

Submission to the Ministry of Economic Development on Bioprospecting: Harnessing Benefits for New Zealand

NCWNZ is an umbrella organisation representing 46 Nationally Organised Societies and National Members. It has 28 branches throughout the country attended by representatives of those societies and some 150 other societies. It also has three satellite groups and three regional consultation groups. NCWNZ is representative of approximately 350,000 women, via its affiliated bodies. The Council's functions are to serve women, the family and the community at local, national and international levels through research, study, discussion and action. NCWNZ welcomes the opportunity to consider this Consultation Document. The response has been prepared by the Environment Standing Committee following circulation of the questions to NCWNZ members. Eight branches and two NOS and the NCWNZ Convener of the Economics Standing Committee responded.

The definition of bioprospecting is:

“Bioprospecting is the collection of biological material and the analysis of its material properties, or its molecular, biochemical or genetic content, for the purpose of developing a commercial product. Bioprospecting policy excludes the later steps in the chain of product development.”

(It is forbidden to collect any human genetic material.)

New Zealand has unique and diverse flora and fauna that has evolved as the result of a long period of geographical isolation, and a number of foreign biotechnology companies have shown an interest in bioprospecting in NZ, often in collaboration with the local agencies.

New Zealand currently has no comprehensive policy framework for bioprospecting activities, apart from being a signatory to the Convention on Biological Diversity (CBD), a voluntary agreement.

Norway also had no policy framework, and could not claim anything from huge commercial benefits, totalling \$US1.2 billion, from the drug Cyclosporin A discovered in a sample of soil taken from Norway.

Specific responses

1. *Do you think the existing access frameworks could benefit from operating within a more coordinated and comprehensive framework?*

All responders agreed, since it would be an improvement on the current situation. Everyone would know just where they stand if there is a framework to manage the activity that encompasses both land and sea and the organisms therein, and where protocols apply evenly all over. Bioprospecting is an activity that could bring benefit to the whole country.

Such a framework would also allow New Zealand to work collaboratively with other countries that have similar concerns; without having to go through enormously long and costly negotiations.

All responders expressed concern that New Zealand's biological resources should be protected from overseas exploitation.

2. *Do you think that NZ should have a comprehensive policy framework to manage*

bioprospecting activity?

All responders agreed. Where there is no such framework, activity can occur that might be detrimental both to particular localities and to the country in general, with biodiversity being compromised, and loss of ownership by New Zealand.

3. Do you think that non-commercial research activities should be within the scope of a bioprospecting policy?

The majority of responders agreed. Non-commercial prospectors are as likely to cause damage to the environment as commercial ones. Also there is no telling when what starts out as a non-commercial venture will turn into a commercial one. There should be some sort of overarching policy, which will not inhibit independent research, but which all researchers must recognise as New Zealand's ownership of biological material. One responder thought that no commercial prospecting should be allowed.

3.(ii) What kinds of biological resources should be accessed for bioprospecting?

The majority of responders thought that both indigenous and exotic resources should come within the scope of the policy. Non-indigenous species may - in a different climate, soil and seasons - develop in such a way that the active component is more or less potent than it is in the country of origin. Cannabis grown in New Zealand, for instance, is more potent than in its country of origin, and pine trees mature much faster.

3.(iii) Administrative Frameworks: Do you think NZ should have a National Focal Point?

Do you think NZ should have a Competent National Authority?

The majority of responders thought that New Zealand should have a National Focal Point, and a Competent National Authority, since it is recommended in the Bonn guideline. One responder thought that, rather than establish another bureaucracy with board and staff, one already established such as ERMA could do the job. This would involve less cost and delay.

4. How do you think the use of mātāwhiri (traditional Maori knowledge) for bioprospecting can be most appropriately managed and protected?

NCWZN has been making submissions since 1994 with particular reference to Maori customary use of birds, plants, and other materials.

All responders were strongly of the opinion that Maori should decide this question. One Branch thought that decisions should not be made until the Waitangi Tribunal report is made on Wai 262. Another branch thought that ownership must be by all New Zealanders, but with recognition of special values of Maori.

Additional suggestions:

5. What do you think of the CBD timeframe of 2010?

The majority thought it should be sooner, but that 2010 was a realistic timeframe for a good outcome. If possible, companies should be prevented from accessing before a policy is in place.

6. There are a range of possible benefits from a Bioprospective policy, both monetary and non-monetary. What are your thoughts on this?

The majority thought there should be many areas of research that would benefit New Zealand. One responder thought that monetary benefits should not be the deciding factor.

7. There is some concern about the possible costs of such a policy, which might adversely influence some foreign bioprospectors?

It is strongly felt by all members that ownership of these resources must accrue to New Zealand.

There was a lot of concern expressed about the possibility of globalisation allowing foreign companies to harvest benefits from our indigenous habitats. Two responders did not want any interference with any genetic material.

Conclusion:

NCWZN encourages the Government to proceed with a Bioprospecting Policy with all possible speed and to utilise all available expertise and resources to ensure that effective action is taken.

A handwritten signature in black ink, appearing to read 'C Low'.

Christine Low
National President

Sara Dickon
Convener Environment Standing Committee