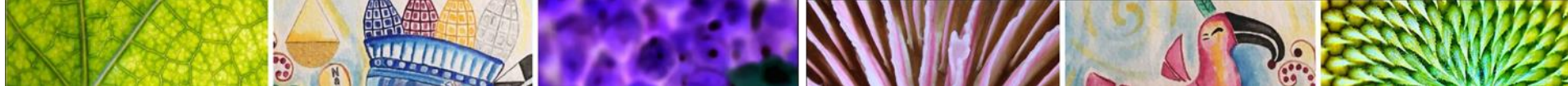


Welcome to Webinar: Policy options for access and benefit- sharing and digital sequence information on genetic resources

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





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

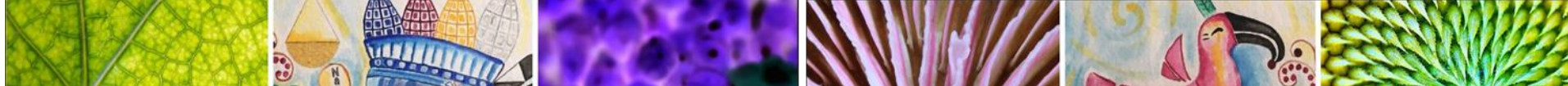
- MATs are negotiated for each DSI access
- Users need to comply with multiple different ABS systems and requirements

More information:

① *First Global DSI Dialogue (Option 5)*

⑧ *EC- Elisa Morgera (Option 2)*

③ *UK-ICF (Option 1)*

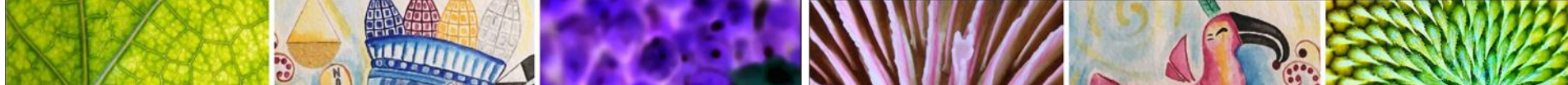


Option 2: Standard MAT

- 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

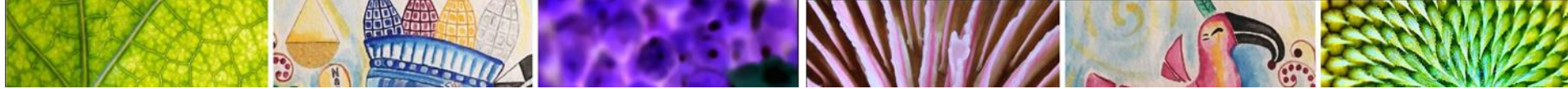
- Each Party could put in place a system of standard MAT that users would need to comply with when the obligation to share benefits is triggered (e.g at commercialization)
 - Example: Brazil's ABS measures
 - MAT would be different for each country depending on national legislation.

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*

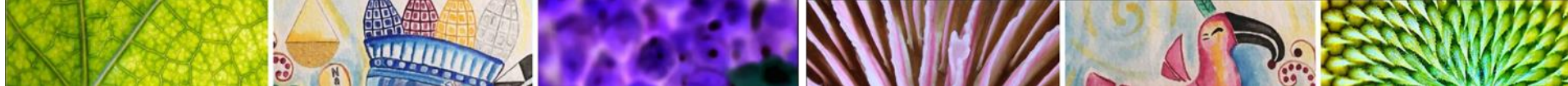
⑩ ⑪ *Vogel and Ruiz Muller*

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



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:

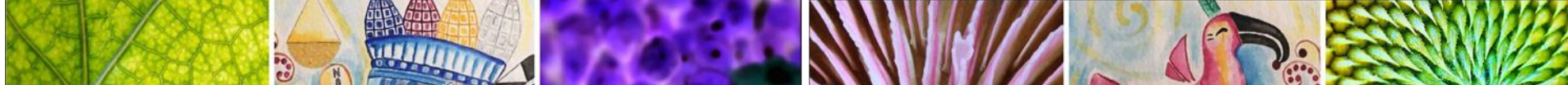
⑧ EC-Morgera (Option 5)

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

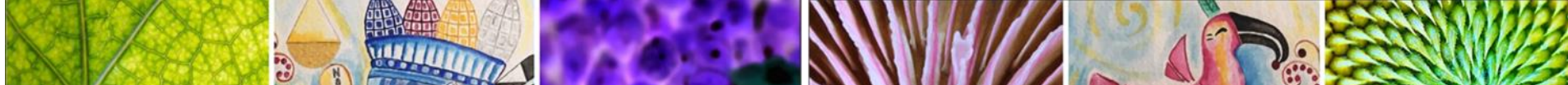
3.2 Other payments and contribution

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)*

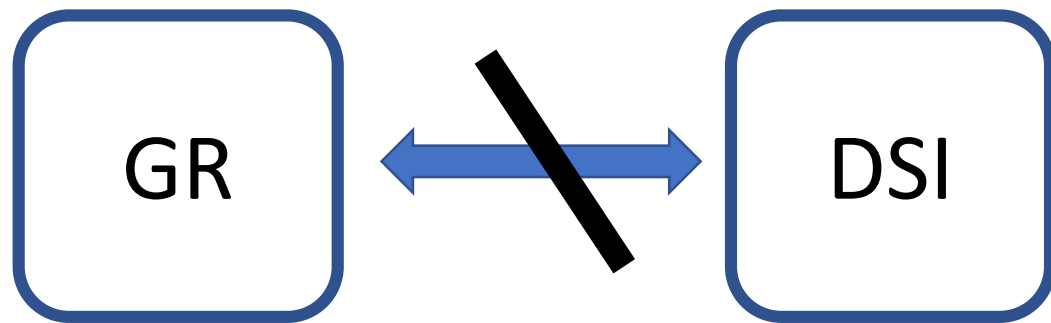
⑧ *EC-Morgera (Option 6)*

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)*



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