

IP NEGOTIATIONS MONITOR

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The IP Negotiations Monitor summarizes the latest developments in multilateral and regional fora where intellectual property negotiations are taking place, and informs on upcoming meetings and events.

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WORLD TRADE ORGANIZATION (WTO)

TRIPS Council

The regular session of the Council for Trade Related Aspects of Intellectual Property Rights (TRIPS Council) was held from **1 to 2 March 2016** in Geneva, Switzerland. The session was chaired by Ambassador Modest Jonathan Mero from Tanzania.

The TRIPS Council discussed standing agenda items, including examination of scope and modalities of non-violation and situation complaints under TRIPS, the relationship between TRIPS and the UN Convention on Biological Diversity (CBD), traditional knowledge and review of Article 27.3(b). Developing countries and many other members seek a permanent ban on the application of non-violation and situation complaints with respect to the TRIPS Agreement. The US opposes. With regard to the TRIPS and CBD relationship, developing countries and EU support the review of the TRIPS Agreement to introduce a mandatory disclosure of origin of genetic resources in patent applications. The US and Japan in particular, oppose.

The TRIPS Council also discussed an ad-hoc agenda item of Intellectual Property and Innovation: Education and Diffusion, proposed by Australia, European Union, Switzerland, United States, Japan, Singapore, Peru, Russian Federation, Chinese Taipei and Hong Kong China. Several countries described their IP awareness-raising experiences and setting up innovation centres. Others questioned the premise that IP protection is required to promote innovation and stressed on the positive role that open access can play to spur innovation. Support was also expressed for de-linkage of the cost of R&D from the prices of health technologies and drew the Council's attention to the ongoing work of the United Nations High-Level Panel on Access to Medicines.

Working Group on Trade and Transfer of Technology

The fifty-first session of the Working Group on Trade and Transfer of Technology (WGTTT) was held on **14 March 2016** in Geneva, Switzerland. The session was chaired by Ambassador Luis Enrique Chávez Basagoitia from Peru. India made a statement about the possible content of a WTO webpage on transfer of technology, following a joint proposal made by India, Pakistan and the Philippines in 2005 and 2015. The Chair requested that a formal proposal on the contents of the webpage be put before the WGTTT at its next session.

Future WTO Meetings

The next regular session of the TRIPS Council will take place from **7 to 8 June 2016** in Geneva, Switzerland.

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

The twenty-ninth session of the Intergovernmental Committee (IGC) on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore was held in Geneva from **15 to 19 February 2016**. The session was chaired by Mr. Ian Goss from Australia.

The Committee met after more than one year's pause and after difficult negotiations during the WIPO Assemblies last September which extended the mandate of the Committee for the 2016-17 biennium.

The focus of the twenty-ninth session of the IGC was on genetic resources (GRs) and associated traditional knowledge. Negotiations were conducted on the basis of a consolidated document WIPO/GRTKF/IC/26/4.

The IGC could not come to an agreement on the consolidated document or a facilitator's text. It was agreed that the consolidated document will continue to serve as the basis for negotiations in the next session of the IGC, alongside a list of outstanding issues designed by the Chair. The key issues of difference between developed and developing countries in the GR text include the nature of the instrument (binding treaty or soft law), the definition of misappropriation (subject matter), scope of application of the instrument (to all intellectual property rights or only patent rights), and the content of a requirement to disclose origin/source of GRs or associated traditional knowledge.

Many developing countries stressed that mandatory disclosure is a critical issue for promoting transparency of IPR claims involving GRs and associated traditional knowledge (TK). Many developing countries explained that disclosure is currently used in many national legislations and this would complement the obligations under the CBD and its Nagoya Protocol on Access and Benefit Sharing.

Canada, Japan, the Republic of Korea and the US do not support a disclosure requirement. Rather, they propose a guideline on the use of databases of GRs and associated traditional knowledge so

as to tackle the erroneous granting of patents. Developing countries are generally of the view that databases can be complementary to, but not a substitute for the disclosure requirement.

Bolivia called for retaining its proposed provision in Article 3.5 of the current draft text which states that no IP or patent rights shall be granted over GRs or their derivatives found in nature or isolated therefrom on the basis that these are not inventions. While this was supported by a number of developing countries, developed countries led by the US and EU object to this proposed provision.

The US is also opposed to a definition of misappropriation linked to non-compliance with national access and benefit sharing legislations, proposing instead the concept of unauthorized access or unauthorized use.

Committee on WIPO Standards

The reconvened fourth session of the Committee on WIPO Standards (CWS) was held in Geneva from **21 to 24 March 2015**. The session was chaired by Ms. Oksana Parkheta from Ukraine. The fourth session of the CWS was adjourned in May 2014 as member States could not agree to include a standing agenda item on the contribution of the CWS to the implementation of the WIPO Development Agenda as proposed by developing countries because a number of developed countries did not regard the CWS as a relevant body related to the implementation of the Development Agenda. The 2015 WIPO General Assembly had requested the Vice-Chair of the CWS, Ambassador Alfredo Suescum from Panama, to undertake informal consultations to resolve this issue before reconvening the CWS. The informal consultations led to agreement on a modified agenda for the CWS without prejudice to the position of member States on the question of whether the CWS is relevant to the Development Agenda coordination mechanism. The modified agenda included an item on discussion on the decision of the WIPO General Assembly in relation to the CWS, including Development Agenda related matters. The CWS held an informal discussion on this issue based on a proposal by the African Group, facilitated by the Vice-Chair. The African Group had proposed that the CWS should encourage expedited discussions on the subject of coordination mechanism within the CDIP and also that the CWS should agree to hold more concrete discussions on member states' views on this issue at the next session of the CWS. The African Group also proposed that to facilitate such discussions in the CWS the Secretariat should prepare a report on the implementation of WIPO Standards adopted by the CWS, highlighting any implementation gaps identified by member States. It was agreed that

discussions on the first element of the proposal by the African Group will continue at the next session of the CWS. With regard to the second element of the African Group proposal, it was agreed that a questionnaire on the use of WIPO Standards adopted by the CWS can serve as a useful basis for the discussions on the relevance of the CWS to the Development Agenda coordination mechanism and the Secretariat was requested to stress in the cover letter to the questionnaire, the importance of member States identifying any gaps they encountered in the implementation of the WIPO Standards.

Future WIPO Meetings

An International Conference on Intellectual Property and Development will take place from **7 to 8 April 2016** in Geneva, Switzerland.

The seventeenth session of the Committee on Development and Intellectual Property (CDIP) will take place from **11 to 15 April 2016** in Geneva, Switzerland.

A WIPO Conference on the Global Digital Content Market will take place from **20 to 22 April 2016** in Geneva, Switzerland.

The thirty-fifth session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) will take place from **25 to 27 April 2016** in Geneva, Switzerland.

A meeting of a Preparatory Committee of the Diplomatic Conference for the Adoption of a Design Law Treaty (DLT) will take place from **28 to 29 April 2016** in Geneva, Switzerland.

The twenty-sixth session of the Nice Union – Committee of Experts will take place from **25 to 29 April 2016** in Geneva, Switzerland.

The thirty-second session of the Standing Committee on Copyright and Related Rights (SCCR) will take place from **9 to 13 May 2016** in Geneva, Switzerland.

The twenty-ninth session of the PCT Union – PCT Committee for Technical Cooperation will take place from **17 to 20 May 2016** in Geneva, Switzerland.

The ninth session of the Patent Cooperation Treaty (PCT) Working Group will take place from **17 to 20 May 2016** in Geneva, Switzerland.

The thirtieth session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore will take place from **30 May to 3 June 2016** in Geneva, Switzerland.

The sixth session of the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs will take place from **20 to 22 June 2016** in Geneva, Switzerland.

International Union for the Protection of Plant Varieties (UPOV)

Consultative Committee

The ninety-first session of the Consultative Committee of the international Union for the Protection of Plant Varieties (UPOV) was held on **17 March 2016** in Geneva, Switzerland. The session was chaired by Mr. Luis Salaisez Sánchez from Spain.

The Consultative Committee discussed explanatory notes on propagating material under the UPOV Convention, the internal audit report for UPOV prepared by the WIPO Internal Oversight Division (IOD), proposal for financing of long term employee benefits, proposal for exceptional extension of the temporary appointment of a staff, progress on the development of a prototype electronic application form and proposals on its possible implementation, draft mandate and terms of reference for a possible working group on a proposed international system of cooperation (ISC), interrelations with the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), developments of relevance to UPOV in other international for a, and discussion of a draft programme for a seminar on propagating and harvesting materials under the UPOV Convention.

On "Interrelations with the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)" the Consultative Committee discussed the comments received from UPOV members regarding the interrelations between UPOV and the ITPGRFA and also discussed the idea of organizing a symposium to exchange information among UPOV Contracting States on their experiences in implementing the UPOV Convention and the ITPGRFA. The Secretary of the ITPGRFA, Dr. Shakeel Bhatti, made a presentation on possible areas of interrelations between the ITPGRFA and the UPOV Convention. Representatives of peasants' organizations stressed that farmers' rights to save, exchange, use and sell seeds, and participate in decision-making processes is a core component of the ITPGRFA but countries seeking to join UPOV have had to repeal provisions protecting farmers' rights. They also pointed out that a number of recent studies, including from developed country governments, has pointed to the incoherence between UPOV and the ITPGRFA.

Many government delegations from developing and developed countries supported organizing a symposium to discuss experiences on implementation of UPOV and the ITPGRFA as a first step. Many delegations stressed the need for deeper analytical studies by experts which can be complemented by a symposium. The Consultative Committee agreed to hold a joint UPOV-ITPGRFA symposium on areas of interrelation between the ITPGRFA and the UPOV Convention to be held in Geneva on **26 October 2016**. The symposium will be open to the public and four experts to be selected in consultation with the President of the UPOV Council and the Secretary of the ITPGRFA shall be invited to present their views at the symposium. A joint publication of the proceedings of the symposium will be made available at the UPOV website.

UPOV Council

The thirty-third extraordinary session of the UPOV Council was held on **17 March 2016** in Geneva, Switzerland. The session was chaired by Mr. Luis Salaisez Sánchez from Spain. The meeting adopted the recommendations made by the ninety-first session of the UPOV Consultative Committee.

FOOD AND AGRICULTURE ORGANIZATION (FAO)

International Symposium on "The Role of Agricultural Biotechnologies in Sustainable Food System and Nutrition"

The FAO organized an international symposium on "The Role of Agricultural Biotechnologies in Sustainable Food System and Nutrition" from **15 to 17 February 2016** in Rome, Italy.

The objective of the symposium was to explore how the application of science and technology, particularly agricultural biotechnologies, can benefit smallholders in developing sustainable food systems and improving nutrition in the context of climate change. However, civil society and farmers' organizations issued a statement raising concerns over the symposium as a forum for promoting the interests of agro-biotechnology companies towards redirecting the policies of FAO to support genetically-engineered crops and livestock.

International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

No inter-sessional meeting of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) was held during the reporting period.

Future ITPGRFA Meetings

The Fifth Meeting of the Ad Hoc Open-Ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-Sharing will take place from **11 to 14 July 2016** in Geneva, Switzerland.

Commission on Genetic Resources for Food and Agriculture (CGRFA)

No formal meetings of the CGRFA bodies were held during the reporting period.

Future CGRFA Meetings

The Ninth Session of the Intergovernmental Technical Working Group on Animal Genetic Resources for Food and Agriculture will take place from **6 to 8 July 2016** in Rome, Italy.

The First Session of the Intergovernmental Technical Working Group on Aquatic Genetic Resources for Food and Agriculture will take place from **20 to 22 June 2016** in Rome, Italy.

The Fourth Session of the Intergovernmental Technical Working Group on Forest Genetic Resources for Food and Agriculture will take place from **10 to 12 May 2016** in Rome, Italy.

The Eighth Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture will take place from **8 to 10 June 2016** in Rome, Italy.

The Third Session of the Team of Technical and Legal Experts on Access and Benefit-Sharing will take place from **13 to 15 September 2016** in Rome, Italy.

WORLD HEALTH ORGANIZATION (WHO)

WHO Executive Board

The 138th Executive Board (EB) meeting of the WHO was held from the **25 to 30 of January 2016** in Geneva, Switzerland. The meeting was chaired by Ms. Malebona Precious Matsoso from South Africa.

The Executive Board discussed over 50 agenda items. The following are some of the key issues discussed at the EB.

Framework of Engagement with Non-State Actors

The EB adopted a work plan for continuing negotiations on WHO's Framework of Engagement with Non-state Actors (FENSA) and extended the mandate of the Open Ended

Intergovernmental Meeting (OEIGM) on FENSA negotiation.

Extension of the mandate for another round of negotiations was agreed with the purpose of achieving consensus before the World Health Assembly in May. However, the Programme, Budget and Administration Committee (PBAC) of the WHO had made the recommendation that besides the extension of the mandate of the OEIGM a document should be submitted by the Secretariat on the possible implications of FENSA. There was disagreement on this recommendation among member States in the EB, regarding the purpose of such a paper. Some developing countries expressed the concern that analysing the implications of FENSA, before finalizing the negotiations on the current text, would prejudice the outcome of the negotiation process. Developed countries, however, want this analysis as an important part of the negotiations. The EB finally agreed to the proposal by the Chair of the OEIGM that the first days of the next meeting of the OEIGM would be for text based negotiations and the last day will be used to revise the paper on implications prepared by the Secretariat.

Antimicrobial resistance

The EB took note of a report submitted by the WHO Secretariat on options and potential deliverables for the conduct of a high-level meeting on antimicrobial resistance (AMR) in 2016 in the margins of the UN General Assembly. Member States expressed their support for such a meeting in New York and hoped that this will rally political support at the highest level for coordination on all levels of the UN. The WHO Special Representative for Antimicrobial Resistance and Assistance Director General, Dr. Keiji Fukuda, provided an update on the modalities of the high-level event at the request of some member States.

Substandard/spurious/falsely-labelled/falsified/counterfeit medical products

The Director-General submitted to the EB a report of the fourth meeting of the member State mechanism on substandard/spurious/falsely-labelled/falsified/counterfeit (SSFFC) medical products. The EB took note of the report. Developing countries stressed the importance to continue working on the definitions of SSFFC medical products.

Follow-up of the report of the Consultative Expert Working Group on Research and Development: Financing and Coordination

The Director General was requested to convene an open-ended meeting of member States prior to

the Sixty-ninth session of the World Health Assembly in 2016 to assess progress and continue discussions on the remaining issues. During the EB the discussion centred on the content of the agenda for the open-ended meeting with many countries submitting suggestions and the Assistant Director General Dr. Marie-Paule Kieny stated that those suggestions will be taken into account for the meeting. The possibility to keep the first part of the meeting open for civil society organizations was also discussed but no decision on this was taken at the EB.

Global strategy and plan of action on public health, innovation and intellectual property

The Secretariat presented to the EB a progress update on comprehensive evaluation of the global strategy and plan of action on public health, innovation and intellectual property. An evaluation team will be preparing the evaluation inception report for review and comments by an ad hoc evaluation management group. The EB took note of the report. Developing countries requested for more information on the composition of the ad hoc group and the open tender for the selection of the evaluator, as well as information on how 24 countries that will be chosen for case studies in the evaluation will be selected.

Pandemic influenza preparedness: sharing of influenza viruses and access to vaccines and other benefits

The EB took note of a report presented by the Secretariat on progress on implementation of elements of the WHO Pandemic Influenza Preparedness (PIP) Framework as well as the report of the special session of the Pandemic Influenza Preparedness Framework Advisory Group held in October 2015. Developing countries requested that the composition of the advisory group should be broad and include all the regions, and the financial contributions to the advisory group should be maintained and further developed. The UK and South Korea noted that the advisory group should look at the role of the Nagoya Protocol. A request was also made by the UK and the Netherlands for the Secretariat to undertake an analysis of how the Nagoya Protocol on Access and Benefit-Sharing might affect the sharing of pathogens and its relevant public health implications and that a report on this should be provided to member states at the EB in 2017. The request met with no objections.

Viral hepatitis, 2016-2021

The EB took note of the draft global health sector strategy on viral hepatitis, 2016-2021 and recommended its endorsement by the Sixty-ninth World Health Assembly with the inclusion of the comments made by the EB. Member States

welcomed the strategy but also mentioned the need for the strategy to include the issue of affordability of medicines, to treat particularly hepatitis C, as well as the need to include the use of TRIPS flexibilities as part of the strategy.

Addressing the global shortages of medicines, and the safety and accessibility of children's medication

The EB discussed a report by the Secretariat on the global shortage of medicines. The EB agreed that shortage of medicines is an important issue as well as the safety and accessibility of children's medications. However, member States pointed out that the reasons for shortage should be further elaborated, as well as the role of generics and local manufacturing. A draft resolution on Promoting the safety and accessibility of children's medication was presented by China, Thailand, Pakistan and Italy (EB138/CONF./3 Rev.1). This resolution will be further discussed at the Sixty-ninth World Health Assembly in May 2016. Another resolution will also be submitted by South Africa at the Sixty-Ninth World Health Assembly.

Steering Committee of the Member State Mechanism on SSFFC Medical Products

The Steering Committee of the Member State Mechanism on SSFFC Medical Products took place from **23 to 24 March 2016** in Geneva, Switzerland. The Steering Committee discussed the first draft of an *Economic Impact Study of Substandard and Falsified Medicines* and agreed that the draft study will be posted on the MedNet platform of WHO and will be open for comments from member States till the end of May 2016. The Steering Committee also approved a concept note for a working group to refine the working definitions of substandard, spurious, falsely labelled, falsified, counterfeit (SSFFC) medical products. The objective of the working group will be to propose simplified global working definitions of SSFFC medical products to the fifth meeting of the Member State Mechanism (MSM). The working group will be composed of 2 to 3 technical experts from national regulatory authorities representing the six WHO regions. The basis for discussions in the working group will be a document prepared by the Secretariat suggesting potential terminology and mapping those terminologies to actions, activities and behaviours that lead to SSFFC medical products, as identified previously by the MSM. This document will be made available through the MedNet platform. The working group will generally meet through the MedNet platform but a physical meeting will be facilitated by the Secretariat in September 2016 prior to the fifth meeting of the MSM in October or November 2016, to finalize the recommendations of the working group.

The Steering Committee also received an update from the Secretariat on the activities and budget to implement the work plan of the MSM and reviewed the list of prioritized activities for 2016-17. The Steering Committee was also briefed by the Secretariat on the details of the review of the MSM by the World Health Assembly in 2017.

Pandemic Influenza Preparedness Review Group

The third meeting of the Pandemic Influenza Preparedness (PIP) Review Group took place on **30 March 2016** in Geneva, Switzerland. The meeting was chaired by Dr. Christine Kaseba from Zambia. The Secretariat briefed the meeting about how the PIP framework has been implemented. The final report of the review will be submitted by October 2016 to be transmitted to the World Health Assembly in 2017, through the Executive Board. The chair invited contributions from various stakeholders regarding virus sharing, benefit sharing and the governance of the PIP framework. Representatives from a philanthropic organization, the multinational pharmaceutical and vaccines industry, civil society and research laboratories made statements on various aspects concerning the PIP framework.

The industry representatives suggested that the PIP framework should be expanded to include sharing of seasonal influenza viruses within its scope, and that the legal status of the PIP framework should be clarified as a special instrument under Article 4 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. Industry representatives also suggested that the definition of PIP biological material should be expanded to include genetic sequence data used for manufacturing commercial vaccine products. Further, industry also suggested that running cost of the WHO Global Influenza Surveillance and Response System (GISRS) which is currently used as a reference index for determining partnership contributions as benefit sharing from those entities which access virus from the GISR should be reconsidered. Moreover, the industry suggested that there should be a cap on the growth of partnership contributions.

However, a civil society representative pointed out that there has been very limited uptake of the Standard Material Transfer Agreement (SMTA2) under the PIP framework with only three multinational pharmaceutical companies signing the SMTA2 and there has been no agreement to grant royalty free licenses to WHO, which can be a critical aspect in the event of a pandemic influenza outbreak. Concern was also expressed about the suggestion by the industry to impose a

cap on partnership contributions as the understanding at the time of concluding the PIP framework negotiations was that the partnership contributions will be scaled up as the running cost of the GISRS increases. It was also pointed out that genetic sequence data is part of the PIP framework and appropriate mechanisms should be developed to monitor access and use of genetic sequence data. Moreover, the preamble to the PIP framework clarifies the relationship of the PIP framework to the Nagoya Protocol. Concern was also raised that expansion of the PIP framework to include seasonal influenza viruses could dismantle the delicate balance between access and benefit sharing for pandemic influenza virus sharing.

Future WHO Meetings

The third meeting of the Open Ended Intergovernmental Meeting (OEIGM) on the draft framework of engagement with non-state actors will take place from **25 to 27 April 2016** in Geneva, Switzerland.

The Open-ended Meeting of WHO Member States on the follow-up of the report of the WHO Consultative Expert Working Group on Research and Development: Financing and Coordination will take place from **2 to 4 May 2016** in Geneva, Switzerland.

The twenty-fourth meeting of the Programme, Budget and Administration Committee of the Executive Board will take place from **19 to 20 May 2016** in Geneva, Switzerland.

The Sixty-ninth World Health Assembly will take place from **23 to 28 May 2016** in Geneva, Switzerland.

The 139th meeting of the WHO Executive Board will take place from **30 to 31 May 2016** in Geneva, Switzerland.

CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

Expert Group Meeting on Article 10 of the Nagoya Protocol on Access and Benefit-Sharing

The Expert Group Meeting on Article 10 of the Nagoya Protocol on Access and Benefit-Sharing took place from **1 to 3 February 2016** in Montreal, Canada. The meeting discussed submissions made on the need for and modalities of a global multilateral benefit-sharing mechanism under Article 10 of the Nagoya Protocol on Access and Benefit-sharing. The meeting also considered a study on the experiences gained with the development and implementation of the Nagoya

Protocol and other multilateral mechanisms, and the potential relevance of ongoing work undertaken by other processes.

Future CBD Meetings

The first meeting of the Compliance Committee under the Nagoya Protocol on Access and Benefit-sharing will take place from **6 to 8 April 2016** in Montreal, Canada.

The second meeting of the Informal Advisory Committee to the Access and Benefit-sharing Clearing House will take place tentatively from **20 to 22 June 2016** in Montreal, Canada.

The twentieth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice will take place from **25 to 30 April 2016** in Montreal, Canada.

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)

Technology and Executive Committee (TEC)

No meeting of the Technology Executive Committee was held during the reporting period.

Future TEC Meetings

The twelfth meeting of the UNFCCC Technology and Executive Committee will take place from **5 to 8 April 2016** in Bonn, Germany.

INTERNET GOVERNANCE

Commission on Science and Technology for Development

The Chairman of the UN Commission on Science and Technology for Development (CSTD), Mr. Peter Major, has submitted a proposal on the establishment of a working group to develop recommendations on how to further implement enhanced cooperation as envisioned in the Tunis Agenda of the World Summit on the Information Society (WSIS) and invited members of the CSTD to provide feedback on this proposal by **8 February 2016**. The establishment of the working group was recommended by the UN General Assembly Resolution A/RES/70/125 (Outcome document of the high-level meeting of the General Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society). The proposed composition of the working group is 20 member States (4 from each region of the CSTD) and five representatives each from the business community, civil society, representatives from the

technical or academic community, and intergovernmental organizations.

Following the submission of comments on the composition of the proposed working group, the Chairman also invited regional and stakeholder groups to hold consultations on which representatives they would like to be considered for the Working Group on Enhanced Cooperation. The Chairman designated focal points for each regional and stakeholder group. The results of these consultations are to be conveyed to the Chairman by **31 March 2016**.

Future Meetings

The meeting of the Internet Governance Forum Multistakeholder Advisory Group (MAG) will take place from **4 to 6 April 2016** in Geneva, Switzerland.

The World Summit on Information Society (WSIS) Forum will take place from **2 to 6 May 2016** in Geneva, Switzerland.

The OECD will hold a Ministerial Meeting on the Digital Economy: Innovation, Growth and Social Prosperity from **21 to 23 June 2016** in Mexico.

FREE TRADE AGREEMENTS

Regional Comprehensive Economic Partnership (RCEP)

The eleventh round of negotiations for a Regional Comprehensive Economic Partnership (RCEP) Agreement between Australia, China, India, Japan, New Zealand, South Korea and the ten ASEAN countries was held from **14 to 19 February 2016** in Bandar Seri Begawan, Brunei. This round of negotiations was chaired by Mr. Iman Pambagyo, Deputy Permanent Representative of Indonesia to the WTO. The negotiations focused on market access talks and text discussions in terms of cargo, service and investment, and the 2016 negotiation plan. The scope of the RCEP is very broad and goes beyond trade in goods and services to investment, economic and technical cooperation, intellectual property (IP), competition, dispute settlement and other issues related to government regulation.

Leaked text proposals on RCEP from Japan and Korea in 2015 suggest that RCEP provisions on IP could go beyond the obligations under the TRIPS Agreement and the existing IP laws of many RCEP countries such as extending the term of patent monopolies, restrictions on the use of clinical trial data to support marketing approval of generic medicines, enabling seizure of generic medicines in transit on grounds of IP infringement in the country of transit, and determination of

damages for patent infringement based on valuation of the patent by the right holder.

Future RCEP Negotiations

The twelfth round of RCEP negotiations will be held from **22 to 29 April 2016** in Perth, Australia.

The thirteenth round of RCEP negotiations will be held from **12 to 18 June 2016** in Auckland, New Zealand.

Transatlantic Trade and Investment Partnership (TTIP)

The twelfth round of negotiations for the Transatlantic Trade and Investment Partnership (TTIP) was held from **22 to 26 February 2016** in Brussels, Belgium. The discussions in this round were focused on regulatory cooperation in various sectors including pharmaceuticals, investment protection and sustainable development. In respect of IP, a major issue of concern is that IP provisions in TTIP may increase the prices for new medicines and make them unaffordable for public health services in TTIP countries. Another issue of contention is geographical indications where the EU is seeking the US to agree to a list of EU GIs that should be protected with rules to prevent other producers from misusing them and also to enforce those rules effectively.

OTHER DEVELOPMENTS

UN Secretary-General's High-Level Panel on Access to Medicines

The UN Secretary-General's High-Level Panel on Access to Medicines organized two Hearings, Thought Leaders' Forums, and Global Dialogues on issues of policy incoherence on access to medicines. The first Hearing, Thought Leaders' Forum and Global Dialogue took place from **9 to 10 March 2016** in London, UK and the second Hearing, Thought Leaders' Forum and Global Dialogue took place from **16 to 17 March 2016** in Johannesburg, South Africa. The London hearings discussed a number of contributions that were made by various actors in response to a call for submissions by the High-Level Panel – contributions that address current models of innovation and access; contributions that address incremental modifications to existing innovation and access models; and contributions that propose system-wide reforms for strengthening policy coherence. The London Thought Leaders' Forum was held as a panel discussion with three eminent experts on the current challenges and future possibilities of promoting innovation and access to health technologies in the context of human rights. Discussions among various

stakeholders around innovation and access took place in the Global Dialogues to explore potential solutions to strengthen existing mechanisms to support innovations and access to health technologies, and also potential solutions to strengthen the policy coherence between international human rights, trade rules and public health.

The mandate of the High-Level Panel is to review and assess proposals and recommend solutions for remedying the policy incoherence between IP rights, human rights, trade rules and access to medicines. The High-Level Panel is comprised of eminent and respected individuals from diverse stakeholder groups acting in their individual capacities. It is assisted by an Expert Advisory Group, comprised of individuals with expertise and experience on matters including human rights, trade, innovation and public health as well as senior technical staff from WHO, WTO, WIPO, UNIDO, UNICEF, UNTAD, OHCHR, UNAIDS and UNDP. The High-Level Panel has received 177 submissions on various issues in this regard from a diverse range of stakeholders including patients' groups, policy-makers, intergovernmental organizations and pharmaceutical companies. The final report of the High-Level Panel will be submitted to the UN Secretary-General in June 2016. The Secretary-General will present the report to the UN General Assembly to undertake further action as appropriate.

First Meeting of the 10-Member Group to Support the Technology Facilitation Mechanism (TFM) with the UN Inter-Agency Task Team on STI for the SDGs (IATT)

The first meeting of the 10-Member Group to support the TFM with the UN Inter-Agency Task Team (IATT) on science, technology and innovation (STI) for the sustainable development goals (SDGs) took place from **3 to 4 March 2016** in New York, United States of America. The meeting was co-chaired by Prof. William E. Colglazier from the USA and Dr. Heide Hackmann from South Africa. The meeting discussed the preparations for the first multi-stakeholder forum on science, technology and innovation for the SDGs (STI Forum) which will take place from 6 to 7 June 2016 in New York. The meeting also discussed the online platform for the TFM. The participants agreed on five guiding questions for the STI Forum 2016 as well as the discussions on the online platform for the TFM.