



First meeting Ad Hoc Open-ended Working Group on Benefit-sharing from the Use of Digital Sequence Information on Genetic Resources

November 14-18, 2023 - Geneva, Switzerland

AGENDA ITEM 1: Opening Statement

Statement on behalf of the International Indigenous Forum on Biodiversity (IIFB) delivered by Katie Lee Riddle.

I speak on behalf of the International Indigenous Forum on Biodiversity.

Foundations

The foundation for a long-term solution on DSI is to create conditions for a robust, transparent and flexible approach that recognises the diversity of interests of Parties, Indigenous Peoples, Local communities. It needs to recognise the unique relationship that indigenous peoples and local communities have with biodiversity, and their conservation and diversification of genetic diversity - past, present and future.

This can be created through two practical steps:

- Firstly, establishing a foundational requirement that DSI must be deposited with databases and repositories that participate in the mechanism. This will create basic conditions for trust, provide legal certainty and generate substantive benefits;
- Secondly, the identification of a set of basic terms and conditions to give participants choices when sharing DSI. This should not assume that DSI will go into the public domain.

Open and Responsible Data Governance

Basic terms and conditions of use must be combined with measures to promote ethical Open and Responsible Data Governance.

- Any DSI obtained through FPIC must be deposited into databases linked to the Mechanism.
- In line with the UNESCO Recommendation on Open Science and the OECD recommendation on enhancing access to and sharing of data, a core principle is that data sharing arrangements should be as open as possible to maximise the benefits to society and as closed as necessary to protect legitimate public and private interests including respect and safeguards for the rights of IPs, LCs Women and Youth.
- The FAIR principles are widely recognised as good practice in open research and innovation and the complementary CARE principles consider the needs and values of IPs and LCs.
- Many Parties such as the EU, the UK, Australia and Canada already support Open and Responsible Data Governance in their funding policies and we will be happy to discuss examples.



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- Additional measures of particular importance include providing measures to associate provenance metadata for species that are socio-economically and culturally significant, as defined by IPs and LCs, such as Traditional Knowledge and Biocultural Notices and Labels.

The Global Fund Mechanism

- Regarding the governance of the fund, the participation of IPs, LCs, and stakeholders should be integral to the design, management, priority setting and governance of the fund.
- Trigger points for contributions to the fund should stem from multiple revenue generation measures. This should be seen as part of the Resource Mobilisation Strategy to support implementation of the GBF such as Target 21.
- Disbursement of funds needs to be fair, equitable, transparent, practical, secure, and directly accessible for IPs and LCs across all 7 socio-cultural regions, ensuring their full and effective participation.

Issues For Further Consideration

- The fear of fraudulent metadata creation should not outweigh the need for safeguards in the first place. Mechanisms for verifying metadata provenance should be maintained, as affirmations of accuracy upon input, and the requirement for associated contact details, needs to be submitted alongside the data input in accordance with existing controls.
- The relationship between ownership, property rights and potential as well as actualised intellectual property rights pertaining to DSI should be further investigated to ensure the operability of the GMBSM and ABS as a whole.
- We propose that an ATHEG body should be conformed to ensure the continuity and consistency to DSI implications to the relationship of IPs and LCs to biodiversity, and GRs with Associated Traditional Knowledge.
- We acknowledge the need to develop safeguards to ensure sustainable flow of benefits and ensure the successful implementation of Open and Responsible Data Governance.