



2004

Genetic Resources and Intellectual Property Rights – Pathways for Development

Advanced International Training Programme



SVALÖV, SWEDEN, MAY 3–21, 2004

Invitation

The Swedish International Development Cooperation Agency (Sida) is the government agency given the task to plan and administer Sweden's bilateral cooperation programmes with developing countries. The agency is also responsible for Sweden's cooperation with Central and Eastern Europe. At present Sida is supporting approximately 2,000 projects. The major part of the resources are allocated to some 20 partner countries where more longterm cooperation is implemented.

The aim is to provide effective and efficient development assistance in a changing world. This requires flexible methods based on a holistic and cooperative approach. Sida's activities are based on the assumption that the recipient countries wish to carry out changes and are willing to invest their own resources to achieve these changes.

For Sweden's total development assistance amounted to MSEK 15,900 for 2003. Sida's budget is approximately MSEK 11,300. In addition to that MSEK 749 is allocated for cooperation With Central and Eastern Europe.

With the advent of genetic engineering and novel multilateral IPR agreements a new chapter in the history of gene hunting has started. Genetic resources represent the basic building blocks for the development of improved agricultural and industrial crops, pharmaceuticals and the natural products industry. In recent times, there has been a growing appreciation of the role of Intellectual Property Rights (IPR) in inspiring human capital formation, knowledge diffusion, benefit sharing and technological innovation, necessary for national development. International conventions and treaties together with the rapid biotechnology development have led to new conditions for the access of genetic resources and knowledge. The Convention of Biological Diversity (CBD) and the requirements under WTO/ TRIPS have led to stricter mechanisms for access to and control of genetic resources as well as new regimes for protection of biological innovations. This new environment has created both threats and opportunities for countries in the South, which must develop a clear understanding of the development and its implications. To be able to capture benefits and protect knowledge and genetic resources, countries must formulate efficient national and institutional policies/regulations and also engage in the international debate and fora.

However, the IPR controlling access and transfers of genetic resources are increasingly complex, the literature is vast and incomprehensive, models are complex, and options are many. Thus, policy makers, scientists and other practitioners especially in resource poor countries face a considerable challenge in formulating IPR policies and negotiating appropriate agreements. Recognising this fact, the Swedish Biodiversity Centre, Svalöf Weibull AB and the Stockholm Environment Institute (SEI) are offering a unique three week IPR /Genetic Resources Programme



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Training objectives

- To assist participants to understand the background and the implications of the recent developments related to IPRs and exchange of genetic resources.
- To enable participants to find, use and draw conclusions from sources of information and expertise world-wide, related to IPRs and exchange of genetic resources.
- To enhance participants' managerial efficiency to handle, address and deal with genetic resources and intellectual property rights issues. This will be done with a view on how to facilitate participants' understanding on how to develop appropriate IPR instruments for beneficial partnerships between various actors in regional or international settings.
- To improve participants' ability to catalyse the development of intellectual property rights policies and corresponding implementation frameworks on genetic resources at the national and institutional level.

The Programme Contents

Part 1 – Background on Genetic resources and IPR regimes

- Fundamentals of intellectual property systems and the new regimes for trade and exchange of genetic resources.
- The prospects/problems/risks for developing countries.
- Country presentations on national regulations, positions and policies. Presentations on how IPR regimes are managed at various levels of society in relation to exchanges and trade of genetic resources.

Part 2 – Global conventions/International agreements/ Patent regimes

- Description and discussion of various IPR regimes governing the exchange of genetic resources; such

as: WTO/TRIPS; CBD; UPOV; Bonn guidelines on access and benefitsharing; Cartagena biosafety protocol; International Treaty on Plant Genetic Resources for Food and Agriculture; WIPO Intergovernmental Committee on access to genetic resources and protection of traditional knowledge and folklore.

- Examples of legal cases including their policy consequences.

Part 3 – Institutional and national intellectual property policy and management issues

- Proprietary knowledge management including “hands on” training on practical issues relating to the use and development of IPR agreements for exchange of genetic resources including negotiation exercises.
- Institutional and national IPR policy development.
- Current policy issues regarding ownership, technology, biosafety and sustainability.

Part 4 – Developing functional national and institutional policies and frameworks

- Policies, strategies and frameworks to support development of IPR regimes for exchange of genetic resources.
- Study of case studies of successful IPR partnerships supporting the sustainable use of genetic resources.
- Discussion of basic elements of a national strategy on access to genetic resources and benefit sharing. This will include the key steps in the development of functional IPR regimes, nationally and institutionally, in their respective countries/organisations. Participants will be asked to write a short priority list of actions needed and/or actors to be involved in their respective countries and/or organisations in order to develop, strengthen and make better use of existing IPR regimes.

Programme layout

The programme contains 9 segments which are briefly described below:

1. Preparatory phase: The participant is expected to prepare a 3–4 page analysis and review of genetic resources/intellectual property (IP) issues in the home country.
2. Overall overview on genetic resources/IP-issues.
3. Country reports and emerging issues.
4. Key issues and options in national and institutional IP policy development and implementation regarding genetic resources.
5. Regional, national and institutional responses.
6. Preparing basic elements of strategies for development of draft national and institutional IPR regimes for exchange and use of genetic resources.
7. Hands on problem solving including negotiation exercises. Development of draft national frameworks and way forward.
8. Summing up. Lessons learned.
9. Follow up phase. Presentation in national fora. Continued networking.

Date and Place

The programme will take place May 3–21, 2004. The main part of the Programme will be held at the headquarters of

Svalöf Weibull AB in Svalöv, Sweden. Svalöv is located 25 km from the city of Lund, in the Southern part of Sweden.

Teaching and management

The programme, with a duration of three weeks, will include lectures, group discussions, workshops, practical training and study visits. A substantial amount of time will be allocated to group exercises on specific topics, in particular on the development of strategies for development of national and institutional IPR regimes for exchange and use of genetic resources.

The workload during the programme will be heavy. Sufficient time will, however, be allocated to provide for informal sessions, as well as for recreational activities.

Swedish Biodiversity Centre, Stockholm Environment Institute and Svalöf Weibull AB will provide the programme management. Lecturers and other resource persons will be drawn from relevant Swedish and European Expertise.

Target group

Number of participants limited to 25.

Participant profile:

- The Programme is directed to individuals at senior commanding level from the government sector and from national R&D institutions in charge of managing and defining regulatory/policy IPR frameworks on genetic resources. The Programme Management is aiming at selecting three candidates per country representing senior IP-policy positions at Ministry of Agriculture, National IP office and University, respectively.
- *Women are encouraged to apply.*

All participants shall contribute and present an overview paper on how IPR is managed at various levels of society in relation to exchanges and trade of genetic resources (government, NARS, universities, private sector; indigenous/traditional knowledge). More detailed instructions will be provided when participants have been selected.

Application details

The closing date for application is December 2, 2003. Applications should be made on the special form attached, including a recent photograph. *English language test should be made with an official body in the home country of the applicant, unless the applicant can provide other documentation to support this capability.*

Selected participants will be notified by telefax or e-mail. Acceptance should be confirmed by the participant within two weeks by telefax/e-mail. This will be followed by a letter from the programme management containing additional information on the programme, including practical arrangements.

Cost of participation

All lectures, literature, documents, insurance and local transports are included in the programme as well as board and lodging.

International travel costs and costs for personal expenses, *are not included.* The relevant authorities should therefore supply their nominated participants with

funds covering personal expenses in Sweden.

Each participant has to arrange for travel to and from Malmö. From Malmö Airport the participant is required to proceed by taxi to the hotel in Lund, 20 km north-east of Malmö. The cost for taxi from Malmö Airport to the hotel will be paid by the hotel upon arrival.

Accommodation

All participants will be accommodated in a hotel in the city of Lund. Each participant will have his/her own single room with bath and WC. Facilities for making coffee or tea and simple cooking are also available.

Family members cannot be accepted.

Visa

If required, participants should obtain Schengen visa from the Swedish Embassy. *All necessary visas must be acquired in the participant's home country, before departure for Sweden.*

Insurance

All participants are covered by a group insurance while in Sweden. The insurance covers costs for medical care in the event of acute illness or accident.

(Medical and dental check-ups are not included).

The programme is arranged by

Stockholm Environment Institute

The Stockholm Environment Institute (SEI) is an independent, international research institute specializing in sustainable development and environment issues. SEI's mission is to support decision making and induce change towards sustainable development around the world by providing knowledge that bridges science and policy in the field of environment and development. SEI employs around 80 research and support staff, working at several locations. The headquarters are located in Stockholm, Sweden.

www.sei.se



Swedish Biodiversity Centre

The Swedish Biodiversity Centre (CBM) is the national centre for research on biodiversity. The Swedish University of Agricultural Sciences and Uppsala University coordinate a network of departments, organisations and authorities all over the country.

The Centre's main function is research and research coordination with the purpose to preserve, sustainably use and restore biodiversity in Sweden. Education and information concerning biodiversity are other important issues. The Centre also participates in international projects related to biodiversity.

www.cbm.slu.se



Swedish Biodiversity Centre



Svalöf Weibull AB

Svalöf Weibull AB is one of the world's leading plant breeding and seed groups in Europe, owned by SLR – The Swedish Farmers' Crop Marketing and Supply Association (60%) and BASF (40%). Within the group there are subsidiaries, associated companies, plant breeding stations and sales offices in seventeen countries.

The head office is situated in Svalöv, in the Southern part of Sweden. Apart from an extensive breeding programme of cereals and other agricultural crops, a comprehensive research and development programme is pursued which includes gene technology and tissue culture.

The Consultancy Department is mainly involved in the transfer of know-how in developing countries.

www.swseed.com



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