



Preparation for CBD COP from the perspective of the EU Presidency

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Internal (Presidency):

- Securing resources
- Building the team (around 40 members)
- Timeline & workflow
- Logistics

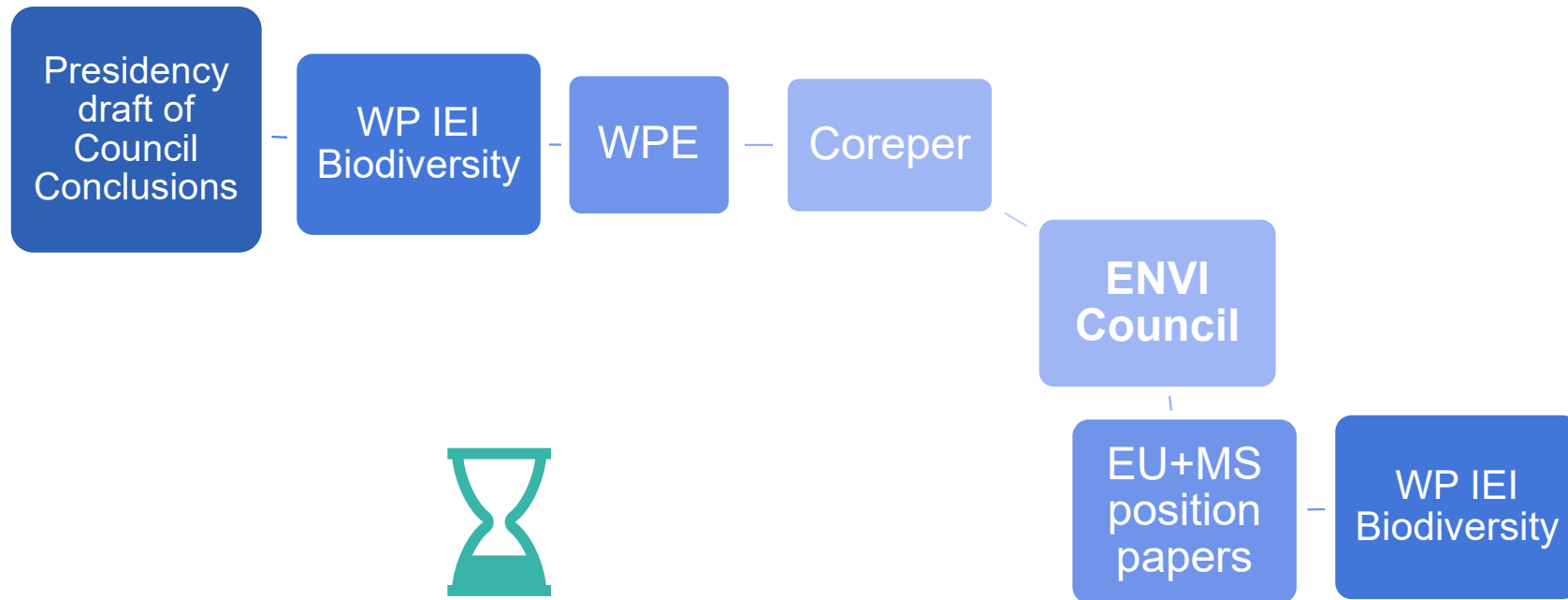
EU level:

- Coordination & communication
- Council Conclusions
- EU+MS position papers for most of the agenda items
- Workshare



Convention on
Biological Diversity

EU Preparatory process



EU+MS position papers



Structure:

- Team (lead authors, drafting/expert group members)
 - Links to relevant documents (published by CBD Secretariat)
 - Background information
 - EU+MS position
 - Speaking notes (summarising key issues in amendments; latest part)
 - Draft decision (to be adopted at the COP), including amendments proposed by the EU+MS
- Drafts based on EU+MS position papers / orientation lines from preparatory meetings (SBSTTA, SBI recommendations) or from previous COPs
 - Need to ensure coherence across cross-cutting issues and align joint statements for corresponding items under CBD/CP/NP (such as capacity building)
 - EU statement (speaking notes) + amendments will be submitted to the CBD Secretariat



Fifth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework, Fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity, Fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (Part Two)
3-19 December 2022, Montreal, Canada

EU and its Member States Position

final version

**Agenda item 5 (OEWG), 11 (COP 15), 14 (COP-MOP 4):
Digital sequence information on genetic resources**

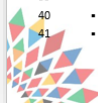
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1. Official documents:

- [CBD/WG.20/20/5/3](#): Digital sequence information on genetic resources
- [CBD/WG.20/20/REC/4/2](#): Recommendation 4-2, Digital sequence information on genetic resources
- [CBD/WG.20/20/REC/3/2](#): Recommendation 3-2, Digital sequence information on genetic resources
- [CBD/DSI/AHTEG/2020/1/7](#): Report of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources

2. Other relevant documents:

- [CBD/WG.20/20/5/INF.1](#): Co-leads' report on the work of the Informal Co-Chairs' Advisory Group on Digital Sequence Information on genetic resources since the fourth meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework
- [CBD/WG.20/20/4/3](#): Digital sequence information on genetic resources
- [CBD/DSI/AHTEG/2020/1/2](#): Synthesis of views and information
- [CBD/AHTEG/DSI/2020/1/3](#): Study on concept, scope and current use



- [CBD/AHTEG/DSI/2020/1/4](#): Combined studies on traceability and databases
- [CBD/AHTEG/DSI/2020/1/5](#): Study on domestic measures
- [Policy options for ABS and DSI: Webinar Summary by SCBD](#)
- [CBD/COP/DEC/14/20](#): Digital sequence information on genetic resources
- [CBD/COP/DEC/XIII/16](#): Digital sequence information on genetic resources
- [NP/COP-MOP/DEC/3/12](#): Digital sequence information on genetic resources
- [NP/COP-MOP/DEC/2/14](#): Digital sequence information on genetic resources

3. Background information and summary:

Due to the rapid technological progress of recent decades it has become possible to develop, in some cases, commercial products using data derived from genetic resources (GR), such as DNA sequence, protein expression, metabolite profiles etc., without accessing the actual, tangible genetic resource itself. Biodiversity-rich, developing and middle-income countries as well as economies in transition are concerned that these developments may undermine the fair and equitable sharing of benefits from the utilization of genetic resources.

On the other hand, DSI is widely used for both commercial and non-commercial purposes. The prevailing culture of openness and free exchange of information is the basis for modern academic research and, more specifically, the open science model. A lot of data is stored in public databases and for the most part freely shared under an open access license. Also, most scientific journals and public databases require publishing of DNA sequences when a scientific article on the research results using these sequences is published. The request to publish DNA sequences in public databases is often also a pre-condition to obtain public funding for research.

The issue of DSI emerged as a part of negotiations on synthetic biology and it became quite contentious during COP 13 and COP-MOP 2 negotiations. COP 13 and COP-MOP 2 witnessed a clash of positions between the developing and developed countries. Biodiversity-rich, developing and middle-income countries argued that DSI is or should be considered in the scope of the Convention on Biological Diversity (CBD) and the Nagoya Protocol (NP). They maintained that DSI is equivalent to genetic resources and needs to be recognized as such, and consequently that the benefits generated from the use of DSI need to be shared. Many developed countries were of the opposite view and claimed that DSI is not covered by the scope of the CBD and the Nagoya Protocol, nor by the definition of genetic resources under the Convention. Parties agreed on a process to explore the issue further and address the status of DSI and its potential implications for the three objectives of the CBD at COP 14.

At COP14, decision [14/20](#) was adopted. Parties neither agreed on the status of DSI under the Convention as planned, nor on the implications of the use of DSI for the objectives of the Convention (in particular in relation to the sharing of benefits resulting from the utilization of genetic resources and whether this objective covers the use of DSI). Due to a divergence of views regarding benefit-sharing (BS) from the use of DSI, COP 14 (and COP-MOP 3 in its corresponding decision) could only agree on a science- and policy-based process encompassing an invitation to Parties and others to submit views and information for synthesis and analysis by the Executive Secretary, the commissioning of a number of studies by the



EU Preparatory process



- Author teams: 1-2 Lead Authors (consideration of workload), coordinators, other EU/COM experts
- EU (MS/COM) experts as Lead Authors (capitalising on long-term expertise) x Presidency maintains the responsibility for the overall process of decision-making at WP IEI (oversight by coordinators)
- First draft → drafting/expert group (informal meetings) → WP IEI Biodiversity (Delegates Portal / meeting / informal silence procedure)
- Collecting and integrating comments (technical expertise x political issues → translating scientific expertise into political decisions)
- Need to distinguish expert and formal discussions
- Presidency as an honest broker, ensuring transparency, integrity and inclusivity
- "Retro-planning" (from the moment documents are published to final adoption of EU+MS PP)

At the COP



Negotiating process:

- First reading (EU statement)
 - Contact Group / FoC → non-paper
 - Conference Room Paper
 - L-document
 - Adoption by the Plenary
- Presidency/Commission negotiators speak on behalf of EU+MS – EU speaks with one voice
 - Need to check all changes in the documents along the process against the agreed EU+MS position – EU cannot react if there is no agreed position
 - Discussion at EU expert meetings / EU coordination meetings



At the COP

- Concurrent meetings (COP + COP-MOPs) – 2 working groups / several contact groups / Friends of the Chair groups / „huddles“ → Presidency has to be present always
- To negotiate, track progress, report back to the EU (and coordinate as needed)
- Need to keep the EU colleagues properly informed (progress, agenda, what is happening when and where, documents published, etc.) – role of coordinators
- Inclusive approach appreciated especially by small delegations (use of e-mail, WhatsApp)

EU:



- EU coordination meetings:
 - in the morning (or as necessary)
 - need to avoid overlap
 - report from the Bureau
 - agenda needs to reflect the urgency of the issues discussed
 - only for EU delegates;
- Expert group meetings as needed (informal)

At the COP

Outreach: What happens "behind the scene"?

- Need to engage in bilateral/outreach discussions
- Outreach meetings (Presidency Trio, Commission; report back as appropriate)
- Liaising with the UN regions (EU: WEOG+CEE)
- Links to the Secretariat
- Observers, NGOs (possible support if agreed by the EU)
- Informal networks
- Letting others bring forward EU text/positions



At the COP



Team:

- High-Level Segment participants (Head of Delegation)
- Chairs for EU coordination meetings
- Assistants
- Lead Authors / Negotiators
- Coordinators (general / for specific PPs)
- Outreach
- Logistics
- IT support
- Permanent Representation



Thank you for your attention.

Wishing you all the best for the
upcoming Hungarian EU
Presidency (and to the whole
presidency Trio)!

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