

CBD Notification 2021-063: Submission of views and new information on policy approaches, options or modalities on DSI on genetic resources

UK Submission

Notification 2021-063 invites Parties, other Governments, indigenous peoples and local communities, relevant stakeholders and organizations to submit views and new or additional approaches, options or modalities on how to address digital sequence information on genetic resources under the Convention and the Nagoya Protocol, based on but not limited to the information and elements contained in document CBD/WG2020/3/4 "Digital sequence information on genetic resources".

The UK notes the large volume of work that has already been undertaken on different policy options and approaches, including the informal studies and reports that have been made available to Parties and synthesised, including two reports commissioned by the UK:

1. *Digital Sequence Information: An Evidence Review*. ICF Consulting Services Limited (14 August 2020) [[Defra, UK - Science Search](#)]; and
2. *Digital Sequence Information (DSI): lessons from multilateral mechanisms*. ICF Consulting Services Limited (October 2021) (*publication pending*)

As highlighted in the first of these papers, Parties' consideration of the various options for addressing DSI on genetic resources could be facilitated by the establishment of a series of guiding principles. Building on those presented in the paper and the views expressed during OEWG-3 on areas of convergence, the criteria for any option could include, but not be limited to:

- Solutions must take into account and be consistent with international law
- Solutions must contribute to the achievement of the objectives of the CBD
- Solutions must not undermine and should contribute to the achievement of the UN Sustainable Development Goals
- Solutions must promote legal certainty for all relevant actors
- Solutions must take into account the needs of all relevant actors, including LMICs, IPLCs, industry/business and the scientific, healthcare and public health communities
- Solutions should ensure that science and innovation are facilitated and not hindered
- Solutions must not impinge on the ability to rapidly share DSI in emergency situations
- Solutions should consider both monetary and non-monetary benefit sharing options in a fair and equitable manner, recognising the important contribution of non-monetary benefit sharing which is sometimes overlooked
- Solutions can only be arrived at after an iterative process of dialogue with key stakeholders
- Solutions must ensure that capacity building is needs-based
- Solutions should aim to be "future proof" i.e. with flexibility to account for any future technological advances that could impact access and use of DSI

It is also important that potential options and approaches are considered in light of the learning from existing examples. The second report referenced above provides analyses of other benefit sharing mechanisms and funds, including on their approaches to governance, distribution and sources. For example, under the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), the voluntary contributions to the benefit sharing fund in 2018/19 (from a range of sources including governments, NGOs and the private sector) equated to more than 99% of the total value received. Payment upon commercialisation provided approximately 0.54% of total contributions.

Drawing on this extensive background, and whilst the UK recognises that further work is needed, we have some preliminary views on specific approaches to benefit sharing in relation to DSI on genetic resources.

The UK believes that a multilateral approach which incorporates both monetary and non-monetary benefit sharing mechanisms, as well as supporting the effective delivery of capacity building, could provide a good basis on which to further develop modalities.

The UK considers that DSI discussions under the CBD should also take into account other relevant international discussions. It would be helpful to consider the interplay between a mechanism under the CBD and under other multilateral agreements to streamline the approach for the sharing of benefits from the application of DSI on genetic resources.

In relation to the options presented in paper CBD/WG2020/3/4 the UK believes that a combination of options may be most appropriate. As such, the paper does not present all the potentially viable options. For example, Option 4 provides for enhanced technical and scientific cooperation, which the UK believes should be a critical element of capacity building across any approach. The UK encourages Parties to carefully consider the possibility of a 'hybrid' approach or option.