

## "ABS Business Dialogue"

7th - 9th October 2009, Pretoria, South Africa

in partnership with

the International Chamber of Commerce (ICC), PhytoTrade Africa and the Union for Ethical BioTrade (UEBT)

### Outline

#### Background

The negotiations for an international regime on Access and Benefit-Sharing of Genetic Resources (ABS) are entering a critical phase: October 2010 marks the deadline for reaching international agreement, at the 10th Conference of the Parties (COP 10) of the UN Convention on Biological Diversity (CBD) in Nagoya, Japan.

The seventh meeting of the ABS Working Group (WG-ABS 7) in Paris revealed that several substantial issues still need to be resolved if the negotiations are to be concluded successfully. There are now only two WG meetings left before Nagoya, and the urgency for things to move is increasing.

ABS is a complex matter. The various stakeholders have very diverse expectations and concerns. It is only natural, therefore, that reaching agreement is not easy. Some of the controversies, however, are related to a lack of understanding between the stakeholders of their respective realities and needs. This has led to a loss of trust and reluctance on all sides to reconsider defined positions. A better understanding of these realities will be crucial for breathing life into ABS and arriving at an International Regime that is workable for all sides.

This workshop is part of the ABS Capacity Development Initiative for Africa. Background information about the Initiative and full documentation of previous events is provided on [www.abs-africa.info](http://www.abs-africa.info).

#### Objective

The workshop is to help render the negotiations for an International ABS Regime more productive by

- promoting mutual understanding of users' and providers' realities and constraints regarding ABS;
- debating the pro's and con's of different scenarios;
- analyzing the potential for win-win solutions; and
- identifying options for the way forward.

#### Approach

This workshop will bring together a maximum of 40 participants for an open dialogue, representing the African Group and different Businesses involved with ABS. It is to shed light on mutual expectations and concerns, help both users and providers to better understand each other's realities and constraints, and identify possible win-win scenarios for the way forward.

The workshop is *not* meant to be an additional negotiation forum. No actual decisions can or will be made regarding the International Regime. Rather, the aim is to improve the *conditions* for constructive negotiations, by exploring perspectives, interests and options without pressure for immediate results. The learnings and outcomes are to inform, enrich and smoothen – but not to replace – the negotiations.

## **Programme Elements (tentative)**

The event is to provide the broadest possible room for an intense dialogue. A range of methods will be used to facilitate interaction between all participants. The program will be designed in a flexible way, to be able to respond to evolving thematic priorities of the participants and the dynamics of the process.

The following elements will be covered in the course of the 2.5 days:

- Perspectives on the negotiation process: What is currently helping, what is hindering the process?
- Exploring expectations and needs regarding the International Regime
- Identifying and prioritizing issues of concern: What are the most important / most promising issues to discuss at this workshop?
- Exploring different realities, interests, needs and constraints regarding the prioritized issues
- Developing different scenarios regarding those issues and analyzing their pro's and con's
- Identifying options for the way forward

The actual issues to be discussed will be determined jointly by the participants in the initial phases of the workshop. Possible topics are not limited to but may cover, for example

- Creating access structures that provide legal certainty for both providers and users
- Ensuring compliance with negotiated agreements
- Managing the transaction costs of ABS regulations
- Clarifying the impact of different kinds of intellectual property
- Addressing ABS in different sectors

Participants will be encouraged to indicate issues they would like to discuss at the workshop in the scope of the registration process.

Registered participants may be approached with requests for specific input.

A more detailed program overview will be provided in due time.

## **Organization**

With a view to maximizing time efficiency, the workshop will start on late Wednesday morning, 7th October 2009. The end is planned for Friday mid-afternoon, 9th October. This allows participants coming from Europe to use night flights to and from Johannesburg.

GTZ will provide the workshop venue and suggest a hotel for all participants. Business representatives are expected to cover their own cost of travel and accommodation. The available budget of the ABS Capacity Development Initiative for Africa allows funding for travel and accommodation expenses for a limited number of African participants.

Participants are expected to have sufficient knowledge of the English language to understand presentations and follow plenary and group discussions. To support active contribution of French speaking participants, consecutive interpretation services from French to English will be provided.

## **Contact**

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