

NON-PAPER

DIGITAL SEQUENCE INFORMATION ON GENETIC RESOURCES

CONTACT GROUP ON AGENDA ITEM 3

The Subsidiary Body on Scientific, Technical and Technological Advice,

Recalling the coordinated and non-duplicative approach on digital sequence information on genetic resources under the Convention and the Nagoya Protocol adopted in decisions XIII/16 and NP-2/14,

Noting the synthesis of views and information on the potential implications of the use of digital sequence information on genetic resources for the three objectives of the Convention and the objective of the Nagoya Protocol,

Noting also the fact-finding and scoping study to clarify terminology and concepts and to assess the extent and the terms and conditions of the use of digital sequence information on genetic resources in the context of the Convention and the Nagoya Protocol,

Noting further the report of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources,

A. Draft decision for the Conference of the Parties to the Convention on Biological Diversity

Recommends that the Conference of the Parties to the Convention on Biological Diversity, at its fourteenth meeting, adopt a decision along the following lines:

The Conference of the Parties,

Mindful of the three objectives of the Convention,

1. *Notes* that the term “digital sequence information” may not be the most appropriate term to refer to the various types of information on genetic resources, and that it is used as a placeholder until an alternative term is agreed;
2. *Recognizes* the importance of digital sequence information on genetic resources for the conservation and sustainable use of biological diversity while *emphasizing* that the three objectives of the Convention are interlinked and mutually supportive;
3. *Recognizes* that digital sequence information on genetic resources and public access to this information contributes to scientific research on biodiversity;
4. *Notes* that public access to digital sequence information on genetic resources can be a form of benefit-sharing;
5. *Recognizes* also that the capacity to use, generate and analyze digital sequence information on genetic resources is limited in many countries and *encourages* Parties, other Governments and relevant organizations to support capacity-building and technology transfer to assist in the use of digital sequence information on genetic resources to contribute to conservation and sustainable use of biodiversity;
6. *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant stakeholders to submit views and information to clarify the concept of digital sequence information and to propose an operational term;
7. *Decides* to establish an Ad Hoc Technical Expert Group and *requests* the Executive Secretary, subject to the availability of financial resources, to convene a meeting of this group in accordance with the terms of reference contained in the annex;

8. *Requests* the Executive Secretary, subject to the availability of financial resources, to:
- (a) Compile and synthesize the views and information submitted;
 - (b) Commission a study on databases holding digital sequence information, including the extent to which access is granted or controlled, governing policies, providers and users of digital sequence information on genetic resources and how its use is monitored;
 - (c) Commission a study on benefit-sharing associated with digital sequence information, including examining different forms of monetary and non-monetary benefit-sharing and how digitization of information in other sectors has impacted benefit-sharing, including possible lessons from the music, software, publishing and other industries;
 - (d) Make the studies and the synthesis of views available for the consideration of the Ad Hoc Technical Expert Group;
9. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice to consider the outcomes of the Ad Hoc Technical Expert Group and to make a recommendation for the consideration of the Conference of the Parties at its fifteenth meeting;
10. *Recognizing* that the generation, use and management of digital sequence information is dynamic and subject to technological and scientific developments, *notes* that regular horizon scanning of developments in the field of digital sequence information on genetic resources is needed for reviewing their potential implications for the objectives of the Convention and the Nagoya Protocol;
11. *Noting* that the issue of digital sequence information on genetic resources is being considered in a number of different international forums, *requests* the Executive Secretary to continue to engage and collaborate with relevant ongoing processes and policy debates to collect information on current discussions on the use of digital sequence information on genetic resources of relevance to the Convention and the Nagoya Protocol.

Annex

**TERMS OF REFERENCE FOR THE AD HOC TECHNICAL EXPERT GROUP ON
DIGITAL SEQUENCE INFORMATION ON GENETIC RESOURCES**

The Ad Hoc Technical Expert Group shall:

- (a) Take into account:
 - (i) The compilation and synthesis of views and information related to digital sequence information on genetic resources submitted pursuant to decision XIII/16;¹
 - (ii) The fact finding and scoping study to clarify terminology and concepts and to assess the extent and the terms and conditions of the use of digital sequence information on genetic resources in the context of the Convention and the Nagoya Protocol prepared pursuant to decision XIII/16;²
 - (iii) The report of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources;³

¹ CBD/SBSTTA/22/INF/2 and addenda 1 and 2.

² CBD/SBSTTA/22/INF/3

³ CBD/SBSTTA/22/INF/4

(b) Consider the synthesis of views and information and additional studies referred to paragraph 8(a), (b) and (c) of the decision;

(c) Clarify the concept of digital sequence information in the context of the Convention and the Nagoya Protocol and identify an operational term;

(d) Further examine any actual and potential implications of the use of digital sequence information on genetic resources for monetary and non-monetary benefit-sharing;

(e) Consider mechanisms for the fair and equitable sharing of benefits arising from the use of digital sequence information;

(f) Meet at least once face-to-face, subject to the availability of financial resources, prior to the fifteenth meeting of the Conference of the Parties and make use of online tools to facilitate its work, as appropriate;

(g) Submit its outcomes for consideration by a meeting of the Subsidiary Body on Scientific Technical and Technological Advice to be held prior to the fifteenth meeting of the Conference of the Parties.

B. Draft decision for the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

Recommends that the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, at its third meeting, adopt a decision along the following lines:

The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,

Mindful of the objective of the Nagoya Protocol,

Acknowledging decision XIV/--,

1. *Decides* that the ad hoc technical expert group referred to in paragraph x of decision XIV/-- will also serve the Nagoya Protocol;

2. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice to consider the outcomes of the ad hoc technical expert group and to make a recommendation for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting.
