

**Digital Sequence
Information as a Marine
Genetic Resource under
the Proposed UNCLOS
Legally Binding
Instrument**

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Background

The DSI issues remain deeply contested in all forums:

- The CBD and Nagoya Protocol
- Plant Treaty
- PIP Framework

The same concerns apparent in the current third session of the intergovernmental conference's preparatory materials

The choices

If DSI is to be addressed and included in the ABS under the ILBI, then:

1. To consider DSI is already included within the current definitions of genetic resources
 - No changes needed
2. Expressly include DSI within the definition of (marine) genetic resources
 - Develop a definition that included DSI
3. Include DSI as a derivative of (marine) genetic resources
 - Develop a definition that includes DSI
4. Seek alternative arrangements to compensate for DSI not being a resource
 - Think something new ... ?

Conclusions

- Including information like DSI within the ABS transaction challenges the current practices of science research
- This has potentially detrimental consequences for the progress of open science
- Now would be a good time to reconsider alternatives ways to deliver benefits
 - Return to the equity and justice considerations about ABS