

Welcome to Webinar:

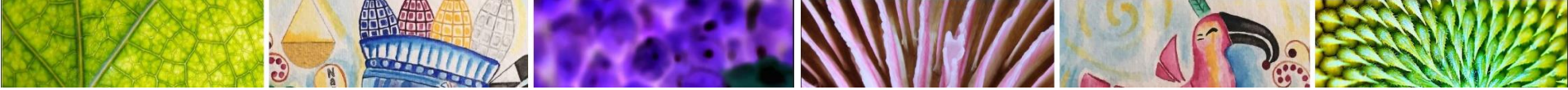
Policy options for access and benefit-sharing and digital sequence information on genetic resources

Secretariat of the Convention on Biological Diversity

11 February 2021, 9-10:30AM EST

Note: this webinar is being recorded and will be posted online



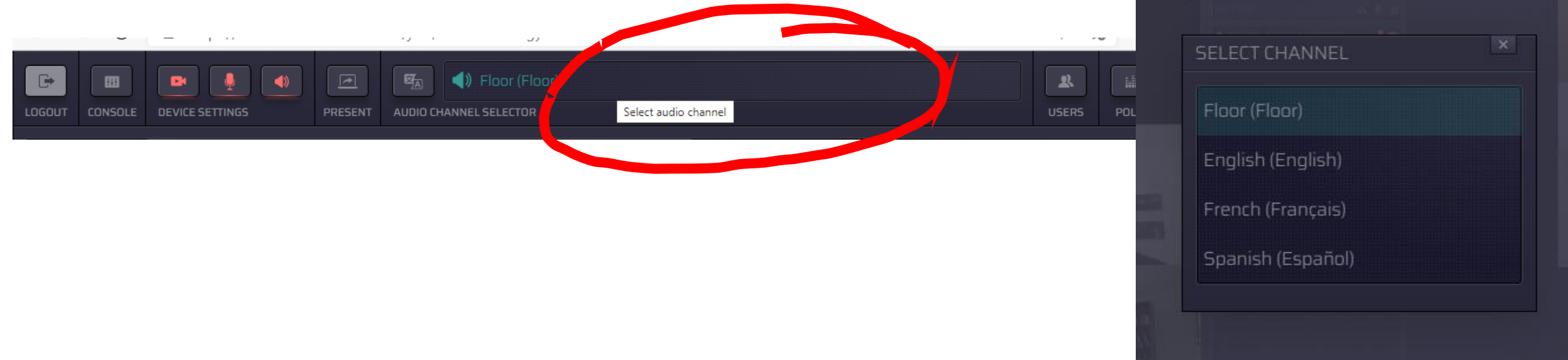


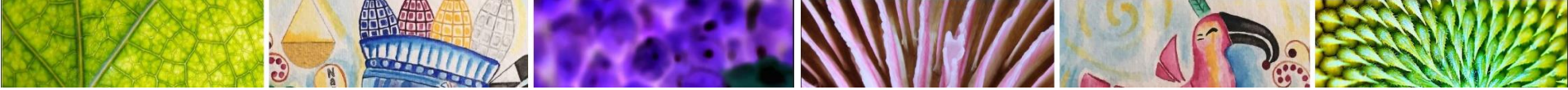
Reporting

The webinar will be recorded and will be made available on the CBD website.

Language

The webinar will be in English, Spanish and French.
Simultaneous translation is available:



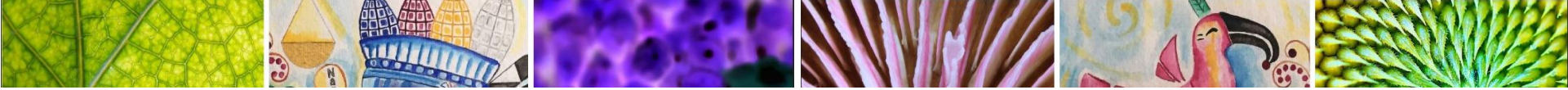


Q&A Sessions

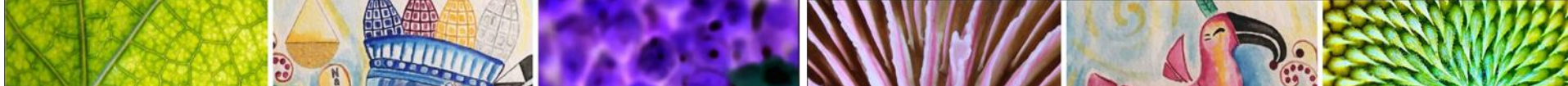
During the webinar, participants' mics and video will be “muted”

You will be able to ask questions using the email address that was provided in the email to registrants:

dsiwebinar@cbd.int



Opening remarks

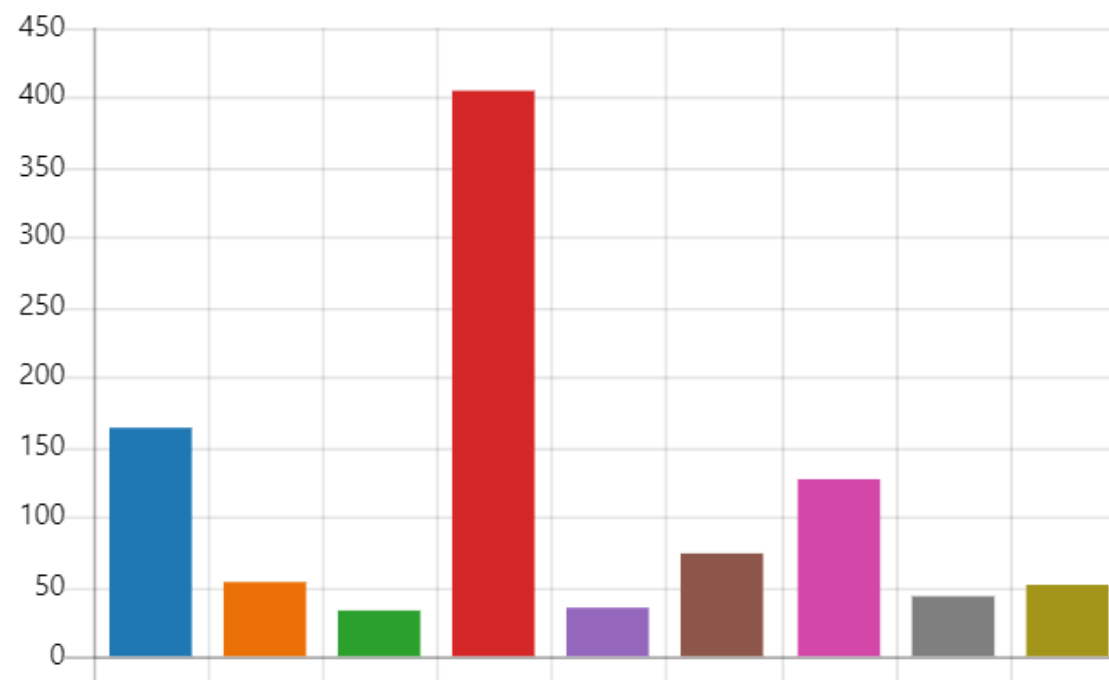


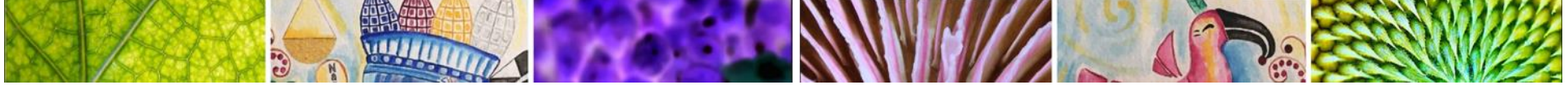
Participants' sectorial representation

Which 'sector' are you representing?

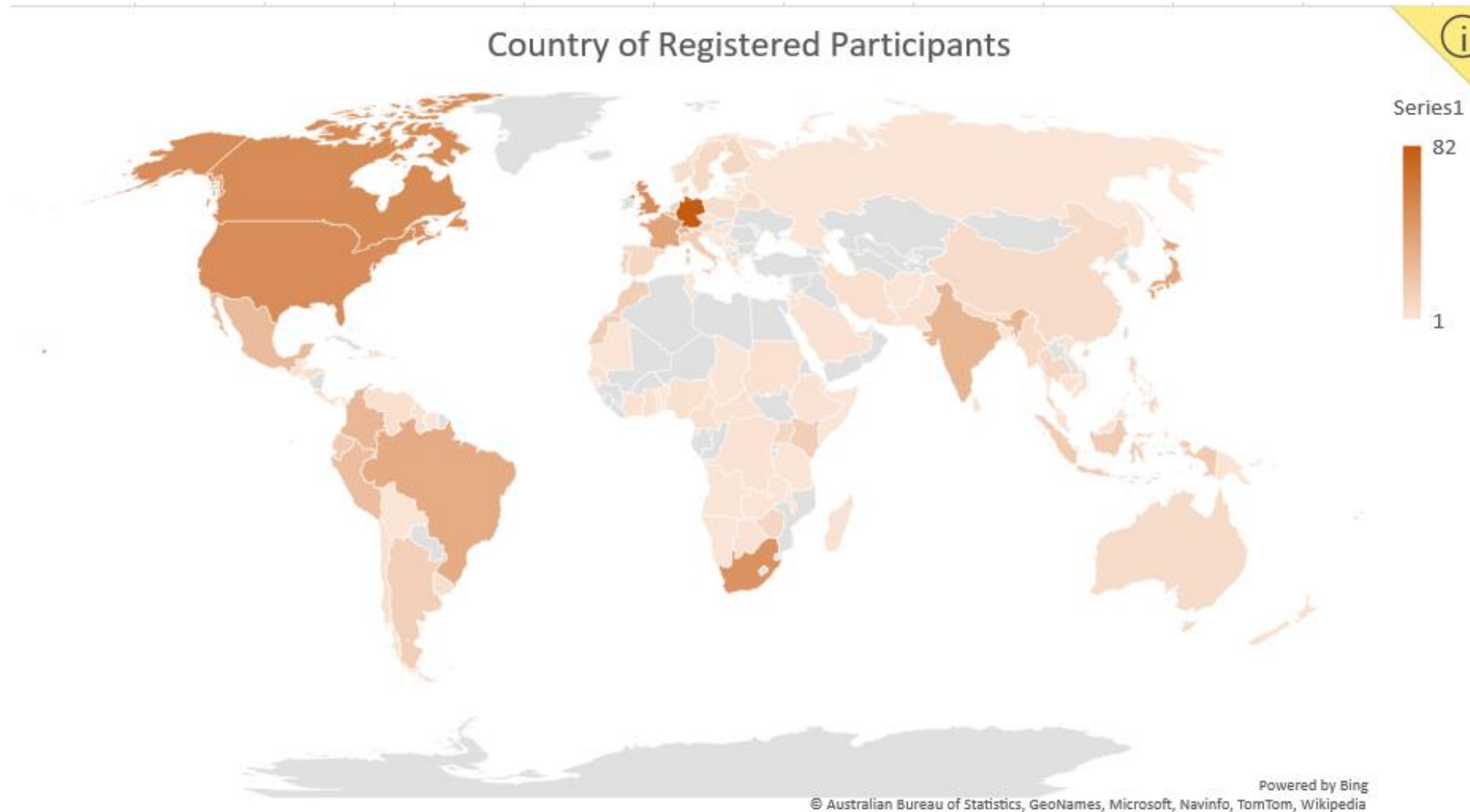
[More Details](#)

● Academia	164
● Civil Society Organization/NGO	53
● Collections/Museums	33
● Government	405
● Indigenous Organization	35
● Inter-governmental Organizati...	74
● Private Sector	127
● Professional/Technical Organiz...	42
● Other	51





Participants' regional representation

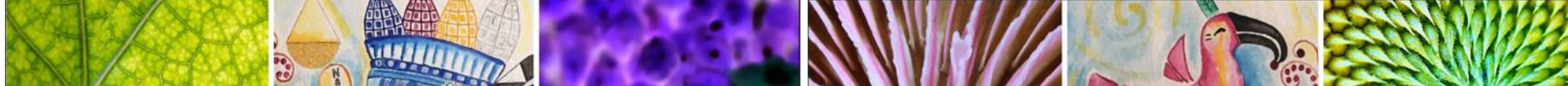




Webinar Series on DSI

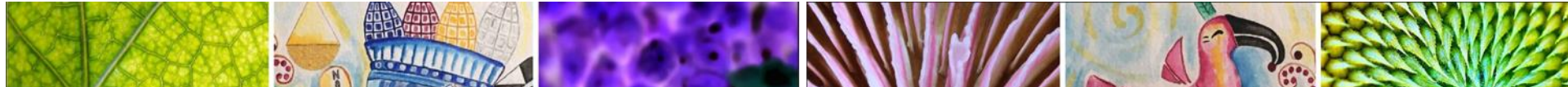
- Webinar 1: Understanding DSI: a technical overview of its production, distribution and use (1 December 2020)
- Webinar 2: Process and recent outcomes related to digital sequence information on genetic resources under the CBD (9 December 2020)
- Webinar 3: Policy options for access and benefit-sharing and digital sequence information on genetic resources: (11 February 2021)

www.cbd.int/article/dsi-webinar-series-2020



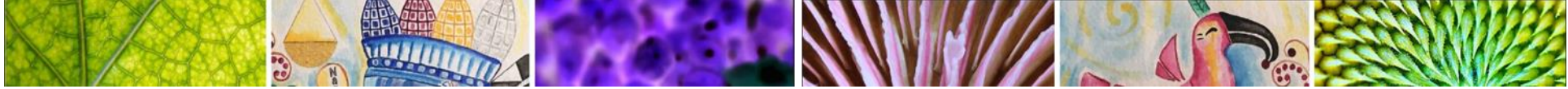
Methodology

- **Goal:** Systematize the options in a simple manner
- **Considerations:**
 - Not an exhaustive list
 - Other options could emerge
 - Options and ideas presented are not mutually exclusive
 - There are various possible variations within each general option
 - Not covering discussions on modalities for sharing benefits through a possible multilateral fund



Methodology

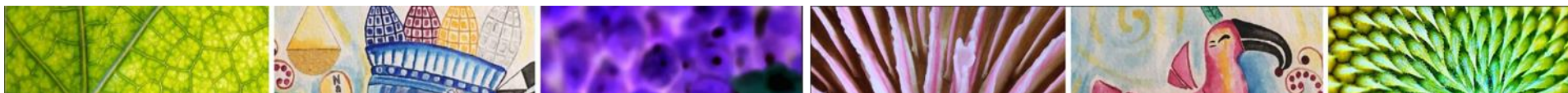
- Options are presented in [neutral manner](#)
 - The webinar will not address the viability, cost-efficiency, enforceability and capacity requirements of the different options
 - More information can be found on the documents used for this analysis
 - Points of consideration and criteria can be found in the information package
- More information is needed on how to address issues related to [associated TK](#) when relevant to the utilization of DSI.



Methodology

1. ABS Capacity Development Initiative. [First Global Dialogue on Digital Sequence Information on Genetic Resources](#) (Report in EN and FR), 6 – 8 November 2019, Pretoria, South Africa (November 2019) – organized in partnership with the Norwegian Government and the South African Department of Environment, Forest and Fisheries
2. Aubry, S., C. Frison, J. C. Medaglia, E. Frison, M. Jaspars, M. Rabone, A. Sirakaya, D. Saxena, E. van Zimmeren. [Bringing access and benefit sharing into the digital age](#) (2021) People and Planet, in press
3. DEFRA, contract by ICF Consulting Services Limited. [Digital Sequence Information: An Evidence Review](#) (14 August 2020) Note: the review does not represent the UK position on DSI but is intended to help progress knowledge and considerations around DSI for parties and stakeholders.
4. EU-China Environment Project Report (prepared by: C. Lyal, F-W. Zhao). [EU – China Workshop on ABS and DSI Report Access and Benefit Sharing and Digital Sequence Information 28-29 May 2020](#) (2020)
5. International Chamber of Commerce. [Digital Sequence Information and Benefit Sharing](#) (2 May 2019)
6. Laird, S., R. Wynberg, M. Rourke, F. Humphries, M. Ruiz Muller, C. Lawson. [“Rethink the expansion of access and benefit sharing”](#) (13 March 2020)
7. Lawson, C., F. Humphries, M.F. Rourke. [The future of information under the CBD, Nagoya Protocol, Plant Treaty, and PIP Framework](#) (2019)
8. Morgera, E., S. Switzer, M. Geelhoed. [Study for the European Commission on ‘Possible Ways to Address Digital Sequence Information – Legal and Policy Aspects’](#) (December 2019)
9. Oldham, P. [Digital Sequence Information - Technical Aspects](#) (2020)
10. Ruiz Muller, M., K. Angerer, J.H. Vogel and J.C. Acabá-Torres. [“Common Ground, Cause and Sense for Users, Providers and Agents: Bounded Openness over Genetic Resources” In response to Invitation to submit views and other information on ‘Digital sequence information’ \(NCP GB8-016 MYPoW/DSI\) for the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture](#) (2019)
11. Ruiz Muller, M., J.H. Vogel, K. Angerer. Presentation : [“Modality 3: “Open Access – Multilateral” Building on the First Global Dialogue on DSI\) A Policy Option, Variant II: “Bounded Openness over Natural Information”](#) (November 2019)
12. Scholz, A.H., U. Hillebrand, J. Freitag, I. Cancio, et al. [Finding compromise on ABS & DSI in the CBD: Requirements & policy ideas from a scientific perspective](#) (7 October 2020). The white paper is the integrated outcome of a scientist-focused stakeholder process initiated by several public research institutes in Germany. These institutes sought and received funding from the German Ministry for Research and Training (BMBF) for the [WiLDSI research project](#).
13. Sollberger, K. [Digital Sequence Information and the Nagoya Protocol - Legal expert brief on behalf of the Swiss Federal Office for the Environment \(FOEN\)](#) (7 April 2018)

Access regulated			0	Status quo – Parties have not agreed on how to address ABS for DSI of GR					
			1	DSI Fully integrated into approach of CBD & NP PIC and MAT (DSI= GR)					
Access not regulated	PIC	MAT	2.1	No PIC. Each country has Standard MAT (benefit-sharing is triggered by use of DSI)	BS linked to DSI data			Requires tracing of country of origin	Bilateral mechanism
			2.2	No PIC. Standard MAT at international level (benefit-sharing is triggered by use of DSI)					
	NO PIC	NO MAT	3.1	Payment for access to DSI. No PIC. No MAT	BS NOT linked to DSI data			Does NOT require tracing of country of origin	Multilateral mechanism
			3.2	Other payments and contributions (micro-levy, voluntary). No PIC. No MAT					
			4	Technical and scientific cooperation – could be complementary to other options					
			5	No PIC, No MAT. No Benefit Sharing from DSI. (DSI is not considered equal to GR)					



Access: uncertain

Option 0: Status Quo

Mechanism: uncertain

Tracing: uncertain

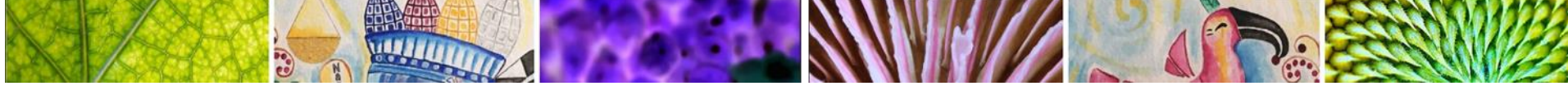
**BS linked to data access:
uncertain**

- Parties have not agreed on how to address ABS for DSI of GR
- Some Parties may decide to include measures on access to DSI and/or benefit-sharing from DSI use as part of their domestic ABS system
- For some open access to DSI in databases is a sufficient form of non-monetary benefit-sharing

More information:

⑫ *Germany-WilDSI (Option 0)*

③ *UK-ICF study (Option 4)*



Access regulated
PIC
MAT

Option 1: DSI Fully integrated into CBD & NP

Mechanism: bilateral
Tracing: required
BS linked to DSI data

ABS is subject to each country's legislation

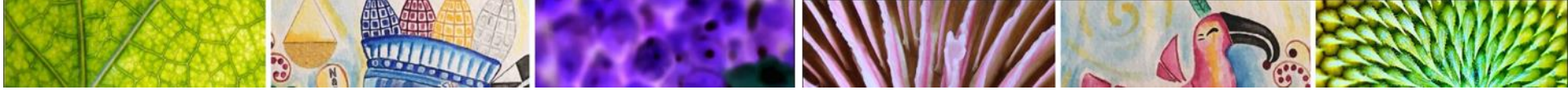
- Access to DSI regulated similarly to access to genetic resources

GR = DSI

- MATs are negotiated for each DSI access
- Users need to comply with multiple different ABS systems and requirements

More information:

- ① *First Global DSI Dialogue (Option 5)*
- ⑧ *EC- Elisa Morgera (Option 2)*
- ③ *UK-ICF (Option 1)*

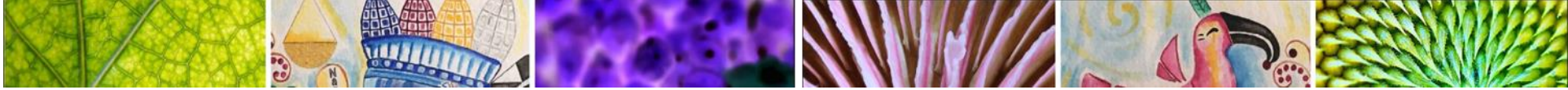


Option 2: Standard MAT

- Benefit-sharing from the use of DSI is triggered by events through the value chain (e.g upon commercialization)
 - Requires downstream monitoring of DSI use along the value chain

Sub-options:

- 2.1 Standard MAT at national level (bilateral)
- 2.2 Standard MAT at the international level (multilateral)



Access not regulated
No PIC
MAT

2.1 Each country has Standard MAT

Mechanism: bilateral
Tracing: required
BS linked to DSI data

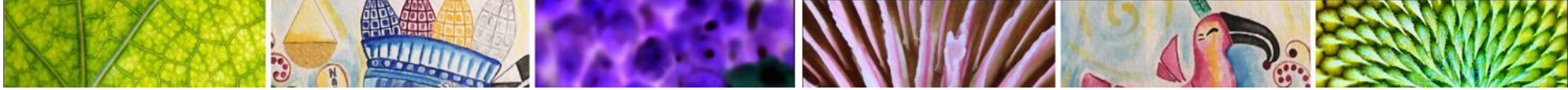
- Each Party could put in place a system of standard MAT that users would need to comply with when the obligation to share benefits is triggered (e.g at commercialization)
 - Example: Brazil's ABS measures
 - MAT would be different for each country depending on national legislation.

More information:

- ⑬ Swiss FOEN- Sollberger
- ⑨ EU – Oldham
- ⑦ Lawson, Humphries, Rourke
- ⑫ Germany-WildSI (Option 4)

Possibility to have a single standardized
system agreed internationally

- Model legislation and MAT
- License system in the DSI database



Access not regulated
No PIC
MAT

2.2 Standard MAT at international level

Mechanism: multilateral
Tracing: not required
BS linked to DSI data

➤ Integrated in DSI databases

- Different standard licenses could be negotiated at the international level and included in DSI databases (e.g. commercial and non-commercial use of DSI)

➤ Integrated in IPR systems (bounded openness)

- Users are informed of their obligations when seeking for IPR protection on the basis of a disclosure requirement on the use of DSI

➤ Others...

More information:

① *First Global DSI Dialogue- Option 2 + 3*

⑫ *Germany-WildSI option 4*

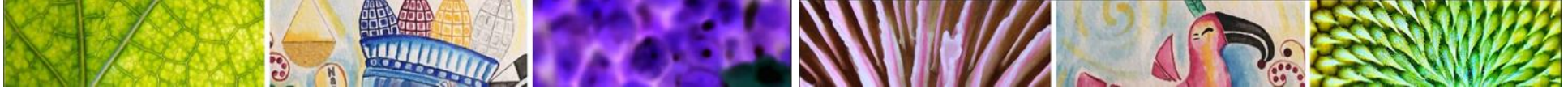
⑩ ⑪ *Vogel and Ruiz Muller*

⑨ *EC- Oldham*

③ *UK-ICF: Option 2 + 3c*

⑧ *EC-Morgera :Option 5*

- ✓ Users need to comply with the standardized license for each DSI accessed
- ✓ Requires downstream utilization tracing
- ✓ Coordination with relevant systems



Q&A



Option 3: No PIC. No MAT

- Access is not restricted per se by PIC
- Some type of payment and/or contribution goes into a multilateral fund.
- No tracing of origin, or need to monitor downstream utilization

Sub-options:

- 3.1 Payment for access to DSI (benefit-sharing linked to DSI data)
- 3.2 Other payments and contribution (benefit-sharing is NOT linked to DSI data)



Access not regulated
No PIC
No MAT

3.1 Payment for access to DSI

Mechanism: multilateral
Tracing: not required
BS linked to DSI data

➤ Payments for access to DSI

- **Membership fee for access to DSI in the databases**
 - The fee could be determined following negotiated criteria (e.g, commercial vs non-commercial, by sectors, revenue, annual fee)
- **Payment for individual access to DSI in the databases**
 - Users would pay a small fee for access to each individual sequence through a standard license

➤ Payments for access to associated data

More information:

- ⑧ EC-Morgera (Option 5)
- ⑫ Germany-WILDSI (Option 2)
- ③ UK-IC (Option 3a)
- ① First Global DSI Dialogue (Option 4)
- ⑨ *EC-Oldham*



Access not regulated
No PIC
No MAT

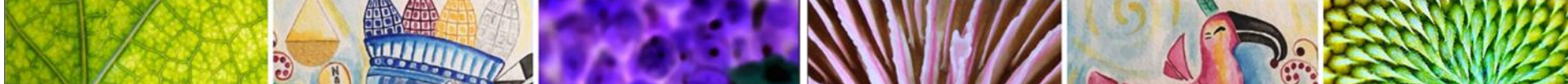
3.2 Other payments and contribution

Mechanism: multilateral
Tracing: not required
BS not linked to DSI data

- Payment for DSI-related services (e.g. cloud analytics)
- Levies on products or services associated with DSI (e.g. laboratory equipment)
- Voluntary contributions to a multilateral fund
- Use of innovative financial tools (e.g. biodiversity bonds)
- Marketing program: Where goods are sold under a badge and part of the benefits are directed towards a fund
- Other?

More information:

- ⑧ EC-Morgera (Option 5)
- ③ UK-IC (Option 3b)
- ① First Global DSI Dialogue (Option 4)
- ⑫ Germany-WILDSI (Option 1+3)
- ⑦ Lawson, Humphries, Rourke
- ⑨ EC-Oldham



Access not regulated
No PIC
No MAT

Option 4: Enhanced technical and scientific cooperation

Mechanism: multilateral
Tracing: not required
BS not linked to DSI data

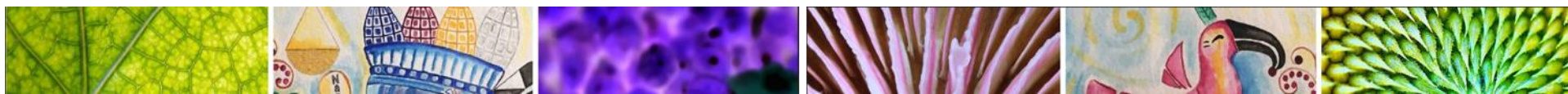
- Enhanced capacity support for developing countries so each country has the capacity and opportunity to access and use DSI
 - e.g. research collaborations, trainings, knowledge platform, technology transfer, learning programmes, etc.
- This option could supplement other policy options

More information:

③ *UK-ICF (Option 4)*

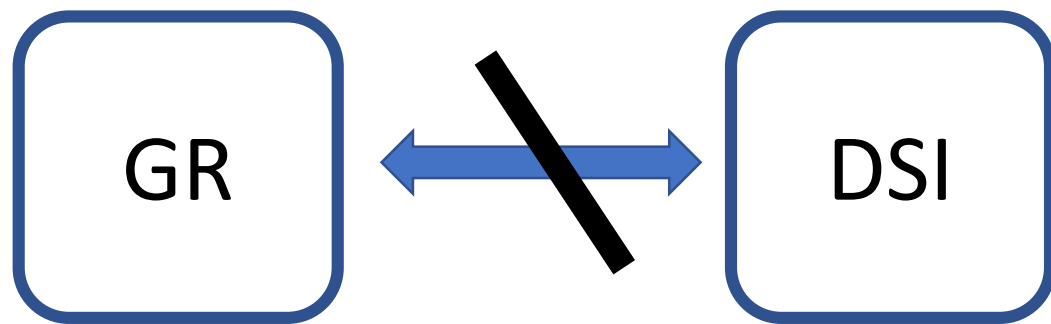
⑧ *EC-Morgera (Option 6)*

① *First Global DSI Dialogue (Option 5)*



Option 5: No Benefit Sharing from DSI

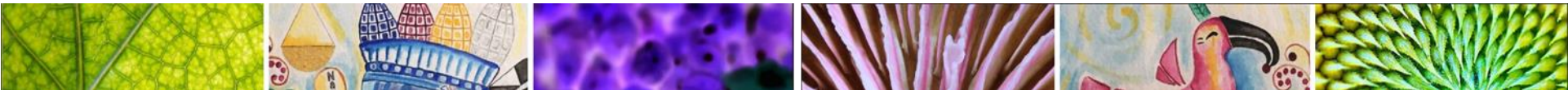
DSI is not considered equal to GR and therefore there is **no obligation to share benefits from its use.**



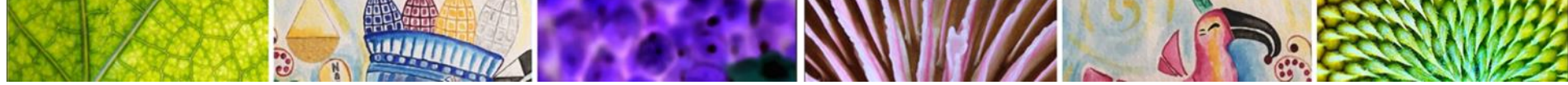
More information:

⑧ EC- Elisa Morgera (Option 1)

③ UK-ICF (Option 0)



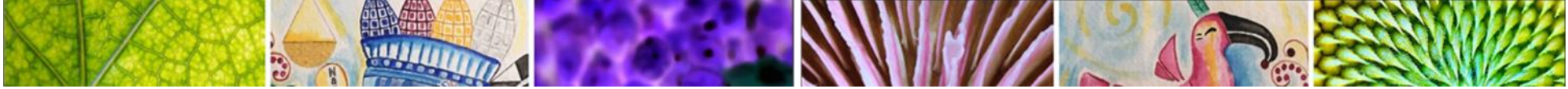
Q&A



Some general considerations

Parties could decide to combine different options, e.g:

- Providing for the sharing of monetary benefits as well as non-monetary benefits
- Sharing benefits bilaterally (e.g. when the DSI can be traced) as well as multilaterally.
- Having voluntary contributions to complement mandatory sharing of benefits



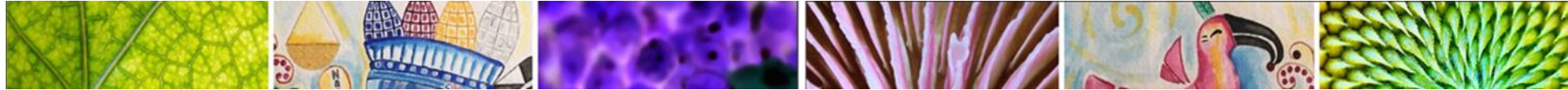
Some general considerations

- **Bilateral** sharing requires being able to **trace DSI back** to the country of origin (tagging in databases)
- A **multilateral** approach requires a **governance** structure and a system for receiving and distributing benefits
- Proposals to **change existing practices in DSI databases** are dependent on those databases and their users adhering to those changes
- **Ensuring compliance** by users of DSI can be difficult for some options



Some general considerations

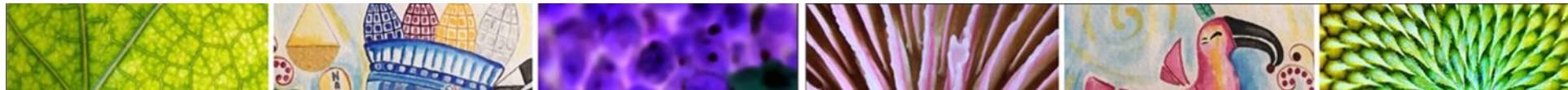
- Some options can have a **high transaction** cost
- Upfront cost/access fees could **impact innovation and research**
- If different obligations are established for **commercial and non-commercial** users of DSI, questions may arise on how to address the change of intent through the value chain
- The **time lag** to start **generating and receiving benefits** may be :
 - Certain and short for options where payments occur at the time of access
 - Uncertain and long for options where the benefits are shared upon commercialization.
- ABS Capacity Development Initiative **criteria** and others



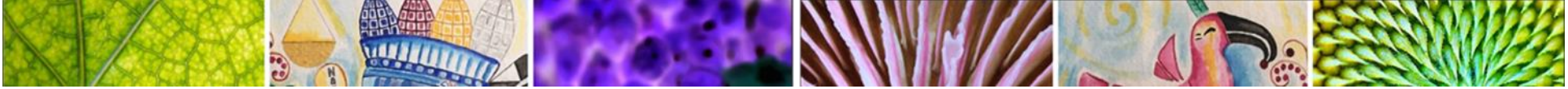
Upcoming ABS CDI activities:

- **Mar – Apr:** Panel discussion on the outcomes of the Co-Chairs Webinar on DSI
- **Mar – May:** Discussions on capacity building needs, IPRs, IPLCs/TK, and commercial use related to the creation and use of DSI
- **Jun - Jul:** 2nd Global Dialogue on DSI (global introduction, three discussions for different time zones, global plenary) discussing policy option on DSI and decision making criteria; limited participation and Chatham House rules
- **Jul - Aug:** Sharing the outcomes of the 2nd Global Dialogue on DSI

By ABS-Capacity development Initiative in context of NOR – SA partnership



We are here to support you!



Concluding remarks