

March 21, 2022

Dear National Focal Points to the Convention on Biological Diversity,

As a group of scientific and professional societies and organizations, scientific researchers, and collections professionals, we support ambitious efforts to address biodiversity loss, which is threatening nearly a million plant and animal species, and thus jeopardizing food security, human health, economic well-being, and our capacity to mitigate the impacts of climate change. Given the central role that basic science research, biological collections, and biotechnological innovation play in progress to prevent biodiversity loss, we are concerned about the conversations under the Convention on Biological Diversity (CBD) that pertain to Access and Benefit Sharing (ABS) of digital sequence information (DSI).

Last fall, the American Institute of Biological Sciences and an informal group of researchers known as the USA Nagoya Protocol Action Group, ran an international workshop series supported by the National Science Foundation to engage the global scientific community in discussions about the value of DSI across numerous scientific disciplines, how DSI is currently shared and used, and challenges that may emerge from explicitly including or excluding DSI under the CBD and/or the Nagoya Protocol. The workshops engaged 18 scientific societies and was attended by more than 500 participants from 58 countries. Workshop participants recognized that benefits arising from the use of genetic resources should be shared in a fair and equitable way, but they also expressed concerns that restrictions on open sharing of DSI could hinder scientific progress.

Several recommendations to negotiators emerged from the workshops that we hope you will consider during your participation in the third meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework. These are captured in a Viewpoint article published in *BioScience* (Adler Miserendino et al., 2022)¹ and are summarized below:

1. Mobilize the global scientific community to provide input to ensure that policies being considered will be implementable without restricting open DSI. This could be done by:
 - Establishing a forum to host international scientists and other users of DSI to develop international best practices for cross-border collaboration.
 - Establishing a forum for major public databases, data aggregators, and users of DSI to explore mechanisms to improve tracking of data provenance and linkages among DSI, traditional knowledge, and specimens.
 - Engaging broad stakeholders in continued discussions about policy options for differentiating between commercial and non-commercial use of DSI.
2. Prioritize providing support to scientists to enhance ABS compliance and to support international collaborations and capacity building. This could be done by:

¹Rebecca A Adler Miserendino, Rachel Sarah Meyer, Breda M Zimkus, John Bates, Luciana Silvestri, Crispin Taylor, Tami Blumenfield, Megha Srigyan, Jyotsna L Pandey, The Case for Community Self-Governance on Access and Benefit Sharing of Digital Sequence Information, *BioScience*, 2022; <https://doi.org/10.1093/biosci/biac019>

- Encouraging domestic science funding agencies to provide institutional-level support to enable compliance.
 - Requesting the CBD Secretariat to develop outreach materials to ensure that institutions and scientists understand their obligations pertaining to the access and benefit sharing of physical specimens and to DSI, as appropriate.
 - Directing parties and non-parties to support the development, operations and maintenance of biorepositories, which are important facilitators of access and benefit sharing.
 - Encouraging enhanced support of bilateral and multilateral capacity building, collaboration, training, and educational exchange programs.
3. Encourage states not party to the Convention on Biological Diversity to ratify the agreement as soon as practicable.

As policy options are considered, we also strongly encourage negotiators to make sure that the CBD Secretariat supports a detailed analysis of each policy option being considered for expanding ABS to address DSI, in consultation with broad stakeholders that include scientists, public databases, and professional societies. In particular, it is important to explore how each policy option would be implemented to avoid unanticipated impacts on scientific research and society.

The undersigned scientific and professional societies and organizations, scientists, and collections professionals urge the continued open access to digital sequence information on genetic resources.

Thank you for your consideration.

Sincerely,

Organizational Signatories:

American Anthropological Association
 American Association of Biological Anthropologists
 American Genetic Association
 American Institute of Biological Sciences
 American Society for Microbiology
 American Society of Mammalogists
 American Society of Plant Biologists
 American Society of Plant Taxonomists
 American Society of Primatologists
 Association for Farmers Rights Defense, AFRD
 Association of Ecosystem Research Centers
 Biocomplexity Survival Alliance
 Botanical Society of America
 Entomological Society of America
 Global Plant Council

Lybomi Wildlife (Pty) Ltd.
Mycological Society of America
Natural Science Collections Alliance
Organization of Biological Field Stations
Phycological Society of America
Society for Industrial Microbiology and Biotechnology
Society for the Preservation of Natural History Collections
Tecnologico de Antioquia
Tooro Botanical Gardens, Fort portal, Uganda
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