversity, climate change, Ramsar , combating desertification, etc.);
- ? The National Institute of Agronomic Research of Niger (INRAN);
- ? The National Scientific Research Center (CNRS), the Universities of Niger, the Practical Institute for Rural Development (IPDR); and
- ? It is noted here that there several civil society organisations operate in Niger and are active in the ABS space.

From the political, institutional and administrative angles, Niger is committed to addressing domestic challenges such as rampant food and nutrition security and environmental problems while pursuing its biodiversity conservation agenda and ensuring that natural resources are managed and used for economic growth. The policy and legislative landscape as well as the institutional frameworks are the strong pillars that Niger continues to establish and strengthen to implement the provisions of the multilateral environmental agreements to which it is a Party.

The demographic and socio-economic context

The population of Niger increased from 10,300,000 inhabitants in 1999 to 21,466,862 inhabitants (including 50.14% women) in 2018. This means that over this period, the population doubled in the country. The population is essentially rural (83.8%), estimated at 21,466,862 inhabitants with an average growth rate of 3.9%. 51.6% of the population comprises the young under the age of 15 (INS, 2018). The total fertility rate, which reflects the average number of children born alive per woman (aged 15-49) is 7.6 in the same year. As a predominantly rural population, people derive much of their

incomes from the exploitation of natural resources. The level of extreme poverty remains very high at 41.4% in 2019, affecting more than 9.5 million people (World Bank, 2020). This poverty particularly disproportionately affects female-headed households. Three in five women and 75% of households headed by women are poor. However, poverty, mainly rural and female, has declined very slightly in Niger, dropping from 48.2% in 2011 to 45.4% in 2014 and to 41.4% in 2019 (INS, 2018; 2020). Thus, nine (9) out of ten (10) poor live in rural areas and three quarters of the poor are women (INS, 2018). Regarding education, the progress of primary school enrolments has been particularly remarkable over the past ten years. The net primary school enrolments rate increased from 18% in 2000 to 67.8% in 2017 and the completion rate reached 80.4% in 2017 against 15% in 1990 (INS, 2018). Significant progress has also been made in reducing inequalities between girls and boys, with a ratio that rose from 62.5% in 1997 to 82% in 2011 (SE / CNEDD, 2014a; INS, 2018).

Niger's economy is largely based on the primary sector (agriculture, livestock, forestry, wildlife, fishing) and contributes around 44% to GDP (SE / CNEDD, 2016). The primary agricultural sector constitutes 16% of the volume of exports and represents the main source of employment (90% of the working population). In 2020, the growth of the primary sector is projected at 6.6% against 5.1% in 2019 and an estimate of 5.0% in 2018 (UMOA, 2020). However, the degradation of land resulting from ecosystem changes generates considerable losses of agricultural income and exacerbates food insecurity. Agricultural and pastoral activities are practiced in 4 large agro-ecological zones which are distinct but complementary due to the wide mobility of agro-pastoralists across the territory. The potentially cultivable area is estimated at 15 million hectares, representing less than 12% of the country's total area. The irrigable land potential is estimated at 270,000 hectares, or 4% of the total area, including 140,000 hectares in the Niger river valley (SE / CNEDD, 2016). With strong demographic growth of 3.9% per year and insufficient growth in agricultural production, Niger, which was self-sufficient in food and even an exporter of cereals until the end of the 1960s, is now in deficit.

Livestock production remains the second main activity of rural populations after agriculture because 87% of the population practice this activity exclusively or secondarily. There are three types of livestock systems in Niger (extensive, semi-intensive and intensive). The country's grazing area covers approximately 62 million hectares. The herd estimated at nearly 49,096,487 e of all species in 2019 (MAG / EL, 2019). Despite the severe losses recorded during periods of drought, the herd is rebuilding quickly, especially for small ruminants. A determining factor in food security and the fight against poverty, the contribution of livestock farming is on average 15% to household income and 25% to the satisfaction of food needs according to the Action Plan of the Development Strategy Rural (SE / SDR, 2006). It contributes 13% to the Gross Domestic Product and 40% of agricultural GDP. Livestock contributes at least 25% to the budget of local authorities.

In Niger, forest resources contribute 4.6% to agricultural GDP (INS, 2011). In the area of forest production, Niger has 12 million hectares of forest land which produces on average 9 million cubic

meters of firewood per year (MP, 2017). In 2010, the annual value for commercial fuelwood for rural communities bordering the forests in use was around 11 billion FCFA (CFA is the National currency. \$1= 556 F CFA current rate). In addition to wood and its monetary value, forest resources contribute to food security and poverty alleviation through the provision of other essential products such as leaves, fruits and roots.

Fishing is a very important socio-economic activity. It takes place in the many water bodies of the country including the Niger River and its tributaries, the Lake Chad, the Komadougou-Yobé river, and the natural and artificial ponds. The fish production evolved irregularly and is around 10,000 tonnes per year while the average annual fish production potential is estimated at 25,000 tonnes. The fishing sector directly employs more than 50,000 people. Extreme weather events contribute to the drying up of water points. Regarding aquaculture, 25 farms have been identified for a total production hardly exceeding 100 tonnes of fresh fish per year (MP, 2017). The fishing sector contributes to food and nutritional security and to the creation of jobs and income for the populations.

Looking at the contributions of the specific economic sectors both to the livelihoods of rural populations and to the country's GDP, it appears that the primary sector, which consists of large- and small-scale crop farming, livestock production and fishing activities, exploitation of forest resources such as non-timber forest products for food and health (medicinal plants) is the main sector which employs rural communities and from which they earn their income and other means of subsistence. In 2016, it was reported that in terms of their contributions to the country's GDP, the primary sector represents 44% of the Gross Domestic Product (GDP) in 2016 (SE / CNEDD, 2016), while the tertiary sector accounts for 33% of the GDP followed by the secondary sector which comprises mining and manufacturing industries with 20% of the GDP.

Given the important role that forest natural resources play, especially the biological and genetic resources exploitation plays in the livelihood of the populations of Niger and in the broader economic growth and development ambitions of the country, setting up and implementing effective rules that govern their sustainability and promotes their valorization is an imperative for the country.

Ecosystemic, genetic resources diversity, traditional knowledge usefulness and conservation

Nigerien ecosystems essentially comprise natural or anthropogenic terrestrial and aquatic ecosystems (agrosystems). Terrestrial ecosystems are made up of natural formations and rain-fed agrosystems. The natural formations include: (i) forest ecosystems (dry forests, thickets, open forests and palm groves), savanna ecosystems with a predominantly grassy phytocenosis and lowland and mountain steppe ecosystems (the most widespread in the territory of Niger, and favorable to extensive breeding). Most Sudanese species and large fauna take refuge in these formations. For example, the W park is home to 73 species of mammals, (excluding small rodents and bats), 367 species of birds, 150 species of reptiles

(including aquatic ones) and 112 species of fish (SE / CNEDD, 1998). As for agrosystems, they are concentrated in the southern strip of the country (south of the 16th parallel) and represent less than 12% of the territory (SE / CNEDD, 2016). It should be noted that more than half of the country is almost inhabitable, particularly the northern territory due to the harsh climate. Therefore, the biological diversity in the country is more concentrated in the southern territory. Niger is also the last bastion of the only remaining West African giraffes, *Giraffa camelopardalis peralta*.

The diversity in plant species comprises approximately 2274 species including 1575 Phanerogams, 14 Pteridophytes, 10 Bryophytes, 71 fungi and 547 Algae (SE / CEDD, 2014a). In addition, Djima (2013) identified 507 species of algae, including 478 newly known for Niger. This enhances the flora to 2761 plant species. The phanerogamic flora is dominated by therophytes (43%) and microphanerophytes (19%). That of faunal species includes at least 3,200 animal species including 168 species of mammals, 512 species of birds, 150 species of reptiles and amphibians, 112 species of fish and many invertebrates (molluscs, insects, etc.) (Inezdane, 1998). Among the insects, the order Coleoptera alone comprises 1112 species, or 55%. Mammals are mainly composed of herbivores (elephants (*Loxodonta africana*), savanna buffalo (*Synecerus caffer savanensis*), hippotrague (*Hippotragus equinus*), hartebeest (*Alcelaphus buselaphus*), damalisque (*Damaliscus korrigum*), buffalo cob (*Adenota kobob*), defassa (*Kobus defassa*), giraffe (*Giraffa camelopardalis*) and other antelopes (*Cephalophus rufilatus*, *Gazelle rufifrons*, *Addax nasomaculatus* and *Ourebia ourebia*), rodents (porcupine: *Hystrix cristata*, squirrels, rats, etc.), lagomorph (hares), carnivores (lions, hyenas, cheetahs, leopards, jackals, honey badgers, civets, Gambian mango, mongooses and other genets) and primates (patas, baboons, cercopithecus and other galagos).

Reptiles are represented by crocodiles, snakes, turtles and monitor lizards. The main bird species are geese, ducks, marabou, gray pelican, great bustard, scaly francolin, great Abyssinian hornbill, crowned crane, soui-manga, etc. There are also 122 species of fish and the presence of three (3) large groups of zooplankton, namely Rotifers, Cladocerans and Copepods (SE / CNEDD, 1998). Domestic animals are quite diverse and mainly belong to the classes of mammals and birds.

Regarding agrobiodiversity, genetic diversity is better known for cultivated species such as millet (*Pennisetum glaucum*), sorghum (*Sorghum bicolor*), cowpea (*Vigna unguiculata* subsp *unguiculata*), sesame (*Sesamum indicum*), peanuts (*Arachis hypogea*) and the voandzou (*Vigna subterranea*). Thus, the genetic diversity of more than 50 cultivated species has been described morphologically and botanically by the national agronomic research system. Also, the chemical characterization of certain species (millet, sorghum, rice) is underway. For the hundreds of spontaneous species variously used by populations, intraspecific diversity is little studied. To these crops, we must add a varied range of species and varieties used as vegetable crops (onion, cabbage, lettuce, pepper, tomato, melon, potato), fruit trees (mango trees, citrus fruits, date palms, etc.) and industrial (sugar cane, tobacco, cotton).

However, this rich diversity of ecosystems, biological resources and genetic resources, ensures the well-being of the populations of Niger through the provision of goods and services in terms of health and nutrition. It is also the basis of the rural economy in Niger. By way of illustration, 468 species or 21% of the plant species inventoried in Niger are exploited by humans in areas as varied as food, health preservation, habitat construction, crafts and culture (Saadou, 1998). The share of the livestock sector in gross domestic product (GDP) in 2017 is around 11%, that of agriculture 33% and forestry 4% (INS, 2018). The expansion of the traditional therapeutic practices in Niger is one prominent and obvious way Nigeriens apply their traditional and practices in the exploitation of medicinal plants for the health needs of the populations. Medicinal plants are very important particularly for rural communities with limited access to health facilities. The importance of traditional medicine in Niger is highlighted in the existence of several associations which bring together traditional health practitioners, organized under an umbrella organization called 'collective of traditional medicine organizations' (COMEDET). Some of the specific member organisations of this collective include: Association of traditional practitioners of Niger (ATPN) created in 1995; AMIN pharmaco-health association created in 1995; Green health association; Nigerien Association for Invention and Innovation in Traditional Pharmacopoeia (ANIPT); BANITURI Herbalist Cooperative; Herbalist the plants of hope or Maganin galgagiya.

The rich and diverse genetic resources from the various ecosystems are therefore, practically useful to the livelihoods of Nigeriens who can apply their traditional medicinal knowledge to address concrete societal issues such as health care and food insecurity. However, it is a concern to some traditional medicinal practitioners that they are generally left to the mercies of unfair practices by scientists who acquire their knowledge through ethnobotanical studies. The scientists use their findings in agreements with entities in the development of commercial products without compensating traditional botanists who provided the original traditional knowledge.. Ultimately, the burden of conservation of the ecosystems and their rich genetic resources and of preservation of traditional knowledge is born by the government and local communities without fair compensation. The response to this burden is evidenced for example through the level of efforts deployed by Niger *in situ* and *ex situ* conservation initiatives as described in the National Biodiversity Strategy and Action Plan. These actions are however, limited. Furthermore national stakeholders, including local communities will not have the commitment and incentive to ensure the sustainability of biodiversity resources if benefits from their exploitation do not accrue to local and indigenous communities, the state and other national stakeholders such as national researchers and research institutions.

International legal context: ABS obligations under the Convention on Biological Diversity and the Nagoya Protocol.

Adopted on 22 May and opened for signature on 05 June 1992 at the Rio 'Earth Summit' (United Nations Conference on Environment and Development - UNCED) in Rio de Janeiro, Brazil, the CBD

entered into force on 29 December 1993. To date, the Convention of Biological Diversity has 196 parties. The CBD pursues three main objectives:

- (i) The conservation of biological Diversity;
- (ii) The sustainable use of its components
- (iii) The fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

While the three objectives of the CBD are complementary and should be taken together in relation to the design of actions and plans for the operationalisation of the CBD at the international, regional and national levels, it has been observed that following its entry into force, much more attention and efforts have been dedicated to the first two objectives (Greiber et al, 2012) as compared to the efforts dedicated to the 3rd objective on access to, use of genetic resources and the fair and equitable sharing of the ensuing benefits. Such arguably unbalanced efforts on the implementation of the third objective of the CBD stands in stark contrast with the amount of discussions that happened during the negotiation process of the CBD which were based on the degree of controversies associated with the ABS concept. Indeed, be it during the negotiations and in the course of CBD implementation, controversies on the issue of access and benefit sharing are linked to the implications of ABS on among other issues state sovereignty, economic development, indigenous and local communities, scientific research, the industry sectors that are dependent on genetic resources and traditional knowledge associated with genetic resources and ultimately on the first two objectives of the CBD on conservation and sustainable use of biological and genetic resources. Slowing down the implementation of this ABS objective of the CBD and highly caused by these controversies, are lack of awareness by state actors on ABS, the very widespread misunderstanding about the scope of ABS and the associated legal principle and the existing gaps in States policies and legislations. The pillars of the ABS framework are in the context of the CBD encapsulated in article 15. Clearly laid down in this article are the recognition of the State sovereign rights over its natural resources and its authority to determine access to genetic resources (Article 15.1), the principle of establishment of contracts or mutually agreed terms (MAT) where access is granted (Article 15.4) and the principle of requisition of prior informed consent (PIC) of the contracting party before access, unless otherwise determined by that party. With regards to traditional knowledge associated with genetic resources, the foundation for the regulation to access and utilization of this knowledge is hooked on Article 8(j) of the Convention on Biological Diversity, which earmarks the States to undertake actions on that front. Indeed, Article 8(j) stipulates that: "subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices".

There are significant milestones that have been achieved by the international community in the implementation of the 3rd objective of the CBD. These include among others, the adoption of the Voluntary Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization at the Sixth Meeting of the Conference of the Parties to the CBD held in the Hague in April 2002 and the adoption in 2010, after six years of negotiations, of the Nagoya Protocol, which is an international binding legal instrument. As compared to the Bonn Guidelines, the Nagoya Protocol has advanced the convention's access and benefit sharing objective by laying the grounds for legal certainty and transparency for both country providers of the resources and associated traditional knowledge. The objective of the Nagoya Protocol is: 'The fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding, thereby contributing to the conservation of biological diversity and the sustainable use of its component'.

However, when developing national measures on ABS in fulfilment of their obligations under the Nagoya Protocol, parties need to pay attention to the scope as delineated by the Nagoya Protocol. Indeed, article 3 provides that the Nagoya Protocol shall apply to genetic resources within the scope of article 15 of the CBD and to the benefits arising from the utilization of such resources. The Nagoya Protocol shall also apply to traditional knowledge associated with genetic resources within the scope of the CBD and to the Benefits arising from the utilization of such knowledge. The way some key terms including 'biotechnology', 'utilization of genetic resources' and 'derivatives' are defined and translated in ABS transactions, has huge potential to and is already impacting on the definition of the scopes of ABS regulations that are NP compliant, and therefore on the formulation of national policies. Specifically in relation to the regulation of access and use of traditional knowledge and the protection of the rights of indigenous communities, significant milestones achieved at the international level, include the recently adopted, post Nagoya Protocol, *2019 Mo'tz Kuxtal Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the 'prior and informed consent', 'free, prior and informed consent' or 'approval and involvement', depending on national circumstances, of indigenous peoples and local communities for accessing their knowledge, innovations and practices, for fair and equitable sharing of benefits arising from the use of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge'*. Something that became very clear through the adoption of the Nagoya Protocol is that its objective clearly connects access and utilization of GRs and associated traditional knowledge and the sharing of benefits, with the first two objectives of the CBD on conservation and sustainable use.

Current status of developments in ABS regulatory framing in Niger

Following the adoption of the Nagoya Protocol in 2010, the Republic of Niger signed and ratified this instrument on 26 September 2011 and on 02 July 2014, respectively. This act of ratification paved the way for Niger to become a party to the Protocol on 12 October 2014. It should be stressed that the adoption of the Nagoya Protocol, a multilateral environmental agreement, has not only greatly facilitated the understanding of the ABS principles of the CBD but has also and above all transformed them into obligations for the countries that ratify the protocol therefore, becoming contracting Parties. The core obligations of the Nagoya Protocol to which contracting parties must adhere and operationalise e.g., through their domestic ABS regulations can be divided into three categories:

- (1) Obligations in respect of access;
- (2) Obligations in respect of the fair and equitable benefit sharing; and
- (3) Obligations in respect of compliance as well as monitoring of such compliance through domestic due diligence and surveillance measures.

In addition, to facilitate the fulfilment of these obligations, all parties to the Protocol are called upon to appoint a focal point and one or more national ABS competent authorities and to develop the necessary supporting tools such as relevant code of conducts, model contractual clauses and the community protocols. The intention is to provide the country with all the necessary tools that can be applied in real cases of ABS transactions/operations pertaining to both GRs and aTK.

Despite the existence of the environmental, forestry, research and other national legislation adopted in Niger to date as mentioned above, the country has not yet fully operationalised or fulfilled all the core obligations of the Nagoya Protocol in a comprehensive manner. However, the ingredients and pillars for a prospective Nagoya Protocol compliant ABS regulatory framework are in place. The Constitution of the 7th Republic of November 25, 2010, in its article 30 provides the framework for the protection and the management of the environment and establishes the State's obligation to guarantee to every Nigerien the right to a healthy environment and appropriate management of natural resources. In 1998, Niger adopted a framework *Law on Environmental Management*^[10]¹⁰ that provides a basis for implementing instruments for the management of biodiversity and defines the general terms of access to genetic resources and benefit sharing resulting from their use. Article 6 of the law establishes that natural resources, namely water, forests, fauna, flora, fisheries and the environment generally are the common heritage of the nation; holds that the State exercises sovereign rights over genetic resources found in the national territory; and provides that access is subject to its prior informed consent. Article 6(3) stipulates that the State will take appropriate legislative and regulatory measures in order to ensure the equitable sharing of the results of research on genetic resources, of their valorisation, as well as the benefits resulting from their commercial use. This provides the legal basis for the development of an ABS regulation. From this perspective, Article 6 of the framework law can provide an anchor for the Nagoya Protocol, but the necessary implementing regulation remains to be developed. Additionally, the framework law does not spell out any principles relating to the sustainable use and conservation of

biodiversity. The framework to guide scientific research of biodiversity, genetic resources and aTK also needs to be clarified and strengthened. The 2004 *Framework Law on Animal Husbandry*[11]¹¹ indicates that access, utilization, and exploitation of livestock genetic resources by international institutions for scientific purposes will be regulated. With regards to access to genetic resources for the purpose of research, the only regulatory text that could be applicable is that of scientific research, in particular Order No. 00106 / MEMS / RS of May 17, 2013. This instrument determines the conditions for administrative authorization for research (AAR) in Niger. This decree defined scientific research as "the set of intellectual and experimental investigations carried out by the different categories of research with the aim of increasing the knowledge of humanity on the laws of nature and society".

The problem and identification of key barriers

The global environmental issue this project aims to address is the conservation and sustainable exploitation of Nigerien biological and genetic resources found in the various ecosystems of Niger which are not just very important to this country but are also critically useful to the global community. Indeed, illegal exploitation of these resources, which, generally is also associated with overexploitation continue to threaten the ecological balance and the ecosystems services offered to the planet. The level of resource exploitation continues to deprive indigenous and rural communities of access to biodiversity resources that they need to sustain various aspects of their livelihoods. Furthermore, despite the ongoing advances in genetic engineering and the application of new biotechnological approaches (e.g genomics and synthetic biology) in the exploitation of genetic resources in various industrial sectors such as pharmaceutical, crop breeding, cosmetic, food and beverages etc, R&D activities are still searching for new species from the natural habitats for potential commercial blockbuster products.

Equitable partnerships between users on the one hand, and providers (countries like Niger and its indigenous and rural communities) on the other, facilitated by clear and transparent ABS regulatory frameworks represent concrete avenues to generate benefits from the valuable resources and fair compensations to providers. Together with ensuring conservation and sustainable use of biological and genetic resources, this project will also address some key sustainable goals, agreed upon by the international community in 2015 for their delivery by 2030. Incidentally, conservation and sustainable use as well as the link between ABS and sustainable development were typically highlighted in the objective of the Nagoya Protocol - linking the investments in the benefits arising out of ABS operations with the ideals and objectives of conservation and sustainable use. To illustrate the link between ABS and the SDGs, the United Nations Development Programme (UNDP) published a report in 2018 ahead of the 14th meeting of the conference of the parties to the CBD and the 3rd meeting of the parties to the Nagoya Protocol in Sharm El-Sheikh. This report includes stories from 27 countries which emphasize various ways in which traditional knowledge, science, technology, and human ingenuity have been used to develop innovative products from genetic resources. The 2018 UNDP report reveals the impact of the Nagoya Protocol and national ABS frameworks in countries across Africa, Arab States, Asia, Central and Eastern Europe, Latin America and the Caribbean (LAC), and the Pacific Islands. According to this report, genetic resources are SDGs accelerators, contributing to poverty alleviation (SDG 1), food security (SDG 2), good health and well-being (SDG 3), gender equality (SDG 5),

innovation (SDG 9), and life on land (SDG 15). The biodiscovery stories also provide examples of national and international partnerships (SDG 17) (UNDP, 2018).

The problem in Niger now is that the country has not yet established a fully compliant Nagoya Protocol ABS framework to take advantage of the full benefits expected from ABS transactions that can contribute to improving the living standards of the Nigerien people, accelerate research by making Niger attractive to external investors and international research and development partners and ultimately, to enhance the country's means to alleviate the burdens of conservation and sustainability of GRs and preservation of aTK. As mentioned earlier, Niger adopted a Ministerial Order No. 00106 / MEMS / RS of May 17, 2013 which aims to govern research authorisations for the purpose of scientific research. While this has to be seen as an important step towards an ABS authorisation regime in Niger, this instrument is not typically formulated for Access authorisation to GRs and aTK. It does not reflect the scope of ABS delineated in the Nagoya Protocol and to embrace the full breath of the implications associated with the definitions of "biotechnology", "Utilization of genetic resources" and "derivatives". The Ministerial Order does not consider the protection of genetic resources, in particular in the event of export. Article 8 of the Order only requires the researcher to obtain an express temporary authorization only for the release of material in the field of archaeology and palaeontology. Nonetheless, article 11 of the order provides for an authorisation procedure in the case of research leading to genetic manipulation, e.g., animal, plant, etc. or any other technical aspect in such circumstances. The final decision of administrative authorisation is subordinated to the opinion of the Ethics Committee created for this purpose and does not reflect the obligation under article 13 of the Nagoya Protocol pertaining to the establishment of the Competent National Authority (CNA). Finally, Niger does not currently have the technical and human capacity to trace her genetic resources in bio-prospecting activities, both within and outside national borders. Indeed, the absence of a specific legislative framework for the access and sharing of genetic resources, the absence of strict border controls on the entry / exit of genetic resources, the insufficiency of technical and financial means and human resources of technical services and national research institutions do not ensure traceability of genetic resources. Currently there is no record of biopiracy involving international actors. However, internally there is recurrent criticism of research actors by traditional healers, the later accusing the later by stealing there product and conducting research activities on them without prior consent.

There are a number of barriers that have affected Niger's ability to establish an ABS regulatory framework that encapsulates the three main set of obligations (that is, obligations in respect of Access; obligations in respect of benefit sharing and obligations in respect of compliance with correlated due diligence and monitoring and surveillance measures). This has undermined the country's ability to implement the Nagoya Protocol and take advantage of the socioeconomic and environmental benefits that accrue from its implementation. Based on what has thus far alluded to, two clusters of barriers have been identified linked to legal gaps, knowledge and awareness challenges, and constrained capacities:

Barrier 1: Inadequate access and benefit-sharing policy, legislative, and institutional frameworks for operationalizing the Nagoya Protocol: More than six years after entry into force of the Nagoya Protocol, ABS legal systems remain to be completed in Niger to meet the obligations set out by the Protocol. Niger obtained initial support in the context of UNEP-GEF Project 5172: *Global Support for the Entry into Force of the Nagoya Protocol on Access and Benefit Sharing* for the rapid entry into force of the Nagoya Protocol in the lead-up to COP-MOP 1,^[12] but the country has a long way to go in order to establish complete and functional ABS policy, legislative and institutional frameworks, including for example implementing regulations to make legislation clear, practically enforceable, and comprehensive in its coverage (i.e. in establishing clear principles on the sustainable use and conservation of biodiversity or on the role of scientific research with regard to genetic resources). Other important barriers include corruption and the weak enforcement of laws, policies and agreements related to natural resources; inadequate capacity at national and local levels for effective planning and management of natural resources; and a lack of knowledge and experience in the executive, legislative and judicial branches of government in creating a functional ABS legal system or monitoring and enforcing compliance of laws and regulations developed under such a system. Also, Niger has very limited experience or capacity in managing transboundary ecosystems, which creates conflicts over the use of land and natural resources (including genetic resources) and frequently leads to the development of policies and regulations that disregard what is occurring across the political border even though the resources are the same and are often subject to the same pressures.^[13]¹³, ^[14]¹⁴

Barrier 2: Lack of national awareness & capacity to promote negotiation between providers and initiatives that add value to genetic resources and associated traditional knowledge: Institutional and technical capacities to create and manage an ABS system are insufficient in Niger. Among the key barriers in this regard are inadequate information on biological resources and genetic resources (both *in-situ* and *ex-situ*) as well as associated traditional knowledge; the undervaluation of goods and services provided by genetic resources (and the ecosystems that harbour them), resulting in development programs and business practices that do not adequately consider environmental impacts; the lack of capacity to identify, assert and protect different forms of intellectual property rights relating to genetic resources; and the extremely limited experience in Niger with ABS related approaches to the management of genetic resources and associated traditional knowledge. These capacity barriers are exacerbated by the very limited communication, education and public awareness regarding ABS in the country; the lack of experience in promoting the use of genetic resources and traditional knowledge and communicating its importance for socio-economic development to policy makers and the general public; and the absence of any structures or experiences for exchange of experiences and/or cooperation at the regional level.

Long term success in the domestication of the Nagoya Protocol in Niger will not just be measured and assessed through the existence of functional and compliance of domestic ABS regulations with the protocol, but will largely depend on the gradual removal of these barriers. This GEF investment will be a significant contributor in this process.

2) The baseline scenario and any associated baseline projects.

The policy (national, regional and international) baseline: Three strands of policy baseline appear very pertinent to highlight here:

National policy baseline: considering the fact that the current policy framework does not explicitly and sufficiently integrate the Nagoya Protocol obligations (see below), the national policy baseline comprises only the key and pertinent instruments that can be seen as simply a precursor to a prospective Nagoya Protocol compliant ABS policy and regulatory framework in Niger. Three instruments can be mentioned here including the Constitution of the 7th Republic of November 25, 2010. In its article 30, the Constitution provides for a framework for the protection and the management of the environment as a State obligation to guarantee every Nigerien the right to a healthy environment and appropriate management of natural resources. However, prior to 2010 and in line with the fulfilment of its obligations under the Convention on Biological Diversity (CBD), Niger enacted the Framework Law on Environmental Management, Law No. 98-56 of December 29, 1998. Article 6 of this law provides that: "Natural resources, in particular hydraulic, forest, wildlife, fish, and the environment in general are part of the common heritage of the Nation." The State exercises a sovereign right over the genetic resources found on its territory, and access to these resources is subject to its prior consent. With direct implications on regulation Access and Benefit Sharing, Article 6(3) emphasizes that: "The State takes the appropriate legislative and regulatory measures to ensure an equitable sharing of the results of research on genetic resources, their development as well as the benefits resulting from their commercial exploitation." After the adoption of the 2010 Constitution and of the Nagoya Protocol in 2010, the government of Niger adopted a ministerial decree pertaining to research to authorize permits for scientific research. This is the ministerial order No. 106 / MEMS / RS / SG / DL / DRS of March 17, 2013 which sets the conditions for Administrative Research Authorization (AAR) in Niger. The Order is very weak in terms of its encapsulation of the ABS pillars or PIC and MAT and its non-alignment with the scope and subject matter for ABS regulations.

Regional policy baseline - the African Union Access and Benefit Sharing Strategic Framework:

Niger is a member of the Africa Union that has been actively involved and benefited from ABS Capacity Building through the GIZ administered and implemented ABS Capacity Development Initiative. Niger took part in the process that led to the formulation and adoption of the two continental ABS implementation instruments by AU head of States: (1) The Africa Union Strategic Guidelines for the Coordinated Implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits arising from their Utilization and, (2) The Africa Union Practical Guidelines for the Coordinated Implementation of the Nagoya Protocol in Africa. Capturing all the key clusters of the Nagoya Protocol obligations parties are expected to fulfil after becoming a party to it, the rationale of these two instruments taken together is to assist African countries in a step by step approach to domesticate the Nagoya Protocol through the development and adoption of relevant policy and regulatory tools in a way that enables African countries to benefit from the utilization of their GRs and aTK, and use ABS as a sustainable development tool. The strategic guidelines highlight the principal issues African countries must pay attention to when formulating their ABS frameworks and the practical guidelines deliver the step-by-step approach to the implementation of the Nagoya Protocol at the domestic level. An important objective of this coordinated approach suggested by the African Union is to establish a coordinated and cooperative regional approach to preventing misappropriation of African GRs and / or aTK and to sanctioning such misappropriations when they occur. These continental voluntary ABS policy instruments are critical baseline policy references for the domestic Nagoya Protocol implementation efforts in Niger.

International policy baseline: focus on the three clusters of core obligations of the Nagoya Protocol:

There are three clusters of Nagoya Protocol core obligations that parties engaged in efforts to implement this Multilateral Environmental Agreement must fulfil. These are: (1) Obligations with regards to Access; (2) Obligations with regards to fair and equitable sharing of benefits and, (3) Obligations with regards to compliance. The effective implementation of the Nagoya Protocol on Niger should result in the country's fulfilment of these three clusters of obligations.

? **Obligations in respect of Access:** In relation to the obligations of countries with regard to access, the Nagoya Protocol obliges countries to adopt measures at the national level that ensure legal certainty, clarity and transparency (Article 6.3.a) and provide for rules and fair and non-arbitrary procedures (Article 6.3.b). National measures which can be policy, legislative and institutional

measures must establish clear rules and procedures in matters of PIC and MAT (Articles 6.1; 6.2; 6.3.f and Article 7); provide for the issuance of a permit or its equivalent, when access is granted (Article 6.3.e); create conditions conducive to promoting and encouraging research which contributes to the conservation and sustainable use of biological diversity (Article 8.a); Take due account of current or imminent emergencies that threaten human, animal or plant health (Article 8.b) and take into account the importance of genetic resources related to food and agriculture for food security (article 8.c). In relation to traditional knowledge associated with genetic resources, parties are expected in fulfilment of their obligations under the Protocol and in accordance with their domestic law to take into account the customary law of indigenous and local communities as well as their protocols and procedures (Article 12).

? **Obligations in respect of benefit sharing:** In addition to the obligations pertaining to access, parties to the Nagoya Protocol have an obligation to take measures at the national level that provide for the fair and equitable sharing of benefits arising from the use of genetic resources and associated traditional knowledge as well as subsequent applications and commercialization (Articles 5.1 and 5.2). National measures must take into account that the benefits to be shared may be monetary or non-monetary (Article 5.4) and that they must be based on the terms of MAT. In adopting these national measures, the parties to the Protocol must take into account the definitions of the terms use?, biotechnology? and derivative ?provided for in Article 2 of the Nagoya Protocol. In addition, as part of their national measures for fair and equitable benefit-sharing, parties must take into account the global multilateral benefit-sharing mechanism which is under development (Article 10). This mechanism provides for the management of the fair and equitable sharing of benefits arising from the use of genetic resources that are found in transboundary areas or in situations where it is not possible to obtain prior informed consent.

? **Obligations in respect of compliance:** In accordance with the provisions of the Nagoya Protocol, in the development of their national ABS measures, the Parties are obliged to ensure that these measures allow compliance mutually agreed upon conventions, including the types of use of genetic resources and associated traditional knowledge and terms of fair and equitable sharing benefits arising from the use of these resources. To achieve this, parties must take measures to ensure that genetic resources and traditional knowledge partners used in their jurisdiction have been accessed following prior informed consent, and mutually agreed terms have been established (Articles 15 and 16). In addition, parties should take measures to monitor the use of genetic resources, including designating effective checkpoints at all stages of the process: value chain - research, development, innovation, pre-commercialization or commercialization (Article 17); and measures to enable them to cooperate in the event of a suspected violation of requirements prescribed by another contracting party (Articles 15.3 and 16.3). In addition, the parties must provide the possibility of recourse in their legal system in the event of a dispute arising from the implementation of mutually agreed terms (Article 18.2); and take measures regarding access to justice (Article 18.3). The Nagoya Protocol also provides for the development, updating and use of standard contractual clauses, as well as codes of conduct, guidelines, best practices and / or standards for different sectors (Article 20). These tools are not just useful for the implementation of the Protocol through the application of domestic policy and regulatory measures in

ABS transactions, but they are also critical in ensuring compliance with domestic measures by the relevant ABS actors (users and providers).

The three strands of the policy baseline described above characterize the lack of a typical ABS Nagoya Protocol compliant baseline initiative in Niger. The present situation, however, justifies the GEF incremental reasoning because without the GEF support, the implementation of the Nagoya Protocol will experience very little progress. The proposed project will build upon some preliminary steps already undertaken by the country towards the development of ABS frameworks. The main progress so far relates to stocktaking, assessment, and awareness raising amongst a select group of stakeholders (e.g., parliamentarians, secretary generals of key ministries) in relation to the ratification of the Nagoya Protocol. As early ratifiers, the country has shown its determination to advance the implementation of ABS, but awareness raising and capacity building are now needed for a broader range of stakeholders (e.g., researchers, entrepreneurs, bureaucrats, indigenous peoples and local communities) that are relevant to the implementation and operationalization of the Protocol.

Niger is a member of the West African Economic and Monetary Union (UEMOA) and Economic Community of West African States (ECOWAS). These regional agreements seek, in part, to coordinate sectoral policies and harmonize the laws of member states. UEMOA and ECOWAS adopted concurrent environmental policies in 2008 with the UEMOA Common Policy for Environmental Improvement (PCAE)[1] and ECOWAS Environmental Policy.[2] The country is Party to the 1968 *African Convention on the Conservation of Nature and Natural Resources* (Algiers Convention), ratified the 2003 *Revised African Convention on the Conservation of Nature and Natural Resources* (Maputo Convention ? not yet in force).[3] Niger became Party to the Nagoya Protocol on Access to Genetic Resources and Benefit Sharing to the Convention on Biological Diversity (Nagoya Protocol) upon its entry into force on 12 October 2014. The country became a Party to the International Treaty on Plant Genetic Resources for Food and Agriculture in 2004. Lastly, the country is Party to the Convention on the Conservation of Migratory Species of Wild Animals (CMS), Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES), Ramsar Convention on Wetlands of International Importance.

Niger participated in a June 2015 regional capacity-building workshop held in Burkina Faso for the development of harmonized national ABS frameworks for the CBD. The main objective of the workshop, which was initiated by the ABS Initiative and funded by the New Partnership for Africa's Development (NEPAD) Climate Change Fund, was to discuss strategies and action plans to promote the coordinated implementation of the Nagoya Protocol in the West African sub-region. One of the workshop's key outcomes was the adoption of a resolution calling on ECOWAS to facilitate coordination amongst its member states in the implementation of the Protocol, taking into account the African Union Guidelines for the Coordinated Implementation of the Nagoya Protocol on Access and Benefit Sharing (AU Guidelines).

Preparatory steps on implementing the Nagoya Protocol in Niger were carried out with the support of some GEF-funded projects, including UNEP-GEF Project 5172 *Global Support for the Entry into Force of the Nagoya Protocol on Access and Benefit Sharing*, and UNEP-GEF Project 4623: *Support to GEF Eligible Parties (LDCs & SIDS) for the Revision of the NBSAPs and Development of Fifth National Report to the CBD?Phase II*. In addition, between 2013 and 2015, Niger received capacity building support through two UNDP-GEF-SGP projects, one on the valorisation of traditional knowledge in the framework of the Nagoya Protocol[4], and the other on strengthening the capacity of stakeholders in research, civil society and experts in GEF focal areas to implement the Nagoya Protocol.[5] In addition, a national NGO and an association of the holders of traditional knowledge, with financial support from the GEF SGP and technical support from the executive secretariat of the CNEDD, carried out studies on inventory and analysis of regulatory measures on access to genetic resources and traditional knowledge associated with biological/genetic resources in Niger. The two studies revealed the needs and gaps in the ABS legal structure, the management of traditional knowledge and research.

The baseline related to the national investment include the establishment of policy priorities and planning frameworks for ABS-related issues for the coming years. Niger?s revised NBSAP has tasked the National Council for the Environment for Sustainable Development (CNEDD) with tasks on ABS, but national follow-up activities from 2017-2020 have limited funds allocated. The available funds are allocated to inventorying and valorising traditional knowledge and practices that are favourable to the conservation and sustainable use of biodiversity.

The baseline projects in line with Nagoya Protocol implementation include:

- The initiative in the context of cooperation between the Clearing House Mechanisms of Belgium and Niger. Within this cooperation, the Belgian Royal Institute of Natural Sciences (IRSNB) is presently supporting Niger with the organization of information workshops with members of the Association of Traditional Medicine Practitioners (ATPN) on the CBD and Nagoya Protocol.

- The Agrobiodiversity project on date palm in the Sahel ? this project, financed by Sud Expert Plant and Sustainable Development (SEP2D), will conduct fundamental research and will allow to identify the valorisation potentials of date palm. Within this project, there is a memorandum of understanding (MoU) between the SEP2D and Faculty of Science of University of Niamey (Niger) to apply Nagoya protocol procedures if the research demonstrates the potential of ABS issue. The total cost of the project is \$53,462 over 3 years and will cover all the country. Considering that valorisation, the development of productive value chains and the creation of business opportunities which can bring about concrete socio economic and the SDG attuned poverty alleviation outcomes are the core pursuits

of this GEF funded ABS project, the date palm project holds the potential to be used as a pilot case for putting into trial the range of Nagoya Protocol ABS tools that will be delivered.

- The Program in Support of Livestock Production ? This program with national coverage is financed by the Swedish cooperation for about \$8,725,370, and will establish among other an information system for the herders and the creation of fodder seed stocks of various species. The project will drive the valorisation of some fodder species for fodder production. The potential usefulness to this livestock program of this GEF-funded Nagoya Protocol compliant ABS project in Niger lies on the potential that some of the key ABS tools that will be delivered by this project will be applied to govern the transactions involving access and use of improved fodder species for livestock nutrition. For example, it may be envisaged that this GEF project collaborates with the livestock program to develop tailored livestock herders ABS compliant community protocols and / or codes of conduct in which embed critical ABS principles such as PIC, fairness and equity in the negotiations of any agreements and sharing of any benefits arising from the exploitation of improved fodder. \$2,617,611 of the project amount is dedicated to the seed stocks component and can be considered as co-financing to this project.

- The land policy development project in Niger, following its 2021-2027 action plan and through its sub-program strengthening the institutional and legal framework, plans to undertake activities aimed at strengthening the legal framework for securing individual land properties in Niger. The activities envisaged can be categorised in three main clusters including: i) the realisation of a comprehensive audit of texts to identify shortcomings and inconsistencies, ii) carry out a consultative process leading to the revision and adoption of new texts that will be consistent with the vision of modernization of land governance and iii) organisation and facilitation of dialogue platforms and sensitization of rural operators on the new texts. It is envisaged that these clusters of activities will be unfolded in twelve specific activities for a total cost of USD 440,000 (two hundred and forty-four million 244,000,000 FCFA). This land governance project is an opportunity to highlight the shortcomings relating to biodiversity and ABS in the context of land governance in Niger and will collaborate closely with this GEF funded ABS project.

3) The proposed alternative scenario with a brief description of expected outcomes and components of the project.

The fair and equitable sharing of benefits is an important incentive to direct resources and efforts to conservation and sustainable use of biodiversity, the CBD's first and second objectives. The successful implementation of ABS in Niger has the potential to make considerable contributions to the conservation and sustainable use of the country's biodiversity and contribute to the conservation and

sustainable use of transboundary ecosystems in the West African region, such as the W-Arly-Pendjari transboundary biosphere reserve, and the Sahelian Acacia Savanna and West Sudanian Savanna generally. However, as it is very evident from the baseline scenario and the description of the current context of Nagoya Protocol implementation in Niger, there is a big legal and regulatory gap in the country, which does not dispose of any ABS strategy, policy, legislative and institutional instrument or of any other ABS implementing tool in the form of e.g. a communication or awareness raising strategy, a valorisation approach for the country's GRs and aTK or support tools such as the community protocol, model contractual clauses. The implications associated with these weaknesses and gaps are a disadvantage for Niger's position regarding the country's ability to benefit from genetic resources, but also in terms of designing management plans and interventions to sustainably manage the resources and aTK. Niger's GRs and associated traditional knowledge are still very susceptible to misappropriation, illegal exploitation, with no ability to track the utilisation nationally even less internationally after they have left the country's borders. This limits the possibilities to earn appropriate benefits from their utilization. In addition, looking at the way some countries or regions such as the EU, have embedded the legality of access in their domestic ABS regulations and owing to the principle of reciprocity, in the absence of an effective and published ABS regulatory regulations in Niger, the country will face serious difficulties to claim ownership or sovereignty over its resources and launch misappropriation claims in other jurisdictions.

The alternative scenario that this investment is going to deliver is a comprehensive access and benefit sharing regulatory framework in Niger, which is compliant with the Nagoya Protocol and is effectively implemented in order to enable Niger to address illegal and inappropriate (both terms that could be merged in the most commonly known term 'biopiracy') access to and collection of the country's GRs and aTK. In ensuring effective implementation of the prospective ABS regulatory framework, Niger will earn both monetary and non-monetary benefits as outlined in the Nagoya Protocol and the Bonn Challenge - benefits which can be reinvested in conservation and sustainable use initiatives and in improving the livelihoods of the custodians of traditional knowledge (indigenous and local communities), thus addressing the SDGs along the lines of the findings of the 2018 UNDP report mentioned above. Compliance of the alternative scenario with the provision of Nagoya Protocol means that the panoply of ABS strategy, policy, legislative measures as well as the institutional framework that will be responsible for the administration of the National ABS regime, will fully embrace and reflect the three clusters of Nagoya Protocol obligations highlighted above that parties must fulfil including ((i) obligations with regards to Access; (ii) obligations with regards to the fair and equitable sharing of benefits and (iii) obligations with regards to compliance). The alternative scenario will be embedding these three clusters of obligations in a wide range of national ABS tools to regulate and monitor the utilisation of both GRs and aTK. This means that the new Nagoya Protocol compliant ABS regime will deliver the national ABS law and implementing regulations and the procedure and criteria leading to the acquisition of an access authorisation permit, based on PIC and MAT. The model PIC and MAT will be delivered by this investment alongside a model code of conducts tailored to various sectors whose businesses are framed around the utilization of GRs. Furthermore, other tools will be produced such as but not limited to the community protocols which are very instrumental in ensuring protection and respect of the rights of indigenous and local communities in the context of their

involvement in ABS processes. In relation to institutions/agencies charged with the administration and monitoring of compliance, apart from the clear designation of the National Competent Authority(ies) pursuant to Article 13 of the Nagoya Protocol, the alternative scenario will identify the relevant checkpoints and define their prerogatives in the monitoring and surveillance of utilization of GRs and aTK pursuant to Article 17 of the NP.

The ultimate long-term impact of this investment is that the enabling conditions for the implementation of the Nagoya Protocol on the Access and Benefit Sharing and Traditional Knowledge Regime in Niger are created and applied to achieve the conservation and sustainable utilization of Niger biological and genetic resources for the sustainable development and improvement communities' livelihoods in Niger. This long-term impact will only be realised as a result of the effective implementation of the alternative scenario described above. Therefore, the long-term impact of the project is embedded in the creation and application of enabling conditions for the implementation of the Nagoya Protocol on the Access and Benefit Sharing and Traditional Knowledge Regime in Niger. This is the 'guiding star' that underpins the logical pathways of the Theory of Change (ToC) of the project. The ToC acknowledges the socio-ecological context which balance is mediated by social structures but also development aspirations and people's exploitation for their livelihoods. These are competing needs within the socio-ecological context. Population growth, unsustainable production systems, bio-piracy and climate change constitute factors that tilt the delicate socio-economic balance and drive the process of environmental degradation, including the erosion of genetic resources. The ToC recognises that in order to address these factors to reverse the trends in the loss of genetic resources in Niger, two critical barriers need to be removed. These are linked to inadequate access and benefit-sharing policy, legislative and institutional frameworks for operationalizing the Nagoya Protocol; and lack of national awareness and capacity for negotiations between providers and users of genetic resources and associated traditional knowledge. Consistently, to ensure the long term impact, the ToC aims at a long term solution of establishing policy, legal and institutional mechanisms to i) support the implementation of the Nagoya Protocol on the Access and Benefit Sharing and aTK; and ii) overcome barriers of institutional gaps and lack of awareness and human capacity so as to strengthen national-level efforts to sustainably conserve and manage biodiversity and expand socioeconomic opportunities of local communities who are not only direct users of resources, but also stewards of the same resources.

To achieve the long-term solution, the project has proposed linked outputs that will lead to immediate effects, in addition to those of global nature. The underlying assumptions are at three levels: the socio-ecological context; outputs and impact. The assumptions are linked to continued political and stakeholder commitment and that covid-19 does not impact on some of the project activities. The diagram below illustrates the Theory of Change of this project.

The Theory of Change (ToC) of the project which is constructed below displays the logical pathway through which this long-term impact will become reality. Alongside its long-term impact, two Global Effects (GE) are expected from the project notably GE1: the development of access and benefit sharing legislative, regulatory, policy and institutional framework with a view to operationalizing the NP; and

GE2, the awareness raising on the Nagoya Protocol and national ABS systems and capacity building for all relevant stakeholders in Niger.

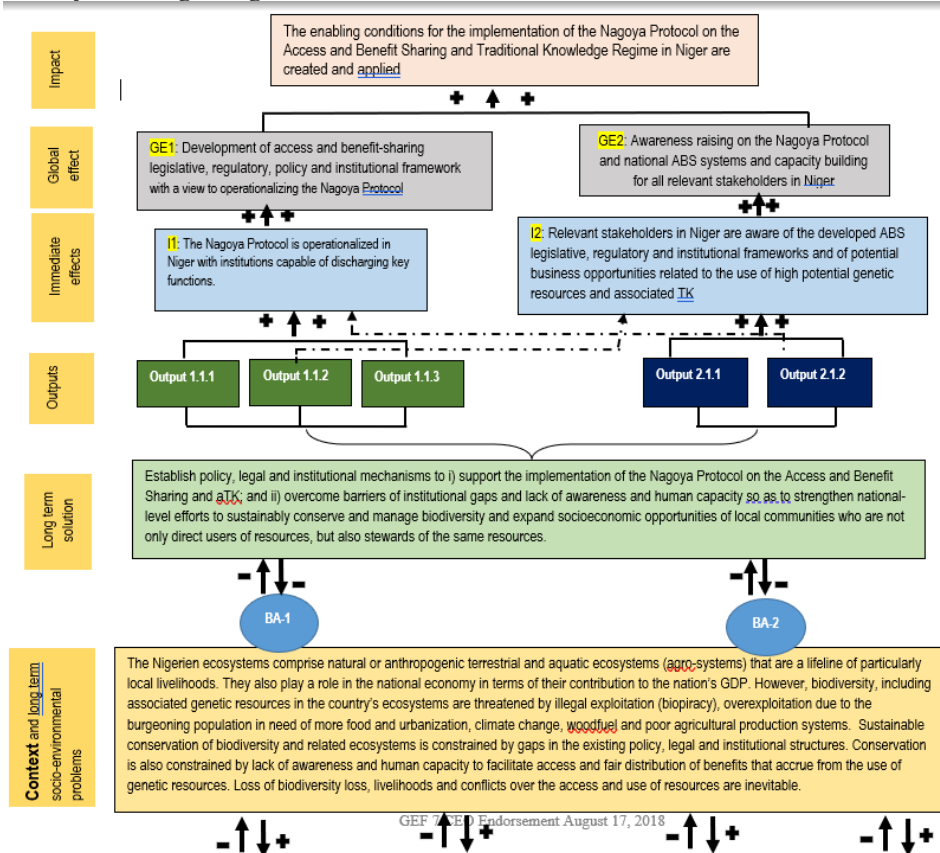
In terms of the intermediates goals that precede the global effects, two goals are identified:

(I1) The Nagoya Protocol is operationalized in Niger with institutions capable of discharging key functions;

(I2) Relevant stakeholders in Niger are aware of the developed ABS legislative, regulatory and institutional frameworks and of potential business opportunities related to the use of high potential genetic resources and associated TK

It should be stressed that ultimately, these achievements are only possible because project execution will be driven by accountable national, regional and other decentralised / local agencies, by the availability of pertinent ABS expertise for project implementation, rules application and enforcement. The prospective realisation of the medium term outcomes, intermediates and long term goals are based on a number assumptions including the fact that Nigerien ABS actors will be trained and such training maintained on an ongoing basis during and after the project; that ABS actors will be willing to put their training to genuine and honest use and that Niger GRs and aTK will continue to be accessed as facilitated and governed by the new ABS regime, will be utilized in profit generating endeavours and effectively yield benefits in the interest of all actors (users and Niger as the supplier).

Theory of Change Diagram



Impact-level assumptions

-The political will and stakeholder interest in the Nagoya Protocol will be maintained to enable a smooth implementation of the Protocol in the country

-COVID-19, insecurity and weather events do not erode the project impacts.

Output-level assumptions

-Technical support in action plans, legislation, awareness-raising and institutional capacity building/trainings are supported by stakeholders and institutionalized for sustainability.

-COVID-19, insecurity and weather events do not halt execution of activities on the ground

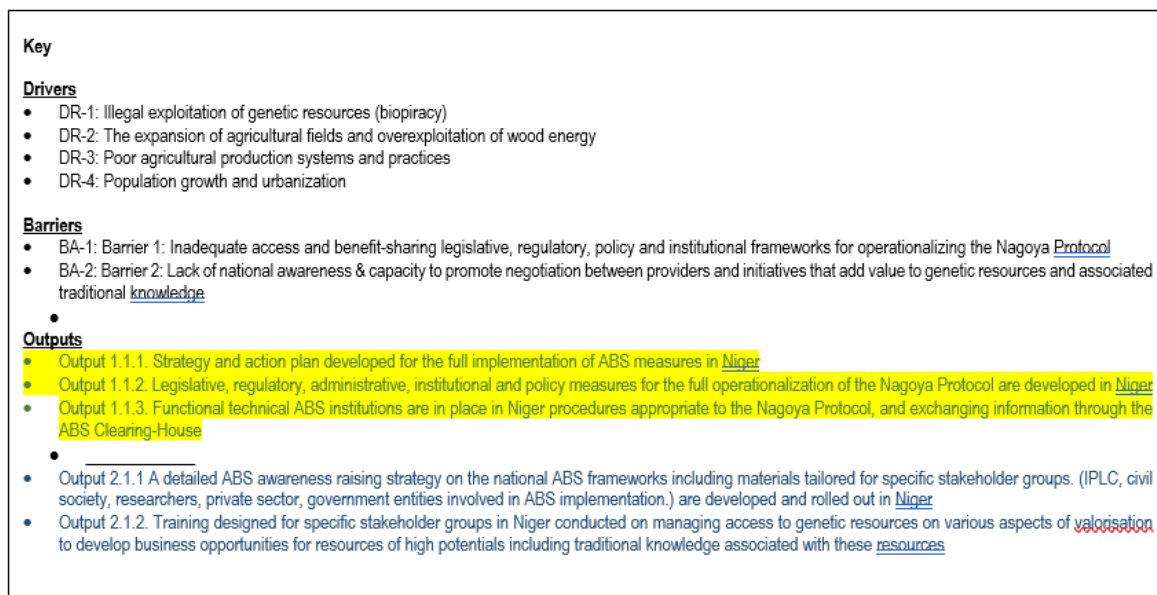
Drivers and context-level assumptions

-In the presence of the two barriers, the three pertinent drivers of environmental degradation and social problems will continue exerting negative impacts on the context (➔) if unchecked. Their removal has a (➔) on the context.

In this context, there is an interplay but also delicate balance between social structures (livelihoods, development policies, institutions, urbanization) and the environment (biodiversity/genetic resources).



Figure showing the project's Theory of [Change](#)



Component 1: Development of access and benefit-sharing legislative, regulatory, policy and institutional framework with a view to operationalizing the Nagoya Protocol.

Composed of one principal outcome and three specific outputs, the activities considered under the first component of the project are intended to deliver the broad-based strategic policy framework for a Nagoya Protocol compliant ABS regime in Niger and all the specific instruments and implementation tools. The range of ABS instruments and tools expected from this component will capture all the clusters of the Nagoya Protocol obligations (obligations with respect to access, obligations with respect to benefit sharing and obligations with respect to compliance, that is with respect to the respect of obligations) and the institutional apparatus that will be responsible for the application, administration and enforcement of all the policy legislative and institutional measures embedded in the domestic ABS instruments.

However, although the ultimate target for this project through this component (specifically) is the establishment of an ABS regulatory regime (comprising the new or revised law, the implementing regulations and other supporting tools) in Niger that is fully compliant with the obligations under the Nagoya Protocol, the activities envisaged in this component will additionally lead to the streamlining of biodiversity and Nagoya Protocol ABS principles (e.g. principle of national sovereignty and power to decide over access to and exploitation of the country's GRs, the principle of prior informed consent and mutually agreed terms; and not least the principle respect of the rights of indigenous and local communities and their approval and / or involvement in the decision making processes pertaining to access to and use of GRs and aTK) and create synergies with other relevant selected sectoral policies

such as in respect of intellectual property rights protection, trade (import and export) and product safety. Even though, there is no [specific biopiracy case recorded in Niger, the absence of records does not mean the issue is not existing, but no proper controlling mechanism is in place. Furthermore, there is recurrent accusation of researchers by traditional healers, the later complaining the former is stealing their product without prior consent.](#) The development and adoption of all the instruments and tools that are contemplated under this component is going to fill the major regulatory gap on ABS in the broader landscape of environment and development regulations in Niger. Be it through the streamlining of biodiversity and the ABS principles in environmental and development sectoral policies and regulations or ultimately through a contextualized and comprehensive Nagoya Protocol compliant ABS regime, through its activities, this component is expected to deliver on the key aspects of an ABS regime including the scope and the various exemptions, the differentiation between access for commercial and non-commercial utilization of GRs and aTK and whether access authorisation rules are non-arbitrary with regards to how they apply to national and international applicants. Also, importantly this component provides the platform for Niger to address Article 8 of the Nagoya Protocol and clarify access measures to plant genetic resources for food and agriculture and circumstances that may require expeditious access in situations of emergencies.

Furthermore, this component will clarify how the scope of the ABS regime in Niger accommodates derivatives and should thrive to capture Digital Sequence Information (DSI) in the ABS law and the implementing regulations. Indeed, although there is no international consensus at this stage about how to regulate DSI in an ABS legislation in terms of whether DSI should e.g. be subject to principles of PIC and MAT, the issue is currently debated among parties to the NP within the framework of the Conference of the Parties (COP) to the CBD and in other fora such as the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), the FAO Commission on Genetic Resources for Food and Agriculture, the World Health Organization (WHO) in the context of the Pandemic Influenza Preparedness (PIP) Framework etc. Despite recognizing the difficulties in regulating DSI and the implications of synthetic biology on access to physical GRs, some countries including African countries such as Malawi, Ethiopia and South Africa have not waited for the conclusions of the international discussions on DSI to include it in their domestic ABS regimes. Niger can do the same under this component. The comprehensive approach envisaged in this project means that its deliverables / results will equip Niger with a much improved, strengthened and an innovative ABS regime which facilitates the country's future fulfilment of some of the (drafts) prospective targets of the Post 2020 Global Framework for Biodiversity, specifically in relation to access and benefit sharing.

The activities to be carried out under component 1 are intended to result in the production of an action plan for the integration of biodiversity and the ABS principles and Nagoya Protocol obligations in sectoral policies, strategies and / or plans in Niger and to a broad-based and comprehensive ABS strategy of Niger. In relation to the development of the action plan, various consultations involving the effective participation of local communities will be carried out complemented by a census of the key sectoral policies and strategies in view to identifying the principal sectoral environment and development policies and strategies that will require streamlining with the Nagoya Protocol ABS

principles and integration of biodiversity conservation elements. The action plan will equally seek to identify and outline the main actors who will be consulted through the process of integration of biodiversity and ABS principles in the various sectoral policies and in relation to the planned consultations for the development of a comprehensive ABS strategy. The action plan will therefore outline the key sectoral policies and strategies, the components/parts of these policies that will require biodiversity and ABS streamlining and synergy creation. However, in view to the development of a comprehensive ABS regime that is compliant with NP, a fully fleshed and detailed ABS strategy will be formulated for Niger. This ABS strategy, the prospective revised or new ABS law and the implementing regulations will all be outlined / listed in the action plan as part of the key constituents of the prospective ABS regime for Niger to result from the project. This ABS strategy is expected to provide the strategic choices of Niger for its domestic NP implementation including the approaches to the sensitization and inclusion of local communities at all stages of process. The ABS strategy will also include an assessment of advantages and disadvantages of every choice and option taken by the country against on the one hand the country's fulfillment of its obligations under the protocol and on the other hand the kinds of social, economic, environmental, research and development benefits that the country hopes to generate from the effective implementation of a NP compliant ABS regime. For example, it is envisaged that the ABS strategy for Niger will deliver a clear choice on whether Niger is aiming for a market oriented or a protective ABS regime, highlighting the advantages and disadvantages of each choice. The ABS strategy will therefore set out the GRs and aTK valorization, conservation and sustainable use approaches, stressing the role of the local/national research community, the contributions that ABS can make to Niger's pursuit of the SDGs. It will outline the broader institutional apparatus with potential roles in the ABS sphere in Niger, the roles of local and indigenous communities, the private sector as well as regional, continental and / or international partnerships in these choices. The ABS strategy will also comprise a resources mobilization component in view to supporting ABS processes in Niger and ensuring their sustainability and upscaling opportunities. The outputs of the component include also the formulation of the ABS legislation of Niger (the ABS law and its implementation instruments such as the specific acts establishing the various institutions in charge with the administration of the ABS regime) and all the supporting tools in terms of the model contracts, model PIC and model access authorisation permits, codes of conduct aimed at the private sector, scientific and researcher community and critically the community protocols to be formulated in consultation with and full involvement of selected indigenous and local communities.

The implementation and enforcement of the policy, legislative and administrative tools envisaged under the first component will only be possible if effective institutions are set up to discharge their responsibilities. The component will aim at addressing the formulation of the roles and responsibilities of all the agencies and entities considered by the NP Protocol for the administration and management of a domestic ABS regulatory framework. These entities include the creation/designation of the competent National Authorities (CNAs) and the National Focal point pursuant to article 13 of the Nagoya Protocol; the national CHM pursuant to article 14 of Nagoya Protocol, the checkpoints for monitoring and surveillance for the utilization of GRs and aTK pursuant to article 17 of the Nagoya Protocol and the national ABS council. It may well be possible that the Technical Commission on Biological Diversity Chaired by the Ministry of Environment and with a secretariat hosted by the

CNEDD plays the role of a national ABS council or that the ABS council be created as a sub commission to this technical commission.. A Compendium detailing the roles and responsibilities of the national ABS committee, NP Focal point, the Competent National Authority(ies) and guide for their inclusion in the draft law and implementing regulations and in other supporting tools will then be produced as a separate tangible result from this component. During the implementation of the project, the various consultations aimed at delineating the roles and prerogatives of these various institutions/agencies will not only be based on and reflecting the choices made in the ABS strategy of Niger, but they will additionally clarify specific roles and responsibilities of each agency/entity in view to preventing any potential clash of leadership or collusion amongst them. Responsibilities pertaining to the permitting system, e.g. the issuance of a bioprospecting permit or a research authorisation for access to GRs and aTK should be assigned to the CNA(s) only, meaning that no other agency or influential political individual will have the authority to deliver an access permit. A decision will be made on the possibility for setting up a centralized or a decentralized permitting system and a decision will also have to be made on the number of CNAs the country intends to set up. These decisions/choices would most likely have been made in the context of the national ABS strategy. A decision will also be made through consultations on the limits and the responsibilities of checkpoints, whether they have any enforcement role or whether their role will be restricted to information gathering and transmission to other pertinent enforcement authorities. Thus, another expectation is to establish the linkages and communication channels between the CHM and the other ABS entities establishes by the law.

Component 2: Awareness raising on the Nagoya Protocol and national ABS systems and capacity building for all relevant stakeholders in Niger

Constructed around one major outcome (outcome 2.1) which is linked to two specific outputs (outputs 2.1.1 and 2.1.2) the principal deliverables from this component include the comprehensive strategy on sensitization, awareness raising, education and communication on the national ABS strategy, policy, administrative, legislative and institutional frameworks through the production of information materials tailored to specific audiences such as IPLC, civil society organization, research community, the private sector, government agencies involved in the ABS in Niger (Output 2.1.1). The specific formats for these materials will be agreed through multi-stakeholder consultations, guided by their practicality and user friendliness but are likely to include thematic leaflets, radio and TV appearances by key experts, the formulation of short policy briefs etc. The sensitization, awareness raising, education and communication strategy will be the principal deliverable. This tool is meant to set out the long-term communication, sensitization, education and awareness raising approaches that will be used in respect of all the regulatory instruments resulting from this project. During the project, the communication, awareness -raising and sensitization activities will indeed evolve around the organization of tailored

workshops (e.g. aimed at end users of GRs and aTK whose activities will be governed by the resulting regulatory instruments and well as indigenous and local) during which the importance of the NP in Niger will be presented. Policy briefs will also be produced addressing for example the importance and value of the GRs of Niger and the necessity to regulate their access and utilization be it in commercial or non-commercial R&D. This strategy is therefore a much broader tool the development of which requires time, wider consultations and participation of a wide range of stakeholders. One of the products of this project that will benefit from the implementation of a comprehensive sensitization and awareness raising strategy is a simple to read and use manual that will enhance the understanding of the concept of ABS and the various tools that will be produced during this project. The strategy envisaged will be helpful in the publication but especially the wide dissemination of this manual. This manual will be translated in the two main local languages of Niger (Hausa and Djerma). Furthermore, this component will support the development of training and capacity building materials aimed at various categories of stakeholders and will be thematically focused, e.g. covering the various regulatory instruments and tools developed under component 1 and including valorization of GRs, value chain development.

Training modules will therefore cover the ABS strategy, the ABS law, the model PIC, model permit, model MAT and any other tools such as the codes of conduct and community protocols that will be developed. While there will be various pieces of training courses and modules developed under this component, the main deliverable is the compendium that outlines/lists all the training modules and courses developed and delivered throughout the project in respect of the various regulatory tools of the domestic ABS regime. And since these materials will be used on an ongoing basis, it is critical that these training and capacity building sessions are organized continually, including after the lifetime of this project. This will enable all actors, including and importantly the administrations/agencies in charge with the implementation and enforcement of the domestic ABS regime to be permanently and continuously refreshed. In addition, it should be taken into account that one of the country's ambitions in relation to of the prospective ABS regulatory regime is to be catalyst for the generation of monetary or non-monetary benefits, which can in turn be redeployed to conservation and socio-economic initiatives. This could therefore link ABS with the country's pursuits of the realization of the SDGs, and it is therefore critical that there is valorization of the GRs and development of value chains at the national level in Niger. Indeed, it can be expected that increased knowledge by national actors about the actual or potential value of the country's resources and / or the fact of adding value to raw materials at national level prior to any engagement in negotiations, will strengthen the bargaining power of national actors. It is in this regard that specific value chains will be selected and piloted through tailored valorization training sessions involving selected interest groups (researchers, farmers groups, private sector and local communities as the case maybe). The pilot products will be trialed with the aim to bring to reality at the national level the notion that ABS can enable the creation of business opportunities potentially leading to concrete monetary or non-monetary benefits which can be used in improving the livelihoods of the people of Niger and contribute to national conservation and sustainability efforts of the country's biological and genetic resources.

4) Alignment with GEF focal area and/or Impact Program strategies.

Drawing from COP 13 decision in which CBD parties outlined the guidance for the GEF 07 replenishment period 2018 to 2022 stressing the priorities of the four-year framework programme, one of the three main objectives identified for the investments envisaged under the Biodiversity Focal Area and Associated Programing is: The Further development of biodiversity policy and institutional frameworks. As stated in the GEF-7 strategy document, the realization of this objective will contribute, alongside the other two objectives (namely: mainstream biodiversity across sectors as well as landscapes and seascapes and address direct drivers to protect habitats and species) to the main goal of the biodiversity focal area which is to: ?maintain globally significant biodiversity in landscapes and seascapes.

Looking at the highest level of the impact expected from this project, there is clearly a very tight alignment between the main goal of the GEF-7 biodiversity focal area, and the goal and projected impact of this project. As stated in the ToC, this will the creation and application of the enabling conditions for the implementation of the Nagoya Protocol on the Access and Benefit Sharing and Traditional Knowledge Regime in Niger to achieve the conservation and sustainable use of biodiversity, generic resources and associated traditional knowledge.. This, as indicated earlier, is a significant contribution of Niger to the Global Environmental concern which is the incredibly rapid biodiversity loss. Specifically, this project is squarely aligned with the GEF-7 Biodiversity focal area objective pertaining to the further development of biodiversity policy and institutional framework because the project is directly aimed at assisting Niger to effectively implement the NP on ABS. Indeed, the Nagoya Protocol on ABS, alongside the Cartagena Protocol on Biosafety, are two specially targeted international environmental policy instruments that should be further developed nationally and regionally under this objective. The two components of this project are essentially intended to deliver a panoply of instruments and deliverables all in view to equipping Niger with a comprehensive policy, administrative, legislative and institutional frameworks which is fully compliant with the provisions of the Nagoya Protocol. Furthermore, component 2 will deliver additional tools as well as enhance domestic capacities, all which will support the operationalisation of this comprehensive framework. Lastly under this objective of the further development of the biodiversity policy and institutional frameworks, GEF 7 Biodiversity Focal area also pursues the Improvement of biodiversity policy, planning and review. This project is also aligned to this specific objective, based on its ambition to deliver a strategic guide action plan for the streamlining of biodiversity and of Nagoya Protocol ABS principles in sectoral policies which will be reviewed and strengthened with ABS principles.

5) incremental/additional cost reasoning and expected contributions from the baseline, the GEFTF, LDCF, SCCF, and co-financing.

It may sound like an exaggeration to suggest that with regards to the implementation of the third objective of the CBD or let alone the implementation of the Nagoya Protocol through a standalone ABS regulatory framework in Niger, the baselines are very minimal. However, it is in fact closer to reality to assert that the baselines on the ABS regulations and the governance of ABS processes and transactions in Niger are considerably insignificant. In the absence of the GEF investment that is sought

in this proposal, Niger is bound to remain with the very weak or more precisely, the rather nonexistent Nagoya Protocol compliant ABS regulatory framework, keeping the country's GRs and aTK susceptible to misappropriation. Indeed, the various constituents of what can be described as a comprehensive Nagoya Protocol compliant ABS regime are not in place in the country. These constituents include the panoply of strategic, policy, administrative and regulatory measures; all administered and enforced by the institutional apparatus contemplated by the Nagoya Protocol with a fully designated national focal point, functioning competent national authorities, national CHM that publishes the relevant information and operational checkpoints which ensure the monitoring and surveillance of the utilization of genetic resources and associated traditional knowledge. Such a framework can only be able to operate smoothly if it is supported by a sound communication, education and awareness raising strategy on the assumption that all the stakeholders will all have their capacities built on an ongoing basis e.g. in relation to the ABS regulatory regime, the valorization of the resources. Only the existence of an effective ABS regulatory framework can enable the country to generate benefits that are envisaged in the NP, via the use of tools such as model PIC, MAT, the codes of conducts that will be developed and the community protocols as the case maybe.

In what can be described as the current domestic ABS regulatory context, Niger has appointed an interim focal point but the competent national authority(ies) and possible checkpoints are yet to be designated and legally established. While the CHM has been established, it is very weak and therefore requires a great degree of strengthening in terms of financial, human and technical resources that would enable it to carry out its roles effectively. In addition, on the regulatory front, the provisions of the Article 6 (3) of the 1998 environmental framework law have not yet been transformed in an ABS implementation decree, while the 17 May 2013 ministerial order on the research permit is anything but an access authorization permit for the utilization of GRs or access permit for aTK based on PIC and MAT in the spirit of the Nagoya Protocol. There is no communication or awareness raising strategy, there is no capacity building strategy in line with the capacity building framework for the implementation of the Nagoya Protocol adopted during the first Meeting of the Parties to the Nagoya Protocol in Pyeongchang, South Korea in 2014; and there is no community protocol or valorization strategy of the GRs of Niger.

The GEF investment from the GEFTF and the additional co-financing contributions mobilized at the domestic level are therefore, very critical in the sense that their deployment through this project is going to fill all the existing gaps in the ABS regulations in Niger, moving the regulatory landscape from an insignificant or considerably low baselines, to the situation of a comprehensive Nagoya Protocol compliant ABS regulatory regime which encompasses all the constituents indicated above (legal and institutional frameworks, fully compliant with the Nagoya Protocol). Since the adoption of the Nagoya Protocol in 2010, several national workshops and consultations have taken place at the national level involving a range of national actors on ABS. Some of these workshops, with the broader objective of capacity building and information sharing have touched upon subjects like the implications of intellectual property rights on GRs utilization and exploitation of aTK in R&D and on the designation of checkpoints. Despite these efforts, national capacities on the implementation of an ABS

regulatory framework and the valorisation of GRs and aTK are still very weak; and the same remark can be said regarding the basic knowledge and understanding of the ABS concept and of the Nagoya Protocol. This GEF investment and the additional co-financing contributions will change this situation and ensure that Niger is ready to guarantee that its domestic ABS regime can be aligned with the post 2020 Biodiversity framework 2030 milestone targets on the Access and Benefit Sharing objectives.

6) Global environmental benefits (GEFTF) and/or adaptation benefits (LDCF/SCCF);

The objective of the Nagoya Protocol is very explicit on the link between functional ABS regimes and conservation and sustainable use objectives, that is, the link between ABS and the first two objectives of the CBD. Indeed, the objective of the Nagoya Protocol is: "the fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, and by appropriate funding, thereby contributing to the conservation of biological diversity and the sustainable use of its components". Framed this way, it is evident that when a country like Niger is setting up an ABS regulatory framework to govern the ABS processes and facilitate access for utilization purposes, the accruing benefits should be fairly and equitably shared by Nigerien actors and users, and should be invested, not only in conservation and sustainable use endeavors, but also in improving the socio-economic standards of local communities, who are the primary custodians of these resources.

In Niger, biodiversity is being lost at an incredible pace and conserving this biodiversity is therefore not just a domestic priority for Niger but is an issue of global significance based on all the contributions of biodiversity to the wellbeing of the world populations, and specifically in the context of Niger, for its contribution to livelihoods of local communities as well to national and local economies. According to a recent United Nations Report by the IPBES "The diversity within species, between species and of ecosystems, as well as many fundamental contributions we derive from nature, are declining fast, although we still have the means to ensure a sustainable future for people and the planet." (IPBES 2019). The findings of this global assessment point to the fact that **"around 1 million animal and plant species are now threatened with extinction, many within decades, more than ever before in human history" (IPBES, 2019). The report points to key drivers of this incredible biodiversity that "include increased population and per capita consumption; technological innovation, which in some cases has lowered and in other cases increased the damage to nature; and, critically, issues of governance and accountability. A pattern that emerges is one of global interconnectivity and "tele-coupling" with resource extraction and production often occurring in one part of the world to satisfy the needs of distant consumers in other regions" (IPBES, 2019).**

Owing to the interconnectivity of the world as stated in the Global Assessment, unsustainable actions which leads to biodiversity loss, lack of effective governance and regulatory regimes in one part of the world such as in Niger, has global impacts. In Niger, the NBSAP2 recognizes and highlights the importance of biodiversity and its contribution to the ecosystem services, socio economic development and population's wellbeing. However, the NBSAP2 equally outlines the threats to the biodiversity of Niger emphasizing among other causes, population increase, lack of effective policies, poverty, climate change, wildfires etc. It is therefore logical to expect that by establishing the ABS framework to govern access to Niger GRs and aTK for their utilization in compliance with the NP and by effectively implementing such a framework, the benefits arising from ABS transactions will improve the livelihoods of local populations, therefore hopefully helping to reduce unsustainable practices. In the same vein, the clear delineation of the responsibilities amongst the various institutions in charge of the administration and enforcement of the ABS regime will reduce leadership conflicts and enhance coherence and clarity in decision making pertaining to the authorisation permit but overall, to the administration and application of the ABS regime. All these actions will ultimately lead to more sustainable exploitation practices in the relation to the exploitation of the resources of Niger, their sustainable use and to the improvement of the socio economic pillars of the Nigerien people. This will therefore enhance the contribution of Niger to tackling a global environmental issue, i.e. the fast paced biodiversity loss, and to the achievement of SDGs, in line with the findings of the 2018 UNDP report which addressed the linkages between ABS and the SDGs (UNDP, 2018).

7) Innovativeness, sustainability and potential for scaling up. ?

Innovation: As it has been repeatedly mentioned above, this investment from the GEFTF will ensure that Niger has a comprehensive and broad-based NP compliant ABS regulatory regime, which reflects all the clusters of obligations to parties and enable the country to development ABS value chains and the national level, therefore generating fair and equitable benefits from the utilization of its GRs and aTK. So not only Niger will through this project be fulfilling its obligations under the NP, the project also constitutes the first attempt in Niger to actually establish an ABS regulatory framework that encompass all possible and necessary instruments and implementing tools. Addressing the need of an effective ABS and NP framework in such a comprehensive and coordinated fashion can be considered as an interesting test, and the project will push innovation in the conservation and environment sector in the country. The comprehensive approach taken by Niger is therefore a significant innovation, because unlike other parties that have followed a piecemeal approach, that is developing some tools and leaving other for a later stage, Niger is embarking in an endeavour to properly fill the regulatory gap of ABS in the country by fully implementing the NP. As indicated above in the description of component 1, the forthcoming ABS regulatory instruments are also going to capture some of the emerging challenges to ABS regulations, e.g., the regulation of Digital Sequence Information (DSI) and the implications of synthetic biology over access to and utilisation of physical GRs. An important aspect of the innovativeness of this project in Niger which will equally contribute to the sustainability

and scaling up of its outcomes is the capacity building dimension on the application of the prospective ABS regime and the involvement of collaborative projects and other national actors such as the university faculty of science and technique in the valorisation of GRs and possible value creation and the identification of business opportunities. In encompassing a business approach, the project innovates in the context of Niger, by making domestic actors more business minded in respect of ABS so that they are aware of the opportunities offered through value addition of GRs nationally, which can lead to the development of products aimed at domestic and regional markets. This approach will certainly enable the shift from the idea that fair and equitable sharing of benefits must only be derived through external partnerships to the idea that the country has the ability to use its own GRs and generate its own benefits nationally or regionally. The project will be the first initiative in the West African region to use the African Union Strategic and Practical Guidelines for the Coordinated Implementation of the Nagoya Protocol on ABS (AU Guidelines), adopted in 2015 by the African Ministerial Conference on the Environment (AMCEN) and endorsed by the AU Summit.

Sustainability: By supporting Niger in developing a Strategy and Action Plan for ABS implementation, and by supporting capacity building of a wide range of stakeholders, the project will greatly expand the technical capacities and therefore the institutional sustainability within Niger with regard to ABS regimes. The project will focus on long-term ownership of the project's outputs by institutionalizing ABS mechanisms at national and local-level agencies for effective implementation. Capacity building, education, sensitisation and awareness raising activities, carried out on an ongoing basis over the course of the project and targeting a range of national actors, will equip them with the capacities and knowledge that will be perpetuated and applied in the long term in the governance of access and utilization of GRs and aTK. This is key for the sustainability of the project's results. The range of actors who will benefit from capacity building include policy/decision makers, government agents/civil servants, civil society organisations, members of parliaments, the media, staff from academic and research, local communities and traditional knowledge holders. In terms of financial sustainability, the Strategy and Action Plan adopted by Niger will be a tool to leverage the resources of national and international partners to implement ABS. In addition, the CNEDD is already engaged in conversations with relevant government authorities and members of parliament in making the case for long term domestic budgetary allocations for ABS. Furthermore, there are already good signs for the sustainability of the ABS in Niger e.g., in the Livestock sector where already research are being conducted or planned on the genetic resources for both animals and fodder plants to identify promising varieties that can ensure long term viability and benefits for the sector including through animal and plant breeding.

Scaling-up potentials: Even though the project will be focusing on national implementation, the experiences and lessons learned will be actual examples for scaling up the implementation of the NP in accordance with the AU Guidelines. This project will be particularly useful in providing real examples of know-how for the implementation processes in neighbouring UEMOA States and throughout francophone Africa. If necessary, the project will be supported by the ABS Capacity Development Initiative, which has a decade of experience in Africa and played a key role in developing the AU

Guidelines, which will help ensure sustainability beyond the life of the project. The project will help to: build the capacity of the country to add value to genetic resources and associated traditional knowledge and avoid duplication of regulatory mechanisms; address the financial and human resource constraints faced by small or least developed countries like Niger through sharing regulatory and scientific resources.

[1] <http://droit-afrique.com/upload/doc/uemoa/UEMOA-Acte-additionnel-2008-01-PCAE.pdf>

[2] http://www.ecowrex.org/system/files/repository/2008_ecowas_environmental_policy_-_ecowas.pdf

[3] https://www.au.int/web/sites/default/files/treaties/7782-sl-revised_-_nature_and_natural_resources_1.pdf

[4] Projet d'appui ? la valorisation des Connaissances Traditionnelles dans le cadre de la Mise en ?uvre du Protocole de Nagoya sur l'Acc?s aux ressources g?n?tiques et le Partage juste et ?quitable des Avantages (APA) d?coulant de leur utilisation (PCT/APA),

https://sgp.undp.org/index.php?option=com_sgpprojects&view=projectdetail&id=20916&Itemid=272

[5] Projet de Renforcement des Capacit?s des Acteurs de la Recherche, de la Soci?t? civile et des experts dans les domaines focaux du FEM, pour la mise en ?uvre du Protocole de Nagoya sur l'Acc?s aux ressources g?n?tiques et le Partage juste et ?quitable des avantages d?coulant de leur utilisation (PRC/APA),

https://sgp.undp.org/index.php?option=com_sgpprojects&view=projectdetail&id=20917&Itemid=272

[1] UNDP Human Development Index 2015: Niger: 188/188.

[2] South Saharan Steppe and Woodlands, <http://www.worldwildlife.org/ecoregions/pa1329>

[3] Sahelian Acacia Savanna, <http://www.worldwildlife.org/ecoregions/at0713>

[4] West Sudanian Savanna, <https://www.worldwildlife.org/ecoregions/at0722>

[5] West Saharan Montane Xeric Woodland, <https://www.worldwildlife.org/ecoregions/pa1332>

[6] World Heritage List, Air and T?n?r? Natural Reserves, <http://whc.unesco.org/en/list/573>

[7] Case Study: W-Arly-Pendjari Transboundary Biosphere Reserve, <https://eros.usgs.gov/westafrika/case-study/w-arly-pendjari-transboundary-biosphere-reserve>

[8] Niger, 5th National Report, p. 16.

[9] USAID, West Africa Environmental Threats and Opportunities Assessment, April 2013.
IUCN/ECOWAS/UEMOA, West Africa Environmental Policy Brief,

https://www.iucn.org/sites/dev/files/content/documents/policy_brief_wa_environmental_policy.pdf; Africa Environment Outlook 3, <http://staging.unep.org/pdf/aeo3.pdf>

[10] Loi N° 98-56 du 29 Décembre 1998 portant Loi-Cadre relative à la Gestion de l'Environnement.

[11] Loi N° 2004-048 du 30 juin 2004 portant loi cadre relative à l'Élevage

[12] <https://www.thegef.org/project/global-support-entry-force-nagoya-protocol-access-and-benefit-sharing>

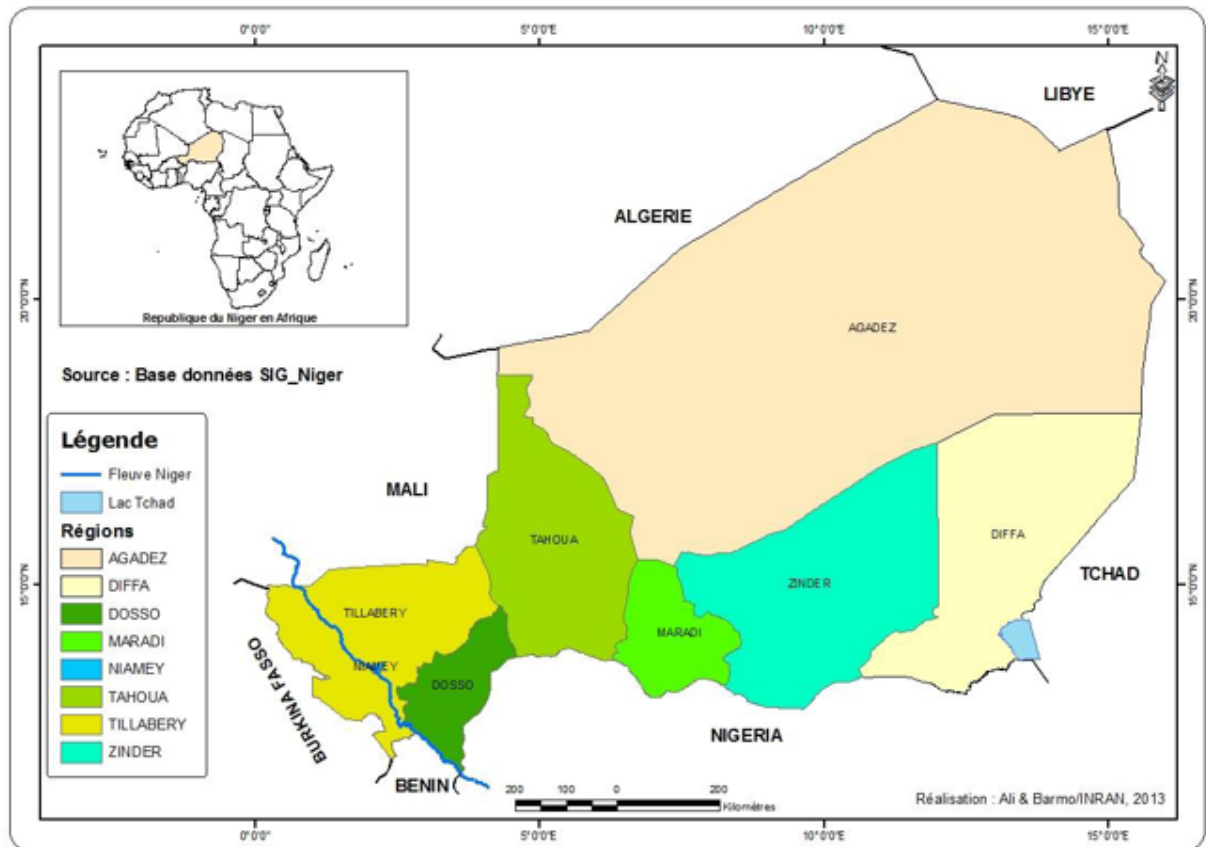
[13] USAID, West Africa Environmental Threats and Opportunities Assessment, p. 41.

[14] IUCN/ECOWAS/UEMOA, West Africa Environmental Policy Brief, https://www.iucn.org/sites/dev/files/content/documents/policy_brief_wa_environmental_policy.pdf; UNEP, Africa Environment Outlook 3; USAID, West Africa Environmental Threats and Opportunities Assessment, April 2013, p. 31.

1b. Project Map and Coordinates

Please provide geo-referenced information and map where the project interventions will take place.





Maps sourced from the baseline study carried out during the project preparatory phase

1c. Child Project?

If this is a child project under a program, describe how the components contribute to the overall program impact.

2. Stakeholders

Select the stakeholders that have participated in consultations during the project identification phase:

Civil Society Organizations Yes

Indigenous Peoples and Local Communities Yes

Private Sector Entities Yes

If none of the above, please explain why:

Please provide the Stakeholder Engagement Plan or equivalent assessment.

Stakeholders? engagement is very important not only for ensuring the smooth execution of the project's activities, but also and critically in sowing the seeds for and ensuring the buy-in of the

project's results by actors who will be involved in or affected in anyway by the effective implementation of the policy and regulatory tools generated through this project. Additionally, stakeholder engagement is also very important in sustaining project results and scaling up and out best practices. This is because the various stakeholders in the project will be drawn from different parts of the country and from different administrative levels. During the project preparatory phase, baseline studies have been carried out which mapped out the current landscape of environmental policies, regulations and legislations as well as the institutions that administer environmental and specifically biodiversity related issues. Additionally, a workshop was organized with the aim of defining the results framework of the project. All these activities necessitated significant stakeholders' engagements and consultations, during which their views were collated in working groups sessions. While all categories of stakeholders will be concerned with and consulted in relation to most of the activities envisaged under the component 2 of this project which deals with awareness raising and sensitization and can be seen as the nod of the stakeholders' engagement of the project. During the PPG, the following 08 categories of stakeholders were identified as key for the project including: (1) decision makers (government and political executives); (2) civil servants/ states agents; (3) civil society organisations; (4) members of parliament; (5) the medias; (6) research and training institutions; (7) indigenous and local communities' holders and custodians of traditional knowledge and (8) local authorities. The principal sources of financial and in-kind resources that will be allocated to stakeholders' engagement activities will derive from the budgetary provisions under component 2. Therefore, both the trust fund allocations/investment and the in-kind or cash co-financing provided will be used to support stakeholders' engagement activities. The timings for the stakeholders' engagement will be determined through the planned activities and are likely to be linked to the various training, capacity building, information sharing and other workshops that will be organized during the project. Other important events such as the international day of biological diversity (22nd May every year) and the international day of forests (21 March) will be used as opportunities to engage with stakeholders. Various tools and approaches will be deployed to ensure wider dissemination of information on the ABS regulatory framework, the socio-economic importance of biological and genetic resources and their potentials in research and development. These tools and approaches are likely to include: the Access to Genetic Resources and Benefit Sharing Clearinghouse website (ABS-CHM); the organization of ABS open days, fairs and exhibitions on GRs and aTK; the production and distribution of posters and leaflets; the production of films and documentaries on BS, GRs and aTK, organization of round tables debates, production of poems and sketches and songs; organisations of workshops, seminars and forums some of which will be thematic and targeted at specific groups of stakeholders etc. Ultimately and as part of future stakeholders' engagement plans, a comprehensive communication and sensitization strategy will be developed, representing one of the key results from component 2. It is envisaged that the communication and sensitization strategy on ABS in Niger will stand on three principal pillars:

Pillar 1: communication and wider sensitization on the Nagoya Protocol and the knowledge of the potential in GRs and aTK concerning their values (scientific, non-commercial, industrial, commercial, cultural etc.) in the framework of ABS operations. Through this pillar, the knowledge of relevant actors will be improved including on their perceptions on biopiracy.

Pillar 2: communication and wider sensitization on the procedures established under the new ABS regulatory framework (e.g., permitting procedures, PIC and MAT negotiations, use of community protocols and any relevant codes of conducts).

Pillar 3: communication and wider sensitization on stakeholders' participation and resource mobilization. Through this pillar there will be enhanced and effective involvement of all actors including indigenous and local communities in, not only the formulation and / or revision of the various regulatory and administrative tools, codes of conducts, model contractual clauses etc., but also in their operationalisation and in the decision-making processes pertaining to access to GRs and aTK for their utilization.

Below is an outline of the key actors who currently hold considerable responsibilities in the environmental and development landscape, specifically in relation to the management and

sustainability of biological and genetic resources in Niger. These actors will be very critical in project execution and in the future implementation of the prospective ABS regulatory instruments.

Government ministries:

The Ministry of the Environment, Urban Health and Sustainable Development: Pursuant to article 35 (bis) of decree n° 2018-475 / PRN of 09 July 2018, the Minister of the Environment, Urban Health and Sustainable Development (MESU / DD) is responsible, in conjunction with relevant ministries for the design, development, implementation, monitoring and development of national policies on the environment, urban sanitation and Sustainable Development, in accordance with the guidelines defined by the government. As such, it designs, develops, implements and develops development policies, strategies, projects and programs in the areas of the Environment, the fight against desertification, urban health, preservation of the quality of the living environment and sustainable development, through the conservation and protection of forest, wildlife, fisheries and beekeeping resources. The ministry monitors the application of international conventions on the environment, development and protection of flora and fauna. Based on its role in the application and domestication of international environmental conventions, this ministry plays a leading role in the domestication of the NP in Niger.

The Ministry of Hydraulics and Sanitation: Pursuant to Article 21 of Decree No. 2016-624 / PM of November 14, 2016, the Minister of Hydraulics and Sanitation is responsible, in conjunction with the other Ministers concerned, "for the design, the development, implementation, monitoring and evaluation of the national water and sanitation policy, in accordance with the guidelines defined by the government. Specifically, this ministry is responsible for the definition and implementation of policies and strategies in the fields of water and sanitation; the drafting of legislative and regulatory texts on water and sanitation; the development and implementation of the national integrated water resources management plan; the knowledge, conservation and protection of groundwater and surface water; promotion of integrated management of water resources; the management of relations with national bodies intervening in its field of competence. This ministry is an important stakeholder in the development of the ABS regulatory framework considering that the conservation and sustainability of biodiversity and forest cover have huge implications on the availability of water resources. It is in the interest of this ministry that, the ultimate goal of the ABS measures target biodiversity conservation.

The Ministry of Agriculture and Livestock: Pursuant to article 3. of decree n° 2016-624 / PM of November 14, 2016, amended and supplemented by decree n° 2018-476 / PRN of July 9, 2018, the Minister of State, Minister of Agriculture and Livestock, is in charge, in conjunction with the other ministers concerned, of "the design, development, implementation and monitoring of national policies in the field of agriculture and livestock". As the government department which plays the role of the national focal point of the international treaty on Plant Genetic Resources for Food and Agriculture, the involvement of this ministry is critical in bringing a sharp focus on the mutual supportiveness of the Nagoya Protocol and the FAO Plant Treaty at the national level in Niger. In particular, the emerging Nagoya Protocol compliant ABS regulatory framework should make special considerations on Plant Genetic Resources for Food and Agriculture, in line with Article 8.c of the Nagoya Protocol.

Other government departments: These are the ministries that intervene indirectly in the conservation, protection, and enhancement of biological diversity. These include in particular: Ministry in charge of Higher Education and Scientific Research; Ministry in charge of Secondary and Primary Education; Ministry in charge of Vocational and Technical Education; Ministry in charge of Health; Ministry in charge of Finance; Ministry in charge of Planning; Ministry in charge of Spatial Planning and Community Development; Ministry in charge of Tourism and Handicrafts; Ministry in charge of Trade; Ministry in charge of Industrial Development; Ministry in charge of Culture; Ministry in charge of Cooperation. These ministerial departments are members of the Technical Commission on Biological Diversity (CTDB)

Other agencies with specific missions

The National Council for the Environment and Sustainable Development: In accordance with the recommendations of the Rio de Janeiro Conference (1992) on the environment and sustainable development and with Agenda 21, Niger established the National Council for the Environment and Sustainable Development (CNEDD) by decree no. 96-004 of January 9, 1996. This decree was modified and complemented in the form of decree n° 2000-272 / PRN / PM of August 4, 2000 and decree n° 2011-57 / PCSRD / PM of January 27, 2011. The Council is under the supervision of the Prime Minister's Office and is made up of representatives of the State and of Civil Society. It is responsible for coordinating and monitoring the national policy on the environment and sustainable development. The National Council for the Environment and Sustainable Development is administered by an Executive Secretariat (SE / CNEDD). The council is the host of the national focal point for coordination and monitoring of the implementation of post-Rio conventions, including the related protocols such as the Nagoya Protocol to the CBD. In pursuit of its missions, the council comprises seven (7) technical commissions, including the Technical Commission on Biological Diversity (CTDB), which is inter-ministerial and multidisciplinary. The work of this Commission is chaired by the General Directorate of Water and Forests of the Ministry of the Environment, Urban Health and Sustainable Development.

Parastatal institutions, academic and research institutions: Under the supervision of the Ministries, these institutions are for the most part Public Establishments of an administrative nature (EPA) or of an industrial and / or commercial nature endowed with legal personalities and financial autonomy. They have their own human, material and financial resources. These include, among others:

The National Institute of Agronomic Research of Niger (INRAN) which is a public scientific, cultural and technical establishment whose main mission is to provide scientific, cultural and technical support to the resolution of rural development problems (agriculture, forestry, animal husbandry, fishing, etc.)

The **Universities** of Niamey, Maradi, Tahoua, Dosso, Agadez, Diffa, Tillabéry and Zinder, which have faculties that have teaching and research programmes in the field of biological diversity. They deliver teaching and training on biodiversity modules, provides internships, deliver research dissertations in area of biodiversity valorisation and value chain development, and implement biodiversity projects, studies in collaborations with partners.

The Practical Institute for Rural Development Kollo (IPDR) which is a public administrative establishment. The institute provides initial training for mid-level managers of rural development, continuing training and upgrading of these managers during their employment as well as the organization of on-demand, special training. Training modules relating to biological diversity on rural productions are provided such as plant and animal productions.

The High Commission for the "3N" Initiative "Nigeriens Feed the Nigeriens" (HC3N) for food security and sustainable agricultural development: Several activities relating to Biodiversity are envisaged within the framework of the High Commission for the 3N Initiative missions.

Advisory bodies

The Permanent Secretariat of the Rural Code (SP / CR) under the supervision of the Ministry of Agriculture and livestock

The National Council for Scientific and Technical Research (CNRST): created by law n° 68-23 of April 17, 1968. This consultative body under the supervision of the Ministry in charge of National Education, is replaced by the National Research Council Scientific and Technological Innovation (CONARSIT). Its mission is to provide the government with strategic orientations in favour of scientific research, innovation and technological development.

The National Monitoring Committee of the Portfolio of Projects and Programs financed by the Global Environment Facility under the supervision of the Ministry of Planning

Civil Society Organisations (CSOs). Civil society organisations can be divided in two main groups: Regional CSOs that are interested in biodiversity issues and the ABS regulations and national CSOs. At the sub-regional level, several producer groups contribute to the promotion of biodiversity management and enhancement activities. These include among others: The Network of Farmers' Organizations and Producers of West Africa; the West Africa Rural Foundation; the Network for the Environment and Sustainable Development and the West African Health Organization. At the national level, there are a multitude of civil society organisations including: the National Coordination Committee of Non-Governmental Organizations (NGOs) on Desertification: This coordination committee represents grassroots communities in Niger and is mandated by civil society to coordinate the action of NGOs and grassroots community organizations to bring synergies in their efforts; Niger Farmer Platform; National branch of the Network for the Environment and Sustainable Development; the Association for the Revitalization of Livestock in Niger and the Coalition for the Protection of African Genetic Heritage.

These CSOs consider the rural sector in their programs and activities by way of integrating the management of biological diversity. By and large, these CSOs are members of the technical committees set up by the National Council for the Environment and Sustainable development in the framework of the implementation of the National Plan for the Environment for Sustainable Development, including the Technical Commission on Biological Diversity.

3. Gender Equality and Women's Empowerment. Provide the gender analysis or equivalent socio-economic assessment.

Does the project expect to include any gender-responsive measures to address gender gaps or promote gender equality and women's empowerment? (yes /no) If yes, please upload gender action plan or equivalent here. See Below

If possible, indicate in which results area(s) the project is expected to contribute to gender equality:

closing gender gaps in access to and control over natural resources;

improving women's participation and decision making; and or

generating socio-economic benefits or services for women.

Does the project's results framework or logical framework include gender-sensitive indicators? (yes /no)

Niger has one of the highest degrees of gender inequality in the world[1] though the Constitution grants equal rights to all regardless of gender. Niger ratified the CEDAW in 1999, and the Optional Protocol in 2004. Niger has also signed but not ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. A Ministry of Social Development, Population, Advancement of Women and Protection of Children has been in place since 1998. The Government adopted a National Gender Policy in August 2008, which represents a reference framework for the promotion of equity and gender equality. The policy encapsulates different development sectors with

the guidance to addressing the different needs of women and men. For the implementation of this national policy, a ten-year plan (2009-2018) was developed and adopted in May 2009, and an institutional framework established for implementation. The overarching objective of the policy is to 'build, with all actors, a society, without discrimination, where men and women, girls and boys, have the same opportunities to participate in development and enjoy the benefits of growth.' Despite the existence of this policy with such an ambitious objective, the reality on the ground in Niger is that gender inequality, especially the level of implication of women and the youth and the extent to which they play influential role in decision making pertaining to the sustainable management of genetic resources and natural resources broadly, is still very limited in the country. During the project preparatory phase, a number of constraints have been identified as the limiting factors for gender equality in the environment and sustainable development pursuits in Niger including the fact that the Nigerien society is 99.3% Muslim and other factors such as: high rate of adult illiteracy with significant gaps between men and women; poor integration of gender issue in various social programs, weak implementation of the National Gender Policy (PNG); low participation of women in civil society organizations; low consideration of gender including the involvement and contributions of women and the youth in the conservation of biological diversity.

As an illustration of the weak participation of women in the existing organisations that are involved in the exploitation and sustainable use of traditional medicinal plants and the associated traditional medicinal knowledge in Niger, it is reported that only 35,13% (977 women of the 2781 members) of women traditional medicinal practitioners are members of the National Association of Traditional Doctors in Niger. This low representation of women stands in sharp contrast of the firm recognition by women themselves in Niger, that like men, they are key players in the provision of traditional healthcare many Nigerien people rely on for their healthcare needs. In Addition, women traditional health practitioners play an equally instrumental role to that of men traditional health practitioners in ensuring the traditional and spiritual custodianship of the medicinal plants that they use in their practices. Indeed, according to some women members of the National Association of Traditional Doctors, the profession of traditional healers was formerly practiced and reserved to the elderly men who were considered as healers in our African societies. Until very recently and traditionally speaking, only the so-called 'wise men' were authorized to exercise this discipline. The initiation and inclusion of young people and women into the (traditional) science of valorization of traditional medicinal plants was and is still framed around many taboos although these taboos are gradually being overcome. Nowadays, women and young people participate in the development of this field, which in the African context and specifically in the context of Niger is highly sought after alongside modern medicine.

Despite the above-described inequality and perceptions, the situation is changing in Niger in respect of gender inclusion and consideration. Indeed, over the past few years, Niger has increasingly witnessed the slow but gradual implication of women and the youth in the transformation, valorisation and commercialisation of plant-based products. This can be seen through the participation of some of them in national and local fairs, exhibitions and open days. This participation of women and the youth is either done collectively in the context of an organised/interest group or individually. The most

prominent sectors that are benefiting from this enhanced participation of women and the youth are agricultural production (millet, sesame, peanuts, spices, tigernuts etc) and exploitation and transformation of non-timber forest products such as shea, moringa, balanites, cucurbits, *capparaceae* (boscia from Senegal), *anacardiaceae* (plum tree), honey, etc. From a collective engagement perspective, some of the actors that exemplify the enhanced implication of women that are worth stressing here include:

- The Federation of Shea Butter Producers of Niger (FNPK / Boulanga) which manufactures pure shea butter, as well as a shea ointment and soap and commercializes these products under their own brand name "KARINIA". This federation includes 359 women from 4 unions spread over 14 groups. These groups are spread along the borders of Burkina Faso, Benin and Nigeria, between Tillab?ry and Dosso in the high production shea areas of Niger. The Federation's turnover rose from 7,000,000 CFA francs in 2010-2011, to 12,517,000 CFA francs in 2012-2013.
- The "Douma alheri, arziki talaka" group, which means "the calabash, the wealth of the poor" from Tankieta (Zinder region) which extracts oil from the calabash grains through traditional processes. This oil recipe was discovered by a peasant woman following her use of gourd seeds in the preparation of the sauce for a family meal. In this process, this peasant woman noticed that these seeds contain oil. Locally, the price of a liter of oil varies between 1,250 F CFA and 1,500 F CFA. This product is not known in towns in the region and women are essentially the main producer of this very valuable oil.
- The ?Salma Harey? women's group from T?ra that is involved in the transformation and commercialisation of moringa into juice and powder. This group operates 2 hectares fully fenced and equipped with a Californian irrigation system powered by a photovoltaic pump financed by the UNDP. In addition, this group also transforms grains of balanites and sesame into oil.

The three initiatives covered above as examples of the improving trend in Niger regarding women's inclusion in economically viable initiatives are in line with one of UNEP key messages on gender responsive COVID 19 actions. This is because these initiatives contribute to poverty alleviation and therefore to SDG1. This project takes the gender inclusion seriously into consideration especially women and youth empowerment. With the inclusion of established organisations such as those mentioned above and through them the ambition is to benefit individual women and the youth during the planned sensitisation, awareness and capacity building, the project aims to reach 20000 beneficiaries among whom 13000 men and 7000 women. It is important to note that a 50/50 split (10000 men and 10000 women) on the targeted number of beneficiaries would have been more ambitious and more reflective of the objective of the national policy. The project will in practice working toward achieving that parity. However, considering that the cultural and traditional realities of a predominantly muslim society, unearthing a considerable pool of women willing to attend meetings and other training be it with men or even just in women focussed groups will be challenging. The target set at 13000 men and 7000 women therefore remains a sound, progressive, ambitious and is aligned to the objective of the national gender policy to offer similar opportunities to men and women. Where

possible and depending on the availability of women, the youth and the extent to which they are going to be receptive of the public information and awareness raising activities, the project plans to include a significant number of women and young people in all of the capacity building, communication and training activities. The essence of these activities will be to equip these actors with the knowledge of the emerging regulatory framework on ABS in Niger, stressing on how their rights and economic interests are captured in the ABS framework and are balanced with the broader national interests pertaining to biological and GRs conservation, sustainable use and the preservation of traditional knowledge. As a way of monitoring and measuring gender inclusion, gender sensitive indicators are included across the project's outputs. To this effect, the project is going to rely on and work with the groups such as those mentioned above but also with other women-centred organisations such as CONGAFEN, a CSO that coordinates 51 women's NGOs and associations in Niger. Indeed, CONGAFEN plays an important role in improving the living conditions and working environment of women and promote women's rights. CONGAFEN's members organize periodic forums for experience sharing, sensitization, training, and advocacy, but they have insufficient human, financial and material resources, as well as limited access to communications facilities, some of the difficulties they face in their efforts to mobilize ad hoc interventions. The project will work with CONGAFEN to support gender mainstreaming and facilitate access to information materials thus ultimately ensuring adequate women implication in ABS issues, in line with the national gender policy.

[1] UNDP Gender Inequality Index, *ibid*.

In addition, provide a summary on how stakeholders will be consulted in project execution, the means and timing of engagement, how information will be disseminated, and an explanation of any resource requirements throughout the project/program cycle to ensure proper and meaningful stakeholder engagement

Select what role civil society will play in the project:

Consulted only;

Member of Advisory Body; Contractor;

Co-financier;

Member of project steering committee or equivalent decision-making body; Yes

Executor or co-executor;

Other (Please explain) No

3. Gender Equality and Women's Empowerment

Provide the gender analysis or equivalent socio-economic assesment.

Niger has one of the highest degrees of gender inequality in the world[1] though the Constitution grants equal rights to all regardless of gender. Niger ratified the CEDAW in 1999, and the Optional Protocol in 2004. Niger has also signed but not ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. A Ministry of Social Development, Population, Advancement of Women and Protection of Children has been in place since 1998. The Government adopted a National Gender Policy in August 2008, which represents a reference framework for the promotion of equity and gender equality. The policy encapsulates different development sectors with the guidance to addressing the different needs of women and men. For the implementation of this national policy, a ten-year plan (2009-2018) was developed and adopted in May 2009, and an institutional framework established for implementation. The overarching objective of the policy is to build, with all actors, a society, without discrimination, where men and women, girls and boys, have the same opportunities to participate in development and enjoy the benefits of growth. Despite the existence of this policy with such an ambitious objective, the reality on the ground in Niger is that gender inequality, especially the level of implication of women and the youth and the extent to which they play influential role in decision making pertaining to the sustainable management of genetic resources and natural resources broadly, is still very limited in the country. During the project preparatory phase, a number of constraints have been identified as the limiting factors for gender equality in the environment and sustainable development pursuits in Niger including the fact that the Nigerien society is 99.3% Muslim and other factors such as: high rate of adult illiteracy with significant gaps between men and women; poor integration of gender issue in various social programs, weak implementation of the National Gender Policy (PNG); low participation of women in civil society organizations; low consideration of gender including the involvement and contributions of women and the youth in the conservation of biological diversity.

As an illustration of the weak participation of women in the existing organisations that are involved in the exploitation and sustainable use of traditional medicinal plants and the associated traditional medicinal knowledge in Niger, it is reported that only 35,13% (977 women of the 2781 members) of women traditional medicinal practitioners are members of the National Association of Traditional Doctors in Niger. This low representation of women stands in sharp contrast of the firm recognition by women themselves in Niger, that like men, they are key players in the provision of traditional healthcare many Nigerien people rely on for their healthcare needs. In Addition, women traditional health practitioners play an equally instrumental role to that of men traditional health practitioners in ensuring the traditional and spiritual custodianship of the medicinal plants that they use in their practices. Indeed, according to some women members of the National Association of Traditional Doctors, the profession of traditional healers was formerly practiced and reserved to the elderly men who were considered as healers in our African societies. Until very recently and traditionally speaking,

only the so-called 'wise men' were authorized to exercise this discipline. The initiation and inclusion of young people and women into the (traditional) science of valorization of traditional medicinal plants was and is still framed around many taboos although these taboos are gradually being overcome. Nowadays, women and young people participate in the development of this field, which in the African context and specifically in the context of Niger is highly sought after alongside modern medicine.

Despite the above-described inequality and perceptions, the situation is changing in Niger in respect of gender inclusion and consideration. Indeed, over the past few years, Niger has increasingly witnessed the slow but gradual implication of women and the youth in the transformation, valorisation and commercialisation of plant-based products. This can be seen through the participation of some of them in national and local fairs, exhibitions and open days. This participation of women and the youth is either done collectively in the context of an organised/interest group or individually. The most prominent sectors that are benefiting from this enhanced participation of women and the youth are agricultural production (millet, sesame, peanuts, spices, tigernuts etc) and exploitation and transformation of non-timber forest products such as shea, moringa, balanites, cucurbits, *capparaceae* (boscia from Senegal), *anacardiaceae* (plum tree), honey, etc. From a collective engagement perspective, some of the actors that exemplify the enhanced implication of women that are worth stressing here include:

- The Federation of Shea Butter Producers of Niger (FNPB / Boulanga) which manufactures pure shea butter, as well as a shea ointment and soap and commercializes these products under their own brand name "KARINIA". This federation includes 359 women from 4 unions spread over 14 groups. These groups are spread along the borders of Burkina Faso, Benin and Nigeria, between Tillabery and Dosso in the high production shea areas of Niger. The Federation's turnover rose from 7,000,000 CFA francs in 2010-2011, to 12,517,000 CFA francs in 2012-2013.
- The "Douma alheri, arziki talaka" group, which means "the calabash, the wealth of the poor" from Tankieta (Zinder region) which extracts oil from the calabash grains through traditional processes. This oil recipe was discovered by a peasant woman following her use of gourd seeds in the preparation of the sauce for a family meal. In this process, this peasant woman noticed that these seeds contain oil. Locally, the price of a liter of oil varies between 1,250 F CFA and 1,500 F CFA. This product is not known in towns in the region and women are essentially the main producer of this very valuable oil.
- The 'Salma Harey' women's group from Tera that is involved in the transformation and commercialisation of moringa into juice and powder. This group operates 2 hectares fully fenced and equipped with a Californian irrigation system powered by a photovoltaic pump financed by the UNDP. In addition, this group also transforms grains of balanites and sesame into oil.

The three initiatives covered above as examples of the improving trend in Niger regarding women's inclusion in economically viable initiatives are in line with one of UNEP key messages on gender responsive COVID 19 actions. This is because these initiatives contribute to poverty alleviation and therefore to SDG1. This project takes the gender inclusion seriously into consideration especially women and youth empowerment. With the inclusion of established organisations such as those mentioned above and through them the ambition is to benefit individual women and the youth during the planned sensitisation, awareness and capacity building, the project aims to reach 20000 beneficiaries among whom 13000 men and 7000 women. It is important to note that a 50/50 split (10000 men and 10000 women) on the targeted number of beneficiaries would have been more ambitious and more reflective of the objective of the national policy. The project will in practice working toward achieving that parity. However, considering that the cultural and traditional realities of a predominantly muslim society, unearthing a considerable pool of women willing to attend meetings and other training be it with men or even just in women focussed groups will be challenging. The target set at 13000 men and 7000 women therefore remains a sound, progressive, ambitious and is aligned to the objective of the national gender policy to offer similar opportunities to men and women. Where possible and depending on the availability of women, the youth and the extent to which they are going to be receptive of the public information and awareness raising activities, the project plans to include a significant number of women and young people in all of the capacity building, communication and training activities. The essence of these activities will be to equip these actors with the knowledge of the emerging regulatory framework on ABS in Niger, stressing on how their rights and economic interests are captured in the ABS framework and are balanced with the broader national interests pertaining to biological and GRs conservation, sustainable use and the preservation of traditional knowledge. As a way of monitoring and measuring gender inclusion, gender sensitive indicators are included across the project's outputs. To this effect, the project is going to rely on and work with the groups such as those mentioned above but also with other women-centred organisations such as CONGAFEN, a CSO that coordinates 51 women's NGOs and associations in Niger. Indeed, CONGAFEN plays an important role in improving the living conditions and working environment of women and promote women's rights. CONGAFEN's members organize periodic forums for experience sharing, sensitization, training, and advocacy, but they have insufficient human, financial and material resources, as well as limited access to communications facilities, some of the difficulties they face in their efforts to mobilize ad hoc interventions. The project will work with CONGAFEN to support gender mainstreaming and facilitate access to information materials thus ultimately ensuring adequate women implication in ABS issues, in line with the national gender policy.

[1] UNDP Gender Inequality Index, *ibid*.

Does the project expect to include any gender-responsive measures to address gender gaps or promote gender equality and women empowerment?

Yes

Closing gender gaps in access to and control over natural resources; Yes

Improving women's participation and decision making Yes

Generating socio-economic benefits or services or women Yes

Does the project's results framework or logical framework include gender-sensitive indicators?

Yes

4. Private sector engagement

Elaborate on the private sector's engagement in the project, if any.

In Niger, the role and implication of the private sector in the sustainable management, scientific and commercial exploitation of biological and genetic resources and associated traditional knowledge in line with the concept of utilization as defined in Article 2 of the NP, is not developed, or may rather be viewed as nonexistent. Indeed, article 2 of the NP defines utilization as: "means to conduct research and development on the genetic and / or biochemical composition of genetic resources, including through the application of biotechnology as defined in article 2 of the CBD". As it transpires from this definition, research, and development with the application of advanced approaches in biotechnology, genomics, genetic engineering or bioinformatics which are unfortunately not available in Niger, are at the heart of the notion of utilization of GRs. This situation leaves Niger to operate in the ABS landscape, more as supplier country of GRs that will be exploited through more advanced R&D in technologically advanced countries, than as a user of the country's own resources. This however does not mean as explained in the following two points that there is (1) no utilization of GRs and aTK neither that there is (2) no private sector engagement in the exploitation of the biological resources such as some commercially valuable Non-Timber Forest Products (NTFPs) in Niger, from the perspective of commodity trade or BioTrade as conceived by the United Nations Conference on Trade and Development (UNCTAD).

? 4.1- Regarding GRs utilization in Niger from the strict perspective of ABS pursuant to Article 2 of the NP, there are national academic and agricultural and health research institutions, that carry out important research and plant breeding and the valorisation of medicinal plants. Even though there is no obvious link between these scientific and research institutions with the private sector in terms of the delivery of the biotechnology-based commercial products from their research endeavours, such research is happening in these institutions and is not turned into commercialisation by the private sector. It should be stressed that, private sector in this context could be spin off entities from these research establishments. These do not seem to exist in Niger. This project therefore represents the pragmatic opportunity to help Nigerien researchers to move beyond scientific satisfaction to delivering the commercial development results of their activities, so that the development dimension of the ABS concept becomes reality in terms of generating the industrial and economic opportunities and addressing societal needs e.g. employment, food security for Nigerien stakeholders, therefore broadly contributing to the SDGs. The creation of business opportunities and value chain identification mentioned earlier is a response of this project to this situation.

? 4.2- Regarding the engagement of the private sector in what should be viewed as BioTrade in Niger, there is a healthy level of activity happening in this area. It must be stressed that this mode of exploitation (BioTrade) of biological resources such as NTFPs and their commercialisation as commodities is not ABS in the specific sense of the CBD and its NP on ABS. Nonetheless, the private

sector engaged in the BioTrade of certain commodities in Niger and other actors e.g., the collectors and suppliers of these commodities will greatly enhance the ethical, sustainability and socio-economic outcomes of their activities if they operate within the framework of national regulations that implement the ABS obligations of the Nagoya Protocol. According to UNCTAD 'BioTrade is defined as the collection, production, transformation, and commercialization of biodiversity-based goods and services that meet specific sustainability criteria'.^[1] Two cases of private sector engagement in this field are worth highlighting in Niger. The first one is a company called the Sahara Sahel Foods. It is a Nigerien social enterprise involved in the transformation and commercialisation as edible food of the bitter seeds of *Boscia senegalensis*. Also, this company transforms and commercialises more than 50 products derived from 20 known trees from Niger. An important element of the many value chains in which Sahara Sahel Foods is involved is that the company relies on a network of about 1500 individual collectors to supply the raw materials. The second example is the Nigerien company Starco Global^[2] which is involved in the production and commercialisation of 100% Bio Natura Juice drinks transformed from the following plant species: *Diospiros mespiliformis*; *Ziziphus mauritiana*; *Sclerocarya bierra*; *Hyphenaea thebaica*; *Adansonia digitata*; *Balanites aegyptiaca*; and *Moringa oleifera*. In addition to the natural drinks, the company produces and commercialises products such as syrups, herbal teas, coffees, jams, candies, cookies and cakes. In the absence of a national regulatory framework on ABS that implement the Nagoya Protocol in Niger, it is not clear how the principles of prior informed consent (PIC) were framed in their business approaches, and whether there is fair and equitable sharing of the benefits deriving from the commercialisation of their products, based on mutually agreed terms (MAT) between the companies on the one hand, the State and plant collectors/suppliers of raw materials on the other hand.

Drawing largely from the sensitization, awareness raising, education and capacity building component of this project, efforts are going to be devoted to ensuring that the private sector and other actors currently involved in the transformation and commercialisation of biological and GRs and aTK are fully capacitated with the understanding and implications of the ABS principles specifically NP obligations in their respective activities. For example, key stakeholders representing the private sector will be included in all projects activities/consultations pertaining to e.g., the formulation of the Nagoya Protocol compliant ABS regulatory instruments and implementation tools and in further training such as in the negotiations of MAT, the provision of PIC and the valorization of GRs and aTK. In particular, the research and scientific community of Niger will be trained in approaches that can enable them to create spin off commercial / business entities which can take forward the development dimension of their scientific outputs into commercially valuable value chains at aimed at national and regional markets. It should be stressed that, success in enhancing the private sector engagement in the ABS sector in Niger will contribute significantly to the attainment of the intermediates goals envisaged in the project ToC, notably intermediate I2 which envisages palpable monetary and non-monetary benefits accruing to Nigeriens actors and used as incentives for enhanced commitment to conservation and as evidence of ABS role in addressing the SDGs. To monitor the level of implication of the private sector in this project, but specifically the revitalization of the private sector in the ABS arena because of this project, specific private sector indicators are included in the results framework in various aspects of project activities, in relation to awareness raising, training and capacity building.

[1] See UNCTAD definition, principles and criteria of BioTrade at: [Launch of the 2020 BioTrade Principles and Criteria: Making sustainable trade part of the solution | UNCTAD](#).

[2] https://www.fasbook.com/pg/starco-global-produits-392264938054014/about/?ref=page_internal

5. Risks to Achieving Project Objectives

Elaborate on indicated risks, including climate change, potential social and environmental risks that might prevent the project objectives from being achieved, and, if possible, the proposed measures that address these risks at the time of project implementation.(table format acceptable):

During the project preparatory phase, the application of a broad consultative and participatory approach meant that different categories of stakeholders took part in the process, provided their views in the design of the project's components, results framework and the identification of co-financing contributions, therefore committing to participate effectively in project implementation. This participatory approach at the project development phase may therefore reduce the negative impacts of the risks to project implementation that would have been strongly associated with weak stakeholders' participation and buy-in. That notwithstanding, several assumptions/risks still exist with the potential to affect the execution of the project and ultimately the attainment of the outcomes, intermediate goals and the ultimate impact that are presented in the project ToC.

The table below outlines the principal assumptions/risks, their relative magnitude or severity and the mitigating approaches that are considered. One of these risks which is worth highlighting here is the evolution of the current health crisis caused by the COVID-19 pandemic. Despite all the efforts and strategies that are being considered in preparation to the implementation of this project, the uncertainty surrounding the potential evolution of the spread of COVID-19 and the need to comply with all the measures set by the government may adversely impact the organization of training and capacity building activities, the scheduling of workshops and may even affect co-financing pledges, if organisations consider redirecting their scarce resources to fight the pandemic. The UN environment is very conscious of impact of COVID-19 in the social, environmental and economic dimensions of our lives, acknowledging that: 'The transmission of diseases, like the Novel Coronavirus COVID-19, between animals and humans (zoonoses) threatens economic development, animal and human well-being, and ecosystem integrity. The United Nations Environment Programme supports global efforts to protect biodiversity, to put an end to the illegal trade in wildlife, to safeguard the handling of chemicals and waste and to promote economic recovery plans that take nature and the climate emergency into account'.^[1] In a move that signals the strong acknowledgement of the impact of the pandemic to UNEP activities and in stressing what UNEP priorities are, the executive director of UNEP clearly stated that: 'The immediate priority at this time is to protect people by limiting the spread of COVID-19'.^[2] In the context of the implementation of this project, saving people lives while ensuring the attainment of the project's results is the principle that will guide its overall deployment on the ground.

While the impact of COVID-19 on our lives has been severe and the potential of the pandemic to affect this project remains real but cannot deter the organisations involved in this project to make it a success, COVID-19 should equally be seen as an opportunity for an ABS project like this one which includes a GRs valorization dimension. In effect, while COVID-19 finds its roots from our human beings (mis)use of nature, the high and yet to be known and understood medicinal potential of nature, e.g. medicinal plants can very much contribute to the ongoing search of solutions to the COVID-19 problem. Despite their lack of scientific basis, nature/herbal-based therapeutic propositions to the COVID-19 have been seen and widely publicized in Madagascar,^[3] Cameroon^[4] and in Gabon^[5] just to name a few sub-Saharan African countries. With an established network of active traditional practitioners on the one hand and the scientific community of Niger on the other hand doing research on Nigerien medical plants, this project offers an opportunity for these actors to work collaboratively in the search of nature-based and scientifically-proven therapeutic answers to COVID-19 in the context of Niger. The development of the domestic NP-compliant ABS regulatory framework will ensure that these collaborations are firmly hooked on solid legal and ethical pillars and guided by such principles as fairness and equity in the sharing of the benefits arising.

Assumptions/risks	Magnitude	Mitigating approaches/actions
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Government of Niger willingness and still committed to establish a comprehensive Nagoya Protocol compliant ABS regulatory framework	Medium	In case there are is any sign of reduced commitment from the government authorities, the PMU will endeavor to recalibrate the sensitization approaches aimed at government authorities to stress the economic, environmental, research partnerships consequences associated with Niger failure to fulfil its obligations under the Nagoya Protocol
Internal reorganization/staff turnover within key agencies involved in the implementation of the project, especially within the CNEDD and central government directorates of relevant ministries involved in the project	high	This is a very high risks as profound changes and/or re-allocation of key staff can seriously delay the implementation of the project. The possible way forward is for a key institution like CNEDD to maintain key staff, especially the staff assigned in this project to stay throughout the project's lifetime. In case staffing change is unavoidable, tailored training and updating of new staff will mitigate the risks and facilitate new staff integration and contributions. The fact that the Secretariat of National CBD Commission is the project Steering Committee, this will allow a good number of member to stay in post for a long period of time.

CSOs and other stakeholders? commitment to maintain their effective participation in all aspects of project implementation	Low	The risk for reduced commitment and interest from key stakeholders? involvement and contribution to the project is very low. However, in the event of this happening, the PMU will diagnose the root causes of the problem through more consultations and engagement with CSOs and other key stakeholders and consensually, , corrective actions will be identified
Non respect of the co-financing pledges	Medium	This risk will be addressed through several actions including sending reminders to the relevant organisations, engaging with them through discussions and consultations, undertaking budget reviews and revisions that take into consideration the reduced commitments.
Extended process of formulation, validation, adoption of all the policy, administrative and legislative instruments caused by cumbersome and slow administrative and parliamentary processes.	High	This risk is very high and could lead to the prospective tools not being adopted and ready for trials and full implementation before the end of the project. Capacity building and awareness raising of relevant administrations in understanding the ABS process and the importance for implementing relevant tools will be instrumental in mitigating this risk.

Political instability and general insecurity	High	<p>It is hard to predict the outcome of the presidential elections in Niger. A significant political change at the top of the state and in the national assembly can shake up national priorities in all areas. In case these changes happen to be very significant, quick PMU actions will be required with regards to sensitizing the new regime on ABS matters and bringing decision makers of the new regime up to speed with the project and the necessity for its successful implementation. Also, the PMU will be keeping well abreast of the security / insecurity issues and tailoring project activities accordingly.</p>
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COVID-19 pandemic and any other emerging health situation in the country.	Medium	<p>The COVID-19 pandemic and any other emerging health problems could be categorized as high risk for the implementation of this project because of their potential to effectively halt the execution of some project's activities. However, with the measures taken by the government, the situation is under control and despite the continuous spread of the virus, life is returning to near normal. In the event of a significant upsurge in the spreading of the virus, the PMU will keep considering appropriate and pragmatic changes in the workplan and field execution of the affected activities.</p> <p>Where possible and applicable, the project will establish alternative ways of continuing the implementation of its activities. For example, training sessions could be conducted virtually where physical presence would not be possible.</p> <p>Additionally, where possible, consultants will be encouraged to enhance desk based activities research in place of field activities.</p>
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[1] <https://www.unenvironment.org/covid-19-updates>

[2] <https://www.unenvironment.org/news-and-stories/statement/unep-statement-covid-19>

[3] Malagasy Organic Covid-19 Capsule Cure | Africanews

[4] Cameroon archbishop says treating COVID-19 with plant-based remedy | Reuters

6. Institutional Arrangement and Coordination

Describe the institutional arrangement for project implementation. Elaborate on the planned coordination with other relevant GEF-financed projects and other initiatives.

The proposed institutional arrangements for the implementation of this project and coordination with other relevant initiatives and project are outlined below in short narratives presenting the responsibilities of the key agencies. It is important to stress that, these arrangements were discussed at a two-day multi-stakeholder workshop in Dosso and therefore, represent a consensus that emerged among the participants and representatives of the key institutions that will be directly or indirectly involved in the implementation of this project. An organigram is also included to present the hierarchical relationships amongst the key actors and agencies responsible to oversee the successful implementation of this project as well as the attainment of its outcomes.

6.1 The United Nations Environment Programme (UNEP) Ecosystems Division

Following its long-standing experience managing the implementation of several ABS Nagoya Protocol projects in Africa (e.g. Early Ratification project; Central Africa Forest Commission of Forest, etc.) and in the world, The United Nations Environment is the Implementing Agency of this project, through its Ecosystems Division. As the Implementation Agency, UNEP bears the overall responsibility to supervise the project to ensure that it is implemented in strict compliance with both UNEP and GEF operational procedures, policies and guidelines. Within the framework of the overall supervisory role, the UN Environment will ensure that where and when necessary and useful during project implementation, linkages are established with other UNEP / GEF initiatives that are under the management portfolio of UNEP/GEF Task Manager affiliated with the Ecosystems Division. Furthermore, the UN Environment will ensure that the project remains on track to deliver on the UNEP Programme of Work, the UNEP medium term strategy and the GEF 7 programming priorities in respect of biodiversity policy implementation. In a nutshell, the Implementing Agency will be responsible for among others:

- ? Provide consistent and regular project oversight for the achievement of the objectives of the project,
- ? Ensure liaison between the project and the GEF Secretariat;
- ? Ensure timely disbursement/sub-allotment of funds to the executing agency (EA), based on the agreed legal documents;
- ? Approve budget revision, certify fund availability, and transfer funds;
- ? To organize mid- and end-term evaluations;
- ? Provide technical support and assessment of the execution of the project;
- ? Provide guidance if requested to main TORs/MOUs and subcontracts issued by the project;
- ? Follow-up with EA for progress, equipment, financial and audit reports;
- ? To certify the operational completion of the project; and
- ? To act as a member and co-chair of the Project Steering Committee (PSC).

6.2 The National Council for the Environment and Sustainable Development (CNEDD)

Created in 1996 and placed under the supervision of the Office of the Prime minister, the executive secretariat of the Council hosts all the focal points of the Rio Conventions and ensures the monitoring and the operational responsibilities over national and effective implementation of the Rio Conventions on Biological Diversity, the Framework Convention on Climate Change and the Convention to Combat Desertification. The National Council for Environment and Sustainable Development is the Executing Agency of this project and as such will be the host of the Project Management Unit and the staff directly recruited by the project. As the executing agency, CENDD will draw from the institution's past experience in executing GEF-funded projects including with UNEP through execution of all Biodiversity, Rotterdam, Stockholm and UNCCD Conventions Enabling Activities funded by GEF and UNEP support to the country through Regional Office. CNEDD is also acting as Executing Agency of many GEF funded project through UNDP such as, but not limited to the US\$ 3,750,000 project entitled: scaling up Community Based Adaptation (CBA) in Niger. This experience gained through collaborating with UN agency in the execution of a GEF funded project, and broadly speaking, the experiences of CENDD in partnering with other international organization such as the World Bank and the European Union,[1] will be invaluable to the execution of this GEF-funded UNEP implemented ABS project.

In a nutshell, as the executing agency CNEDD will:

- ? Oversee project execution in accordance with the project results framework and budget, the agreed work plan and reporting tasks;
- ? Support the Project Management Unit (PMU) in coordinating project activities at national and local levels;
- ? Enable its personnel, networks and internal commissions to provide technical support to the project as necessary;
- ? Oversee all deliverables to ensure their technical quality;
- ? Oversee with guidance from UNEP, the deployment of adequate risks mitigating measures by the PMU when necessary
- ? Provide guidance and coordination to the PMU;
- ? Oversee the deployment of adequate risks mitigating measures by the PMU when necessary
- ? Provide administrative and institutional support to facilitate field activities such as organization of sites-based workshops, training etc.;
- ? Provide logistical support with respect of the organization of meetings etc.;
- ? Provide support to the project management unit in scheduled project monitoring and evaluation activities and reporting to the implementing Agency

Alongside the United Nations Environment Programme as the implementing agency, it is envisaged that the Center will play the role of Co-Chair of Project Steering Committee. In addition, day to day management and handling of coordination activities with other initiatives such as the ABS capacity Building Initiative and projects that are providing co-financing is the direct responsibility of the PMU and the Project Technical Adviser. Furthermore, based on consultations with the Project Technical Adviser, the Executing agency is responsible to submit timely technical and financial reports, requests to the

implementing agency pertaining to budget reconciliation and reallocation of budget lines/funds and any other major changes to the implementation plan.

6.3 The Project Steering Committee (PSC)

Acting as a strategic advisory arm of the Project Management Unit (PMU), the PSC has overall responsibility to smartly steer the project from start to completion, keeping squarely on sight, the project's outputs, outcomes and the goal. As agreed during the workshop in September 2020 in Dosso, members of the Technical Commission on Biological Diversity (CTBD), which is one of the commissions chaired by the Ministry of Environment and hosted by the CNEDD, will be convened as the Project Steering Committee. To these members, UNEP is added as a de-facto member of the PSC. Convening at least once a year (in person or virtually), the PSC will:

- ? Monitor the realisation of project's activities based on the results frameworks, M&E reports and field activities reports and provide technical views on ongoing implementation strategy
- ? Monitor the timelines in the realisation of project activities and make corrective strategic suggestions as appropriate
- ? Provide advice or if necessary, instruct changes on the implementation approaches as the project is deployed
- ? Provide advice on the budget, the recruitment of consultants and other critical operational issues which can assist the smooth implementation of the project

6.3 Project Management Unit

Hosted by the executive secretariat of the CNEDD, the project management unit will be responsible for the day-to-day implementation of the project according to the work plan, the results frameworks and in respect of the budgetary allocations. The PMU will comply with working rules and procedures in place at the CNEDD and will deliver all the reporting according to the procedures and policies of UNEP and GEF. It was agreed in September 2020 in Dosso that the PMU will be supported by the technical expertise of the staff of the CNEDD alongside three staff directly recruited by the project, namely:

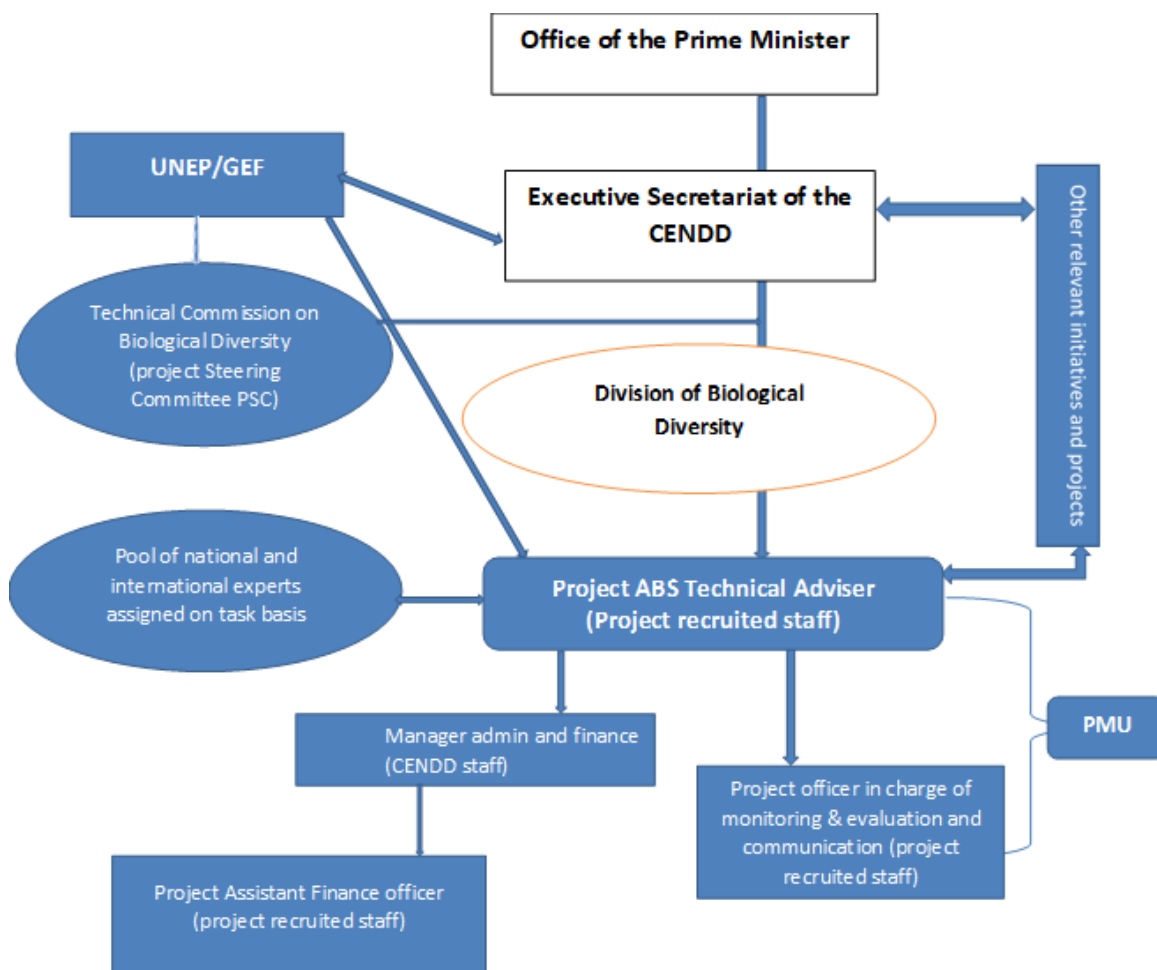
- ? The project ABS Technical Adviser;
- ? The project assistant finance officer / bookkeeper who will also offer secretarial duties; and
- ? The project officer who will combine the roles of M&E and communication officer

In a nutshell, the PMU will be responsible for:

- ? The preparation of quarterly, semi-annual, or annual work plans and procurement plans, especially regarding the recruitment of consultants/service provider;
- ? The preparation of periodic technical and financial reports (to UNEP and GEF);
- ? The organisation of the meetings of the PSC;
- ? For ensuring that stakeholders' participation to all the meetings, trainings and other consultative processes throughout the project is participatory;
- ? maintaining close working relationships with all stakeholders;
- ? the coordination and smooth communication with other initiatives that are relevant to the project;
- ? informing the Executing Agency, the PSC, UN environment of any significant issue that might affect the smooth implementation of the project;
- ? sharing of all achievements and products of the project with all relevant stakeholders;
- ? The preparation and management of ToR and contracts with consultants and MoUs with other relevant partners and initiatives using appropriate legal instruments; and
- ? Ensuring adequate information flow, discussions and feedback among the various stakeholders of the project.
- ? Undertake concrete actions to deploy the mitigating measures of the risks if and when they emerge

In addition to the administrative and other technical support provided to the PMU by staff of the CNEDD, the PMU will also rely on several experts who will be recruited on ad-hoc basis and assigned on a task basis to undertake the various trainings, technical studies and analysis and technical drafting of the draft instruments, supporting tools and technical reports that will emerge from this project.

Project decision making chart flow/organigram



[1] For the list of official partners to see [CENDD : Official site](#)

7. Consistency with National Priorities

Describe the consistency of the project with national strategies and plans or reports and assessments under relevant conventions from below:

NAPAs, NAPs, ASGM NAPs, MIAs, NBSAPs, NCs, TNAs, NCSAs, NIPs, PRSPs, NPFE, BURs, INDCs, etc.

This project is very consistent with and supportive of key national priorities outlined in relevant national policies and strategies among which are the 2014 National Biodiversity Strategy and Action Plan (NBSAP) and the National Plan for Social and Economic Development 2017-2021 which was adopted on 29 September 2017 as revised and an improved version of the 2012-2015 Social and Economic Development Plan. It should be stressed, although Niger has already adopted an NBSAP in 2000, as a party to the CBD, the country was compelled to abide by some key decisions of the 10th Conference of the Parties to the CBD, which were adopted in 2010 in Nagoya. One of the COP X decisions is decision UNEP/CBD/COP/DEC/X/2 pertaining to The Strategic Plan for Biodiversity 2011-2020 and the Aichi

Biodiversity Targets which among other elements: Urged Parties and other Governments, with the support of intergovernmental and other organizations, as appropriate, to implement the Strategic Plan for Biodiversity 2011-2020 and specifically to:

(b) Develop national and regional targets, using the Strategic Plan and its Aichi Targets, as a flexible framework, in accordance with national priorities and capacities and taking into account both the global targets and the status and trends of biological diversity in the country, and the resources provided through the strategy for resource mobilization, with a view to contributing to collective global efforts to reach the global targets, and report thereon to the Conference of the Parties at its eleventh meeting;

(c) Review, and as appropriate update and revise, their national biodiversity strategies and action plans, in line with the Strategic Plan and the guidance adopted in decision IX/9, including by integrating their national targets into their national biodiversity strategies and action plans, adopted as a policy instrument, and report thereon to the Conference of the Parties at its eleventh or twelfth meeting;

(d) Use the revised and updated national biodiversity strategies and action plans as effective instruments for the integration of biodiversity targets into national development and poverty reduction policies and strategies, national accounting, as appropriate, economic sectors and spatial planning processes, by Government and the private sector at all levels.

In line with this decision therefore, Niger revised and adopted the 2014 version of the NBSAP. The vision of the 2014 NBSAP is: 'by 2035, Nigerien citizens, conscious of the roles and stakes associated with biological diversity, value it, conserve, restore and use it in a sustainable way in order to help ensure a better life in equity'. The 2014 NBSAP includes five strategic objectives notably: (1) Conserve and sustainably use ecosystems, species and genetic resource; (2) reduce various pollutions; (3) Improve and develop protected areas management tools; (4) Take into account biological diversity in policies and strategies; and (5) address the effects of climate change. As indicated above, and despite the clear identification of the strategic objective 4 in respect of streamlining biological diversity in policies and strategies, the inclusion of the obligations of the NP in national policies and strategies is insignificant or even absent in Niger. Despite missing the 2015 timeline for target of target 16 (By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation) of the Aichi Biodiversity Targets which expected countries to have developed appropriate policy and ABS regulatory framework compliant with the NP, the fact that Niger is now embarking in a comprehensive development of a policy, regulatory and institutional framework and the development of all pertinent supporting tools for the implementation of NP makes this project very consistent with the 2014 NBSAP.

Approaching the effective implementation of a national ABS regime in Niger which is NP compliant from a development perspective, that is in terms linking ABS with the sustainable development agenda, the current project is very consistent with the development priorities and ambitions set out in the 2017-2021 five year Social and Economic Development Plan of Niger. Indeed, this five-year plan is the first of its kind to effectively operationalize the Sustainable Development and Inclusive Growth Strategy of Niger by 2035 whose vision is for: 'A united, democratic and modern country, peaceful, prosperous and proud of its cultural values, underpinned by sustainable, ethical, equitable and balanced development, in a united and united Africa'. The 2017-2021 Social and Economic Development Plan of Niger equally represents the country's strategic undertaking towards the realization of international and continental development goals such as those set out in the 2015 SDGs and 2063 Africa Union agenda 2063 and the 2020 development vision of the Economic Community of West African States (ECOWAS). The general objective of the 2017-2021 Plan is to 'contribute to building a peaceful, well-governed country with an emerging and sustainable economy, and a society based on values of equity and sharing of the fruits of progress'. More specifically, the objective of the Plan is 'to strengthen the resilience of the economic and social development system'. The 2017-2021 Social and Economic Development Plan is structured around five strategic axes including: (1) cultural renaissance; (2) Social development and demographic transition; (3) acceleration of the economic growth; (4) improvement in governance, peace and security and (5) sustainable management of the environment. Considering the dimension of this project as highlighted in the ultimate impact and the intermediates goals of ToC which clearly point the generations of benefits to

national stakeholders, the conservation of GRs and preservation of aTK and their sustainable utilization in pursuit of the socio economic ambitions of Niger, the project is very strongly consistent with the 2017-2021 Social and Economic Development plan and through the programs to be deployed under its five strategic axes.

Niger UNDAF 2019 -2021 has 3 pillars which are: i) resilience, ii) Governance-Peace-Security and iii) Social Development and Demographic dividend. It is intended to deliver five outcomes including but not limited to resources mobilisation and channeling these resources towards priority sectors and regions by ensuring that the capacity needed for implementation are available in an efficient and effective way. In relation to the pillar on Resilience, the first outcome is to "ensure that targeted rural populations have access to innovative and descent job creation value chains, participate to the food, nutrition and disasters crises prevention and management mechanisms and to a sustainable management of natural resources and energy adapted to the climate change impacts". By addressing Access and Benefit sharing of genetic resources and valorisation of genetic resources value chains, the project contributes to the Resilience pillar of the Niger 2019 - 2021 UNDAF.

8. Knowledge Management

Elaborate the "Knowledge Management Approach" for the project, including a budget, key deliverables and a timeline, and explain how it will contribute to the project's overall impact.

During the first meeting of the Parties to the Nagoya Protocol that was held in Pyeongchang, Republic of Korea, 13-17 October 2014, NP parties adopted Decision NP 1/8 on measures to assist in Capacity building and capacity development in accordance with Art 22 of the NP. This decision includes a strategic framework for capacity building and development to support the effective implementation of the NP on ABS, which comprises five key areas for capacity building and development including: (1) Capacity to implement, and to comply with the obligations of, the Protocol; (2) Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing; (3) Capacity to negotiate mutually agreed terms; (4) Capacity of indigenous and local communities and relevant stakeholders, including the business sector and the research community, in relation to the implementation of the Protocol; and (5) Capacity of countries to develop endogenous research capabilities to add value to their own genetic resources. The management and sharing of knowledge generated through the implementation of the Nagoya Protocol are considered in the strategic framework, especially in relation to key area 2 and key area 5 respectively. In particular, under key area 2, the strategic framework contemplates under 2.5 among others, facilitating sharing of knowledge and expertise on ABS measures through:

- on-job-training and peer-to-peer exchange programmes,
- regional and sub-regional learning communities and networks/practices;
- the provision of technical assistance for the development of administrative procedures for implementing the ABS measures, development of guidelines for differentiating requests for access to genetic resources for commercial and non-commercial use, development of guidelines for establishment of simplified measures on access to genetic resources for non-commercial research purposes.

On its part, under key area 5 the strategic framework contemplates several actions spread across 5.1 to 5.3 including but not limited to the development of methodologies for assessing the potential commercial value of specific GRs and TK, building on good practices in the context of ABS, facilitation of the development of inter-linkages with other initiatives/methodologies/instruments for valorising GRs and TK, for example through knowledge exchange; documentation and dissemination of case studies on good practices and lessons learned in order to develop understanding of the value chain through analysing business model; provision of technical assistance to develop research capabilities of domestic institutions and universities to add value to genetic resources, supporting collaborative approaches to technical and scientific research and development programmes; providing technical assistance to support the development or strengthening of genetic resources databases, organization of trainings on bioprospecting and value-addition for genetic resources for IPLCs, small and medium enterprises and private sector, organization of trainings on research and taxonomic studies related to conservation of biological diversity and sustainable use of its components and building capacity to undertake research and development of genetic resources to the commercialization stage.

This project has planned an array of activities under component 2 which covers sensitisation, education, awareness raising and the multifaced capacity building that will be delivered in view to the attainment of the medium-term outcomes identified in the project ToC. These activities are very consistent with the 2014 strategic framework for capacity building and development especially under the key areas 2 and 5. The way the project envisages to capture and manage the knowledge and experience generated from all its activities is by exploiting the monitoring and evaluation field/sites visits and engaging with the pool of expert consultants of the project to capture and record the knowledge and lessons learnt and best practices generated in the execution of activities such as all the training and capacity building workshops and in the course of the sensitisation, awareness raising and education events. The knowledge management element of the project is directly the responsibility of the project management unit, specifically the Project Technical Adviser, who will assign timely recording of knowledge generation and best practices to the project officer responsible for M&E and communication. It can be envisaged that the Project Technical Adviser, with assistance of the project officer would be aiming to establish a knowledge management platform that will comprise the pool of consultants recruited by the project. Ideally and guided by the ambition to deliver continued learning and exchange of best practices long after the project lifetime, the establishment of communities of practices (CoPs) can be envisaged as part of the results of the trainings and capacity building sessions organised during the project. These CoPs will essentially be organised around the main stakeholders? groups notably local and indigenous communities, the scientific/research community, the private sector and policy and administrative officers in charge of the various consultations leading to the formulation and eventually implementation and enforcement of the prospective national ABS regime of Niger. The number of CoPs to be formed will be decided at the initial meeting but is likely to be 4 CoPs (Local and indigenous communities; Private sector/civil society; research/scientific community; administrative/policy officers). The M&E and communication project officer will be tasked from the outset of the project to focus on recording specific areas of knowledge and experiences which necessitate wider sharing across all actors. Furthermore, the products of knowledge management will be used and shared by the Project Technical Adviser in regional and international ABS for a much wider

sharing beyond the confines of Niger. The principal activities that will be carried out by the Knowledge management platform and which are budgeted can be outlined as follows:

- ? Initial meeting dedicated specifically for internal PMU discussions on the knowledge management approach that will be pursued throughout the project.
- ? Constitution of the communities of practices (CoPs)
- ? Consultations by the project officer with the consultants/experts on the recording of knowledge generated and best practices along the way and
- ? Organisation of interactive knowledge and experience sharing and best practices amongst CoPs
- ? Wide dissemination of key learning topics generated through the project (publication in CHM and production of flyers, opens access publications)
- ? Compilation of detailed knowledge management report

The only budgeted item from the GEF investment on the knowledge management element is the compilation of the knowledge management report. The costs for carrying out the other knowledge management activities are embedded in the travel for M&E and PMU and other travel pertaining to training, capacity building and sensitisation and awareness raising events, considering that the project officer is paid staff who will be working in conjunction with the experts. Let's try to elaborate on how the recording/compilation of learning experiences and best practices will be performed in the interest of knowledge management during and long after the project. For example, experiences gathered in the development of community protocols with selected local communities, the constraints and challenges will be captured and recorded by the experts and condensed in information and training materials ready to be used in the formulation of community protocols in other communities, long after the lifetime of the project, that is in the context of the implementation of the ABS regime of Niger. The same applies to the experiences and best practices in the valorisation of GRs, generated through consultations, training and real valorisation trials undertaken by the private sector, academic researchers/scientists and other community groups and associations involved in GRs ABS operations and bioprospecting activities. These experiences include approaches in the identification of high potential business opportunities for GRs including in relation with the exploitation of the aTK. Experts from the academic institutions, who are members of the platform will be instrumental in the documentation of the main lessons and knowledge generated and in formatting them into learning materials that can be exploited in the context of academic research and teaching as well as the training of indigenous and local communities, after the project. The project plans for example the production of a very easy to read and use manual on ABS that will not only explain ABS in simple terms but will also explain and describe in simple terms the domestic ABS regulatory regime. Although the production of this manual is scheduled and budgeted under component 2, the manual itself is

an important item of the knowledge management plan which will be widely disseminated to all categories of stakeholders.

The project will draw lessons from ABS implementation project in DRC, Peru and other countries with UNEP as Implementing Agency. As UNEP is currently developing portfolio of projects on ABS particularly in Senegal, Cameroun and Madagascar regular exchange of lessons learning either through publication of workshop will be envisaged.

	Components	Actors involved	Comments
1-	Initial meeting of the knowledge management platform	PMU Invited experts	An initial meeting will be needed. The meeting will be held in the premises of the CENDD as an internal meeting between the PM and the project officer M&E and communication.
2-	Formation of Communities of Practices	PMU	The CoPs will be constructed around the main categories of actors
3-	Consultations by the project officer with the consultants/experts on the recording of knowledge generated and best practices along the way	Project officer M&E and communication / PM	The M&E and communication project officer will interact continuously with experts/consultants to ensure that the pay attention in recording lessons, best practices and challenges throughout the project.
4-	Organization of interactive knowledge and experience sharing and best practices amongst CoPs	Consultants/experts/project officer M&E and communication	Training and capacity building sessions, as well as sensitization, awareness raising, and education sessions will provide the opportunities for these interactive exchanges

5-	Wide dissemination of key learning topics generated through the project (publication in CHM and production of flyers, opens access publications)	CHM publishing officer, project M&E and communication, Project Technical Adviser	Useful information that is CHM publishable will be submitted to the national publishing agency after validation by relevant authority(ies)
6-	Compilation of detailed knowledge management report	M&E and communication project officer, PM and an expert identified by the PMU	The expert, likely to be the national consultant on sensitization and Awareness raising will be drafted to support the compilation of this report.

9. Monitoring and Evaluation

Describe the budgeted M and E plan

The standard monitoring, reporting and evaluation processes and procedures of the United Nations environment along with the substantive financial and technical reporting of the project, based on UNEP templates will be strictly followed throughout the implementation of this project. Furthermore, the monitoring and evaluation which is described and budgeted in the table below, is in line with the GEF M&E guidelines. The plan displays M&E activities to start with the project inception phase which will be reported via the inception report. The plan further indicates the key stages for monitoring visits to selected field sites where gender, indigenous people indicators will be collected, safeguard management approach to be observe and training activities will Take place; the delivering progress, and annual reports, the midterm evaluation as well as final/end of project reports and encompasses the production of activity and output-based reports, which reflects the SMART indicators defined and included in the results framework. The detailed budgeted M&E plan is be

low.

Type of M&E activity	Responsible Parties	Budget from GEF	Budget co-finance	Time Frame
Inception Meeting	Project ABS Technical Adviser (PTA) and Project Management Unit (PMU)	10,000	80,000	Within 2 months of project start-up

Inception Report	PTA and PMU		20,000	1 month after project inception meeting. Cost considered under the budget of the inception meeting
Project Steering Committee (PSC) meetings	PTA and PMU; UNEP TM	10,000	75,000	At the minimum once a year in person attendance and as necessary, via electronic media
Reports of PSC meetings	PTA and PMU		5,000	Within 1 month after PSC meeting. Cost under the PSC meetings budget
PIR	PTA, PMU and UNEP task manager		15,000 (3x 5,000)	Annually, part of reporting GEF reporting
Monitoring visits to selected field sites where gender, indigenous people indicators will be collected, safeguard management approach to be observe and and training activities will Take place	PTA and PMU; UNEP TM	20,000	50,000	When required and in a timely basis, largely to be decided by the PMU
Terminal Evaluation	UNEP Task manager, UNEP Evaluation Office, PTA	30,000	100,000	Within 6 months of end of project implementation
Project Final Report	PTA, PMU staff		5,000	Within 2 months of the project completion date as part of direct responsibilities of PMU staff
Co-financing report	PTA, PMU and selected co-financier		1,000	Within 1 month of the PIR reporting period on or before 31 July (cost incorporated in project components and management budget)
Publication of Lessons Learnt and other project reporting	Knowledge management platform, PTA, PMU, external expert	21,871	100,000	Semi-annually, annually and in final report Within 1 month of the end of reporting period: on or before 31 January and 31 July; considered under direct responsibilities of PMU staff and PTA
Audit	PTA, UNEP task manager	12,000	75,000	Annual audits and audit reports
Total M&E Plan Budget		103,871	526,000	

Project Evaluations: In-line with UNEP's Evaluation Policy and the GEF's Monitoring and Evaluation Policy, the project will be subject to a Terminal Evaluation (TE). If the project is rated as being at risk, a Mid-Term Evaluation (MTE) will be conducted by the Evaluation Office instead of a Mid-term Review (MTR). The review will include all parameters recommended by the GEF Evaluation Office for terminal evaluations and will verify information gathered through the GEF tracking tools, as relevant. The review will be carried out using a participatory approach whereby parties that may benefit or be affected by the project will be consulted. Such parties were identified during the stakeholder analysis (see sections A3. Stakeholders above). The project Steering Committee will participate in the mid-term review and develop a management response to the evaluation recommendations along with an implementation plan. It is the responsibility of UNEP's Task Manager to monitor whether the agreed recommendations are being implemented or not.

The Evaluation Office (EO) will be responsible for the Terminal Evaluation (TE) and will liaise with the Task Manager and Executing Agency(ies) throughout the process. The TE will provide an independent assessment of project performance (in terms of relevance, effectiveness and efficiency), and determine the likelihood of impact and sustainability. It will have two primary purposes: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing

through results and lessons learned among UNEP, the GEF, executing partners and other stakeholders. The direct costs of the evaluation will be charged against the project evaluation budget. The TE will be initiated no earlier than six months prior to the operational completion of project activities and, if a follow-on phase of the project is envisaged, should be completed prior to completion of the project and the submission of the follow-on proposal. Terminal Evaluations must be initiated no later than six months after operational completion.

The draft TE report will be sent by the EO to project stakeholders for comments. Formal comments on the report will be shared by the EO in an open and transparent manner. The project performance will be assessed against standard evaluation criteria using a six-point rating scheme. The final determination of project ratings will be made by the EO when the report is finalised and further reviewed by the GEF Independent Evaluation Office (IEO) upon submission. The evaluation report will be publicly disclosed and may be followed by a recommendation compliance process.

10. Benefits

Describe the socioeconomic benefits to be delivered by the project at the national and local levels, as appropriate. How do these benefits translate in supporting the achievement of global environment benefits (GEF Trust Fund) or adaptation benefits (LDCF/SCCF)?

The socio-economic situation of Niger is not very good despite all the efforts engaged by the authorities for example in adopting relevant policies that address such as development concerns as severe poverty levels and high unemployment. One of these policies mentioned earlier is the 2017-2021 Social and Economic Development Plan of Niger. According to this Plan, Niger has recorded in recent years notable progress in reducing inequalities, but the poverty rate of the population is still very high (45.41%) and is linked to the configuration of the domestic employment market which represents one of the major challenges for the country. The overall unemployment rate has increased from 13% in 2011 to 17% in 2014 (ENISED, 2016). The incidence of unemployment is higher among women than among men, with respective levels of 28.9% and 4.4% in 2014. It is also very acute among young people, with an unemployment rate of 23.7% for the 15-29 age group years (ECVMA 2011). Underemployment affects 68.4% of the working population (ECVMA 2014). It is rife mainly in rural areas, affecting 70.4% of the working population.

This project includes activities that will effectively contribute to the improvement of the socio-economic situation of Niger considering the various categories of actors who will directly or indirectly benefit from the project achievements. Firstly, legally grounded ABS transactions in the form of e.g., bioprospecting activities and ethnobotanical studies will create short term employment for local communities. This can be framed as direct benefit in terms of compensation to local communities for their manpower and support as local guides. These kinds of field-based activities provide opportunities for negotiating benefit sharing agreements with the custodians of the aTK. The model MAT that will be produced by this project will henceforth be used in such negotiations in which, local communities will be comfortable to engage based on the training received during the project. In the same vein, bioprospecting activities and ethnobotanical studies carried out according to the established and adopted ABS rules will employ national research

assistants who will not just earn monetary benefits but will enhance their knowledge in conservation sciences such as in plant systematics. The involvement of local scientist will equally enhance their biotechnological research skills and knowledge that can be applied in the exploration of the actual or potential value (medicinal, food and beverages, cosmetic, etc.) of the GRs. Be they financial or non-financial benefits in the form enhanced conservation knowledge earned by national stakeholders through this project, these benefits are all directly relevant to and are supportive of the global long-term impact stated in the ToC notably: conservation and sustainable use of biological diversity, embedded GRs and the preservation of traditional knowledge for the realization of the SDGs. In addition, by enhancing biotechnological research skills and knowledge of national research scientists in view to a better understanding of the actual or potential value of GRs, this project essentially lays the foundation for future economic returns through commercial exploitation of the GRs and aTK at the national level which will in turn lead to the transformation of the livelihoods of Nigeriens.

Furthermore the project will invest in activities that address the valorization of GRs and the development of business and economic opportunities through value chain development. This valorization dimension will involve national academic and research institutions such as the universities and researchers working on the promotion of GRs with high economic potentials. The valorization component of this project will equally involve ongoing projects that have provided co-financing. As mentioned above under the projects? baseline, some of the ongoing projects such as the one dealing with the date palm and the livestock support program on fodder species offer the opportunities for valorization of biodiversity and the trialing of the ABS tools such as PIC and MAT models. The valorization dimension will also involve the private sector, which is reflected through the involvement of national entrepreneurs whose principal business operations center around the commercial exploitation of special forest products and non-timber forest products, and national associations of traditional doctors with due consideration of gender. These groups of actors will be connected to the scientific biodiscovery research community and will gain insight on approaches to improve products safety which will evidently enhance their marketability at wider scale. It is therefore the case that, the valorization endeavors that are planned in this project will lead to employment creation through a better structuring of the sector of traditional medicine. In particular, the capacity building activities on valorization and business creation will be aiming to instill the business acumen in researcher scientists who can henceforth envisage the creation of spin off entities which will take over the ?commercial development? aspect of their research. The long-term effects of the valorization dimension of this project entails the production of a panoply of products (cosmetics, agricultural, medicinal, food etc.) for the domestic markets and potentially regional and the international markets. The supply of such biodiversity-based products in the local markets has the potential to the living standards of Nigerien populations via their access to those products.

By improving the governance of access to GRs and aTK and establishing legal certainty and clarity, the prospective NP compliant ABS regulatory framework will incentivize actors interested in the Nigerien GRs to invest in access and bioprospecting activities and GRs valorization projects. The prospective ABS regulatory framework will therefore create business opportunities for the GRs of Niger, ensuring

commercialisation at affordable prices and therefore improving the socioeconomic standards of Nigerien populations.

11. Environmental and Social Safeguard (ESS) Risks

Provide information on the identified environmental and social risks and potential impacts associated with the project/program based on your organization's ESS systems and procedures

Overall Project/Program Risk Classification*

PIF	CEO Endorsement/Approval	MTR	TE
Medium/Moderate			

Measures to address identified risks and impacts

Elaborate on the types and risk classifications/ratings of any identified environmental and social risks and impacts (considering the GEF ESS Minimum Standards) and any measures undertaken as well as planned management measures to address these risks during implementation.

Assumptions/risks	Magnitude	Mitigating approaches/actions
Government of Niger willingness and still committed to establish a comprehensive Nagoya Protocol compliant ABS regulatory framework	Medium	In case there are is any sign of reduced commitment from the government authorities, the PMU will endeavor to recalibrate the sensitization approaches aimed at government authorities to stress the economic, environmental, research partnerships consequences associated with Niger failure to fulfil its obligations under the Nagoya Protocol

Internal reorganization/staff turnover within key agencies involved in the implementation of the project, especially within the CNEDD and central government directorates of relevant ministries involved in the project	high	<p>This is a very high risks as profound changes and/or re-allocation of key staff can seriously delay the implementation of the project. The possible way forward is for a key institution like CNEDD to maintain key staff, especially the staff assigned in this project to stay throughout the project's lifetime. In case staffing change is unavoidable, tailored training and updating of new staff will mitigate the risks and facilitate new staff integration and contributions.</p> <p>The fact that the Secretariat of National CBD Commission is the project Steering Committee, this will allow a good number of member to stay in post for a long period of time.</p>
CSOs and other stakeholders? commitment to maintain their effective participation in all aspects of project implementation	Low	<p>The risk for reduced commitment and interest from key stakeholders? involvement and contribution to the project is very low. However, in the event of this happening, the PMU will diagnose the root causes of the problem through more consultations and engagement with CSOs and other key stakeholders and consensually, , corrective actions will be identified</p>

Non respect of the co-financing pledges	Medium	This risk will be addressed through several actions including sending reminders to the relevant organisations, engaging with them through discussions and consultations, undertaking budget reviews and revisions that take into consideration the reduced commitments.
Extended process of formulation, validation, adoption of all the policy, administrative and legislative instruments caused by cumbersome and slow administrative and parliamentary processes.	High	This risk is very high and could lead to the prospective tools not being adopted and ready for trials and full implementation before the end of the project. Capacity building and awareness raising of relevant administrations in understanding the ABS process and the importance for implementing relevant tools will be instrumental in mitigating this risk.

Political instability and general insecurity	High	<p>It is hard to predict the outcome of the presidential elections in Niger. A significant political change at the top of the state and in the national assembly can shake up national priorities in all areas. In case these changes happen to be very significant, quick PMU actions will be required with regards to sensitizing the new regime on ABS matters and bringing decision makers of the new regime up to speed with the project and the necessity for its successful implementation. Also, the PMU will be keeping well abreast of the security / insecurity issues and tailoring project activities accordingly.</p>
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COVID-19 pandemic and any other emerging health situation in the country.	Medium	<p>The COVID-19 pandemic and any other emerging health problems could be categorized as high risk for the implementation of this project because of their potential to effectively halt the execution of some project?s activities. However, with the measures taken by the government, the situation is under control and despite the continuous spread of the virus, life is returning to near normal. In the event of a significant upsurge in the spreading of the virus, the PMU will keep considering appropriate and pragmatic changes in the workplan and field execution of the affected activities.</p> <p>Where possible and applicable, the project will establish alternative ways of continuing the implementation of its activities. For example, training sessions could be conducted virtually where physical presence would not be possible.</p> <p>Additionally, where possible, consultants will be encouraged to enhance desk based activities research in place of field activities.</p>
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Supporting Documents

Upload available ESS supporting documents.

Title	Module	Submitted
Niger ABS Safeguard Risk Identification Form	CEO Endorsement ESS	

ANNEX A: PROJECT RESULTS FRAMEWORK (either copy and paste here the framework from the Agency document, or provide reference to the page in the project document where the framework could be found).

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
To create and apply the enabling conditions for the implementation of Nagoya Protocol on the Access and Benefit Sharing and Traditional Knowledge Regime in Niger.	the extent of key constituents of an effective ABS regime that are in place/fully functional in Niger at the end of the project and are in compliance with the Nagoya Protocol.	There is no fully compliant Nagoya Protocol ABS regime in Niger	<p>Medium Term Project target (MT): The entire set of the constituents of the National NP compliant ABS Regulatory regime of Niger drafted and progressing towards trial and improvement</p> <p>End of term project target (ET): All the constituents of a NP Compliant ABS regime are completed and ready for full implementation in Niger</p>	<p>Drafts ABS strategy, draft ABS law, drafts implementing regulations and supporting tools (e.g. communication strategy, community protocols, codes of best practices, etc)</p> <p>Texts of all the policy, administrative, legislative, and regulatory framework, supporting tools and implementing regulations and existence of a functioning institutional framework</p>	<p>Government and decision-making authorities/agencies highly committed to the project and its objective</p> <p>Parliamentary and administrative processes are up to speed to support the project</p> <p>Health situation with the pandemic COVID-19 and any other emerging health situation</p> <p>Political stability and security issues under control.</p>
Component 1: Development of a strategic framework, policy, administrative and legislative measures including the relevant supporting tools for the effective domestication and implementation of the Nagoya Protocol in Niger					

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
Outcome 1.1 The Nagoya Protocol is operationalized in Niger with institutions capable of discharging key functions	<p>Number of roadmap and action plan for the streamlining of biodiversity and ABS principles in sectoral policies and laws</p> <p>Number of ABS strategy in Niger</p>	<p>There is no roadmap and plan for streamlining of biodiversity and ABS in sectoral policies in Niger</p> <p>There is no national ABS strategy in Niger</p>	<p>MT: 3 planning and policy tools drafted over the first few weeks with due gender parity consideration (The roadmap and the action plan should be completed before MT; The various elements and framework of 1 comprehensive ABS strategy)</p> <p>ET: 3 planning and policy tools with due gender parity consideration finalized and adopted by relevant authority (1 roadmap and plan completed within six months of the project start; 1 portfolio of sectoral policies with streamlined ABS principles, 1 comprehensive ABS strategy including the vision, objective for NP implementation in Niger and all relevant approaches to conservation, valorization approach,</p>	<p>Minutes of consultative group meetings, minutes of workshops, experts' technical reports, progress semiannual reports and annual reports, M&E reports.</p> <p>Report of validation workshop, with other sectoral policies, comprehensive ABS strategy document, project terminal report, ABS CHM, CNEDD website</p>	<p>PMU is in place and has successfully mobilized the relevant expertise; sectoral administrations invited and involved in the process; funds mobilized in time; fluidity of movement for consultations and holding relevant workshops</p>

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
	Number of ABS law and implementing regulations adopted encapsulating all clusters of NP obligations including gender consideration.	Article 6(3) of the loi n° 98-56 du 29 décembre 1998, portant loi cadre relative à la gestion de l'environnement and Ministerial order N°00106/MEMS/RS du 17 mai 2013	<p>MT: 1 draft of all of the components of the ABS legislation with due consideration of gender parity produced; 1 draft of each implementing regulation with gender consideration produced (these may include draft ministerial orders for PIC, model clauses of MAT, ABS permit, codes of best practice, community protocol, designation of CNAs, checkpoints etc);</p> <p>ET: 1 Nagoya Protocol ABS law with due gender consideration finalised and validated; all implementing regulations and ministerial orders relating to the support tools finalised and adopted (these may include ministerial orders for PIC, model clauses of MAT, ABS</p>	<p>Reports of consultative meetings; drafts components of ABS law; experts' technical studies; reports M&E; semi-annual and annual reports.</p> <p>Reports ABS law regulations validation workshop; report parliamentary discussions and adoption of ABS law; executive order adoption of ABS law and regulations; ministerial orders adoption of supporting tools; terminal report; M&E report, ABS CHM; official journal</p>	PMU mobilise relevant expertise, funds mobilised on time, no conflicts amongst relevant government agencies; administrative and parliamentary processes at speed to facilitate the process; political and security stability

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
	Number and types of prototypes of ABS tools with due gender consideration e.g., PIC, MAT, access permit, codes conduct, community protocols, code of conducts adopted	There is no model or prototype of any ABS tool in Niger	<p>MT: 1 draft of all prototypes of support tools with gender consideration e.g., PIC, model MAT, Access permits, community protocols and codes of conduct, etc</p> <p>ET: 1 prototype of each of the support tools with gender consideration including PIC, MAT, Access permits, community protocols, codes etc finalised and adopted</p>		

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
	Number and types of institutions/agencies whose roles and responsibilities have been defined, bounded, and integrated into the ABS law and implementing regulations e.g., NFP, NCA(s), National ABS committee, CHM publishing agency, checkpoints.	NFP Nagoya Protocol appointed CNEDD in place coordinating the Nagoya Protocol, ABS implementation process	MT: 1 government decision to confirm NP focal point appointment; 1 framework document with draft text and gender consideration to guide the and define the roles of selection of NCA(s), checkpoints, publishing agency, drafts roles and responsibilities of NCA(s), checkpoints, CHM publishing agency, ABS committee. ET: finalised sets of texts with gender consideration on the roles and responsibilities of each of the ABS institutions (1 or more CNAs, 1 or more checkpoints, 1 CHM publication agency,) validated, adopted and s included in the draft law, implementing regulations and support tools, and trailed	Decrees and ministerial orders establishing the relevant agencies/institutions Reports of consultative processes; reports of technical experts of the pool of experts, ABS institutions established and operational, M&E report, CHM, legal and administrative instruments that establish the relevant institutions	All government administrations fully engaged to consensually agree on the results of the participatory processes and expert studies Lengthy administrative processes and political decision making Timely mobilisation of experts and funds Lack of communication among key actors especially government and state agencies

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
<p>Output 1.1.1: Strategy and action plan developed for the full implementation of ABS measures in Niger</p> <p>Output 1.1.2: Legislative, regulatory, administrative, institutional and policy measures for the full operationalization of the Nagoya Protocol are developed in Niger</p> <p>Output 1.1.3 Functional technical ABS institutions are in place in Niger applying procedures appropriate to the Nagoya Protocol, and exchanging <u>information</u> through the ABS Clearing-House</p>					
<p>Component 2: Awareness raising on the Nagoya Protocol and national ABS systems and capacity building for all relevant stakeholders in Niger</p>					

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
Outcome 2.1: Relevant stakeholders in Niger are aware of the developed ABS legislative, regulatory and institutional frameworks and of potential business opportunities related to the use of high potential genetic resources and associated TK	<p>Number of strategy produced on sensitisation, awareness and raising and communication with gender consideration</p> <p>Number of actors including women across the different stakeholders? groups sensitised and fully aware of all the constituents of the ABS regulatory and institutional framework</p> <p>Number of people having accessed the ABS manual with due consideration of gender and youth</p> <p>Number of people including women trained in different aspects domestic ABS framework including on valorisation of GRs</p> <p>Number and types of institutions / organisations whose personnel and people including women were trained</p> <p>Number of thematic modules with due gender consideration developed and delivered</p> <p>Number of instruments with due gender consideration widely disseminated</p>	<p>40 members of parliament already trained on the ABS concept (75% men and 25% women)</p> <p>40 members of the technical committee on Biodiversity trained on the ABS process</p> <p>60 members of the national association of traditional doctors trained on the ABS concept and ABS mechanisms</p> <p>Existence of biodiversity courses at Universities</p>	<p>MT: 1 draft of the sensitisation, awareness raising and communication strategy with due gender consideration ; 1 draft of the various training modules developed and ready for delivery/use; stakeholders groups and specific beneficiaries identified and at least 04 groups enrolled including women and the youth, potential GRs for the valorisation strategy selected; at least two workshops (training, valorisation etc) organised in universities, public institutions and other research and educational settings, 600 beneficiaries reached in the various dimension of sensitisation, awareness raising and capacity building (75% men and 25% women).</p>	<p>Reports of all the training and workshops with attendance lists; semi-annual reports, participants evaluation reports, sensitisation activity reports, M&E reports, terminal report</p>	<p>Timely mobilisation of financial and human resources in terms of technical expertise; respect of the chronogram of activities, situation with the pandemic COVID-19 and other emerging public health concern, national institutions and stakeholders/actors willingness to get involved in all aspects of the sensitisation and training activities; lengthy administrative and bureaucratic processes</p>

Project Objective	Objective level Indicators	Baseline	Targets	Means of Verification	Assumptions & Risks
<p>Output 2.1.1: A detailed ABS awareness raising strategy on the national ABS frameworks including materials tailored for specific stakeholder groups. (IPLC, civil society, researchers, private sector, government entities involved in ABS implementation.) are developed and rolled out in Niger.</p> <p>Output 2.1.2: Training designed for specific stakeholder groups in Niger conducted on managing access to genetic resources on various aspects of valorisation to develop business opportunities for resources of high potentials including traditional knowledge associated with these resources.</p>					

ANNEX B: RESPONSES TO PROJECT REVIEWS (from GEF Secretariat and GEF Agencies, and Responses to Comments from Council at work program inclusion and the Convention Secretariat and STAP at PIF).

N/A

**ANNEX C: Status of Utilization of Project Preparation Grant (PPG).
(Provide detailed funding amount of the PPG activities financing status in the table below:**

PPG Grant Approved at PIF: 45,662			
<i>Project Preparation Activities Implemented</i>	<i>GETF/LDCF/SCCF Amount (\$)</i>		
	<i>Budgeted Amount</i>	<i>Amount Spent To date</i>	<i>Amount Committed</i>
<u>National and International Consultants</u>	31,000	31,000	0
Travel on official business	4,662	4,662	0
Meetings (Inception validation workshop)	10,000	10,000	0
Total	45,662	45,662	0

ANNEX D: Project Map(s) and Coordinates

Please attach the geographical location of the project area, if possible.

Please see sub section 7.1b above of the CEO document

ANNEX E: Project Budget Table

Please attach a project budget table.

Please see attached project budget in UNEP budget template

ANNEX F: Termsheet

Instructions. Please submit an finalized termsheet in this section. The NGI Program Call for Proposals provided a template in Annex A of the Call for Proposals that can be used by the Agency. Agencies can use their own termsheets but must add sections on Currency Risk, Co-financing Ratio and Financial Additionality as defined in the template

provided in Annex A of the Call for proposals. Termsheets submitted at CEO endorsement stage should include final terms and conditions of the financing.

ANNEX G: Reflows

Instructions. Please submit a reflows table as provided in Annex B of the NGI Program Call for Proposals and the Trustee excel sheet for reflows (as provided by the Secretariat or the Trustee) in the Document Section of the CEO endorsement. The Agency is required to quantify any expected financial return/gains/interests earned on non-grant instruments that will be transferred to the GEF Trust Fund as noted in the Guidelines on the Project and Program Cycle Policy. Partner Agencies will be required to comply with the reflows procedures established in their respective Financial Procedures Agreement with the GEF Trustee. Agencies are welcomed to provide assumptions that explain expected financial reflow schedules.

ANNEX H: Agency Capacity to generate reflows

Instructions. The GEF Agency submitting the CEO endorsement request is required to respond to any questions raised as part of the PIF review process that required clarifications on the Agency Capacity to manage reflows. This Annex seeks to demonstrate Agencies' capacity and eligibility to administer NGI resources as established in the Guidelines on the Project and Program Cycle Policy, GEF/C.52/Inf.06/Rev.01, June 9, 2017 (Annex 5).