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# Capacity Need Assessment

Nagoya Protocol



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BIODIVERSITY AND PROTECTED AREAS EXPERT

## Capacity Need Assessment

A capacity need assessment was performed with an assumption made to assess the ability of individuals, and institutions in Jordan, to establish and manage a clear understanding and an effective implementation for the Nagoya protocol. Therefore, capacities of key institutions identified according to the bylaw were assessed, including:

1. National Focal Point (NFP)
2. Competent National Authorities (CNA)
3. Technical Committee (TC)

The institutional capacity need assessment was developed based on three major dimensions which are:

### 1. Institutional Formation

- Institutional Standards
  - Does institutions have a legal framework, and procedures which provide a consistent reference to the implementation of the Nagoya protocol?
  - Is the organizational structure meets the needs of Nagoya protocol or it has to be developed?
  - Does institutions hold an appropriate facilities and equipment to support the implementation of the Nagoya protocol?
- Human Resources
  - Does the institutions have a well-qualified staff and expertise in Nagoya protocol whom are capable to effectively implement the protocol?
  - Does opportunities exist for staff professional development and on-the-job training according to the organizations bylaw?
- Financial Resources
  - Does the institutions have enough financial resources to implement the Nagoya protocol?
  - Does the institutions have awareness of the future resource needs and availability to implement the Nagoya protocol?

### 2. Institutional Function

- Management
  - Does the institutional management has a high degree of independence to implement the Nagoya protocol effectively?
  - Does the staff involved in implementing Nagoya protocol can clearly describe their roles and responsibilities?
- Enabling Environment
  - Is there any appropriate links exist with other institutions to facilitate the implementation of the protocol?
  - Is there are any mechanisms available to develop skilled professionals?

- Does the institutions have the ability to adapt to implement the protocol measures

### **3. Institutional Conditions**

- Institutional Character
  - Is Nagoya protocol mesh with the institutional mission and priorities?
  - Are staff members are clearly aligned with the protocol?

The following shall illustrate the assessed institutions and their role in implementing the Nagoya protocol in Jordan

#### **National Focal Point (NFP)**

Jordan's Government has assigned the Director of the Nature Protection Directorate (NPD) at the Ministry of Environment as the ABS National Focal Point (NFP). Currently, the NPD is operated by the manager who is responsible about three major section and these are: i) Biodiversity Conservation Section, ii) Water and Marine Conservation Section, and iii) Desertification Section. The following discuss the current situation at the institutional level of the NFP.

#### **Competent National Authorities (CNA)**

According to the Nagoya protocol bylaw, a set of organizations working at decision making level, were proposed to represent the CNA and these are:

1. Ministry of Environment
2. Ministry of Agriculture
3. National Center for Agricultural Development
4. Ministry of Planning and International Cooperation
5. Ministry of Higher Education and Scientific Research
6. Ministry of Education
7. Environmental Commissioner at the Aqaba Special Economic Zone Authority
8. Jordan Food and Drugs Association
9. National Biodiversity Committee Chair
10. Head of Custom Department
11. Royal Department for the Protection of Nature
12. Jordan Investment Commission

#### **Technical Committee**

The technical committee was represented by the national biodiversity committee of Jordan. The committee includes experienced members from organization working with nature conservation.

## Institutional Capacity Need Assessment Matrix

It's important to note that Jordan is still lacking a clear national implementation and knowledge toward this protocol, and still it has to adopt the bylaw to adequately enforce implementation. This matrix was prepared based on the assessment guidelines listed above, where a compilation of the general feedback collected by various stakeholders was provided.

Part One: Institutional Formation											
1.1 Institutional Standards											
#	Issue	Current Situation			Current Situation			Current Situation			Recommendations and Remarks
		NFP			CNA			TC			
1.1.1		Poor	Fair	Good	Poor	Fair	Good	Poor	Fair	Good	
1.1.1	Does institutions have a legal framework, and procedures which provide a consistent reference to the implementation of the Nagoya protocol?			✓	✓			✓			<ul style="list-style-type: none"> <li>The NFP is currently in the process of ratifying the Nagoya bylaw which will be used as the legal framework which govern the implementation of the protocol measures</li> <li>The bylaw set the procedures of work of the NCA, and the TC but guidelines are still requested</li> <li>The bylaw will be issued as part of the Environment Law number 6 of 2017.</li> </ul>
1.1.2	Is the organizational structure meets the needs of Nagoya protocol or it has to be developed?		✓		✓			✓			<ul style="list-style-type: none"> <li>The organizational structure of the NFP is fair but it has to be improved with more staff members with knowledge about the protocol.</li> <li>Nagoya protocol shall be mainstreamed at institutional structure levels of NCA and TC, as soon as the bylaw is adopted</li> </ul>
1.1.3	Does institutions hold an appropriate		✓		✓				✓		<ul style="list-style-type: none"> <li>The NFP holds the CHM, but an update for the information is</li> </ul>

	facilities and equipment to support the implementation of the Nagoya protocol?										<p>needed through a collaborative efforts by various stakeholders involved in the implementation of the protocol. In addition, lack of necessary facilities and tools exists, which urge the need to collaborate with checkpoints and relevant stakeholders in Jordan to facilitate the implementation process.</p> <ul style="list-style-type: none"> <li>Some facilities exists at the level of CNA and TC, but it has to be tailored to fulfil the Nagoya protocol measures. As an example; the single-window system exists at the custom department, but it has to consider the protocol measures within. CITES convention is implemented well, but the institutions involved in CITES implementation has to consider the protocol when any certificate is issued. In addition, successful <i>In-situ</i> and <i>Ex-Situ</i> conservation measures are implemented in Jordan by various institutions, but it has to adopt the Nagoya protocol requirements such as updating the current ex-situ facilities and equipment's, as well as mainstreaming Nagoya measures within the protected areas management plans.</li> </ul>
<b>1.2 Human Resources</b>											
1.2.1	Does the institutions have a well-qualified		√		√				√		<ul style="list-style-type: none"> <li>The NFP has a good capacity in the current staff members who are</li> </ul>

	staff and expertise in Nagoya protocol whom are capable to effectively implement the protocol?										<p>following the protocol, but the directorate is under-staffed, and even limited knowledge exists which require further capacity building programs. This has to be considered for an effective implementation</p> <ul style="list-style-type: none"> <li>• Generally, there is a lack of knowledge and experiences toward the Nagoya protocol. Few members could act as a change agents in their institutions to raise the knowledge toward Nagoya in Jordan.</li> </ul>
1.2.2	Does opportunities exist for staff professional development and on-the-job training according to the organizations bylaw?		√		√			√			<ul style="list-style-type: none"> <li>• Opportunities exists at the level of NFP, since they are directly linked to the CBD secretariat but the lack of financial resources to participate in the existing opportunities is the issue. The NFP representatives could play a critical role in the future to raise the profile of Nagoya at the national level.</li> <li>• The institutions involved in implementing the Nagoya have to consider the protocol within their capacity building strategies and action plans.</li> <li>• A clear capacity building track shall be developed to ensure an actual implementation of the protocol at all levels</li> </ul>
<b>1.3 Financial Resources</b>											
1.3.1	Does the institutions have enough		√			√		√			<ul style="list-style-type: none"> <li>• Although, funding is considered as a critical issue for the NFP, but</li> </ul>

	financial resources to implement the Nagoya protocol?										<p>some aspects might be used such as the "Environment Fund". In addition, if the bylaw was adopted, then revenues might be used to support a proper implementation of the protocol measures.</p> <ul style="list-style-type: none"> <li>• Each entity within the CNA has its own budget, which should consider raising the capacities of its involved staff members toward the Nagoya protocol in the future.</li> <li>• The funding is acritical issue for the NC, in order to act effectively. Joint efforts are needed to capitalize on the existing capacities.</li> </ul>
1.3.2	Does the institutions have awareness of the future resource needs and availability to implement the Nagoya protocol?	✓			✓			✓			<ul style="list-style-type: none"> <li>• Generally, there is a lack in knowledge about the requirements of proper implementation of Nagoya protocol and its financial requirements, which urge each entity involved to set their plans considering these aspects within</li> </ul>
<b>Part Two: Institutional Function</b>											
<b>2.1 Management</b>											
2.1.1	Does the institutional management has a high degree of independence to implement the Nagoya protocol effectively?		✓			✓				✓	<ul style="list-style-type: none"> <li>• As the NFP and the CNA are represented by governmental entities, then they have a high degree of independence to implement the protocol. However, the Nagoya protocol shall be mainstreamed within the structure of each organization involved for effective implementation.</li> <li>• The NC is working with a high</li> </ul>

											degree of dependency, since it is composed by experts in the field of biodiversity conservation, and it has been established based on a decree from the cabinet of Jordan.
2.1.2	Does the staff involved in implementing Nagoya protocol can clearly describe their roles and responsibilities?			√	√				√		<ul style="list-style-type: none"> <li>• The NFP can clearly describe their role in Nagoya due to their assigned role with the CBD secretariat and the training provided to them.</li> <li>• If the protocol was mainstreamed within the different institutions involve at CNA an NC, then better understanding and better acknowledgement to roles and responsibilities will be achieved</li> <li>• It is known that by practicing the implementation of this protocol, more knowledge and awareness to roles and responsibilities will be achieved</li> </ul>
<b>2.2 Enabling Environment</b>											
2.2.1	Is there any appropriate links exist with other institutions to facilitate the implementation of the protocol?			√	√				√		<ul style="list-style-type: none"> <li>• The NFP and several members from CNA and TC are members within the national biodiversity committee, which will facilitate information exchange and better implementation of the protocol measures. In addition, the developed bylaw shall be used as a major tool to facilitate linkages</li> <li>• The bylaw has set the linkages a communication means to effectively implement the protocol.</li> </ul>
2.2.2	Is there are any		√		√				√		<ul style="list-style-type: none"> <li>• Except the current project</li> </ul>

	mechanisms available to develop skilled professionals?										activities, there are no clear mechanism for capacity development. Also, the protocol implementation process is currently in development, which will enable better mechanisms creation in the future
2.2.3	Does the institutions have the ability to adapt to implement the protocol measures?			√		√				√	<ul style="list-style-type: none"> <li>Some efforts are already performed especially with the in-situ and ex-situ conservation, but its not linked to the protocol. If proper implementation as well as an adoption of the bylaw has happened, then institutions will be capable to implement the protocol effectively</li> </ul>
<b>Part Three: Institutional Conditions</b>											
<b>3.1 Institutional Character</b>											
3.1.1	Is Nagoya protocol mesh with the institutional mission and priorities?			√		√				√	<ul style="list-style-type: none"> <li>See point 2.2.3</li> </ul>
3.1.2	Are staff members are clearly aligned with the protocol?			√	√			√			<ul style="list-style-type: none"> <li>Generally, lack in knowledge about the protocol exists, since this is the first attempt to establish a clear mechanism.</li> <li>The bylaw will help both CNA and TC to align their tasks to Nagoya protocol</li> </ul>

## Capacity Need Matrix

The following matrix indicates the capacity needs for the various stakeholders involved in Nagoya implementation. The existing situation indicates four major areas which have to be handled for an effective implementation and as follows:

Existing Situation:

- Knowledge capacities: capacity to access, generate, manage and exchange relevant knowledge and information related to Nagoya protocol.
- Legal capacities: capacity to implement the new bylaw effectively including prior informed consent, mutual terms agreement and all related legal instrument
- Partnering capacities: capacity to connect, to advocate and engage in networks, alliances and partnerships for an effective partnership of Nagoya
- Implementation capacities: the capacity to manage and implement the protocol from planning to monitoring and evaluation effectively

In addition, the following shall indicate

1. Existing situation: (H= High, M= Moderate, and L=Low)
2. Priorities (1=Urgent, 2= Medium Term, 3= Long term, and 4= not a priority)

Stakeholder group	Entity(ies)	Existing situation												Desired situation	Capacity Development Interventions	Priorities						
		Knowledge capacities			Legal capacities			Partnering capacities			Implementation capacities					1	2	3	4			
		H	M	L	H	M	L	H	M	L	H	M	L									
National Competent Authority (NCA)	Ministry of Environment (MOE-NCA)		√			√			√				√					√				



															NARC is playing an intermediate role as provider and user of genetic resources, and it hold good infrastructure for that, which could ratify it as a checkpoint. Despite all of the above, but knowledge is limited within few members at NARC, thus; raising the capacities of additional members is required	<ul style="list-style-type: none"> <li>• ABS tools – e.g. permits, contracts, material transfer agreements, benefit-sharing agreements</li> <li>• Traditional knowledge issues</li> </ul>						
	Ministry of Planning and International Cooperation			√		√		√						√	There is a limited knowledge of the requirements and measures of the protocol, which requires the development of these capacities in order to effectively implement the protocol	<ul style="list-style-type: none"> <li>• Concepts underpinning ABS</li> <li>• Negotiations in the ABS process</li> <li>• ABS tools – e.g. permits, contracts, material transfer agreements, benefit-sharing agreements</li> </ul>			√			
	Ministry of Higher Education			√		√		√					√								√	
	Ministry of Education			√		√		√					√								√	
	Aqaba Special Economic Zone Authority			√		√		√					√								√	
	Jordan Food and Drug Administration			√		√		√					√								√	
	National Biodiversity Committee (NBC)		√			√		√				√			The NBC is composed of experts in the biodiversity field representing governmental, NGOs, INGOs, and observers. The knowledge about Nagoya varies which highlights the need of implanting various training courses to ensure that all members are standing at the same point of knowledge.	<ul style="list-style-type: none"> <li>• Concepts underpinning ABS</li> <li>• International policy and legal frameworks for ABS</li> <li>• The Nagoya Protocol</li> <li>• Developing and implementing national laws and policies for ABS</li> <li>• Roles of different ABS stakeholders</li> <li>• Agriculture and ABS</li> <li>• Negotiations in the ABS</li> </ul>			√			

														Beside of, the NBC will represent an important actor in approving or rejection of request to access to genetic resources	<ul style="list-style-type: none"> <li>process</li> <li>ABS tools – e.g. permits, contracts, material transfer agreements, benefit-sharing agreements</li> <li>The bioprospecting process and industry</li> <li>Benefit sharing and bio-trade</li> <li>Traditional knowledge issues</li> <li>Intellectual property right</li> </ul>						
	Jordan Custom Department			√		√		√					√	There is a limited knowledge of the requirements and measures of the protocol, which requires the development of these capacities in order to effectively implement the protocol	<ul style="list-style-type: none"> <li>Concepts underpinning ABS</li> <li>Negotiations in the ABS process</li> <li>ABS tools – e.g. permits, contracts, material transfer agreements, benefit-sharing agreements</li> </ul>			√			
	Royal Department for Nature Protection (RDNP)			√		√		√					√							√	
	Jordan Investment Commission																				
Technical Committee	See national biodiversity committee above													See national biodiversity committee above	See national biodiversity committee above						
Academia	Teachers at universities			√		√		√					√	Teachers who are involved in research attempt toward genetic resources and mastering students shall be educated to understand the protocol measures and guidelines. In addition, they should start to direct master and Ph.D students toward applying research related to Nagoya protocol and to collect the traditional knowledge exist in Jordan	<ul style="list-style-type: none"> <li>Concepts underpinning ABS</li> <li>Nagoya bylaw of Jordan</li> <li>Traditional knowledge</li> </ul>				√		

