

Workshop of the Alliance Deputy Executive (ADE) of the CGIAR Centers and the Private Sector Committee (PSC) on:

Part 1: Enhancing Research Productivity through Public Private Partnerships
Part 2: Associated Needs for Product Stewardship and Liability

Date: November 11 – 13, 2009

Venue: Swissotel Zurich, Am Marktplatz Oerlikon, 8050 Zurich, Switzerland
(hosted by the Syngenta Foundation for Sustainable Agriculture)

Rationale and Objective of the Workshop

The workshop consists of two parts, both targeted to create a common understanding and a favorable practice for cooperating in R&D-based Public Private Partnerships (PPP). In order to achieve a forward looking result and as a general prerequisite to this meeting, all participants should feel they should honestly disclose their experiences and problems they have confronted with in their professional practice. A limited number of short non-formal presentations with intensive discussions will support this approach. The specific outputs of this workshop in relation to PPPs are expected to be New Partnership Opportunities, New Funding Opportunities, Better Appreciation of how Private Sector partners operate, Utilization of Technologies/Knowledge from the CGIAR and the Private Sector and Greater Know-How and Approaches towards maximizing the value of the outcome of Partnerships. All this stands for a creation of additional opportunities for PPPs between the CGIAR and the Private Sector.

Part I of the workshop, a two-day event, will provide a case study approach of lessons learned from mostly current PPPs that involve the Alliance of CGIAR Centers and a variety of private companies. The essential objective of this part of the workshop is a sharing of knowledge between the private sector and the CGIAR in managing research collaborations for maximum productivity. The workshop would attempt to draw out some differences and similarities between the ways the private sector and CGIAR research managers deal with common challenges of ensuring effective use of research funds, planning and setting priorities, defining milestones and deliverables, and measuring performance in order to increase efficiency and effectiveness of the research at their respective responsibility. This interaction would specially focus on trying to identify some specific tools and mechanisms that the private sector and the CGIAR use to enhance research productivity with specific focus on collaborations.

The key success factors of R&D-based partnerships under review will be highlighted by analyzing case studies developed from practiced PPPs and will include issues such as Description of the Public-Private Partnership and Product Development; Management and Policy Implications (such as limits of confidentiality, rules on exclusivity, rules on

communication, need for specific staff-collaboration trainings, financing aspects); IP or other Contractual Issues, Partnership Perceptions and Challenges, Assessment of the Flow of Benefits and Future Perspectives. The case studies will be prepared exclusively for the workshop purposes and be completed prior to the meeting.

In addition, Workshop Part I will prepare participants for Workshop Part II, a one-day interaction focusing on the product stewardship and liability aspects of PPPs. Attention to these elements is needed for a successful collaboration between public and private sectors. The issues are discussed in two draft background papers that will be circulated to the participants for comments.

As will be highlighted in Workshop Part I, both partners are making available cutting-edge technologies that are often covered by IPR and licensing agreements. While IP protection is seen as a necessary prerequisite to drive innovation in the private sector, the issue is crucial to the CGIAR in cases where the further use of the results of the PPPs within its mission, especially distribution to CGIAR's traditional end-users, is restricted. Furthermore, the CGIAR can be considered as a holder of IP, which affects the ways in which Centers must manage germplasm and associated intellectual assets, and is related in many different types of products, including pesticides and GMOs. Some of these considerations were pointed out in a previous CGIAR-Science Council (SC) strategic study, which prompted the development of the two papers presented as background to Workshop Part II.

Changing institutional roles and increasing costs for applied agricultural research contribute to the complexity of issues surrounding product stewardship, liability, and IPRs associated with the use and distribution of the products of research. From both the economic sustainability and technology transfer standpoints, CGIAR scientists often find themselves facing new and increasing responsibilities, while their expertise and time to deal with these tasks is often limited. However, dealing with these realities does not imply that the further use of tangible and intangible assets derived from R&D-collaborations of CGIAR Centers- which have to be seen as international public goods (IPGs) is incompatible with Intellectual Property Rights (IPRs) or contractual arrangements. Efforts must be made in searching for new legal modalities that change the terms of access and exchange for the benefit of all partners involved in pro-poor, product oriented PPPs. Standardized guidelines across Centers can be useful for the Centers in navigating partnership negotiations.

Workshop Part II will start with presentations of two background papers listed below by the respective authors and by seeking feedback. Discussion is expected to touch on a multitude of issues, stakeholders as well as different legal and policy instruments, with the ultimate goal of identifying a series of procedures that would resonate with the private sector and are acceptable by the CGIAR Centers. Future action steps from the perspective of IP on how CGIAR might become more proactive in PPPs, which would imply an enhancement of partnership negotiations, can also be considered. Along these lines the private sector will also benefit from this consultation as it provides an opportunity for input and promotes better understanding and buy-in of the CGIAR Centers on private sector practices and the needs of productive research collaboration.

Overall, both parts of the workshop are expected to end up in a basis of concrete outputs and action points that encourage future public-private partnerships. The proceedings of this conference, including the options and suggestions for addressing the various issues raised and discussed from the case studies will be compiled in a publication that will be made public.

Participants

It is intended to primarily invite those Managers from the CGIAR Centers and selected Private Companies who are the negotiators and operative decision makers of potential PPPs. These people will be complemented by experts from various CGIAR-Centers, Academia, Non-for-Profit Organizations, as well as by specialist from the Private Sector who develop their practice on the specific issues under discussion. A list of participants is attached to this document. To stress the importance of the workshop, Lystra Antoine, leader of CGIAR's Investor Relations will head the CGIAR-representatives, while Bill Niebur in his role as the Head of the Private Sector Committee will take lead the discussions for the Private Sector. The Workshop will be sponsored by The Syngenta Foundation for Sustainable Agriculture headed by Marco Ferroni, who will also bring his expertise into the various discussions.