

TEMPLATE FOR COMMENTS

Please submit your comments to secretariat@cbd.int or by fax at +1 514 288 6588.

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Title of document reviewed:	The Emergence and Growth of Digital Sequence Information in Research and Development: Implications for the Conservation and Sustainable Use of Biodiversity, and Fair and Equitable Benefit-Sharing – A Fact-Finding and Scoping Study Undertaken for the Secretariat of the Convention on Biological Diversity

Comments on the draft fact-finding and scoping study		
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62-63	Lines 37-41 (page 62); Lines 1-7 (page 63)	<p>We appreciate the thorough scoping report. However, in the single paragraph mentioning DivSeek there are significant factual errors that are important to correct.</p> <p>The paragraph states the following:</p> <p style="padding-left: 40px;">"The case of DivSeek illustrates the difficulties of drawing clear boundaries between commercial and academic research today, particularly when the objective of open source research groups is to promote all research, both commercial and academic. DivSeek’s mission is to accelerate crop improvement by building networks and facilitating the use, sharing, better characterization and tracking of plant genetic resources; it “advocates the application of state-of-the-art genomic, phenotyping and bioinformatics technologies to enhance the quality, efficiency, and cost-effectiveness of germplasm conservation, provision and utilization for breeding...” (www.divseek.org). Proposed partnerships with the commercial companies DuPont and Syngenta to share access to sequences and patenting opportunities, however, have raised concerns about DivSeek’s role as broker of data, information, and technologies, and the nature of the research they facilitate (Hammond, 2016)."</p> <p>The highlighted text in the paragraph above is factually incorrect. First, DivSeek does not have, and never has had, any partnerships with commercial entities, including DuPont and Syngenta. The 68 DivSeek Partner organizations are clearly listed on the DivSeek website at http://www.divseek.org/partners/. There are no industry members. Moreover, there have never been any discussions within DivSeek of “sharing access to sequencing and patenting opportunities” with any commercial entities. The errors in this paragraph stem from reliance on Mr. Hammond’s mischaracterization of emails that he requested under the U.S. FOIA. A closer examination of those emails, which are available on Mr. Hammond’s website, reveal that there is no industry partnership, nor have Syngenta or DuPont ever played a role in DivSeek discussions. Notably, DuPont is not mentioned in the cited 2016 Hammond publication, and so it is unclear how it came to be mentioned in this paragraph. Syngenta is identified in Mr. Hammond’s 2016 article. As Mr. Hammond notes, Syngenta sent an unsolicited note to a member of the DivSeek Steering Committee outlining its views on genomics data. Mr. Hammond does not reflect in his article that the emails show that the member of the Steering Committee shared the unsolicited Syngenta document with other Steering Committee members, and that there was no subsequent discussion of it or action taken to engage Syngenta.</p> <p>It is not clear why the paragraph above mentions patenting in the context of DivSeek. DivSeek has never expressed any interest in, nor has it focused any discussions on patenting. Mr. Hammond mentions patenting only in the context of Syngenta’s unsolicited paper.</p> <p>Finally, DivSeek cannot be accurately described as a “broker of data, information and technologies”. Rather, as described on its website, DivSeek is a community driven initiative consisting of a diverse set of partner organizations that have voluntarily come together to demonstrate their commitment to community-wide wide efforts that will facilitate the sharing of methodologies, open-source software tools, and best practices for generating, tracking, integrating, and sharing data and information about PGR. As an organization, DivSeek does not broker data, information or technologies; it provides a forum for discussion about how data, information and technologies can be used to characterize PGR and acts as a “hub” to connect and promote constructive interactions between its partners, other researchers and organizations interested in generating, exchanging and utilizing information about plant genetic variation to accelerate crop improvement, strategic research, and sustainable production of food and agricultural products around the world.</p>
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