

Statement from Third World Network and SEARICE Agenda Item 3

We thank the Secretariat for preparing the documents in a balanced manner. However, Chair, there are a few concerns and inputs from our side. We have five main points.

The first is with regard to the concerns we have heard about tracking and tracing measures due to the perceived administrative burden and technical complexity. We believe this is an exaggerated issue. More importantly, what is actually needed is an agreement from the Parties to put in place certain disclosure and transparency requirements on the users of DSI as well as the databases.

Second, with regard to non-monetary benefit sharing, we believe that the MLM should deal with monetary and non-monetary benefit sharing as distinct items. Both are obligations under the Convention. The fact that users are contributing to some form of (non-monetary) capacity building in provider countries should not be considered as a reason to discharge their obligations to share monetary benefits. Similarly, funds from the global fund should not be repurposed for transfer of technologies or to build capacities that should have been part of the non-monetary benefit sharing obligations of the users.

Third, Para 27 refers to concerns relating to the linkages between research, technology and the multilateral mechanism. Open science approaches cannot end with open access to the data. It should also result in open sharing of research results including technologies. Technology pools may be established requiring users to submit the technology or know-how relating to product development or use of the technologies developed using the MLM.

Fourth, Para 47 speaks about an interest in having a common system for DSI across multiple fora, which is concerning, given that there are sector specific concerns to be addressed, both in the sharing of data as well as in benefit-sharing. For example, in WHO, we are dealing with sequences derived from highly pathogenic materials.

Finally Co-Chair, we would like to reiterate the need for a network of databases that is accountable to the CBD Parties. These could be national databases established by governments or other databases serving the purpose of sharing DSI. There should be, at a minimum, due diligence standards whereby the databases ensure that DSI is uploaded only after the legitimate consent from the provider of genetic resources. They should also undertake obligations to share information with the CBD and its Parties about the usage especially when there is a query from the national authorities about use by any particular user. There are further details about data governance, which we look forward to share in the contact group. We must note that the current practices neither guarantee access nor benefit sharing.

Thank you.