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AD HOC OPEN-ENDED WORKING GROUP ON
ACCESS AND BENEFIT-SHARING
Ninth meeting (resumed)
Montreal, 10-16 July 2010

**CONTRIBUTION OF THE COORDINATING MECHANISM OF THE GLOBAL
TAXONOMY INITIATIVE**

Note by the Executive Secretary

1. The Executive Secretary is circulating herewith, for the information of participants in the resumed session of the ninth meeting of the Ad Hoc Open-Ended Working Group on Access and Benefit-Sharing, the attached document dealing with the access and benefit-sharing issues relevant to the Global Taxonomy Initiative prepared by the Coordinating Mechanism of the Global Taxonomy Initiative (GTI-CM) under the Convention on Biological Diversity.
2. The paper is being submitted in the language and form in which it was received by the Convention Secretariat.

* Previously circulated as UNEP/CBD/WG-ABS/9/INF/8 of 8 July 2010.

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REPORT OF THE GLOBAL TAXONOMY INITIATIVE COORDINATION MECHANISM

DISCUSSIONS ON ACCESS AND BENEFIT SHARING

Nairobi, Kenya; 16 May 2010

1. The Coordination Mechanism of the Global Taxonomy Initiative (GTI-CM) of the CBD met for its ninth meeting at UNEP Headquarters in Nairobi, Kenya, on 16 May 2010. This meeting followed a full-day dedicated GTI Symposium on "Taking Stock of the Renaissance in Taxonomy: Post-2010 Capacity Building in taxonomy for the Convention on Biological Diversity", and a half-day training event on DNA barcoding. Both the GTI Symposium and training event included significant discussions of the International Regime for Access and Benefit Sharing (ABS) currently under negotiation. With this background, members of the GTI-CM discussed ABS and the possible consequences for taxonomic and other, non-commercial biodiversity research, and developed the views that are transmitted below. These views are also shared by the Executive Committee of the Consortium for the Barcode of Life (CBOL, Smithsonian Institution), and several members of the Consortium of Scientific Partners on Biodiversity (CSP).
2. COP decision IV/1 (Bratislava, 1998) endorsed a SBSTTA recommendation to create a Global Taxonomy Initiative (GTI) to address the urgent need for taxonomic information as the basis for conserving biodiversity and capacity-building in developing countries (termed the "Taxonomic Impediment"), COP V/9 (Nairobi, 2000) established the GTI-CM, and COP VI/8 (The Hague, 2002) adopted a program of work for the GTI including an activity on ABS. Since its inception the GTI-CM has helped to identify and promote many tangible outcome-oriented targets for the GTI such as, but not limited to: conducting biodiversity surveys; compiling species inventories; assembling web-based resources such as a registry of biorepositories; conducting national and regional taxonomic needs assessments and training; facilitating project development; promoting regional networks of taxonomists and institutions; and creating regional hubs for taxonomic initiatives such as digital biodiversity information systems and DNA barcoding. These activities and other outputs for the GTI have been included in COP decisions III/10, IV/1D, V/9, VI/8, VII/9, VIII/3 and IX/22, and are being implemented with the sole intent of furthering the objectives of the Convention.
3. Taxonomic research through the use of biological specimens and materials is normally the first step in characterization of biodiversity, which is one of the uses of genetic resources enumerated in the Revised Draft Protocol on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity (UNEP/CBD/WG-ABS/9/3, annex I). This and other basic non-commercial biodiversity research depends increasingly on international collaboration. Scientific characterization and documentation of biological specimens and species provide the formal names of species and the objective basis on which members of a species can be identified and distinguished from each other. A solid taxonomic foundation is essential for all efforts to fulfill the three objectives of the Convention. More importantly, taxonomic capacity is necessary for the efforts by all countries (especially provider countries) to identify, document and manage species within their national borders and jurisdictions.

4. The GTI-CM strongly supports the progress being made towards approval of an International Regime on ABS and applauds the inclusion of many aspects relevant to taxonomy and the work of GTI. In particular, the Draft Protocol treats the three main components of ABS in ways that are consistent with and supportive of the goals of the GTI:

- a. **Access.** Article 6 (a) directs Parties to “create conditions to facilitate, promote and encourage biodiversity-related research, important for the conservation of biological diversity and the sustainable use of its components”. The GTI-CM considers this an essential condition and would urge Parties to include ways and provisions for **expedited access and exchange of taxonomic specimens and materials for non-commercial research**. Accordingly, Article 6 (a) could be narrowed by referring to “non-commercial biodiversity research projects”. The broader phrase “biodiversity-related research”, as currently indicated in Article 6 (a), could be construed to include commercial research activities that may generate considerable monetary benefits. Non-commercial biodiversity research projects can be separated objectively from commercial projects, by the absence of, for example:
 - i. restrictions on the dissemination of research findings (e.g., through non-disclosure agreements);
 - ii. restrictions on the involvement of local researchers and counterparts in projects;
 - iii. claims of intellectual property protection such as patent applications;
 - iv. product development activities;
 - v. transfer of research samples to for-profit companies, and
 - vi. other indications of proprietary gain from the research project.

Article 6 (b) of the Draft Protocol notes other circumstances calling for special consideration by Parties as they develop national legislation concerning access to genetic resources. The GTI-CM also feels strongly that simplified and expedited access procedures are needed for taxonomists and other non-commercial researchers, particularly, in “emergency situations including serious threats to public health, food security or biological diversity”.

- b. **Benefit-sharing.** The Revised Draft Protocol includes an enumeration of non-monetary benefits that can result from the use of genetic resources (Annex I to the Revised Draft Protocol, part 2), many of which result directly from taxonomic research (e.g., sharing of research results, access to information relevant to conservation and sustainable use, education and training, technology transfer, capacity-building). The GTI-CM agrees that non-commercial research projects in taxonomy should be subject to the requirement for PIC and MAT. It is likely that standard, model PIC and MAT documents can be developed to cover the benefit-sharing terms of nearly all taxonomic projects. This approach has been instrumental to the success of the International Treaty on Plant Genetic Resources for Food and Agriculture. The GTI-CM is willing and eager **to participate in the development of such model documents.**

- c. **Compliance.** Public documentation and transparency are basic values in non-commercial scientific research. For this reason, compliance with ABS regulations is relatively straightforward for taxonomic research. The geographic source of biological samples is essential information in taxonomy and both latitude/longitude, date, and country of origin are required standard data elements in current biodiversity research. Digitized records of scientific collections make this information accessible online, except when it is suppressed to protect endangered species from *mala fide* access. The emerging discipline of biodiversity informatics will soon enable provider countries to track specimens in *ex-situ* collections and monitor their subsequent use. The GTI-CM considers that non-commercial biodiversity research in general and taxonomy in particular, from its current best practises and protocols, can provide important assistance for efficient mechanisms monitoring compliance and towards more transparency implementing an International Regime on ABS.

5. CBD Article 16, paragraph 1, states that “access to and transfer of technology among Contracting Parties are essential elements for the attainment of the objectives of this Convention”. The GTI-CM believes that the long-term goal of ABS is to level the playing field of capacity to generate benefits stemming from the utilization of genetic resources. Technology transfer, training, and capacity-building will someday enable all countries to conserve, sustainably use and benefit from their own biological resources. The GTI is among many initiatives that promotes and facilitates international cooperation, technology transfer and capacity building for non-commercial research in accordance with Article 18 of the Convention, as well as the sharing of associated non-monetary benefits. For this reason, the GTI-CM concludes that Parties will serve the goals of the Convention, as well as their long-term national interests, by providing simplified access to taxonomic specimens and materials for non-commercial research via the ABS Protocol and its subsequent national implementation, and through other conditions that will further promote international scientific collaboration and exchange.
