

Statement from Third World Network, Ecoropa and SEARICE (CBD Alliance)

Thank you Chair. I'm speaking on behalf of the Third World Network, Ecoropa and SEARICE, active members of the CBD Alliance who are present at this meeting..

We thank the Parties for having taken up Decision 15/9 which agrees to share, fairly and equitably, the benefits arising from the use of DSI. This decision took a lot of effort to arrive at. The moment has now come to show the world that all those efforts are not meaningless. We have gathered here to develop an efficient, accountable and transparent multilateral mechanism which binds users of DSI to share benefits fairly and equitably.

Chair, the standard that the CBD and the Nagoya Protocol maintains is "appropriate access" to genetic resources. However, when it comes to DSI, the idea of "open access" has dominated the discussions, without a real examination of what that standard refers to. Since expert after expert has agreed that "DSI" practically reduces the relevance of physical access to genetic resources, we need to be careful about the implications of "open access". It should not become "free access", where users undertake no commitments to share benefits with the providers of genetic resources and associated traditional knowledge, including indigenous peoples and local communities.

Open access should also meet the standard of "appropriateness" - this will only happen if the medium used to share DSI becomes accountable to CBD Parties and maintains minimum access rules. In this regard, we believe that accountability of databases should be central to the discussions here. Failing to infuse accountability into the current practices of DSI sharing will only incentivize the privatisation of wealth generated using biodiversity and associated traditional knowledge, while costs are borne by the public.

Further, just as countries are cautious about the cross-border flow of financial and economic data, there needs to be, equally, caution about the cross-border flow of genetic data or DSI given its commercial and economic applications. Therefore, the multilateral mechanism has to respect the sovereignty of the States as well as the rights of IPLCs. Parties should retain control over data generation, storage and dissemination - only then can they exercise their sovereignty in the true sense. Basic international law principles extend the sovereignty of States to digital infrastructure and assets including data, and this should not be abridged by the multilateral mechanism.

Finally, with regard to the global fund that is to be part of the multilateral mechanism, we do not believe that distribution based on competitive project financing alone is the answer. While a part of the fund could be distributed this way, the idea that one has to compete for the benefits which they are actually entitled to, is unjust. This cannot be the basis of real benefit sharing. We need to explore other ways by which funds should be transferred to the providers of the genetic sequences, particularly indigenous peoples and local communities who have stewarded biodiversity.

Thank you.