

Policy research, Subprogramme 1, cluster 4 of GCP

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Why policy research in GCP?

- GCP will face an impact from international agreements as translated in national law
 - CBD
 - access & benefit sharing to genetic resources
 - Cartagena Protocol
 - TRIPs
 - patents on technologies, genes, data etc. : FTO + own policies
 - (different forms of) Breeder's Rights
 - IT PGRFA
 - Access and benefit sharing (Multilateral System)

Projects 2003/2004

- Definition of 'resource poor'
- Humanitarian licenses
- Alternative IP regimes (open source, etc.)
- Access
- Benefit sharing

- GRPI
- WorldBank – IP study

Process

- For each project one lead author
- Several co authors identified
- CAS to provide over all support
- Mid term meeting prior to 'Brisbane' to compile and discuss output
- Wageningen UR to coordinate

Overview: Zeze Sampaio

- Confirms that a lot is going on that is relevant to GCP
- Provides a good basic information on the status and content of relevant international agreements

Agreements may however look like this



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Access – Zeze Sampaio

- illustration on the effects of national legislation on access to PGR
 - Access to cassava germplasm is restricted under CBD
 - Negotiations were necessary
 - Outcome not necessarily serious for GCP in the short run
 - Situation under IT/PGRFA yet unclear in Brazil
- Analysis of various national access regimes is being prepared (pending translation only)

Benefit sharing under the IT – Louwaars et al.

- Connected to access
- Present and analyse non monetary BS
- Conclusions
 - BS adds cost to applied research
 - Monetary BS comes in only when the products are patented (likely that PVP is excluded), e.g. when GCP results are commercialised in the North
 - BS can be a benefit if GCP can prove that it provides results to the South with no strings attached
 - GCP has to consider BS when implementing IP policy

Liability & Redress – Shawn Sullivan

- Comprehensive analysis on the issue, mainly based on Cartagena Protocol + experiences in other industries
- Potentially major effects on GCP
 - Risks as inventor: liable throughout the chain
 - Impact on accessing technologies, whose owners fear liability when CGIAR transfers products into many hands
 - Take insurance?
 - Other ways to be a good steward?
- Research will be used at CBD level also.

Don't run away from risk: some have a different perception of risk. .



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Humanitarian licenses

- Draft paper received yesterday (opened today)
 - Quick reading: interesting background information
 - Not yet extensive analysis of the relevance for GCP

Other projects

- ICRISAT has done some work on 'resource poor'
- Alternative protection systems. Output ? (IPGRI *)
- Own contribution IPGRI: GRPI no report
- Own contribution Wageningen (IP): report due Nov.

Discussion

1. How to use the delivered information?
 - Put papers in GCP site
 - How to proceed
 - Helpdesk for CP management – stimulate use by SPs
 - Capacity building – e.g. on FTO (data, tools, materials)
 - Concentrate on solutions, not on the problems!!!!
 - CP (or CGIAR) to negotiate licenses for key technologies
2. What tools do we have to make sure that output is delivered in time?

Next we substantiate 2 issues

- Helen on data
- Zeze on Access to PGR