REPUBLIC OF CAMEROON Peace - Work - Fatherland

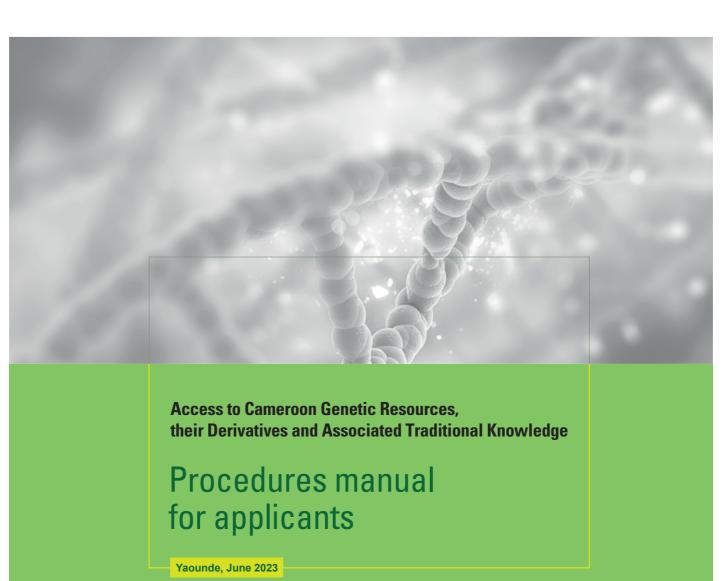
Ministry of Environment, Protection of Nature and **Substainable Development** 



# **REPUBLIQUE DU CAMEROUN**

Paix - Travail - Patrie

Ministère de l'Environnement, de la Protection de la Nature et du Développement Durable

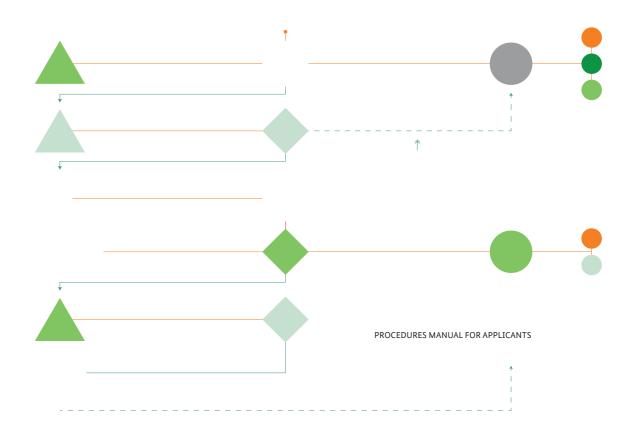






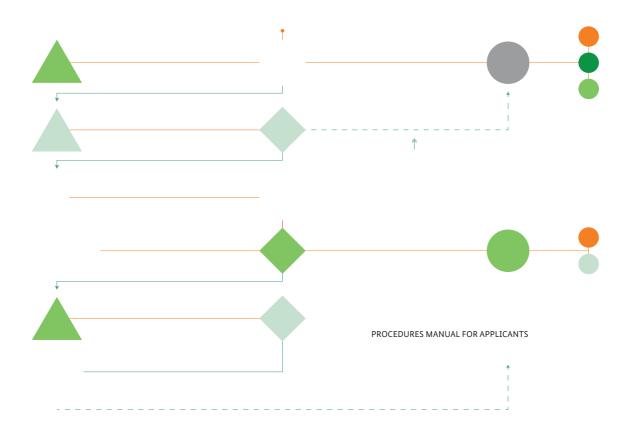






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# **Preface**

Cameroon, which is also known as Africa in miniature, is endowed with a rich floral and faunal biodiversity distributed in a variety of ecosystems in which indigenous and local communities live in close contact with their environment. These communities have developed a fine and age-old knowledge of the resources surrounding them. By way of illustration, communities for instance use traditional plant-based medicines. Intensive use of traditional pharmacopoeia, whose active ingredients have been validated by numerous pharmacological studies in laboratories, which have proven the effectiveness of medicinal plants and their genes in the treatment of numerous ailments.

Cameroon, which is fully aware of the importance of biodiversity for life and the threats to it, has ratified several Multilateral Environmental Agreements (MEAs), including the Convention on Biological Diversity (CBD) and its various related protocols, and more precisely the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) adopted in October 2010 in Nagoya, Japan. Cameroon ratified the aforementioned Protocol in 2016, and became the second African country to have an ABS Law since 9 July 2021. However, it should be noted that the country had already anticipated the measured exploitation of its genetic resources by implementing a transitional process that allowed the issuance of the first-ever ABS permits.

Despite this clear political will and the institutional and regulatory progress made, Cameroon's genetic resources remain under-exploited. Of this rich natural heritage, only about **1,000 listed species** are the subject of research. **About twenty** of these species are already **patented**, which are mainly held by foreign firms and institutions, a rate that is still very low as compared to countries such as South Africa or Brazil, which are already enhancing more than twenty percent (20%) of their biological potential.

Cameroon's genetic resources and associated traditional knowledge are still to be highly demanded by potential investors. This situation may be not only due to lack of information, but perhaps also to the procedures which are not sufficiently known.

All useful information and approach to follow by applicants are set out in this **User's Guide**, which is a real compass for interested applicants. In addition to recalling the various legal provisions governing ABS in Cameroon, the Guide defines and specifies the role of each actor involved in the process, as well as the various documents required to obtain an ABS Permit. Furthermore, since the aim is to enable the development of communities providing the resource,

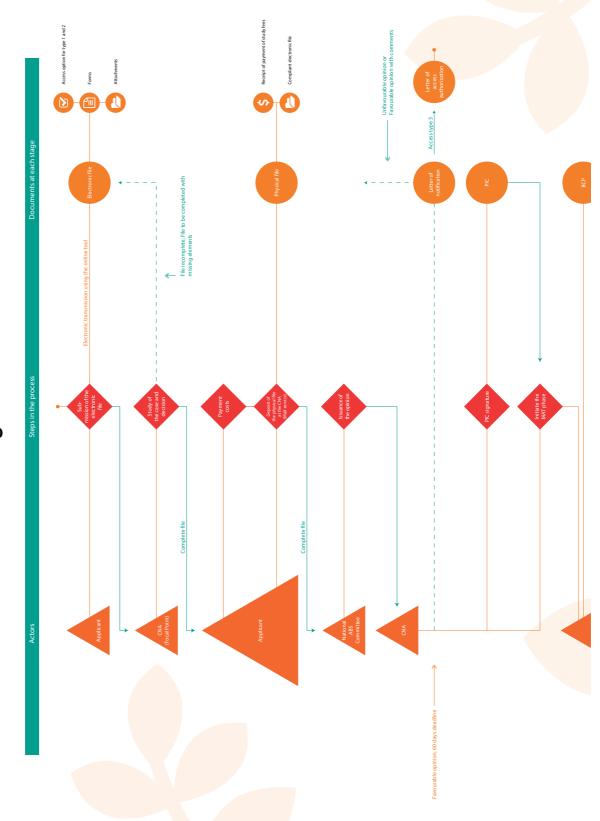
interactions between recipient and applicant communities, as well as the nature of the various benefits arising from them, are also of interest. An online system for geographically remote applicants is also available and can be accessed at any time.

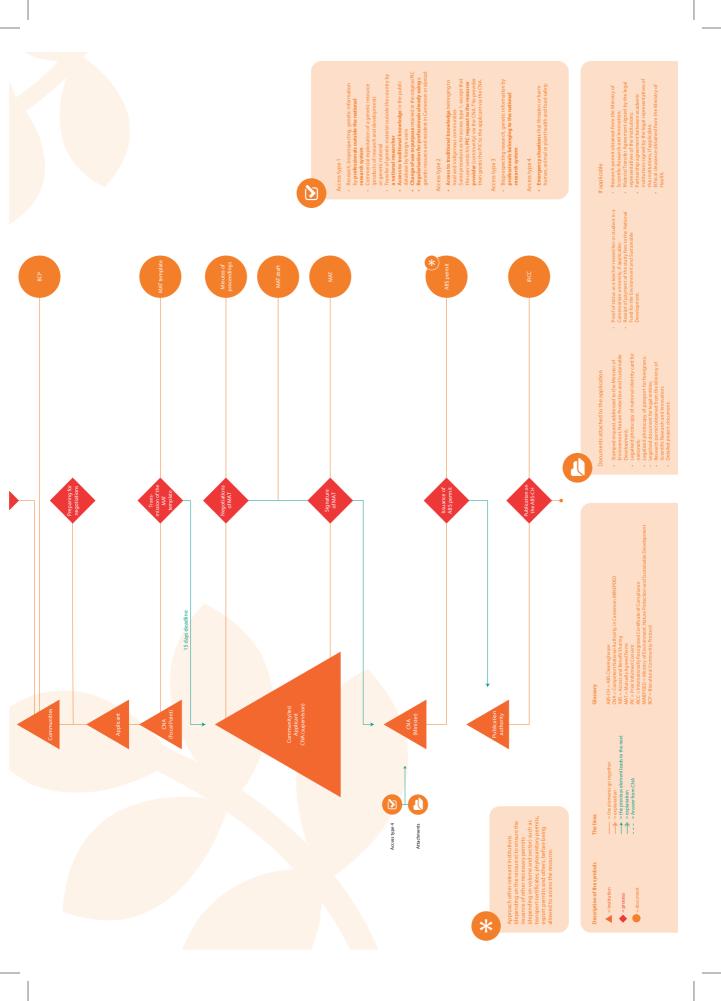
Researchers, industrial companies in the relevant sectors and other interested users, you can now find here a useful information base that will facilitate your efforts to access genetic resources for mutual benefit.

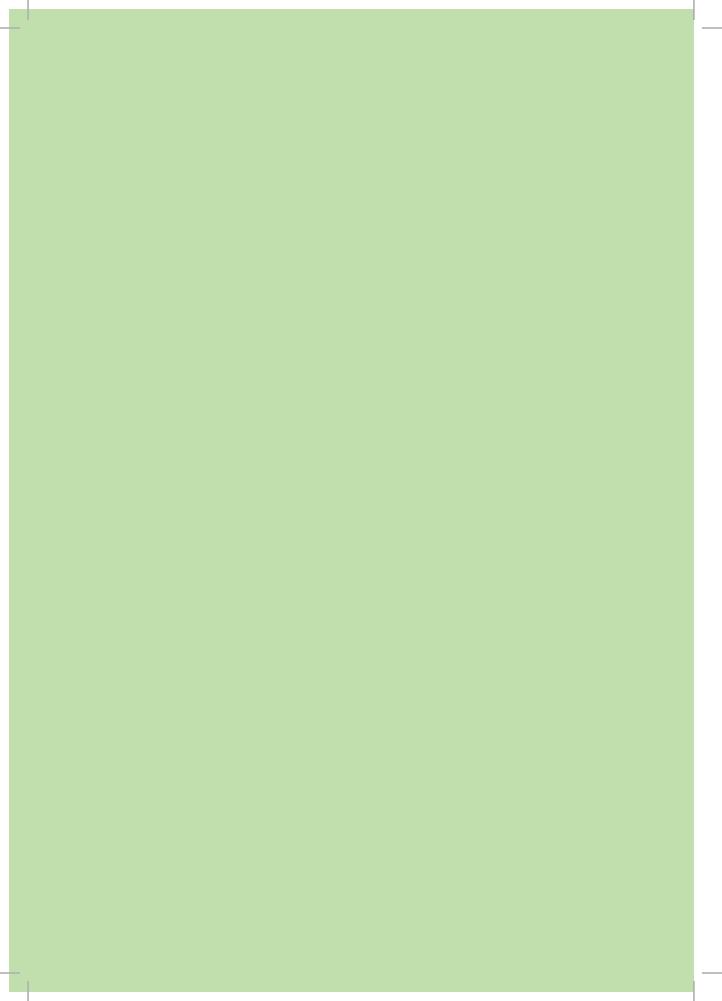
The Minister of Environment,
Protection of Nature and
Sustainable Development
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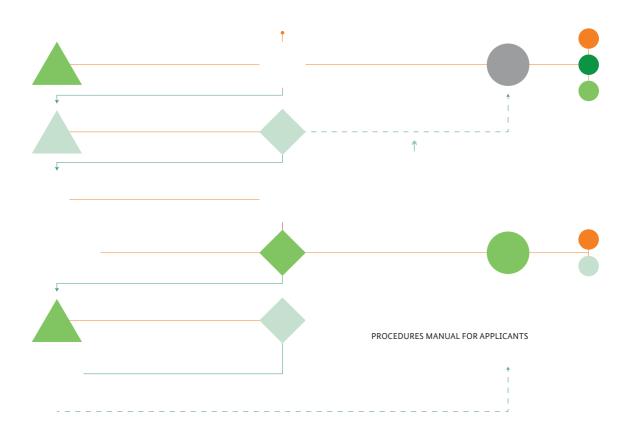
**HELE Pierre** 

Procedure for access to genetic resources in Cameroon

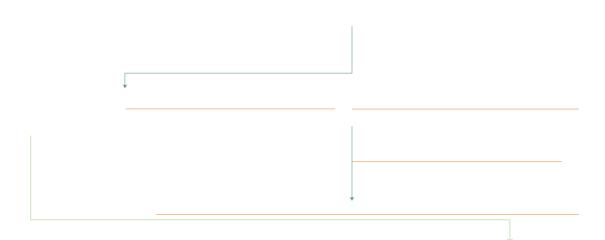








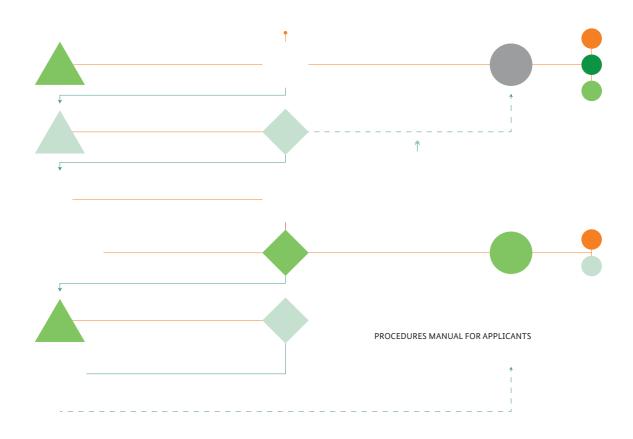
# **INTRODUCTION**



Cameroon which is a party to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization (ABS) since 2017, has recently enacted Law No. 2021/014 of 09 July 2021 to govern access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from their utilization. This law and its implementing instruments offer an opportunity to develop the local industrial fabric within the framework of the win-win partnerships and to increase the revenues of the State and local communities thanks to the sharing of benefits generated at the end of the genetic resources value chain.

The National Governance Programme (NGP) prescribes the improvement of the permanent provision of information to users as part of the process of modernising Cameroon Public Administration (CPA) as a lever for better performance of the Administration. The User's Guide is an information tool used by the CPA to provide information to citizens on the services intended for users and the conditions to be fulfilled

It is in this perspective of public policy to facilitate access to information for users that this guide of procedures is developed for potential users and applicants for access to genetic resources and associated traditional knowledge. Furthermore, an on-line platform has been developed and to further facilitate the implementation of the ABS process.



# **DEFINITIONS**

#### Access:

possibility for person or group to acquire, own and master knowledge; It entails collection and acquisition including any transaction on genetic resources, their derivatives or associated traditional knowledge by the user.

## Administrative act/deed:

a writing or service of an administration or institution in the form of a law, ordinance, decree, decision, convention, treaty, agreement, instruction, circular, communiqué, attestation, certificate, memorandum, report, authorisation, approval, minutes;

## ABS (Access and Benefit Sharing):

Access and fair and equitable sharing of benefits arising from the utilization of genetic resources;

Competent National Authority (CNA):

person vested with State authority, responsible for issuing the Prior Informed Consent and the ABS Permit;

#### Benefit:

monetary or non-monetary gain derived from the utilization of genetic resources, their derivatives and associated traditional knowledge;

#### Bio prospecting:

inventory and assessment of the components of biological diversity. In other words, it is the collection, research and the use of biological or genetic material in order to apply knowledge to scientific or commercial purposes;

# ABSCH (Access and Benefit Sharing Clearing House):

platform for exchanging information on access and fair and equitable sharing of benefits arising from the utilization of genetic resources;

# Mutually Agreed Terms (MAT):

a general expression indicating that the user and provider of a genetic resource, its derivatives and, where applicable, associated traditional knowledge must agree on the terms governing its utilization, as well as the conditions for sharing the ensuing benefits:

## Associated traditional knowledge:

dynamic and evolving body of knowledge, developed within a traditional context, collectively preserved and passed on from one generation to another, including know-how, techniques, innovations, practices and learning, that subsists in biological and genetic resources;

#### Prior Informed Consent (PIC):

authorisation issued by the National Competent Authority granting an applicant access to a genetic resource and/or associated traditional knowledge under specific conditions;

## National Focal Point:

natural person designated to provide information on access to genetic resources and associated traditional knowledge, and on the National Competent Authority, indigenous and local populations and relevant stakeholders;

## Applicant:

natural or legal person seeking access to a genetic resource, its derivative and/or associated traditional knowledge for research and development purposes; Derivative: any naturally occurring biochemical compound resulting from the genetic expression or metabolism of biological or genetic resources, even if it does not contain functional units of heredity;

# Holder of associated traditional knowledge:

any natural or legal person belonging to an indigenous population or to a local community or any community with associated traditional knowledge;

# Customary law:

set of customs, practices and beliefs that are accepted as binding rules of conduct in indigenous and local communities;

## Intellectual property rights:

set of legal rules aimed at protecting the creation of intellectual works, including those relating to: literary, artistic and scientific works, performances of performing artists, phonograms and broadcasts, inventions in all fields of human activity, scientific discoveries, industrial designs and models, trademarks, service marks and commercial or trade names, protection

against unfair competition, and all other rights relating to intellectual activity in the industrial, scientific, literary and artistic fields;

## Provider:

the State, as holder of genetic resources, or indigenous and local communities, as primary custodians and providers of biological resources and holders of traditional knowledge associated with genetic resources;

# User's guide:

document that provides information to a natural or legal person requesting a service from a structure; It is a document that serves as a guideline for benefiting from a service;

### Genetic material:

any material of plant, animal, microbial or other origin containing functional units of heredity;

## Breeder:

a person who discovered and developed a variety. The term does not include a person who has redeveloped or rediscovered a variety whose existence is publicly known or is the subject of ordinary knowledge;

## Benefit-sharing:

division and distribution of monetary and non-monetary benefits among the contracting parties to Mutually Agreed Terms;

# ABS permit:

legal document attesting that conditions of access to a genetic resource, its derivatives, and/or associated traditional knowledge, have complied with the procedure for obtaining Prior Informed Consent and establishing Mutually Agreed Terms;

## Bio cultural Community Protocol:

a participatory toolkit which elaborates the lifestyles, values, procedures and priorities of indigenous and local communities. It establishes rights and responsibilities under customary, State and international law as the basis for interacting with external actors;

# Research and Development:

activities that institutions and/or companies undertake to innovate and introduce new products and services. It is often the first step in the development process.

#### Biological resource:

any component of the biological diversity of plant, animal or microbial origin that has a direct, indirect or potential value for humans;

#### Genetic resource:

genetic material of actual or potential value:

## Phylogenetic resource:

plant genetic of actual or potential value for food and agriculture;

## Private sector:

corresponds to the sector of activity of the economy that is not dependent on the State, or at least where the State is not an employer and only intervenes as a legal framework and referent. These are usually privately owned and managed enterprises whose raison d'être is profit.

# Transfer of associated traditional knowledge:

action/act by which the provider, under Mutually Agreed Terms, places associated traditional knowledge at the disposal of the user;

## Transfer of genetic resources:

action/act by which the provider, through agreement, places genetic resources, their derivatives and/or biological resource at the disposal of the user;

### User:

any natural or legal person, with an ABS permit, who uses genetic resources, their derivatives, and/or associated traditional knowledge;

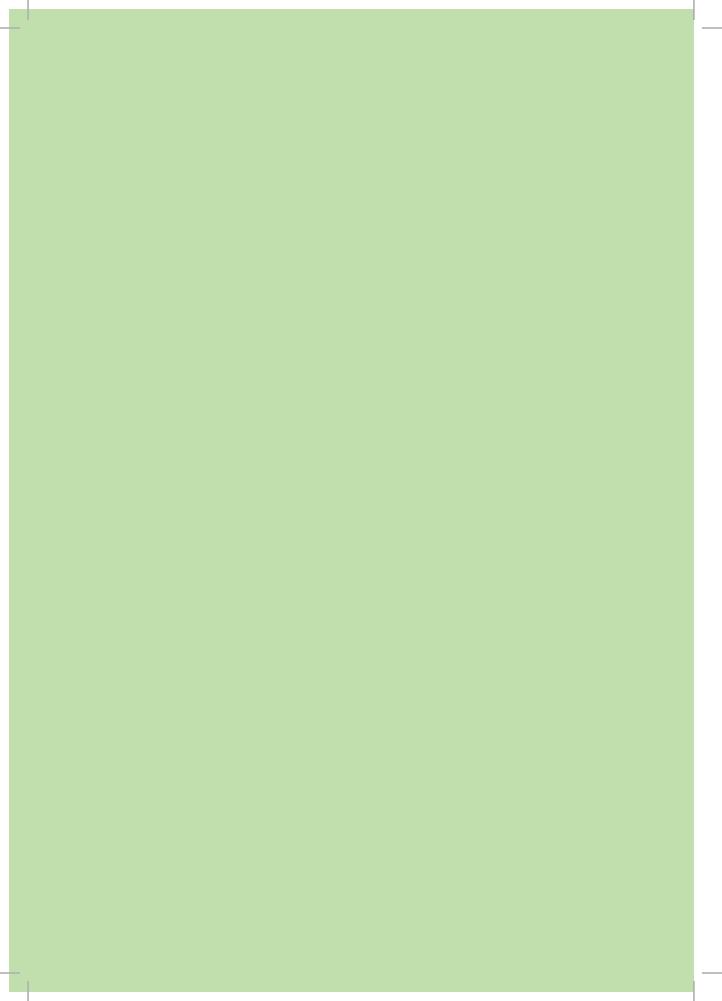
# Utilization of genetic resources and associated traditional knowledge:

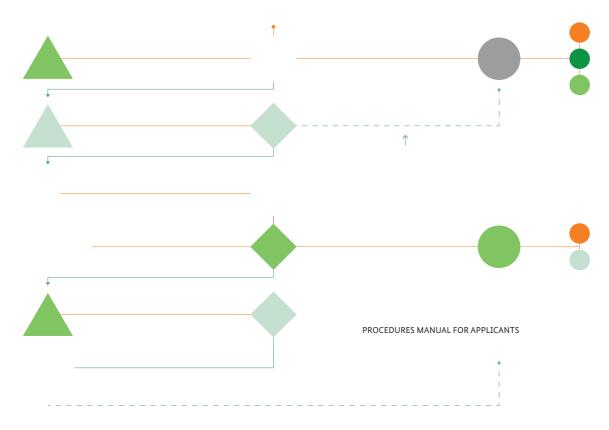
process of exploring the properties of plants, animals and micro-organisms and their associated traditional knowledge and derivatives in order to further scientific knowledge and information and develop commercial products;

# Sustainable use of biodiversity:

use of components of biological diversity in a way and at a rate that does not lead to their long-term decline, thereby maintaining their potential to meet the needs and aspirations of present and future generations.







What is the scope or areas concerned by access to genetic resources, their derivatives and associated traditional knowledge?

Law No.2021/014 of 09 July 2021 to govern access to genetic resources, their derivatives, traditional knowledge associated with genetic resources and the fair and equitable sharing of the benefits arising from their utilization covers the following scope:

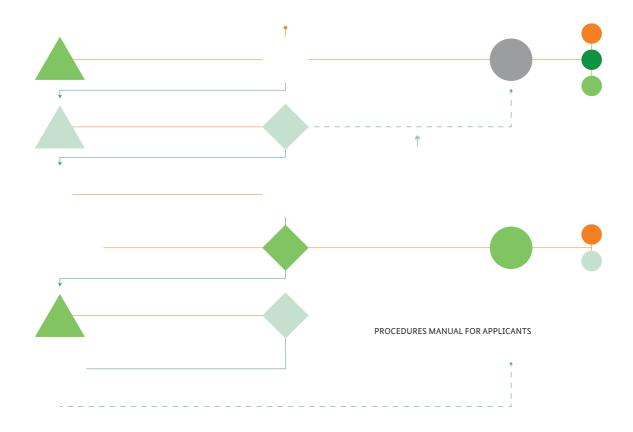
- access to genetic resources of plant, animal and microbial origin or any other genetic resources containing functional units of heredity across the national territory;
- access to associated traditional knowledge, including that of individuals or indigenous and local communities;
- transfer of genetic resources, associated traditional knowledge and research findings to third parties for development or commercial purposes;
- obtaining intellectual property rights on the use of genetic resources, their derivatives and/or associated traditional knowledge;
- international cooperation and cross-border aspects relating to genetic resources;
- current use of previously acquired genetic resources and/or traditional knowledge;
- Conservation of genetic resources.

The collection and export of biological resources for the purpose of utilization of genetic resources shall be subject to the prior obtaining of authorizations or permits provided for by the regulations in force.

The Commission on Genetic Resources for Food and Agriculture (CGRFA). of which Cameroon is a member, works towards a world free of hunger by encouraging the use and development of the full range of genetic resources for food and agriculture that are important for food security, nutrition and poverty alleviation. Thus, for food and nutrition security, certain crops and forage species of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) included in the multilateral system shall be excluded from the scope of the ABS Law.

# The following shall be excluded from the scope of the ABS Law:

- Biological resources whose use is not intended for the utilization of genetic resources;
- Biological resources and associated traditional knowledge used or exchanged among indigenous and local communities in traditional, cultural, spiritual or customary settings.
- Genetic resources intended for food and nutritional security in accordance with the provisions of the Commission on Genetic Resources for Food and Agriculture (CGRFA) of which Cameroon is a member.
- Genetic information obtained as a result of basic research and development is free of any use except for commercial purposes.



# Who can access genetic resources and/or associated traditional knowledge?

Any natural or legal person who so wishes may access a genetic resource, its derivative and/or associated traditional knowledge for scientific or commercial exploitation under the conditions provided for by this law and the regulations in force.

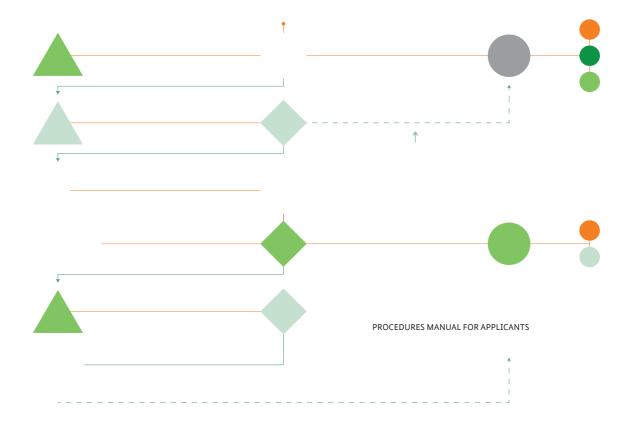
At the beginning of the procedure, this natural or legal person is called "applicant". At the same time, he/she is considered a "user" as the ultimate option of the access application process is the issuance of an ABS permit as a go-ahead for the exploitation of genetic resource, its derivatives, and/or the associated traditional knowledge.

National or foreign access applicants generally include:

- Research institutes;
- Universities;
- Private companies (cosmetic, pharmaceutical, food industry sector);
- Individual researchers.

Any natural or legal person may undertake activities relating to the use of genetic resources, their derivatives and/or associated traditional knowledge in the national, public or private domain, as well as their derivatives and have access thereto under the conditions provided for by this law and the regulations in force. These activities may relate to (Section 8, ABS Law):

- basic research;
- bio prospecting;
- research and development;
- marketing;
- use of genetic information;
- intellectual property issues;
- education;
- Genetic resource inventory.



# What are the basic requirements for accessing genetic resources and/or associated traditional knowledge?

# (a) For genetic resources

They may not be exploited for scientific, commercial or cultural purposes without obtaining **Prior Informed Consent (PIC)** from the Competent National Authority (CNA). Genetic resources and their derivatives of national origin belonging to the State shall constitute the common heritage of the nation (Section 5, ABS Law).

Basic research and development programmes carried out exclusively within the national research and innovation system shall not be subject to Prior Informed Consent (PIC), but subject to the declaration regime at the National Competent Authority, and to the signing of Mutually Agreed Terms with the indigenous and local communities.

The transfer of genetic material out of the country and/or the exploitation for commercial purposes of a genetic resource or

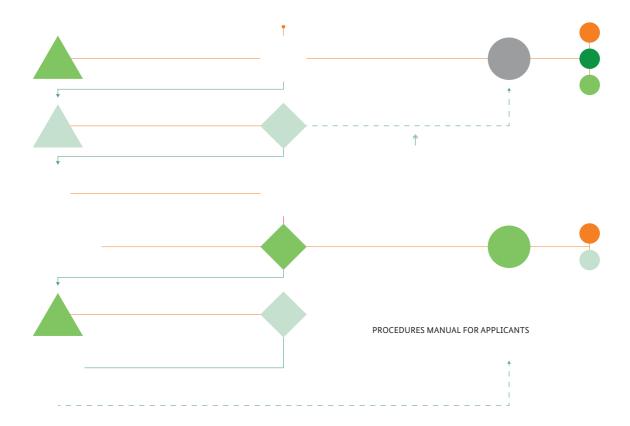
genetic material by local researchers shall be bound to obtain **Prior Informed Consent (PIC)** from the Competent National Authority (CNA).

# (b) For associated traditional knowledge

Associated traditional knowledge shall belong to the indigenous and local communities that developed, preserved, and handed it down from generation to generation, or to individuals identified by them in their midst.

The utilization of traditional knowledge associated with biological and genetic resources shall be subject to the establishment of Mutually Agreed Terms (MAT) between the applicant/user and the holder of the associated traditional knowledge as laid down in a Bio cultural Community Protocol or according to the customary law of the communities represented by the home council (s) (Section 18, ABS Law).

In all cases, access to genetic resources and their derivatives shall be subject to the issuance of the ABS Permit, which attests that the requirements of access have complied with all legal and regulatory procedures in force.



# What are the various options for access to genetic resources and/or associated traditional knowledge?

# There are four (4) application options for access to the ABS permit, including:

Option 1: It requires prior issuance of the PIC by the Competent National Authority (CNA). It starts with (i) the request for access addressed to the CNA, which leads to (ii) the issuance of the said PIC, followed by (iii) the negotiation of MAT with the entity recognised as provider by the State, then (iv) the application for the permit and finally (v) the issuance of the ABS permit.

# Activities concerned by this option include:

- Research, bio prospecting, use of genetic information by professionals outside the national research system;
- Exploitation for commercial purposes of a genetic resource or genetic material followed by the research and development phase or not;
- The transfer of genetic material out of the country and/or the exploitation for commercial purposes of a genetic resource or genetic material by local researchers;
- Access to traditional knowledge in the public database by foreign users:
- Change of use or purpose in the original PIC.

Option 2: It begins with a request for access to associated traditional knowledge to the local community concerned

through the Competent National Authority (CNA), which shall examine the request for access and shall give an informed opinion to the file. This is followed by the negotiation of MAT with the entity recognised as the provider by the State, and later by the application and issuance of the ABS permit.

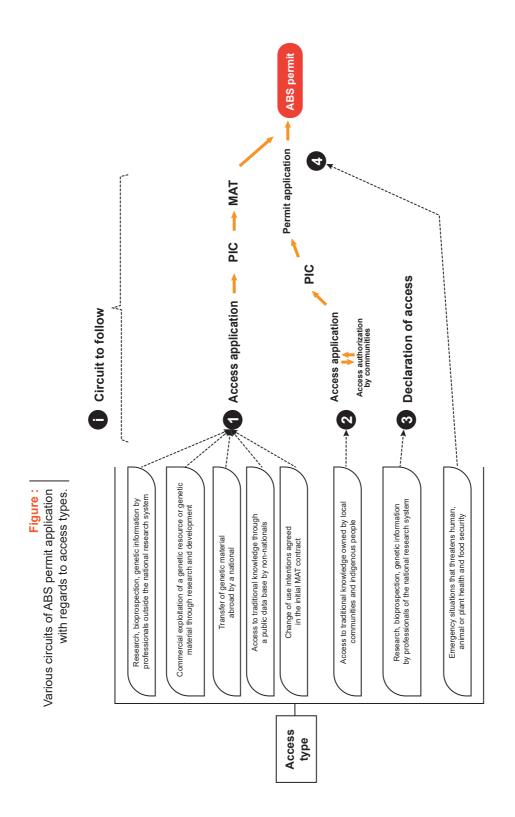
# The activity covered by this option includes:

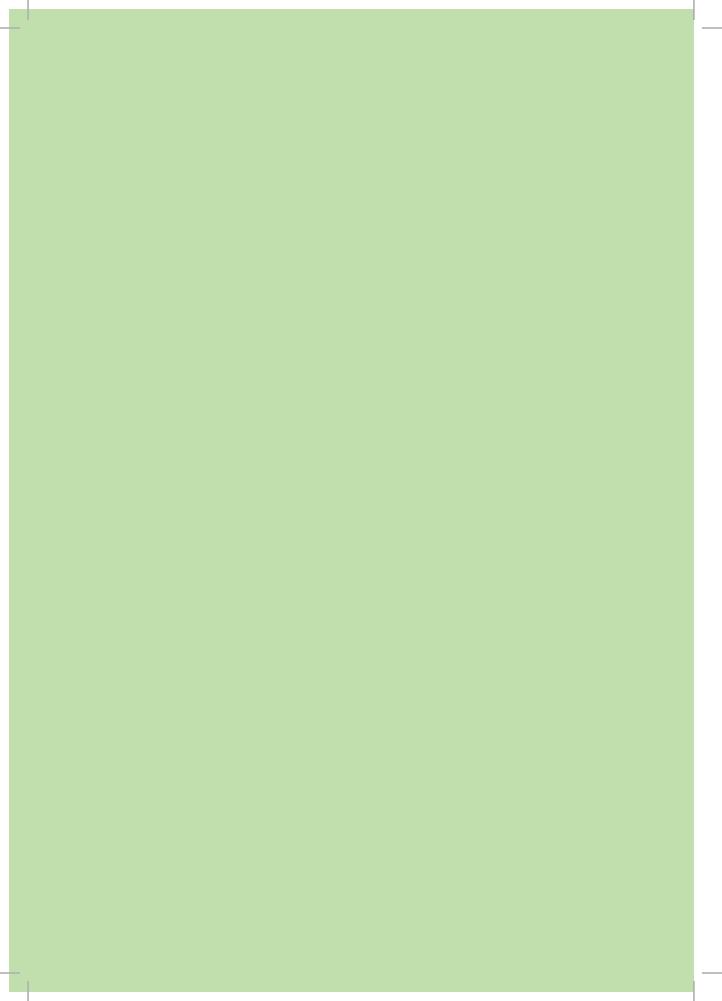
 Access to traditional knowledge belonging to local and indigenous communities.

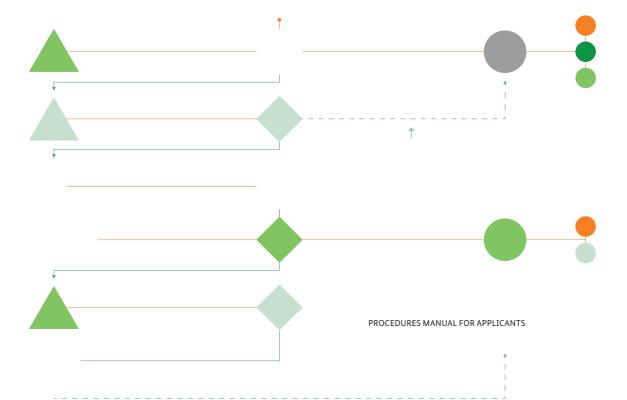
Option 3: It starts with a declaration of access to the Competent National Authority (CNA) and which, after the informed opinion of the National ABS Committee, may be accepted or refused by decision of the CNA.

# The activity covered by this option includes:

- Research, bio prospecting, use of genetic information by professionals belonging to the national research system.
- Option 4: It deals with emergency situations that threaten or are harmful to human, animal or plant health and food safety. An ABS permit application is submitted directly to the CNA.







# What is the procedure to be followed for accessing genetic resources in Cameroon?

# Preparation

- The user must have a clear idea of his needs in terms of research or value chain development of genetic resources.
- The user must identify the potential provider of the genetic resource, its derivatives or associated traditional knowledge. If the user does not know the place where the desired resource is found, he/she can refer to the genetic resources database of Cameroon or seek support and guidance from the CNA for this purpose.
- This potential provider may be a community, a Regional and Local Authority or a specialised institution.



# A - Issuance of Prior Informed Consent (PIC) for a genetic resource (for a validity period of one (1) year)

Applicant	International researchers, private sector, exporters and traders
Where applications for access should be made?	Applications should be addressed to MINEPDED in its capacity as Competent National Authority (CNA)
Prerequisite	Consult Annex I of the ITPGRFA to ensure that the purpose of the research is not related to food safety.
Application fees	<ul> <li>For nationals CFAF 100,000 (natural persons) and CFAF 300,000 (legal persons).</li> <li>For foreigners CFAF 500,000 (natural persons) and CFAF 1,000,000 (legal persons).</li> </ul>
How to proceed?	<ul> <li>Pay the application fee to the Accounting Officer of the Environmental and Sustainable Development Fund or by bank transfer to the BICEC account No.10001068656887626500130 if applicable;</li> <li>Transmit the payment information (bank transfer or other) Accounting Officer at the Environmental and Sustainable Development Fund at the e-mail address indicated or via the on-line system for verification and issuance of a receipt.</li> </ul>

# Compile a PIC application file including the following documents:

- Stamped application addressed to the Minister in charge of environment (letter introducing the application and listing the annexes);
- Access application form duly filled and signed;
- Legalized photocopy of the national identity card for nationals; legalized photocopy of the passport for foreigners;
- Legalized document of the structure for legal persons;
- Research permit (obtained from the Ministry of Scientific Research and Innovation, MINRESI);
- Detailed document of the research project for researchers;
- Proof of status as a teacherresearcher or student in a Cameroon university (for nationals and/or residents);
- An attestation of registration (taxpayer) generated by the website of the Directorate General of Taxation: www.impots.cm;
- Payment receipt of fees for the study of the file into the National Environmental and Sustainable Development Fund (Ministerial Building No.2, 8th floor, door 843).

If applicable (not mandatory at the beginning of the procedure):

# How to proceed?

# If the user needs to carry out preliminary research in human health, he/she shall attach the following:

- a copy of "Ethical Clearance" (obtained from the Ministry of Public Health);
- An administrative authorisation for research (obtained from the Ministry of Public Health).

# If the user needs to collect biological samples on plant and wildlife species protected by CITES, he/she shall attach the following:

 The CITES research permit for biological samples of plant and wildlife origin (obtained from the Ministry of Forestry and Wildlife).

# If the user needs to collect biological samples on domestic or livestock animals, he/she shall attach the following:

 The authorisation to collect the samples (obtained from the Ministry of Livestock, Fisheries and Animal Industry).

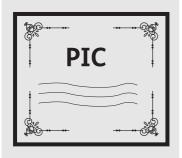
# If the user needs to carry out preliminary research on underwater species, he/she shall attach the following:

- The scientific fishing permit obtained from the Ministry in charge of fisheries;
- Send the digital file to the ABS Focal Point at the email address: <u>cameroon</u>. <u>abs@gmail.com</u> or via the on-line system for opinion;
- Submit the original copy of the complete file to MINEPDED mail Service;

#### How to proceed?

# File Processing

- MINEPDED shall forward the file to the National ABS Committee for opinion;
- The National ABS Committee shall examine the application and gives its informed opinion to the PIC application file:
- Following the Committee's opinion, the CNA shall notify the applicant by decision within a maximum of 60 days.



The Prior Informed Consent shall allow its holder to enter into negotiations for the conclusion of Mutually Agreed Terms with the providers. The Prior Informed Consent shall be valid for a period of one (1) year.

Under the supervision of the National Competent Authority, the holder of the Prior Informed Consent shall negotiate with the local communities with a view to concluding Mutually Agreed Terms.



# B - Declaration procedures for researchers belonging to the national research system

# **Applicant**

Researchers belonging to **the national research system** 

Where should applications for access be made?

Applications should be addressed to MINEPDED ABS Focal Point for formal notification and registration in the ABS-CHM database of the ABS-related research initiative carried out by researchers from the national system.

# Prepare a project note showing that the project aims to: generate new scientific knowledge of the resource: research the genetic structuring of **Prerequisite** biological resources related to specific functions: promote the conservation and sustainable use of biological diversity; appreciate the value and diversity of genetic resources. Fill and submit the declaration form, together with the following documents: Stamped application addressed to the Minister in charge of environment (letter introducing the application and listing the annexes); Legalized photocopy of the national identity card; Proof of membership of the national research system; How to proceed? Detailed project document; An attestation of registration (taxpayer) generated by the website of the Directorate General of Taxation: www.impots.cm Send the soft file to the ABS Focal Point at the email address cameroon.abs@gmail. <u>com</u> or via the online system for opinion.

at the MINEPDED mail Service.

Submit the original of the complete file

# ✓ MINEPDED shall forward the file to the National ABS Committee for opinion ✓ The National ABS Committee shall examine the declaration of access and shall issue an informed opinion on the file. Following the committee's opinion, the CNA shall contact the applicant by decision within a maximum of 60 days.

In the event where the exploitation of basic research and development programmes findings carried out within the national research system is intended for export for commercial purposes, basic research and development programme professionals shall be subject to a PIC application.



# C – Application procedures for access to associated traditional knowledge

Applicant	Researchers and private sector.
Where applications for access should be made?	Applications should be addressed to the local community concerned through the National Competent Authority
Application fees	<ul> <li>For nationals CFAF 100,000 (natural persons) and CFAF 300,000 (legal persons);</li> <li>For foreigners CFAF 500,000 (natural persons) and CFAF 1,000,000 (legal persons).</li> </ul>

- Pay the application fee to the Accounting Officer of the Environmental and Sustainable Development Fund or by bank transfer to the BICEC account No.10001068656887626500130 if applicable;
- Transmit the payment information (bank transfer or other) to the Accounting Officer at the Environmental and Sustainable Development Fund at the e-mail address indicated or via the on-line system for verification and issuance of a receipt.
- Compile an access application file including the following documents:
  - Stamped application addressed to the community concerned under the Minister in charge of environment (letter introducing the application and listing the annexes);
  - Application form for access duly filled and signed;
  - Legalized photocopy of the national identity card for nationals;
  - Legalized photocopy of the passport for foreigners;
  - Research permit (obtained from the Ministry of Scientific Research and Innovation, MINRESI);
  - Detailed document of the research project;
  - An attestation of registration (taxpayer) generated by the website of the Directorate General of Taxation: www.impots.cm
  - Payment receipt of the study fees into the National Environment and Sustainable Development Fund.

#### How to proceed?

	•	MINEPDED shall forward the file to the National ABS Committee for opinion;
File Processing	•	The National ABS Committee shall examine the application and gives its informed opinion to file;
	•	Following the Committee's opinion, the CNA shall notify the applicant by decision within a maximum of 60 days.



## D - Issuance of Mutually Agreed Terms (MAT) for access to genetic resources

Applicant	Chercheurs, secteur privé, exportateurs, commerciaux, tout autre demandeur.
Where applications for access should be made?	Applications should be addressed to MINEPDED, which is the Competent National Authority (CNA) to oversee the negotiation of MAT between the user and the local communities).
Prerequisite	Obtaining Prior Informed Consent (PIC) for those who are subject to get it.
How to proceed?	<ul> <li>Contact the ABS Focal Point to facilitate the negotiation process with local communities;</li> <li>The ABS Focal Point shall transmit within 15 days the standard draft MAT to both parties to facilitate the negotiations;</li> <li>Under the supervision of the CNA, both parties shall negotiate and sign the MAT for a validity period of three (3) years.</li> </ul>

The mobilisation and preparation of communities for the ABS agreement negotiation process shall require a substantial budget estimated at an average of CFAF 3,000,000 (three million, representing EUR 4,600). The parties shall agree on costs related to these activities, including the contribution of the communities (in kind) and the administration to ensure the success of the process.

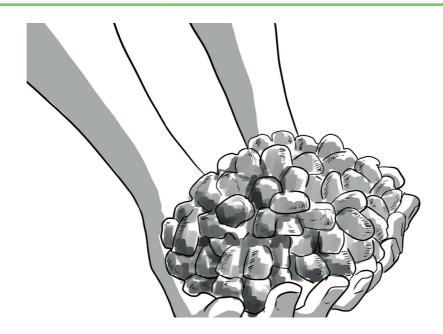


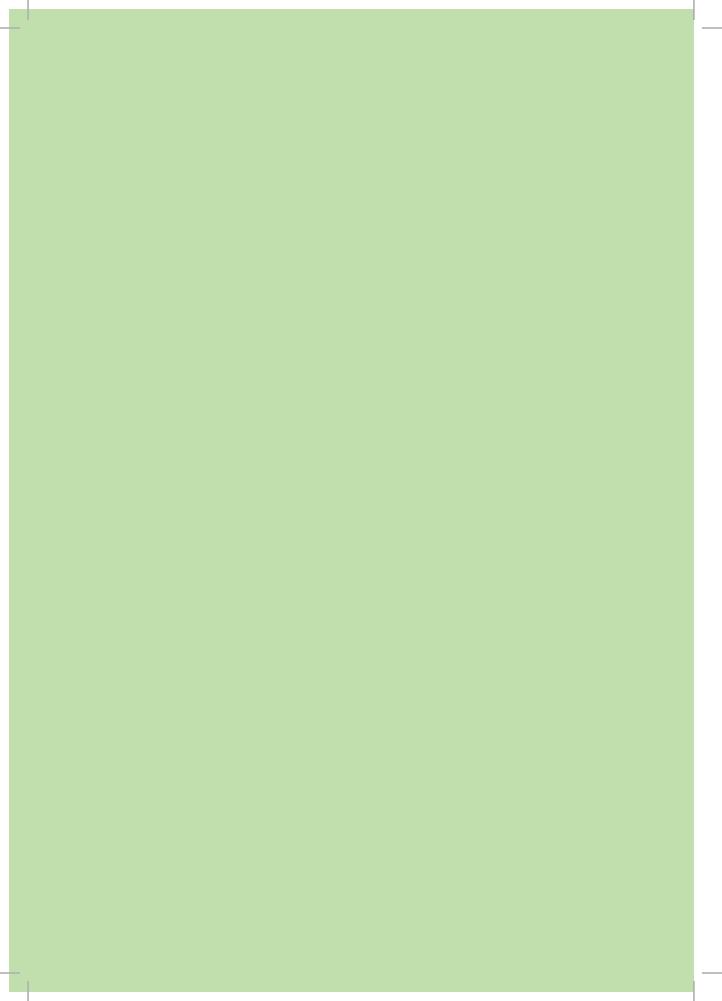
## E – Issuance of an ABS permit for access to genetic resources, their derivatives and associated traditional knowledge (for a validity period of five (5) years)

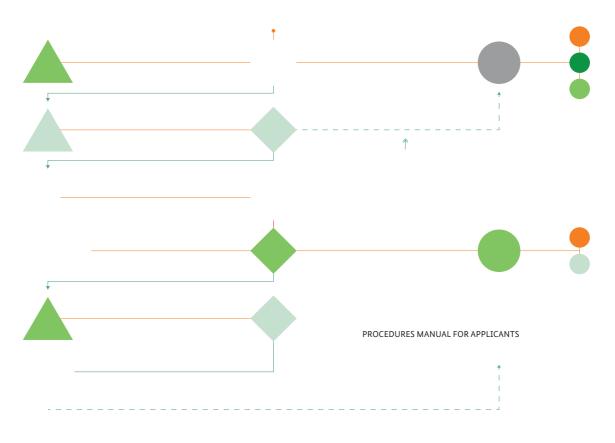
Applicant	Researchers, private sector, exporters, traders, researchers belonging to the national research system, and any other applicant.
Where applications for access should be made?	Applications should be addressed to MINEPDED in its capacity as Competent National Authority (CNA)
Prerequisite	Be holder of a MAT
How to proceed?	<ul> <li>Once the MAT is obtained, the user shall scan the MAT and attach it to the permit application form via the on-line system;</li> <li>The National Competent Authority shall receive the submitted application and issue the permit;</li> </ul>

### How to proceed?

- The ABS Focal Point shall transmit the information of the obtained ABS permit to the publishing authority;
- The publishing authority shall insert the permit information into the ABSCH. This permit shall then become an Internationally Recognised Certificate of Compliance (IRCC).
- Depending on the nature of the biological source of the requested genetic resource, the physical access, handling, transport and export of this resource may require parallel procedures to obtain other authorisations from the relevant administrations.
- The validity of the ABS permit shall be five (5) years, renewable. This renewal procedure shall remain the normal option or Option 1 as specified in the document.







## Summary description of the access procedure for the ABS permit

Point 1: Preparation	<ul> <li>The applicant must have a clear idea of his/her needs in terms of research or value chain development of genetic resources.</li> <li>The user must identify the potential provider of the genetic resource, its derivatives or associated traditional knowledge. If the user does not know the place where the desired resource is found, he/she can refer to the genetic resources database or seek support and guidance from the CNA for this purpose.</li> <li>This potential provider may be a community, a Regional and Local Authority or a specialised institution.</li> </ul>
Point 2: Submission of the access form	<ul> <li>The applicant shall prepare an electronic file (form + documents attached) from the on-line platform.</li> <li>The applicant shall submit the application for access via the on-line system (with attachments and receipt of fees) to the National Competent Authority.</li> </ul>
Point 3: Verification of the application	The Competent National Authority (CNA) shall verify the submitted application and request a modification (if necessary) or shall authorise the submission of a hard copy.
Point 4: Submission of the hard copy	The applicant shall submit a stamped application and the documents attached to the mail Service of the Ministry in charge of environment (including the payment receipt of fees).
Point 5: Examination of the application	The hard copy shall be submitted by the ABS Focal Point to be examined by the National ABS Committee for opinion.

Point 6: Processing of the application	<ul> <li>In case of an informed opinion, MINEPDED shall issue the Prior Informed Consent (PIC) or a letter of rejection as the case may be.</li> <li>The draft PIC or rejection letter shall be prepared and forwarded to the Minister in charge of environment for signature by the ABS Focal Point.</li> </ul>
Point 7: Obtaining the PIC	<ul> <li>The applicant shall receive the PIC or the letter of rejection.</li> </ul>
Point 8: Negotiation and signing of MAT	After obtaining PIC, the applicant shall be invited to meet the provider, notably the targeted community, to negotiate and conclude a written agreement with them for the fair and equitable sharing of benefits arising from the utilization of the resource. The parties should take into account the customs and rules of use contained in their bio cultural community protocol.
Point 9: Verification request for the signing of MAT	If the MAT is established after the PIC is issued, the user shall scan the MAT and attach it to the permit application form via the on-line system.
Point 10: Issuance of permit	<ul> <li>The National Competent Authority shall issue the ABS permit.</li> </ul>
Point 11: Reception of permit	<ul> <li>The user shall receive the permit issued by MINEPDED.</li> </ul>
Point 12: Publishing of permit information	The publishing authority shall upload the permit information into the ABSCH which then becomes an Internationally Recognised Certificate of Compliance (IRCC).

## N.B

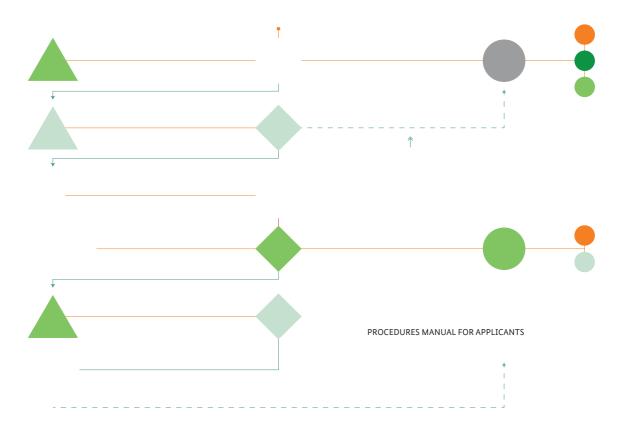
## Obtaining other authorisations if necessary

Depending on the nature of the biological source of the requested genetic resource, the physical access, handling, transport and export of this resource may require parallel procedures to obtain other authorisations from the relevant administrations if necessary.

## **Benefit-sharing**

The user shall access the genetic resource and shall share the benefits with the provider in accordance with the MAT.





## Summary description of procedures for professionals belonging to the national research system

Point 1: Preparation	<ul> <li>The applicant must prepare a project note showing the project aims to:</li> <li>generate new scientific knowledge of the resource;</li> <li>research the genetic structuring of biological resources related to specific functions;</li> <li>promote the conservation and sustainable use of biological diversity;</li> <li>Appreciate the value and diversity of genetic resources.</li> </ul>
Point 2: Submission of the access form	<ul> <li>The applicant shall prepare an electronic file (form + documents attached) from the on-line platform;</li> <li>The applicant shall submit the application for access via the on-line system (with attachments and receipt of fees) to the National Competent Authority.</li> </ul>
Point 3: Verification of the application	The Competent National Authority (CNA) shall verify the submitted application and request a modification (if necessary) or shall authorise the submission of a hard copy.
Point 4: Submission of the hard copy	The applicant shall submit a stamped application and the documents attached to the mail Service of the Ministry in charge of environment.
Point 5: Examination of the application	The hard copy shall be submitted by the ABS Focal Point to be examined by the National ABS Committee for opinion.
Point 6: Processing of the application	In case of an informed opinion, MINEPDED shall issue an authorisation for access or a letter of rejection as the case may be.

### Point 7:

Reception of authorisation for access

 The applicant shall receive the authorisation for access or letter of rejection issued by MINEPDED.

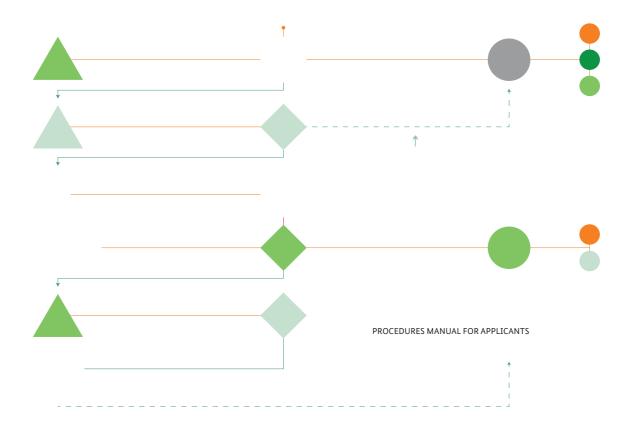
## N.B

 Depending on the nature of the biological source of the requested genetic resource, the physical access, handling, transport and export of this resource may require parallel procedures to obtain other authorisations from the relevant administrations if necessary.





# PROCEDURE FOR ACCESS TO GENETIC RESOURCES IN CAMEROON



## Other administrations involved in the ABS permit process

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	onal	Undertaking form for the national focal point; CV presentation template required for the research permit

Requirements	Specific sector	This is necessary during the collection phase of large quantities of biological material of plant and/or animal origin once the ABS permit has been obtained	
Requi	Cross-cutting		
	Relevant institutions	Ministry of Forestry and Wildlife (MINFOF) http://www.minfof.cm. This includes: - Detailed information on the forestry sector; - Some legal and regulatory instruments The user's guide which provides all information on the procedure for accessing administrative documents under MINFOF.	
	Key information	<ul> <li>Collaborate with an operator already approved to the profession to facili- tate physical access.</li> </ul>	<ul> <li>Collaborate with an operator already holding the collection permit to facilitate physical access.</li> <li>Regeneration tax (for samples to be collected) paid to the Public Treasury.</li> </ul>
Permit,	certificate, authorisation required	Approval to the forestry profession/ in case of special products	Collection authorisation in case of secondary forest products
	Sector	Forestry and Wild- life	

Requirements	Specific sector	
~	Cross-cutting	
	Relevant institutions	
	Key information	As regards the export of biological samples of plant and wildlife species, the applicant shall apply for CITES permit from the Ministry of Forestry and Wildlife based on the following procedure:  a stamped application at the rate in force for CITES permit (addressed to the Minister in charge of forestry);  a copy of the research permit from MINRESI;  a list of samples as well as a description of their packaging;  payment receipt of the CITES tax for biological samples of forestry and wildlife species in accordance with the amounts fixed by the Finance Law.
Permit,	certificate, authorisation required	CITES permit to export samples of forestry and wildlife species
	Sector	Forestry and Wild- life

	authorisation reg morning and required
The phytosanitary certificate is an official document drawn up according to the model of the FAO International Plant Protection Convention, issued by the phytosanitary authority and which attests to the phytosanitary uthority and which attests to the phytosanitary certificate form (original) provided by MINADER shall be filled by the user.  A phytosanitary certificate form (original) provided by MINADER shall be filled by the user.  Inspection of the product by a MINA— Cameroun) in partnership with points in airports, railway stations and ports.  Fees for obtaining the phytosanitary certificate are availation or in phytosanitary police checkpoints in airports, railway stations and ports.  Fees for obtaining the phytosanitary certificate availations and the issued conding to the phytosanitary certificate are available on the on-line platform careted by GICAM (Groupement Inter-patronal du Cameroun) in partnership with points in airports, railway stations and querilisate form of the phytosanitary certificate are available on the on-line platform careted by GICAM (Groupement Inter-patronal du Cameroun) in partnership with points in airports, railway stations and foreign trader (https://yaoun-foreign trader (https://yaoun-foreign trader (CFAE 5,000 - 10,000).	
The phytosanitary certificate is an official document drawn up according to the model of the FAO International Plant Protection Convention, issued by the phytosanitary authority and which attests to the phytosanitary status of each consignment.  A phytosanitary certificate form (original) provided by MINADER shall be filled by the user.  Inspection of the product by a MINADER staff in a sub-divisional delegation or in phytosanitary police checkpoints in airports, railway stations and ports.  Fees for obtaining the phytosanitary certificate varies according to the type and quantity of products to be exported (CFAF 5,000 - 10,000).	
	Phytosanitary certificate

	Permit,			Requir	Requirements
Sector	certificate, authorisation required	Key information	Relevant institutions	Cross-cutting	Specific sector
	Administrative Research Au- thorisation	The Administrative Research Authorisation is issued by the Minister of Public Health.	Ministry of Public Health http://cdnss.minsante.cm/?q=fr/ content/procedure-dobten- tion-dune-clairance-ethique		
Human	Ethical clea- rance	If the user needs to carry out preliminary research in human health, he/she must obtain an "Ethical Clearance» issued by the National Ethics Committee for Human Health Research (CNERSH). The file should include the following documents:  1. An application addressed to the Chairman of the National Ethics Committee for Human Health Research (CNERSH);  2. 4 protocols signed by the Project Initiator (PI) and Co-Investigators with an electronic version sent to the e-mail address of the CNERSH technical secretariat in English and French;  3. Summary of the protocol in English and French;  4. Paragraph on ethical considerations (methodology);			Required as part of the PIC application and ABS permit for human health re- search

Key information
<ol> <li>Information notice and informed consent form in English and French;</li> <li>Data collection tools;</li> <li>Detailed budget of the project;</li> <li>Updated CVs of the PI and all Co-investigators;</li> <li>Agreements from the health facility where the study will be implemented;</li> <li>Source of funding and address of the funder;</li> <li>Receipt of submission fee</li> </ol>
For clinical testing: 12. Investigator's brochure; 13. Insurance covering damage to participants; 14. Insurance covering errors in protocol implementation; 15. Agreement for access to treatment at the end of the testing
For studies where the promoter is abroad:  16. Ethical clearance from a competent ethics committee  17. Material and Data Transfer Agreement (MTA/DTA)  18. Data Sharing Agreement (DSA)

Requirements	Specific sector		Required as part of the PIC application and ABS permit for the collection of biological samples from domestic or livestock animals
Requ	Cross-cutting	Mandatory to export biological material once the ABS permit is obtained.	
	Relevant institutions		Ministry of Livestock, Fisheries and Animal Industries (MINE-PIA)  https://www.minepia.cm/me-diatheque/documentations/guide-de-lusager/
	Key information	• If the user needs to collect biological samples from domestic or livestock animals, he/she must apply to the Ministry of Livestock, Fisheries and Animal Industry (MINEPIA) for an authorisation to collect the samples.	<ul> <li>If the user needs to carry out preliminary research on underwater species, he/she must obtain the scientific fishing permit from the Ministry in charge of fisheries.</li> <li>The scientific fishing permit shall be issued by the Minister of Fisheries following the opinion of the Administration in charge of scientific research.</li> </ul>
Permit,	certificate, authorisation required	Authorisation to collect biological samples from domestic or livestock ani- mals	Scientific fishing permit
	Sector	Livestock	and Fisheries

Requirements	Cross-cutting Specific sector	Required in the file for access to the PIC and the ABS permit for underwater research
	Relevant institutions	The Government of Cameroon and the professional bodies and organisations involved in the clearance of goods have set up the Single Window for Foreign Trade Operations (GUCE) to simplify import and export procedures (http://www.guichetunique.org/web/eguceportal/presentation).
	Key information	<ul> <li>The prerequisites for exporting products from Cameroon include (i) obtaining an importer/exporter status and (ii) the obligation to have an upto-date taxpayer card;</li> <li>Registration in the trade register (CFAF 10,000);</li> <li>Establishment of a trader's card (CFAF 5,000);</li> <li>Registration as exporter (CFAF 30,000).</li> <li>However, the status of importer or exporter alone is not enough to guarantee the success of any custom's operation. Goods concerned must comply with a minimum of legal requirements broken down into five (5) main phases, namely:         <ul> <li>Obtaining the export declaration (ED);</li> <li>Domiciliation of the export declaration (ED);</li> <li>Visa of the foreign exchange service;</li> <li>Payment of the required fees;</li> <li>Phytosanitary certificate.</li> </ul> </li> </ul>
Permit,	certificate, authorisation required	Import/Export Authorisation
	Sector	Import/ Export

	Permit,			Requir	Requirements
Sector	certificate, authorisation required	Key information	Relevant institutions	Cross-cutting	Specific sector
Import/ Export	Obtaining the export declaration (ED)	The export declaration (ED) falls under the responsibility of the Société Générale de Surveillance (SGS). The operator must produce all documents relating to goods to be exported (perform an invoice, purchase order, packing, etc.). In return, he receives a certain number of copies (usually 6) of the export declaration. He has to choose a domicile inn a bank.			
Import/ Export	Domiciliation of the export declaration (F1)	<ul> <li>The domiciliation of the ED (F1) for the payment of all sums due under the export procedure is done at the bank of his choice among those re- presented at GUCE.</li> </ul>			

Requirements	Cross-cutting Specific sector	Mandatory to export biological material once the ABS permit is obtained	
	Relevant institutions		
	Key information	• Following the bank domicile, the operator shall go to the foreign exchange service, located at the Single Window for Foreign Trade Operations (GUCE) to register the ED. The foreign exchange service shall register the ED by putting its visa on the various copies. It shall then return the copies bearing the visa to the operator, who shall in turn hand over part of the copies to the bank of domiciliation and the other to the custom's services.	• There are precisely two: One is the PAD fee (Douala Port Authority), and the other is the NCCB/CCIC fee (National Cocoa and Coffee Board/Cocoa and Coffee Inter professional Council).
Permit,	certificate, authorisation required	Visa of the fo- reign exchange service	Payment of the required fees
	Sector	Import/ Export	

Requirements	Specific sector	
Requir	Cross-cutting	
	Relevant institutions	
	Key information	<ul> <li>As regards the PAD fee, the operator must go to the unit of this institution located at the GUCE. He must present: a packing list for cocoa and coffee; a specification sheet (logs) and the packing list for wood; the packing list and weighing tickets for other products. The agent of the PAD unit, in view of the documents provided and their indications shall settle the sums due by the operator and shall issue him an invoice for port fees. Once the operator has received the invoice, he shall go directly to his bank to pay the invoice against receipt.</li> <li>As regards the NCCB/CICC fee, it should be paid exclusively by cocoa and coffee exporters. The fees shall be paid to the NCCB and the CICC.</li> </ul>
Permit,	certificate, authorisation required	Payment of the required fees
	Sector	Import/ Export

	Permit,			Requir	Requirements
Sector	certificate, authorisation required	Key information	Relevant institutions	Cross-cutting	Specific sector
Import/ Export	Pre-export formalities (airport)	<ul> <li>The export of products and goods can also be done by air freight depending on the volume to be exported. Obtain an importer/exporter status.</li> <li>The trader's card is not compulsory.</li> <li>It is required to establish the various technical documents according to the nature of goods (phytosanitary service, water and forestry service.).</li> <li>An Export Declaration (ED) shall be established at the office of the Société Générale de Surveillance (SGS).</li> <li>The shipping costs vary according to the weight of goods.</li> </ul>		Mandatory to export biological material once the ABS permit is ob- tained.	



to facilitate the collection, transport and export operations of the resources requested once the ABS permit Foreign Users are strongly advised to enter into partnership with national operators who are already approved has been obtained.

## \*N.B

 Changes may apply to the above-mentioned rates according to the provisions of the Finance Law.









## Disclaimer

Published by: The Ministry of Environment, Protection of Nature and Sustainable Development (MINEPDED)

With the technical and financial support of

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