

----- Original message -----

From: JOSEPH VOGEL [REDACTED]

Date: 05/09/2016 5:22 p.m. (GMT+01:00)

To: William Ampofo [REDACTED]

Subject: Economic Underpinnings Supporting Position for Review of PIP Finding 4 of Section Nagoya

Dear Professor Ampofo,

I recently learned of the Preliminary Findings of the Review of the WHO PIP Framework. Much of the discussion “access and benefit-sharing” (ABS) converges with that taking place in the Conference of the Parties to the Convention on Biological Diversity and Nagoya Protocol. Solutions suggested from the economics of information have been elaborated in the academic literature and would constitute a theoretical underpinning for many aspects expressed in the Review of Findings (e.g., . Findings (1)-(3) of Genetic Sequence Data of the Review, <http://www.ip-watch.org/weblog/wp-content/uploads/2016/08/PIP-Review-Group-Preliminary-Findings-August-2016.pdf>)

My name is Joseph Henry Vogel and I am an economist who has been engaged in ABS for twenty-five years, through dozens of peer-refereed publications as well as in an advisory role in delegations to the COPs. The trajectory of the economic solution for ABS can be found in the Foreword I wrote for the book “Genetic Resources as Natural Information: Policy Implications for the Convention on Biological Diversity” (Manuel Ruiz Muller, 2015) https://s3-us-west-2.amazonaws.com/tandfbis/rt-files/docs/9781138801943_foreword.pdf

In 2013, I specifically addressed the application of the economics of information to pathogens, and the policy implication of “bounded openness” in: Vogel et al., “Human Pathogens as Capstone Application of the Economics of Information to Convention on Biological Diversity”, sponsored research from the Australian Research Council, International Journal of Biology, Vol 5, No. 2: 121-134. April 2013. <http://www.ccsenet.org/journal/index.php/ijb/article/view/22760>

I wish to bring to your attention this literature, which one hopes will be considered in the study commissioned by the WHO on “on how the implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity might affect the sharing of pathogens and the potential public health implications” (<http://who.int/influenza/pip/2016-review/NagoyaStudyTORs.pdf?ua=1>). I understand that the commissioned study will inform the very last element of the Preliminary Findings (page 14) for the PIP Framework Review Group 2016 “Finding 4: (Placeholder for potential finding from the WHO study on the implications of the Nagoya Protocol).”

My co-authors and I are amenable to answer questions that you or other members of the PIP Review Group may have regarding “bounded openness”. The names of my co-authors appear in the cc to this message. Also of broad interest may be our forthcoming chapter entitled “‘Bounded Openness’ as the Modality in the Global Multilateral Benefit-Sharing Mechanism of the Nagoya Protocol” to be published in 2017 by Routledge in the second edition of Biodiversity & The Law, edited by Charles R. McManis.

Thank you for your consideration.

Sincerely,
Joseph Henry Vogel, PhD
Professor
Department of Economics
University of Puerto Rico-Rio Piedras