



Iniciativa para o Desenvolvimento de Capacidades em Acesso e Repartição de Benefícios (ARB)

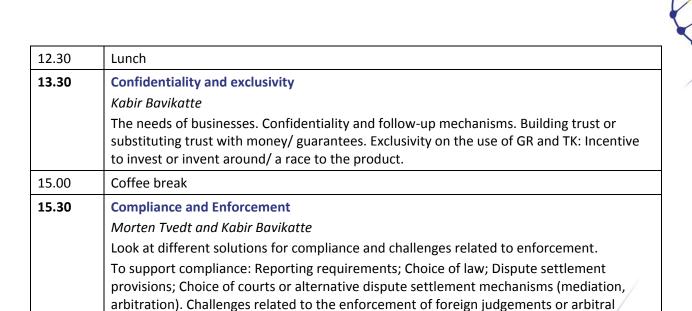
Agenda: Training on Mutually Agreed Terms: Contracts for Making ABS Possible, 5-8 August 2014, Nadi, Fiji

Tuesday,	, 5 August	
9:00	Registration	
9.30	Opening and welcome remarks by SPREP and introduction of trainers and participants	
10.00	Introduction to ABS in the Pacific Clark Peteru	
10.30	Coffee break and group photo	
11.00	General context for ABS contracts: CBD, Nagoya Protocol and Beyond  Kabir Bavikatte  Screening of the film: ABS Simply Explained  Taking into account the ABS principles and obligations established by the CBD and further developed in the Nagoya Protocol, this session will set the scene for the legal and politica background against which agreements between users and providers (ABS contracts) are being negotiated. Besides providing a brief introduction to the basics of ABS this session will also introduce the role and importance of contracts in the implementation of ABS.	
12.15	Types of users, types of uses and types of resources	
12.15	Morten Tvedt	
	This session will begin exploring the variety of actors involved in ABS agreements and their different approaches to ABS in practice. Issues to be examined will include: the demand for genetic resources (GR), the market, the types of benefits shared, the use of traditional knowledge, the need for one-time access vs. repeated access to the resource; and how contracts can pave the way to increased valorisation of GR and TK.	
13.00	Lunch	
14.00		
15:00	Coffee break	
15.30	Short practical exercise  If you know of any company seeking access to GR and TK in your country, search the internet and research what you need to find out about the company? If there is no such company, identify a company you would want to enter into an ABS agreement with and undertake similar research. Prepare a short briefing on information about the company	

	and present it to your colleagues.
	<b>Task:</b> Search the internet and combine with your knowledge of the company (20min) and do a presentation (5 mins)
16.30	Closing day 1

Wednesd	dnesday, 6 August 2014		
9.00	Introduction to 2 <sup>nd</sup> day		
9.30	The object and purpose of the contract  Morten Tvedt  What are you transferring? For what purpose? For what type of utilization? What are the consequences of going beyond the legal transferred actions? Link and gap between the object of an ABS contract and Intellectual Property Rights – IPRs. The distant link between the GR accessed and the product sold in a market. Issues of exclusivity. Challenges and		
10.30	solutions.  Coffee break		
11.00	Exercise: Redraft the object of an agreement  Example: the teff exercise with an explanation of the patent and the contract and redrafting relevant provisions of the contract.		
12.30	Lunch		
Third-party transfer and change of intent  Kabir Bavikatte  Complexity of the user side (complex value chains and the role of middlemen/intermediaries). Commercial and academic users: challenges and opportunities. Prospects for following the GR onto becoming a product. A two step Scoping phase and actualisation phase: Bhutanese prospects (potential) and Austra absence (obstacles).			
15.00	Coffee break		
15.30	Exercise: Drafting third-party mechanisms and obligation clauses for when a scoping agreement ends and a commercialisation phase starts (change of intent/utilization)		
16.30	Closing of the day 2		

Thursday, 7 August 2014		
9.00	00 Introduction to 3 <sup>rd</sup> day	
9.15	Benefit-sharing clauses	
	Kabir Bavikatte and Morten Tvedt	
	Non-monetary and monetary benefits. Example of Griffith University in terms of impacts of benefits on national development.	
	How to make benefit-sharing clauses work? What types of benefits are most adapted particular situation? At what point in time should they be shared?	
	The links to IPR: How can IPRs contribute to the sharing of benefits? How to bridge the gap between access to a GR and the development of a product based on this resource?	
10.30	0.30 Coffee break	
11.00	Exercise	
	Drafting benefit sharing clauses based on your national priorities and local context.	



Friday, 8 August 2014		
9.00	Introduction to 4th day	
9.15	Introduction to negotiation dynamics	
	Kabir Bavikatte	
	Screening of the film: Getting to Yes	
	Explanation of the basic principles of good negotiation.	
10.30	Coffee break	
11.00	Separate people from the problem	
	Short presentation and exercise	
11: 45	Focus on interests and not on positions	
	Short presentation and exercise	
12.30	Lunch	
13.30	Invent options for mutual gain	
	Short presentation and exercise	
15:00	Coffee break	
15.30	Insist on using objective criteria	
	Short presentation and exercise	
16.30	Closing day 4 and evaluation	



awards.

Closing of the day 3

16.30







