

TC DOCUMENT

I. BASIC INFORMATION

Country/Region:	Brazil
TC Name:	Preparation for GEF Project BR-T1304 - Institutional Strengthening for Access and Benefit Sharing under the Nagoya Protocol
TC Number:	BR-T1308
Team Leader/Members:	Maria Claudia Perazza (INE/RND); Napoleão Dequech Neto (INE/RND); Onil Banerjee (INE/RND); Simone Bauch (RND/CDR); Yolanda Valle (INE/RND); Cristina C. Marzo LEG/SGO)
Indicate if: Operational Support, Client Support, or Research & Dissemination.	Operational Support
Number and name of Operation supported by the TC	BR-T1304- Institutional Strengthening for Access and Benefit Sharing under the Nagoya Protocol
Date of TC Abstract:	n/a
Beneficiary	Federative Republic of Brazil, through the Ministry of Environment
Executing Agency and contact name	IDB
Donors providing funding:	GEF Funding
IDB Funding Requested:	USD\$120,000
Local counterpart funding, if any:	n/a
Disbursement period (which includes Execution period):	12 months
Required start date:	July 10, 2014
Types of consultants:	Individual consultants
Prepared by Unit:	INE/RND
Unit of Disbursement Responsibility:	INE/RND
TC Included in Country Strategy (y/n): TC included in CPD (y/n):	No/No
Alignment with CS Priority Objectives	Yes: Increase the management of natural resources and climate change
GCI-9 Sector Priority:	i) Poverty reduction and equity enhancement; ii) Climate change, sustainable energy and environmental sustainability

II. DESCRIPTION OF THE ASSOCIATED GRANT OPERATION

The objective of the project - Technical Cooperation Grant BR-T1304 (GEF project 5760) “Capacity Building and Institutional Strengthening on the National Framework for Access and Benefit Sharing (ABS) under the Nagoya Protocol” - is to develop and

implement a national legal and regulatory framework and the administrative and governance capacity to enable Brazil to fulfill the ABS provisions of the Convention on Biological Diversity and the Nagoya Protocol¹. The PIF for the operation BR-T1304 was approved and included in the GEF Work Program on May 27, 2014 to proceed for its formal preparation. The Project Preparation Grant (PPG) and its corresponding funding, has also been approved by the GEF on the same date to support the definition of the scope for each project component described in the PIF and TC abstract for BR-T1304.

The proposed TC Grant BR-T1304 will finance the following components:

- a. National Legal Framework for ABS. This component aims to support the necessary legislative, policy and regulatory measures to establish a new ABS legal framework and harmonization of regulatory framework with the Nagoya Protocol. The objective is to establish the new legal and regulatory framework for ABS by: i) supporting the ratification of the Nagoya Protocol and the enactment of a new ABS bill; ii) harmonizing National Regulations with the Nagoya Protocol; and iii) supporting key stakeholders to improve their understanding of the requirements and implications of the legal harmonization.
- b. Knowledge management and training. This component seeks to broaden the capacity of different stakeholders to fully take advantage of the opportunities ABS has to offer by focusing on (i) the capacity of Indigenous and Local Communities (ILCs) to participate in ABS; (ii) the development of web based instruments to facilitate knowledge sharing and ABS processes; and (iii) pilot implementation of ABS processes under the new framework.
- c. Monitoring and Evaluation. This component will enable the creation of results monitoring systems as well as the project's mid-term and final evaluations.

III. OBJECTIVE AND JUSTIFICATION

The proposed TC's objective is to support preparation of the full-fledged GEF project proposal by providing inputs for detailed design and validation of the components, their indicators and targets, confirmation of cofinancing, risk assessment, institutional arrangements for execution, detailed budget and other supporting documentation for the preparation of the CEO Endorsement Request for GEF and the final document for the BR-T1304 operation. The proposal will show the projects contribution to the GEF Focal Area and national sustainable development objectives and the detail the expected global environmental benefits.

The proposed TC will contribute to the following GCI-9 lending program priority targets: (i) poverty reduction and equity enhancement, as the TC will enable the GEF project create a framework for opportunities for sharing economic benefits with local providers

¹ The *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization* was adopted by the 10th meeting of the Conference of the Parties of the CBD on October 29, 2010, in Nagoya, Japan. The NP provides a set of international rules that can facilitate access and benefit-sharing for utilizing genetic resources and associated traditional knowledge.

and associated traditional knowledge from poorer segments of the population - indigenous peoples and traditional communities; and (ii) climate change, sustainable (including renewable) energy, and environmental sustainability, by strengthening Brazil's capacity for conservation and sustainable use of genetic resources provided by its rich biodiversity.

IV. DESCRIPTION OF ACTIVITIES/ COMPONENTS AND BUDGET

The proposed TC will finance consultancies and workshops to support the preparation of the full-fledged GEF operation, organized into three components aligned with the :

Component 1. Support the legal framework and regulatory harmonization for ABS under the Nagoya Protocol. It includes the following main activities:

- 1) Legal research and literature review, baseline definition and implementation proposal for the new ABS legal framework; assessment of legal and regulatory gaps, opportunities and barriers to fully implement the Nagoya Protocol and identification of additional requirements;
- 2) Development of a proposal for the knowledge and communication action plan and dissemination strategy including stakeholder consultations (decision makers involved in structuring the legal framework for ABS);
- 3) Institutional analysis and proposed strengthening arrangements and governance capacity of the Genetic Resources Management Board (CGEN);

Component 2. Knowledge management systems and capacity building

- 1) Key stakeholders analysis and mapping (traditional and indigenous communities, industry in research and technology development, institutions) identification of their roles in project implementation and the necessary tools to engage stakeholders in the decision making process;
- 2) Gathering of baseline information and knowledge gaps for ABS information, procedures and reporting system; TOR for development of tools and community protocols; administrative procedures to conduct ABS agreements;
- 3) TOR for development of proposal for a national ABS clearinghouse for information sharing and relevant instruments for use by stakeholders (providers and users of genetic resources and traditional knowledge), such as best practices and codes of conduct; proposal for an electronic web-based ABS information and management system;
- 4) Design of awareness campaigns and a human resources training strategy on ABS for traditional and indigenous communities (providers) and key potential users (research and technology development); definition of target population and priority criteria for implementation of capacity building; design of training modules for specific target groups;
- 5) Detailed design of a pilot to apply the framework for ABS through negotiating and executing ABS contracts, which will include assessment of priority areas with high potential for genetic resources; identification and engagement of potential users and providers and support ABS processing, authorization, contract and execution.

6) Development of monitoring system and impact evaluation plan.

Indicative Results Framework

COMPONENT/ ACTIVITY	OUTPUTS	RESULTS
General		<u>TC general outcome:</u> Viable GEF project proposal on Access and Benefit Sharing of genetic resources for submission to GEF and IDB
1. Support the legal framework and regulatory harmonization for ABS under the Nagoya Protocol	<p><u>Output 1A.</u> One technical study including: i) review of existing and proposed legal instruments related to ABS; ii) legal gap analysis related to Nagoya Protocol provisions; and iii) recommendations for legal reform and regulatory harmonization on ABS under the NP.</p> <p><u>Output 1.B.</u> One report on institutional analysis related to ABS and recommendations for institutional arrangements and governance capacity of CGEN.</p> <p><u>Output 1.C.</u> 2 workshops/ stakeholders consultation and dissemination with key stakeholders;</p>	<u>Outcome 1:</u> full inputs to establish the legal framework for ABS streamlining the NP into the regulatory and subsidiary legislation in Brazil
2. Knowledge management systems and capacity building	<p><u>Output 2.A.</u> 3 technical reports on: i) stakeholder analysis and mapping; baseline information and knowledge gaps among key stakeholders; ii) data base of available Genetic Resources and Traditional Knowledge sources of information in Brazil and recommendations for improving data collection; and iii) Design an awareness /communications strategy and capacity building action plan that includes dissemination to public and private institutions, human resources training for MMA and other key institutions, and awareness /capacity building for traditional/indigenous communities.</p> <p><u>Output 2.B.</u> Proposal for national ABS clearinghouse; Proposal for information and management system for ABS processes; TOR for development of tools and community protocols; administrative procedures to conduct ABS agreements;</p> <p><u>Output 2.C.</u> Report with pilot design, including selection criteria of geographic areas; biodiversity resources; and providers and users; mechanisms and protocols; technical assistance activities; proposal for monitoring and project evaluation system.</p>	<u>Outcome 2.</u> Knowledge and management systems, tools and procedures identified and designed and knowledge dissemination strategies to stakeholders designed to enable implementation of national ABS framework.

The total budget for this TC is estimated at US\$120,000 as shown in the following table.

Indicative Budget

Activity/Component	Description	IDB/Fund Funding (USD)	Total Funding (USD)
1. Legal and regulatory framework on ABS	Consulting fees & travel costs		
	Output 1.A	24,000	24,000
	Output 1.B	12,000	12,000
	Workshops and consultations Output 1.C	12,000	12,000
2. Knowledge management systems and capacity building	Consulting fees & travel costs		
	Output 2.A	25,000	25,000
	Output 2.B	25,000	25,000
	Output 2C	22,000	22,000
TOTAL		120,000	120,000

The TC will be financed with GEF resources through a Project Preparation Grant (PPG). Its corresponding funds have been approved by the GEF on the same date as the PIF.

V. EXECUTING AGENCY AND EXECUTION STRUCTURE

The IDB will be the executing agency for this Technical Cooperation at the request of the Government of Brazil, with the INE/RND division responsible for its implementation and supervision. The Bank will be responsible for the administration of the procurement of consulting services. This arrangement has the following reasons: i) the complexity in project implementation involving different institutional jurisdictions and stakeholders; ii) Bank's support would facilitate the task ensure timely delivery of results and more speedy preparation process.

The TC procurement will follow Bank policies (documents GN-2350-9, GN-2349-9, and GN-2303-20) and will adhere to the TC procurement plan (Annex III). Individual consultants will be contracted under the rules of the Bank's human resources policy. Consulting firms will continue to be contracted according to the Bank's policies on the selection and contracting of consultants (document GN-2350-9); the contracting of non-consulting services (e.g. seminars) will observe the Bank's Corporate Procurement Policies (document GN-2303-20).

VI. PROJECT RISKS

Despite the Bank's acting as the contracting agency, the project implies involvement of a multilayered institutional structure, requiring solid capacity for coordination and collaboration with key stakeholders, as well as coordination of various consultants in

charge of the different subjects. To support the project team in averting this risk, a consultant to coordinate activities in the field will be contracted, with dedication full-time for the duration of the preparation activities, as well as close involvement by the Bank's project team in its execution.

VII. EXCEPTION TO BANK POLICY

There are no exceptions to Bank policy.

VIII. ENVIRONMENTAL AND SOCIAL CLASSIFICATION

In accordance with the Environmental and Social Compliance (OP-703) and the Safeguards Toolkit, this project is classified as category "C". The activities financed through this operation will not have direct or indirect, social or environmental negative impacts. See Safeguard Policy Report ([IDBDOCS #38902529](#)).

Annexes:

- I. [Letter of Request](#)
- II. [Endorsement Letter](#)
- III. [Procurement Plan](#)
- IV. Terms of Reference (IDBDOCS [#38902539](#), [#38902541](#), [#38902543](#), [#38902545](#), [#38902547](#), [#38902548](#))

**PREPARATION FOR GEF PROJECT BR-T1304 - INSTITUTIONAL STRENGTHENING
FOR ACCESS AND BENEFIT SHARING UNDER THE NAGOYA PROTOCOL**

BR-T1308

CERTIFICATION

The Grants and Cofinancing Management Unit (ORP/GCM) certifies receipt of the GEF trustee commitment letter dated on May 7, 2014 for project Preparation for GEF Project BR-T1304 - Institutional Strengthening for Access and Benefit Sharing under the Nagoya Protocol for US\$120,000, chargeable against the GEF Trust Fund (GEFTF).

Original Signed

07/24/2014

Sonia M. Rivera

Date

Chief

Grants and Cofinancing Management Unit

ORP/GCM

APPROVAL

Approved:

Original Signed

07/25/2014

Hector Malarin

Date

Division Chief

Environment, Rural Development and Disaster Risk

Management Division

INE/RND