

# Mekong Plan of Action

## Improving Coordination and Implementation

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# Outline

- 1) The status of MPA implementation
- 2) Plans of partners for next phase of MPA implementation and additional activities by (new) partners
- 3) Validation of MPA for next biennium

# 1) Status of MPA Implementation

## *Brief background of MPA*

- The Mekong Plan of Action is the result of a consultation workshop held in Luang Prabang, Lao People's Democratic Republic in June 2018, jointly organized by UNCTAD and HELVETAS.
- It aims to support Lao PDR, Myanmar and Viet Nam, which are seeking to establish their domestic ABS systems based on their own national biodiversity priorities, including the potential development of BioTrade (BT) value chains.
- The MPA's key activities are listed in the UNCTAD Global Roadmap for implementation under the UNCTAD Global BioTrade Programme, funded by SECO
- Ten activities are listed in the MPA

# Myanmar

## *Activity 1 – Support sustainable harvesting of Thannaka and enable successful production and commercialization of derived BT products while complying with relevant ABS regulations*

- **UNDP-GEF** currently implementing a project – “Strengthening human resources, legal frameworks and institutional capacity to implement the Nagoya Protocol”
- helping **Environmental Conservation Development/MoNREC** develop a **National ABS Framework, regulations, and measures** while raising awareness and building capacity of stakeholders; National ABS Framework being drafted now.
- **Competent National Authority** established, but its functions not yet assigned. ECD to propose CNA's functions for discussion in December 2019

# Myanmar

**HELVETAS** implementing a Regional BT project (Lao PDR, Myanmar and Viet Nam)

- Working more at the implementing level with companies along a BT value chain
- Completed an ABS study on Thannaka in Nov 2018, including translation into local language – findings and experiences shared with partners
- Standard Operation Procedure (SOP) completed aiming to systematically document TK for Thannaka as a model; action plan developed and currently implemented, and pilot farmers and companies selected
- The project also collaborates with UEBT and CRED to disseminate UEBT and ethical BT; introduction of CRED as UEBT's representative in SE Asia.
- Organized consultation workshop on UEBT and Ethical BT and Launching Ceremony of UEBT rep partner – CRED in Aug 22 in Myanmar with participation from Lao PDR stakeholders



# Lao People's Democratic Republic

***Activities 2 "Consultation meeting at the national/provincial level on BT and ABS"***  
interlinked with ***Activity 4B "ABS contract guideline"***

- Concentrated on the development of the Lao National ABS Guidelines and Model Clauses for ABS contracts

***Activity 3 "Translation of BT and ABS handbook into local languages"*** (Lao PDR, Myanmar, and Viet Nam)

- Translation costs are an issue.
- Three countries encouraged to seek potential sponsors (in-kind or financial)



# Lao People's Democratic Republic

***Activity 4 “Build, consolidate, disseminate documented best practices through workshops and training and others”, linked with Activity 5 “Documentation of best practices on BT”***

- HELVETAS Regional BT project completed 4 case studies across the Mekong Region in the 1<sup>st</sup> half of 2019 – in Lao PDR it focused on Indian prickly ash (*Zanthoxylum rhetsa* – known locally as “Mak Kaen”)

# Lao People's Democratic Republic

## On dissemination

- Regional BT project (Lao PDR) financed the reprinting of Brochure on General Procedure for ABS in Lao PDR. Hardcopy available from BEI.
- UNCTAD willing to support dissemination of brochure and other information through its Knowledge Management Platform (online); requires confirmation from BEI/MoST.
- UNCTAD facilitated an exchange between Lao PDR and CIRAD (France) to speed up an ABS application for scientific research on agarwood conservation and reproduction – Contract for ABS was signed and IRCC posted on the ABS Clearing House → UNCTAD has begun documenting the case and preparing lessons learned.

# Lao People's Democratic Republic

## ***Activity 4B "Model Clauses for ABS contracts in Lao PDR"***

- UNCTAD hired consultant to work with BEI/MoST and also support from HELVETAS BT Project Lao PDR
- Questionnaire prepared and translated into local language
- Data collection/interviews completed and submitted to the consultant in April to develop or draft the ABS contract guidelines and model clauses
- First draft completed and UNCTAD provided comments/feedback
- Draft also translated into local language and used for discussions at a consultation workshop on 1 Nov.

# Viet Nam

## *Activity 6 “Study on impact of ABS regulations on companies”*

- HELVETAS’s consortium partner – CRED – is now UEBT official representative in SE Asia.
  - Launching ceremony in August
- CRED continues building awareness of companies/local actors + provide advice & services on ABS requirements and compliance in its new role as UEBT’s regional representative.
  - Raising awareness for partners and companies of UEBT and Ethical BT standards, advising & supporting certification processes & UEBT membership registration, supporting companies interested in BT or UEBT membership ...
- CRED also continues scaling up of BT activities in 30 pharmaceutical products



# Viet Nam

***Activity 7 “BT pilot assessment model on ABS and best practices”***, with technical support from UEFT through CRED, HELVETAS completed 4 case studies (presented above).

- CRED works with the companies (Siam benzoin and organic chili) to improve BT based production system and help them obtain certifications.
- CRED’s status of a pilot model on BT (esp. companies) under Decree 59 needs an update.
  - This includes its support to local companies (like Traphaco Sapa Co.) for UEFT certification – Status?

# Viet Nam

## ***Activity 8 “Capacity building for ratification of Nagoya Protocol on ABS”***

- Viet Nam has adopted int’l regulations into its national legal system e.g. adopting Decree 59 on ABS in 2017, while continuing to raise awareness and understanding among stakeholders
- UNDP-GEF supports Viet Nam (led by BCA) with a national project – *Capacity Building for Ratification and Implementation of Nagoya Protocol.*

# Viet Nam

- In May 2019, Viet Nam finalized and published the Guidance Document for the Implementation of Decree 59/2017/ND-CP on Management of Access to Genetic Resources and Sharing of Benefits Arising from their Utilization.
- A pilot model on utilization of GRs and TK owned by the Red Dao Ethnic people for a purpose of developing a pain-relief product has started.
- ABS contract drafted as part of pilot model. BCA instructing concerned parties to discuss and negotiate on the details of the contract.

# Viet Nam

- Circular on Organization and Operation of an Appraisal Committee on Genetic Resources Access License was approved by MoNRE.
- BCA continues implementing a capacity building program, focusing on standard compliance, model clauses, negotiation, licensing, monitoring & tracking; best practices among partners and regions to be a focus of 2020.
  - It's in a process of finalizing training program – expected to complete in 2019; the program includes training activities on ABS under the UNDP-GEF project.
  - It also develops awareness raising materials on the Guidance Document, Q&A on ABS.
  - Viet Nam issued 30 IRCCs for non-commercial use between April and May 2019 on the ABS Clearing House



# Asean Center for Biodiversity (ACB)

***Activity 8B “Development of BT & ABS Practice Manual in Mekong Region”*** officially named “ACB-NBA ABS Practice Manual” is in progress.

- ACB currently undertaking 2<sup>nd</sup> revision of its Practice Manual, up for adoption at ACB-NBA steering committee in December 2019.
- Financed by GIZ, ACB in cooperation with GFA consulting group concluded the “Biodiversity-based products as an economic source for improvement of livelihoods and biodiversity protection” in June 2019; the project covered Cambodia, Lao PDR and Viet Nam.
- 2<sup>nd</sup> Phase unknown and yet to be seen. Concept notes have been prepared for UNDP-GEF 7.
- ACB continues to play a facilitative and coordinative role with ASEAN countries to make BBP an integral part of protected areas management efforts.



# Viet Nam

## ***Activity 9 “BCA-UNCTAD cooperation on ABS-IP linkage”***

- Initial meeting in Dec 2018 between UNCTAD, HELVETAS and BCA
- Consultant hired in collaboration with BCA to undertake a study on *“Possible options for an effective and practical verification and transparency mechanism on utilization of genetic resources and associated traditional knowledge in IP system”*.
- First draft in Oct 2019, second draft presented earlier today
- Meeting between BCA, National Office of Intellectual Property and UNCTAD on 6 Dec.

# Regional Coordination Work

- Activity 10 has concluded with:
  - Activity 10A – 2<sup>nd</sup> Multi-Stakeholder Workshop on ABS and BioTrade (4<sup>th</sup> December)
  - Activity 10B – Improved Regional Coordination and Intergovernmental Exchange (5<sup>th</sup> December)

# Lessons Learned

## *Lessons learned (for UNCTAD, HELVETAS & SECD)*

- Raising awareness about BT and ABS has intensified with support from UNDP in Myanmar, thus drawing active engagement from actors like HEVELTAS and UNCTAD.
- In Viet Nam, CRED is now the UEBT representative in Southeast Asia, allowing for an intensification of activities on UEBT practices and standards among companies and local actors.
- In Lao PDR, the development of national ABS contract guidelines is proceeding rapidly;
- Still need to clearly separate use of biological resources from genetic ones in practice.
- Not all cases will lead to a “utilization” under national regulations or the Nagoya Protocol.

# Lessons Learned

- Implementation of the MPA activities relies mainly on financial and technical support and assistance from donors, which might delay implementation.
- ABS is relatively new to different degrees in Lao People's Democratic Republic, Myanmar, and Viet Nam;
- BT-ABS tools and materials to disseminate are limited (stakeholders with limited knowledge about BT & ABS);
- Lao PDR, Myanmar, and Viet Nam lack best practices or examples regarding ABS standards compliance by companies;
- Coordination among relevant ministries remains a challenge in these three countries.
- CNA Myanmar should be strengthened with well-defined responsibilities and mandates.
- There is a need to continue raising awareness of local partners on global BT activities, including by participating in BT Congresses and steering committee meetings of BT Initiative.

## 2) Plans of partners for next phase of MPA & additional activities by new partners

- Results of this second coordination workshop today:
  - Lead review and updating of MPA to further coordinate and mainstream activities in partner countries.
- Continue outreach and coordination with stakeholders on activities for which they are responsible.
- Continue enhancing the dissemination of experiences and engagement of local partners in global BT activities.

# 3) Validation of MPA for next biennium

