Digital sequence information on genetic resources

Non-paper version 2

Note: Sections I, VI, VII, VIII, IX were part of the SBI Recommendation 7/4. The Co-Chairs of the Contact Group have proposed new paragraphs marked in bold as 'proposed' in an attempt to reconcile different views for Sections I, VIII and IX.

Section II has been updated by the co-chairs of the Contact Group, following the Group's discussions.

Sections III, IV, and V correspond to the proposed non-paper from the Chair of the Working Group as a result of the first reading on those paragraphs.

The annexes remain as per CBD/COP/17/2 item 11.

Note: paragraphs 29 and 30 are being discussed in the Friends of the Chair, as their mandate allows.

The Conference of the Parties,

Recalling decisions 15/9 of 19 December 2022, in particular its paragraph 13, and 16/2 of 1 November 2024,

Reaffirming the sovereign rights of States over their natural resources, and emphasizing that the operationalization of the Multilateral Mechanism, including the Cali Fund, must respect applicable national access and benefit-sharing legislation and mutually agreed terms, while preserving the balance established by decision 16/2,

Emphasizing the importance of preserving the distinctive nature of the Cali Fund as a benefit sharing fund, ensuring transparency and accountability, and maintaining clear governance structures, institutional mandates, responsibilities and decision-making authority consistent with decision 16/2

1. *Expresses its appreciation* to the Governments of Germany, Norway and the United Kingdom of Great Britain and Northern Ireland and to the European Union for their generous financial support for the activities linked with the operationalization of the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including the Cali Fund, and to the Governments of Germany and South Africa for hosting the second and third meetings of the Steering Committee, respectively;

I
Potential additional modalities of the Mechanism

[2. *Recognizes* the potential value of exploring proportionate pathways that could complement the sectoral approach established in decision 16/2 by addressing potential asymmetries affecting users making limited or initial use of digital sequence information on genetic resources, in particular in developing countries, the remaining portfolios of which comply with applicable national access and benefit-sharing requirements, if applicable, [and without prejudice to obligations arising from existing national access and benefit-sharing frameworks,] and mutually agreed terms, while avoiding unintended barriers to the responsible adoption and use of digital sequence information;]

[2. alt. *Recognizes* the asymmetries among users, including those making limited or initial use of digital sequence information on genetic resources, and the potential value of exploring proportionate pathways that could complement the sectoral approach established in decision 16/2;]

Proposed2. *Recognizes* the potential asymmetries among users, including those making limited or initial use of digital sequence information on genetic resources, and the potential value of exploring proportionate pathways that could complement or refine the approach established in decision 16/2, without prejudice to existing contribution arrangements under that decision;

[3. *Requests* the Executive Secretary, subject to the availability of resources, to [commission a study][compile relevant information] on potential additional modalities [to explore potential contribution pathways, including][, including a proportionate pathway for entities making limited or initial use of digital sequence information on genetic resources] to enable entities to calculate their contributions to the Cali Fund on the basis of the products or services [in their portfolios developed [directly or indirectly]] using digital sequence information on genetic resources within the scope of the Multilateral Mechanism[, including their potential interaction with national access and benefit-sharing frameworks], and to analyse and evaluate the feasibility, practicality, efficiency and legal and technical challenges of contribution pathways, including [their potential interaction with national access and benefit-sharing frameworks,][their interaction with national access and benefit-sharing frameworks, their implications for the overall contributor base and predictability of contributions and revenue generation for the Cali Fund,] [an assessment of the potential impact of the total level of contributions to the Cali Fund,] [equity implications, and the interests of developing country Parties, in particular least developed countries and small island developing States, and Parties with economies in transition];]

[3. Alt. *Establishes*, subject to the availability of resources, [an ad hoc open-ended working group on benefit-sharing from the use of digital sequence information on genetic resources] to further develop the Multilateral Mechanism, including the Cali Fund, through [options for] a products- and services-based modality providing a proportionate pathway for companies with limited use of digital sequence information, complementary to the sectoral approach, according to the terms of reference contained in annex [X], and to make recommendations to the Conference of the Parties for consideration at its eighteenth meeting;]

Proposed 3: *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant organizations and stakeholders, in particular the private sector, to submit views and information on potential additional modalities specifically as described in paragraph 2 above, including a proportionate contribution pathways including for but not limited to entities making limited or initial use of digital sequence information on genetic resources in the context of the potential for entities to calculate their contributions to the Cali Fund, based on their direct or indirect use of digital sequence information on genetic resources within the scope of the Multilateral Mechanism, and to make this available to the Subsidiary Body on Implementation ahead of the Conference of the Parties at its eighteenth meeting for its consideration; while *recalling* the synthesis of views on possible additional modalities for the fair and equitable sharing of benefits from the use of DSI

Proposed 3. bis *Requests* the Executive Secretary, subject to the availability of resources, to commission a study on the potential additional modalities as described in paragraph 2, taking into consideration the views submitted pursuant to paragraph 3, to analyse and evaluate the feasibility, practicality, efficiency and legal and technical challenges of contribution pathways, including an assessment of the potential impact of the total level of contributions to the Cali Fund, and also including the potential linkages between thresholds of company size and these potential modalities, to make this study available for peer-review, and to make this available to the Subsidiary Body on Implementation ahead of the Conference of the Parties at its eighteenth meeting for its consideration

[4. *Decides* to consider, at its [eighteenth][nineteenth] meeting, without prejudging the outcome of the first review of the effectiveness of the Multilateral Mechanism, including the Cali

Fund, and in the light of the outcomes and recommendations resulting from the first review of effectiveness of the Multilateral Mechanism, including the Cali Fund, the potential additional modalities referred to in paragraph 3;]

Proposed 4. *Decides* to consider, at its eighteenth meeting, without prejudging the outcome of the first review of the effectiveness of the Multilateral Mechanism, including the Cali Fund, and in the light of the outcomes and recommendations resulting from the first review of effectiveness of the Multilateral Mechanism, including the Cali Fund, as well as the views and the study pursuant to paragraphs 3 and 3 bis above, the potential additional modalities referred to in paragraph 3;

II
Cali Fund thresholds and contribution rates

Proposed 5. *Takes note* of the study on contribution rates, including implications for revenue generation and economic competitiveness, and on national and international standards for the identification of small, medium and large entities;

Proposed 5. bis *Recognizes* that thresholds for identifying small, medium and large entities may vary among jurisdictions and *reaffirms* that large entities will contribute to the global fund in accordance with decision 16/2; also *considers* that entities classified as small or medium-sized enterprises in their national jurisdiction are not expected to contribute to the Cali Fund but are encouraged to do so.

Proposed 6. *Reaffirms* that the contribution rates of 1 per cent of the profits or 0.1 per cent of the revenue of the contributing entities using digital sequence information under the Multilateral Mechanism, are indicative rates.

Proposed 6. bis *Encourages* that the thresholds and arrangements referred to in paragraph 5bis and the indicatives rates referred to in paragraph 6 are reviewed as part of the first review of the multilateral mechanism including the Cali Fund at the eighteen meeting of the Conference of the Parties in light of the compilation and analysis under paragraphs 3 and 3 bis, taking into account the need to ensure adequate and predictable contributions to the Cali Fund;

Proposed 7. *Calls upon* users of digital sequence information on genetic resources in sectors that directly or indirectly benefit from its use in their commercial activities to contribute a proportion of their profits or revenue to the Cali Fund, in accordance with decision 16/2, without prejudice to applicable national access and benefit sharing legislation and obligations;

8. *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant organizations and stakeholders, in particular the private sector and the scientific community, to submit their views and information on the need, scope and/or definition of the terms ‘entity’, “direct and indirect use of digital sequence information on genetic resources” and any possible options in the context of the operationalization of the Multilateral Mechanism, including the Cali Fund.

8. bis *Requests* the Executive Secretary, to:

(a) compile and subject to the availability of resources, synthesize these submissions;

(b) make the work pursuant of subparagraph 8 bis *(a)* available to the [Subsidiary Body on Implementation][open-ended working group] ahead of the Conference of the Parties at its eighteenth meeting with a view to make a recommendation for its consideration;

9. *Requests* the Subsidiary Body on Implementation to consider the outcomes of the work described in paragraph 8 bis above at a meeting held before the eighteenth meeting of the Conference of the Parties and to make recommendations to the Conference of the Parties at its eighteenth meeting, [to ensure an inclusive and comprehensive base, promote effective benefit-sharing and ensure the

predictability and adequacy and certainty of contributions to the Cali Fund with a view to further clarify and ensure strengthening of benefit-sharing arrangements in line with decision 16/2.]

III
Steering Committee of the Multilateral Mechanism, including the Cali Fund

10. *Takes note with appreciation* of the report of the Steering Committee of the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including the Cali Fund;[1]

11. *Approves* rule 11 of the rules of procedure as pertaining to the terms of office of the members of the Steering Committee, including the transitional arrangements for the staggered renewal of its current membership, as contained in annex I;

11. bis *Decides* that the initial composition of the Steering Committee as specified paragraph 5 of Enclosure IV to the Annex to decision 16/2 will be amended as follows:

(a) Twenty-eight members, comprising:

- Fifteen members from Parties (three from each region), including the Chair to be designated from among them
- Seven members from indigenous peoples and local communities (one from each sociocultural region)
- Two members from United Nations entities
- Four members from the private sector

(b) Four observers from civil society and scientific institutions (two from each category)

12. *Takes note* of the work of the Steering Committee on a structured approach to implementation activities and, invites it, without prejudging ongoing discussions within the Steering Committee on the operationalization of the Multilateral Mechanism and in accordance with decision 16/2, to continue its work, generate evidence for the first review of the Multilateral Mechanism, including results, conclusions and lessons learned from the structured approach, as applicable, and include the outcomes of this work in the report and advice of the Steering Committee to the Conference of the Parties at its eighteenth meeting.

12. bis *Invites* the Steering Committee to engage, as appropriate, with other actors that are undertaking activities relevant to the structured approach to ensure complementary, and non-duplicative approaches.

12. ter *Decides* that the Steering Committee of the Multilateral Mechanism, including the Cali Fund, should adopt, as an interim solution and to ensure the ability to disburse funds to indigenous peoples and local communities, the proposal from the Steering Committee consistent with paragraph 21 of the annex to decision 16/2, including direct allocation through institutions identified by indigenous peoples and local communities themselves, national-level delivery through designated entities, and hybrid or context-specific arrangements, taking into account national circumstances and national legislation.

12. quater *Invites* the Steering Committee of the Multilateral Mechanism, including the Cali Fund, to continue its work on multiple disbursement pathways for allocations to indigenous peoples and local communities under the Cali Fund and to present recommendations as part of its report for decision at the Conference of the Parties at its eighteenth meeting.

[1] CBD/COP/17/6/Add.1.

13. *Requests* the Executive Secretary, subject to the availability of resources:

(a) *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant organizations and stakeholders, in particular the scientific community, to share views, information, and on-going work on DSI non-monetary benefit-sharing including, inter alia, best practices, practical options for enhancing the delivery, accessibility and effectiveness of non-monetary benefits, particularly for developing country Parties, including least developed countries and small island developing States, projects and methods for quantifying and demonstrating non-monetary benefit-sharing,

(b) to commission a study, under the guidance of the Steering Committee, on current non-monetary benefit-sharing by all users of digital sequence information on genetic resources in order to identify, inter alia:

(i) capacity gaps in accessing, using and generating such digital sequence information, including needs for the development of sustained scientific and technological capacities, pathways for the self-assessment of capacity needs,

(ii) methods to monitor and report non-monetary benefits,

(iii) examples of the successful delivery of targeted non-monetary benefits, including through the network of regional and subregional technical and scientific cooperation support centres,

(iv) overview of whether and how the same issues are being considered under other international ABS agreements with due consideration of capacity-building, technology transfer, scientific cooperation and the development of national capacities to generate, manage, access and utilize digital sequence information on genetic resources,

(v) ways in which non-monetary benefit contributions from the Multilateral Mechanism can be integrated into reporting as part of the monitoring framework for the Kunming-Montreal Global Biodiversity Framework,

(vi) requirements and further work needed on the clearing house for the Multilateral Mechanism provided for in paragraph 8 of the annex to decision 16/2, and

(vii) recommendations for the Steering Committee for further operationalization, recognizing that non-monetary benefit-sharing complements, and does not substitute for, monetary benefit-sharing through the Cali Fund under decision 16/2.

(c) To provide the Steering Committee with the outcome of the work described in subparagraph 15 (a) and (b) above for its consideration with the aim to share its views and give recommendations, and submit the outcomes of this work to the Subsidiary Body on Implementation at its eighth meeting;

13. bis *Requests* the Subsidiary Body on Implementation to consider the outcomes of the work described in paragraph 15 above to make a recommendation to the Conference of the Parties at its eighteenth meeting;

13. alt *Recognises* that further work is needed to operationalise the elements of the Multilateral Mechanism that address non-monetary benefit sharing and capacity building and development, *acknowledges* the important role they play in the effective implementation of the Mechanism and *notes* the need for adequate funding to support such activities, in line decision 16/2;

13. alt bis *Decides* that non-monetary benefits shall be shared in the form of, inter alia:

(a) Access to research results, including publicly available digital sequence information on genetic resources;

(b) Access to infrastructure such as databases, tools and models that make digital sequence information on genetic resources publicly available;

(c) Capacity building in developing country Parties to effectively access, analyse, generate and use digital sequence information on genetic resources and benefit from its use;

IV
Certificate

14. *Recognizes* that Cali Fund certificates, as applied to the digital sequence information in the scope of the Multilateral Mechanism, are an important means to incentivise users to contribute to the global fund in line with the modalities of the Multilateral Mechanism, including the Cali Fund;

15. **(previously 8)** Reaffirms that monetary contributions made by users in accordance to paragraph 6 above will entitle them to a Cali Fund certificate;

15. bis *Affirms* that a Cali Fund certificate issued at the entity level for a given contribution period applies only to the use of publicly available digital sequence information on genetic resources falling within the scope of the Multilateral Mechanism and declared and assessed under the applicable contribution modality for that period; and further affirms that neither the entity-level nature of the certificate nor the use of a product or service as a reference point for determining the contribution base shall be construed as certifying compliance with applicable access and benefit-sharing requirements in respect of other inputs, activities or products of the entity, including those involving genetic resources, digital sequence information falling outside the scope of the Multilateral Mechanism, or associated traditional knowledge, where such requirements apply under national or international law.

16. *Takes note with appreciation* of the work of the Steering Committee on certificates, in particular in relation to paragraphs 15 and 26 of the annex to decision 16/2, and invites the Committee to further work on the topic, as a priority, focussing on the language, legal effect and scope, issuance process and verification of the certificates, taking into account the criteria in paragraphs 9 and 10 of decision 15/9, with a view to promote legal certainty to both Parties and contributing users of the digital sequence information on genetic resources;

16. bis *Supports* the Steering Committee to issue annual certificates resulting from the work pursuant to paragraph 17 above for applicable contributions to the Cali Fund, including current ones, with the view that revision of this process may be necessary as part of the Review of the Cali Fund to be conducted by the eighteenth meeting of the Conference of the Parties.

17. **(previously 9)** *Urges* Parties and invite other Governments, while recognizing that Cali Fund certificates are an important means to encourage users of digital sequence information on genetic resources under the Multilateral Mechanism to contribute in line with the modalities in decisions of the Conference of the Parties, to adopt and implement appropriate administrative, policy or legislative measures, as appropriate within the national context, to incentivize users to contribute;

17. bis. **(previously 9 bis)** *Invites* Parties and other Governments to share information with the Secretariat by CBD COP 18 on the measure that they have taken pursuant to the paragraph 9;

18. *Urges* Parties and *invites* other governments to put in place urgently the enabling conditions necessary to ensure long-term, stable and predictable monetary benefit-sharing at the national level, including by recognizing that a holder of a Cali Fund certificate will not be expected to share further monetary benefits from the use of such information within the scope of the Multilateral Mechanism for the year to which the certificate relates, provided that:

(a) the contribution was calculated and verified in accordance with the minimum rates established in paragraph 3 of this decision;

(b) such recognition does not prejudice any obligations arising under the Nagoya Protocol, bilateral access and benefit-sharing agreements, or national legislation for genetic resource uses falling outside the scope of the Multilateral Mechanism; and

(c) the Conference of the Parties retains the right to review and adjust modalities of the Mechanism in future decisions;

18. bis *Notes* that, in line with the principle of transparency and accountability of the Multilateral Mechanism, the list of Cali Fund certificates and their recipients will be made public by the Secretariat of the Multilateral Mechanism, including the Cali Fund

18. ter *Decides* that the recognition of the certificates and exemption from further benefit-sharing claims referred to in paragraph 18 is required for Parties to receive funds from the Cali Fund.

19. *Requests* Parties to submit information on the characteristics and elements that a Cali Fund certificate would need to operationalize paragraph 15 of the annex to decision 16/2, and the processes, if any, that would need to be undertaken at the national level to recognize or give legal effect to such certificates, including in their national legislation;

20. *Requests* the Executive Secretary to compile the information submitted pursuant to paragraph 19 above and provide it to the Steering Committee for its information and so that it may take it into account, inter alia, in its next report, and make it available for the consideration of the Subsidiary Body on Implementation at its eighth meeting.

V
Allocation methodology

21. *Welcomes* the outcomes of the work of the of the Ad Hoc Technical Expert Group on Allocation Methodology on the disbursement of funds from the Cali Fund;[2]

22. *Takes note* of the design principles for the allocation formula and its future revisions, guided by decision 16/2, namely equity, fairness and impact; efficiency; transparency and confidence; and scalability and longevity, and *recognizes* that the methodology should reflect the contributions to conservation and sustainable use of indigenous peoples and local communities, including women and youth within those communities;

23. *Adopts* on an interim basis the methodology for the allocation of funds from the Cali Fund, as contained in annex II, *emphasizes* that the allocation methodology is expected to evolve over time as additional and new information becomes available, and *recognizes* that the methodology requires further technical development and refinement in accordance with the recommendations of the Ad Hoc Technical Expert Group on Allocation Methodology, in particular on criterion (b), and on measures related to traditional knowledge and indigenous peoples and local communities;

24. *Also adopts*, on an interim basis, the same methodology for calculating allocations to indigenous peoples and local communities, and under the condition of further work, in particular on criterion (d) and on the consideration of indigenous peoples and local communities and traditional knowledge across all criteria

25. *Requests* the Steering Committee in applying the interim methodology and without prejudging its further refinement or delaying initial disbursements under the interim methodology:

a) Identify and evaluate new or updated data relevant to the allocation methodology, in particular for the calculation of allocations to targeted governments, including data and indicators generated under the Convention and the Monitoring Framework of the Kunming-Montreal Global Biodiversity Framework, and to avoid treating current proxy indicators as final where they do not fully correspond to the criteria established in decision 16/2 for the purpose of applying the allocation methodology;

b) To continue its work on developing the methodology for the purpose of calculating allocations to indigenous peoples and local communities, with their full and effective

[2] CBD/COP/17/6/Add.2.

participation in the process, including consideration of women and young people within those communities, including the assessment of the specific distributional effects of the interim and alternative approaches for them;

c) To provide information on its work pursuant to subparagraphs 25 (a) and (b) for consideration by the Subsidiary Body on Implementation at a meeting held before the eighteenth meeting the Conference of the Parties;

26. *Requests* the Executive Secretary, subject to the availability of resources, to commission a report on criterion (b) of the allocation methodology on the geographical origin of the genetic resources from which digital sequence information on genetic resources in the database was derived, including potential recognized sources of data available at the global level, such as an indicator, and as applicable, the potential need to develop a new indicator, and in all cases reporting on options for custodianship of the indicator, current or future availability, an assessment of biases and gaps, as well as a global evaluation of the need and feasibility to provide data for such a criterion, for consideration by the Subsidiary Body on Implementation at its next meeting, with a view to make recommendations to the Conference of the Parties at its eighteenth meeting;

27. *Requests* the Subsidiary Body on Implementation at its next meeting, with a view to make recommendations to the Conference of the Parties at its eighteenth meeting, the outcomes of the work on the allocation methodology described in paragraphs 25 and 26 above including any revised indicators, data sources, safeguards and, as appropriate, adjustments to the methodology, or on the future development and operational use of criterion (b) and to make recommendations to the Conference of the Parties at its eighteenth meeting.

VI
Matters related to the governance of the Mechanism

[28. *Reaffirms* that the governance, institutional arrangements and operational modalities of the Multilateral Mechanism, including the Cali Fund, remain under the authority of the Conference of the Parties, and requests the Subsidiary Body on Implementation to review their consistency with decision 16/2 and other relevant decisions of the Conference of the Parties periodically, and to make recommendations, as appropriate, to the Conference of the Parties;]

[29. *Decides* that future members of the Steering Committee shall be nominated by the respective regional groups and constituencies;

30. *Requests* the Executive Secretary to facilitate the nomination process related to paragraph 29 above accordingly;]

VII
Review methodology

[31. [*Adopts* the][*Takes note* of the proposed] review methodology contained in the annex to the present decision;

32. *Requests* that the Executive Secretary, in consultation with the Steering Committee, in line with the review methodology and subject to the availability of resources:

(a) Develop and disseminate a survey available in all official languages of the United Nations to collect relevant data and information from Parties, other Governments, indigenous peoples and local communities, women and youth organizations and other relevant stakeholders and organizations, including the scientific community, database managers and the private sector, in order to inform the first review of the effectiveness of the Multilateral Mechanism, including the Cali Fund, and the development of surveys for future reviews;

(b) Commission a review report containing: (a) an analysis of data and information submitted pursuant to subparagraph 32 (a) above that is in line with the pillars and governance assessment of the Multilateral Mechanism, including the Cali Fund, information from the global report on collective progress in the implementation of the Framework and other readily available sources, as relevant; and (b) recommendations for improving the effectiveness of the Multilateral Mechanism, including the Cali Fund;

(c) Submit the review report to the Steering Committee to give it the opportunity to share its views and give any recommendations that it may have thereon, and submit the report and the recommendations of the Committee to the Subsidiary Body on Implementation;

33. *Invites* the actors concerned to respond to the survey mentioned in subparagraph 32 (a) above;

34. *Requests* that, at a meeting held before the eighteenth meeting of the Conference of the Parties, the Subsidiary Body on Implementation review the views and recommendations of the Steering Committee on the review report, if any, and, as relevant, submit a recommendation for consideration by the Conference of the Parties at its eighteenth meeting.]

VIII
Support for the operationalization of the Mechanism

35. [*Urges*][*Calls upon*] Parties, and invites other Governments, relevant organizations and stakeholders, including the private sector, to organize participatory activities and partnerships, as appropriate, in order to encourage private sector engagement with and contributions to the Cali Fund and non-monetary benefit-sharing [consistent with decision 16/2 and without prejudice to applicable national access and benefit-sharing measures];

Proposed 35. *Encourages* Parties, and *invites* other Governments, relevant organizations and stakeholders, including the private sector, to organize participatory activities and partnerships, as appropriate, in order to encourage private sector engagement with and contributions to the Cali Fund and non-monetary benefit-sharing consistent with decision 16/2, without prejudice to applicable national access and benefit-sharing measures;

36. [*Requests*][*Strongly encourages*] Parties, and invites other Governments and relevant organizations, to support the work of the Steering Committee of the Multilateral Mechanism, including the Cali Fund, and the Secretariat of the Convention on Biological Diversity[3] acting as the interim Secretariat of the Mechanism, including the Cali Fund, through financial support and [formal and] informal activities, [including capacity-building, technical assistance, awareness-raising and information-sharing,] such as workshops on the operationalization of the Mechanism, including the Cali Fund, and related items [and to support the effective participation in the work of the Committee of members from developing country Parties, in particular the least developed countries and the small island developing States among them];

Proposed 36. *Strongly encourages* Parties, and invites other Governments and relevant organizations, to support the work of the Steering Committee of the Multilateral Mechanism, including the Cali Fund, and the Secretariat of the Convention on Biological Diversity[4] acting as the interim Secretariat of the Mechanism, including the Cali Fund, through financial contribution and formal and informal activities, such as workshops on the operationalization of the Mechanism, including the Cali Fund, and related items;

Proposed 36. bis *Requests* the Executive Secretary to enhance cooperation with the Secretariats of other relevant international organizations and bodies, such as the International Treaty

[3] United Nations, *Treaty Series*, vol. 1760, No. 30619.
[4] United Nations, *Treaty Series*, vol. 1760, No. 30619.

on Plant Genetic Resources for Food and Agriculture, the World Health Organization, the World International Property Organization, and the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction to promote mutual supportiveness and synergies in order to address common challenges;

IX
Data availability and accessibility

37. *Invites*, with the aim to make digital sequence information on genetic resources publicly available and accessible in a transparent and accountable manner [, consistent with the sovereign rights of all Parties over the genetic resources and the rights of indigenous peoples and local communities][to all Parties, consistent with the principles of open access to data]:

(a) Indigenous peoples and local communities, including women and youth among them, [with the support of and, where relevant, in collaboration with, Parties, and, as appropriate, digital sequence information on genetic resources database managers, the scientific community, users of digital sequence information on genetic resources, relevant organizations and initiatives, to support participatory workshops with the aim to develop their self-led educational material][to contribute, in consultation and collaboration with Parties, as appropriate, to the development of educational material under a Party-driven process] for use by database operators, scientific and research institutions, the Secretariat and other stakeholders, as relevant, on the management and governance of data linked with indigenous peoples and local communities, including the women and youth within those communities, and their traditional knowledge, including consideration of and alignment with the principles of findability, accessibility, interoperability and reusability (FAIR) and collective benefit, authority to control, responsibility and ethics (CARE), for, inter alia, providing guidance for scientific publications on research using digital sequence information on genetic resources[, consistent with national legislation and circumstances];

[(b) [Database managers and users to develop and progressively implement][Parties and other Governments funding, sponsoring and hosting digital sequence information on genetic resources databases to ensure that entities operating such databases and users thereof in their jurisdictions take measures to develop and progressively implement, in accordance with paragraphs 11 and 12 of decision 16/2]:

(i) [Interoperable and] standardized metadata and good practices that support improved accessibility, transparency and accountability in databases hosting digital sequence information on genetic resources, including, as appropriate, [and where available,] provenance [and country of origin] information [and information on the country of origin of the biological material or genetic resources from which the sequence was derived];

(ii) Declarations relating to lawful submission of digital sequence information, where applicable[, including reference to relevant information or documentation supporting such declarations, in accordance with national legislation];

(iii) [Standardized] [fields or metadata for submitters to provide information on] [relevant] [rights and] permissions information, including free, prior and informed consent[, in accordance with national circumstances];

[(iv) Interoperable metadata standards;]

(v) Alignment with the CARE and FAIR principles and the principles of transparency, responsibility, user focus, sustainability and technology (TRUST), as well as the recommendations set out in section III of the United Nations Educational, Scientific and Cultural Organization *Recommendation on Open Science*;]

[(b alt.1) Organizations hosting databases that make digital sequence information on genetic resources publicly available to share information with the Executive Secretary by the eighteenth meeting of the Conference of the Parties concerning their implementation of paragraph 10 of the annex to decision 16/2;]

[(b alt.2) Parties and other Governments funding, sponsoring or hosting sequence databases to share information on the actions that they have taken to make sure that entities operating [such][those] databases [ensure the effective implementation of the Multilateral Mechanism and that users in their jurisdictions take measures to develop and] progressively implement paragraphs 11 and 12 of the annex to decision 16/2;]

[(c) The exploration of practical approaches for improving [accountability and] transparency to all Parties regarding the submission and use of digital sequence information on genetic resources, while maintaining open access and taking into account existing database practices [and applicable national legislation and measures];]

Proposed 37. *Invites*, with the aim of making digital sequence information on genetic resources publicly available and accessible in a transparent and accountable manner, taking into consideration the sovereign rights of all Parties over the genetic resources and the rights of indigenous peoples and local communities and also with the aim to support the delivery of non-monetary benefit sharing and capacity building:

(a) Indigenous peoples and local communities, including women and youth within those communities, with the support of and, where relevant, in collaboration with, Parties, and, as appropriate, digital sequence information on genetic resources database managers, the scientific community, users of digital sequence information on genetic resources, relevant organizations and initiatives, to support participatory workshops with the aim to develop their self-led educational material. The material developed is to be used by database operators, scientific and research institutions, the Secretariat and other stakeholders, as relevant, on the management and governance of data linked to indigenous peoples and local communities, including the women and youth within those communities, and their traditional knowledge, including consideration of and alignment with the principles of findability, accessibility, interoperability and reusability (FAIR) and collective benefit, authority to control, responsibility and ethics (CARE), and collective benefit, authority to control, responsibility and ethics, and considering the recommendations set out in section III of the United Nations Educational, Scientific and Cultural Organization *Recommendation on Open Science,* in order to, inter alia, provide guidance for scientific publications on research using digital sequence information on genetic resources;

(b) Parties and other Governments funding, sponsoring or hosting sequence databases as well as organizations hosting databases that make digital sequence information on genetic resources publicly available to share information on the actions that they have taken to make sure that entities operating such databases progressively implement, practical and proportionate measures to improve transparency, accountability, and accessibility for providers and users of digital sequence information on genetic resources in such databases, while maintaining open access and taking into account existing database practices, in accordance with paragraphs 10, 11 and 12 of the annex to decision 16/2;

[38. *Invites* Parties and relevant organizations and stakeholders in a position to do so to provide capacity-building, technical assistance, technology transfer[, voluntary and mutually agreed terms] and financial support for the work outlined in subparagraphs 37 (a) and (b) above;]

Proposed 38. *Invites* Parties and relevant organizations and stakeholders in a position to do so to provide capacity-building, technical assistance, technology transfer and financial support for the work outlined in subparagraphs 37 (a) and (b) in order to support and sustain institutional capabilities, including the ability of institutions in developing countries, indigenous peoples and local communities including women and youth within those communities, to use and govern relevant data;

39. *Invites* the various actors referred to in paragraph 37 above to inform the Secretariat of relevant work undertaken and its results;

[40. *Requests* the Executive Secretary, subject to the availability of resources, to ensure that the findings and recommendations arising from the study on tools and models, such as databases, for making digital sequence information on genetic resources publicly available and accessible in a transparent and accountable manner[5] are subject to peer review, allowing Parties, indigenous peoples and local communities, database operators and relevant experts to provide comments, and to submit the finalized study and recommendation for review by the Subsidiary Body on Implementation at a meeting held before the eighteenth meeting of the Conference of the Parties and consideration by the Conference of the Parties at its eighteenth meeting, [before informing future policy development];]

Proposed 40. *Requests* the Executive Secretary, subject to the availability of resources, to:

(a) ensure that the study on tools and models, such as databases, for making digital sequence information on genetic resources publicly available and accessible in a transparent and accountable manner[6] is subject to peer review by Parties, other Governments, indigenous peoples and local communities, database operators and relevant experts, as appropriate, to provide comments on the proposed tools and models, with particular attention to:

(i) The extent to which they support transparency and accountability in the submission, management, accessibility and use of digital sequence information on genetic resources,

(ii) Their support to the availability, completeness and reliability of provenance and country-of-origin information, including practical approaches to progressively addressing information gaps in existing database records,

(iii) Their consistency with applicable national legislation, the relevant provisions of decision 16/2 and the effective implementation of the Multilateral Mechanism, including the Cali Fund,

(iv) Their implications for equitable access, participation and capacity-building, particularly for developing country Parties,

(v) Their suitability to different governance and institutional arrangements, including their respective implications for transparency, accountability and oversight, without prejudging the selection or endorsement of any particular database system.

(b) submit the finalized study, together with the comments received and information on how they have been taken into account, to the Subsidiary Body on Implementation at its eighth.

Proposed 40. bis *Requests* the Subsidiary Body on Implementation to consider the outcomes of the work described in paragraph 40 alt above to make a recommendation to the Conference of the Parties at its eighteenth meeting, with particular attention on the potential development of a database, platform or equivalent infrastructure for digital sequence information on genetic resources under the governance and authority of the Conference of the Parties, with a view to ensuring equitable access, transparency, accountability and effective support for the implementation of the Multilateral Mechanism, including the Cali Fund;

41. *Also requests* the Executive Secretary, subject to the availability of resources:

(a) To collect the information mentioned in paragraph 39 above and disseminate it through the clearing-house mechanism of the Convention and the Access and Benefit-sharing Clearing-House;

[5] CBD/SBI/7/INF/15.
[7] CBD/COP/17/6/Add.2, annex, sect. I.

(b) To issue a call for collaboration with other platforms and clearing houses outside the Convention and its Protocols on the dissemination of that information;

Note: The text in the following annex is as per CBD/COP/17/2 item 11.

Annex I
Rule 11 of the rules of procedure of the Steering Committee of the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including the Cali Fund, on members and alternates

1. After the initial two-year terms, members, observers and alternates will serve for a period of four years, this being a full term. Following the seventeenth meeting of the Conference of the Parties:

(a) Five members from Parties, 1 from each region, will be selected to serve for half a term, and 10 members from Parties will be selected to serve for a full term;

(b) Three members from indigenous peoples and local communities will be selected to serve for half a term, and four members from indigenous peoples and local communities will be selected to serve for a full term;

(c) Three observers, one from each category set out in paragraph 5 (b) of enclosure IV of the annex to decision 16/2 of 1 November 2024 will be selected to serve for half a term, and three observers will be selected to serve for a full term. Each time thereafter, members and observers will be selected to serve for a full term.

2. Terms will begin on 1 April of the year following an ordinary meeting of the Conference of the Parties and end on 31 March two or four years thereafter, as applicable.

3. When a member, observer or alternate is unable to complete the assigned term, a representative from the same Party or group shall be put forward as a potential replacement for that member, observer or alternate for the remainder of the term. This replacement candidate will be considered in consultation with his or her regional group or organization, as appropriate, and may be selected by it as a replacement or alternate, taking into account gender balance and relevant technical expertise of the candidate.

4. No member, observer or alternate may serve for more than two consecutive terms.

Note: The text in the following annex is as per CBD/COP/17/2 item 11.

Annex II

Allocation methodology for disbursing funds from the Cali Fund

I. Allocation methodology

1. The present allocation methodology takes into consideration the design principles as agreed upon by the Ad Hoc Technical Expert Group on Allocation Methodology[7] and the criteria provided by the Conference of the Parties. Considering the context of the establishment of the Cali Fund and its goals, the Expert Group decided to add a fourth criterion to recognize the contribution of traditional knowledge and indigenous peoples and local communities to biodiversity conservation

[7] CBD/COP/17/6/Add.2, annex, sect. I.

and sustainable use. The strongest consideration was given to the goals of the Cali Fund as well as to the availability of data when building the methodology.

2. Where appropriate, and subject to national circumstances, at least half of the funding of the Cali Fund should support the self-identified needs of indigenous peoples and local communities, as stated in paragraph 21 of the annex to decision 16/2. The present allocation methodology was built with the consideration of paragraph 20 of the annex to decision 16/2 relating to allocations to Parties, but with the flexibility to be considered for a more extended application, as applicable.

3. The formula is as follows:

$$\mathbf{B + w1*C_A + w2*C_B + w3*C_C + w4*C_D}$$ [8]

4. The equality base, or B, is to be applied as a first step in the calculation of the allocation. The calculation of the equality base or B is dependent on the option chosen for the data set for criterion (c), as explained below. After the equality base calculation, the below data sets are applied with equal weightings. The two amounts for each half are then added together to form each recipient country's allocation.

5. The data sets for the criteria are as follows:

(a) Criterion (a): the Benefits Index for Biodiversity of the Global Environment Facility (data from the eighth replenishment period of the Global Environment Facility Trust Fund, at the global level);

(b) Criterion (b): currently null and included as a placeholder until such time as data become applicable. The formula will then be adjusted to maintain equal weighting;

(c) Criterion (c): [normalized, inverted gross national income per capita, with the base allocation considering a corrective measure for least developed countries and small island developing States;][the inverted United Nations scale of assessments formula using a banded approach as set out in a working paper[9] and as presented in table 1;]

Table 1
Six-band configuration from the inverted United Nations scale of assessments formula

Band	*United Nations assessed share range (percentage)*	*Weight*	*Ratio to band 1*
1	⩽ 0.001	1.50	1.00
2	0.001–0.010	1.30	0.87
3	0.01–0.100	1.10	0.73
4	0.1–1.000	0.95	0.63
5	1.0–10.000	0.75	0.50
6	> 10.000	0.40	0.27

(d) The approach for the equality base is as follows: [if the methodology uses normalized, inverted gross national income per capita, then the equality base has a specific consideration for small island developing States and least developed countries. Using the gross national income for criterion (c) yields results that are biased against least developed countries and small island developing States,

[8] Where B = equality base, w1 = weight one, C_A = criterion (a) on biodiversity richness and other biodiversity-related criteria, w2 = weight two, C_B = criterion (b) on the geographic origin of the genetic resources, w3 = weight three, C_C = criterion (c) on capacity needs for the conservation and sustainable use of biodiversity, w4 = weight four, and C_D = criterion (d) on measures related to traditional knowledge and indigenous peoples and local communities.

[9] Paul Oldham, "Inverted UN scale of assessments formula (IUSAF): working paper on option A", 7 May 2026. Available at https://ssrn.com/abstract=6809586.

and thus a correction factor is introduced into the calculation of the equality base. For this calculation, the equality base calculation is split into two: B = half of the funds available are split equally among all recipient country Parties, as standard. Then, least developed countries and small island developing States are given 25 per cent additional value of this base value;[10]][if the methodology uses the inverted scale of assessments formula, the total amount of funds available is to be divided in half, and the first half of the funds is to be divided equally among all recipient country Parties, representing the equality base or B = half of the funds available/total number of recipient country Parties.[11]]

6. After the equality base is calculated, the remainder of the funds are subjected to the rest of the formula. The two amounts for each part are then added together to form each recipient country's allocation:

(a) Criterion (d):[12] indicator 21.CT.3 (data underlying the Index of Linguistic Diversity); equal weightings will be applied to all criteria;

(b) The result of the formula, added to the equality base allocation, is considered the total allocation for each recipient country Party, as illustrated in table 2;

7. The results of both options in the model[13] are illustrated in table 2.

Table 2
Results of the formula for a level of funds to Governments of $200 million, using option 1 or option 2 for criterion (c), with criteria (a), (b) and (c) being equal

Country[a]	*Characteristic*	*Formula with option 1*[b]		*Formula with option 2*[b]	
		United States dollars	*Percentage*	*United States dollars*	*Percentage*
Country A	High income/high biodiversity	3 172 049	1.59	1 743 925	0.87
Country B	High income/low biodiversity	873 850	0.44	1 119 371	0.56
Country C	Medium income/high biodiversity	2 526 282	1.26	1 663 419	0.83
Country D	Medium income/low biodiversity	1 042 737	0.52	1 317 650	0.66
Country E	Low income/high biodiversity	2 735 509	1.37	1 667 462	0.83
Country F	Low income/low biodiversity	1 666 411	0.83	1 379 423	0.69

[a] in order to visualize the outcomes of the formulas considered for a direct allocation to country Parties, taking into account the overall hypothetical amount of $200 million, synthetic countries were created as an average of five real countries fitting the characteristics as outlined in column two.
[b] The results are shown as absolute value in United States dollars and as a percentage of the total funds available.

8. Recommendations for further work are contained in section III of document CBD/COP/17/6/Add.2.

[10] Or B = F/2 (N+0.25M), where F is the total funds available, N is the total number of recipient country Parties and M is least developed countries and small island developing States.
[11] Or B = F/2N, where F is the total funds available and N is the total number of recipient country Parties.
[12] Indicators 22.1, on land-use change and land tenure in the traditional territories of indigenous peoples and local communities; 9.2, on the percentage of the population in traditional occupations; and 22.b, on the participation and rights of indigenous peoples and local communities in decision-making, are currently placeholders and their source data will be included as they become available. All subcomponents are weighted equally.
[13] The options referred to here are the two alternatives proposed in subparagraphs 5 (c) and (d), and the final wording of paragraph 7 and of table 2 will depend on the option chosen by the Conference of the Parties.

Note: The text in the following annex is as per CBD/COP/17/2 item 11.

[Annex III

Review methodology of the effectiveness of the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including the Cali Fund

I. Conceptual framework of the review methodology

1. For the Multilateral Mechanism for the Fair and Equitable Sharing of Benefits from the Use of Digital Sequence Information on Genetic Resources, including the Cali Fund, to succeed, five enabling conditions (EC1–EC5) must be in place in the ecosystem in which the Mechanism operates. They are treated as structural preconditions: failures in enabling conditions require different policy responses than failures in mechanism design. The five conditions are:

(a) Industry clarity on contribution conditions (EC1);

(b) A commercially viable business case for industry and Parties (EC2);

(c) Legal certainty for contributors and providers (EC3);

(d) Functional identified or designated receiving entities (EC4);

(e) Effective governance with sustained political commitment (EC5).

2. The Multilateral Mechanism, including the Cali Fund, is assessed in the review through six evaluation pillars (P1–P6) and a governance assessment (G1). P1 covers [resource mobilization][monetary contributions] and distribution; P2 covers contribution levels, trigger design, efficiency and administrative costs; P3 covers non-monetary benefits, [including open access to digital sequence information on genetic resources][in particular benefits arising from the use of digital sequence information on genetic resources]; P4 cover the Mechanism's coherence with other mechanisms, including contributions to the Kunming-Montreal Global Biodiversity Framework[14] and complementarity with national and international access and benefit-sharing frameworks; and P5 covers the rights [of][, open access obligations and research impacts relating to][and obligations in relation to open access of] indigenous peoples and local communities [and the impact of the utilization of digital sequence information derived from genetic resources]. Under G1, the Mechanism's governance is assessed against [six][seven] indicators: decision-making inclusivity, transparency, management response quality, institutional coherence, fiduciary integrity, [and] governance set-up progress [and improvements in data governance, including consistency with the principles of findability, accessibility, interoperability and reusability (FAIR), collective benefit, authority to control, responsibility and ethics (CARE) and transparency, responsibility, user focus, sustainability and technology (TRUST), as well as the recommendations set out in section III of the United Nations Educational, Scientific and Cultural Organization *Recommendation on Open Science*].

3. The following four assumptions reflect the design of the Mechanism as established by decisions of the Conference of the Parties. The evaluation works within their constraints.

Assumption 1 – [Decoupling from traceability (decision 15/9, para. 5)][Monetary payments are calculated for the use of digital sequence information on genetic resources in accordance with the scope of the Multilateral Mechanism]

4. [The Mechanism does not require proof that specific digital sequence information on genetic resources was used by a specific contributor.] Also, all rights under the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization[15]

[14] Decision 15/4, annex.
[15] United Nations, *Treaty Series*, vol. 3008, No. 30619.

and other instruments are preserved (decision 15/9, para. 11; decision 16/2, para. 27). The assessment is focused on whether the Mechanism generates intended [monetary] flows and [whether] outcomes at the system level [are consistent with decision 16/2][, and not on whether individual contributions are traceable to specific uses].

Assumption 2 – The sectors contribute to the Multilateral Mechanism because they are reliant on digital sequence information on genetic resources

5. The Mechanism establishes sectors in which it is plausible that economic activity is reliant on the use of digital sequence information on genetic resources. This contribution-plausibility framework is the principal analytical method for Pillar 1 and Pillar 2 findings. The approach for the present review methodology was aligned with that of comparable mechanisms: the three-level assessment structure and evaluability-update-first approach from the Green Climate Fund; the financial reporting and tiered data-access model from the Multilateral Fund for the Implementation of the Montreal Protocol; and the equity and non-monetary benefit assessment from the Benefit-sharing Fund of the International Treaty on Plant Genetic Resources for Food and Agriculture. The rating scale and compliance-based logic of the Green Climate Fund project logframes are incompatible with the voluntary design of the Cali Fund, and so only the three-level assessment structure (performance, design and operation) and the evaluability-update-first approach were deemed applicable to the present methodology. The Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction[16] and the WHO Pandemic Agreement, in particular article 12, on pathogen access and benefit-sharing system, are relevant as boundary instruments for the part of Pillar 4 on coherence with other international instruments and contribution stacking risk, but currently do not have applicable evaluation methodologies.

Assumption 3 – Since the enabling conditions enumerated in paragraph 1 are structural preconditions and not mechanism failures, even a well-designed mechanism will underperform if enabling conditions are absent

6. Each condition represents a distinct failure mode requiring a different policy response, and the number of Parties implementing paragraph 13[17] of the annex to decision 16/2 measured by the time of the review by the Conference of the Parties at its eighteenth meeting [is][, as well as actions taken by database managers to promote accountability and transparency in making digital sequence information on genetic resources publicly accessible and available are] the most important leading signal[s] for the first review. The review therefore must first establish which enabling conditions were in place when the Multilateral Mechanism, including the Cali Fund, operated. If enabling conditions fall short, low performance will not signal a design flaw requiring the Conference of the Parties to change the Mechanism, including the Cali Fund, but rather a precondition failure or shortcoming requiring diplomatic, legal or capacity-building responses. The evaluability update must therefore include an enabling-condition diagnostic before any pillar findings are presented. The Secretariat should develop:

(a) A survey to gather data for EC1 and EC2 on industry clarity on contribution conditions and on a commercially viable business case for both industry and Parties, respectively;

(b) A tracker tool for the countries that put in place administrative, policy or legislative measures to incentivize users' contributions;

[(c) A tracker tool for actions taken by countries, not just to incentivize users' contributions, but also to ensure that digital sequence information on genetic resources to which the databases facilitate access is compliant with national laws of provider countries;]

[16] A/CONF.232/2023/4.

[17] "13. Parties and non-Parties are invited to take administrative, policy or legislative measures, consistent with national legislation, to incentivize users in their jurisdiction to contribute to the global fund in line with the modalities of the multilateral mechanism."

(d) [A protocol to address the risk of contribution stacking][An assessment of whether there are any risks of stacking of obligations];

(e) An assessment for EC4 on the designation and readiness of institutions to receive contributions for indigenous peoples and local communities[, including whether operational arrangements enable access through the full range of funding pathways, including direct access];

[(f) A tracker tool for the actions taken by database managers to promote EC6;]

(g) Qualitative protocols for EC5 on effective governance with sustained political commitment.

Assumption 4 – The methodology is modular in order to respond to a phased operationalization

7. The methodology is adopted before the Multilateral Mechanism, including the Cali Fund, is fully operational. The allocation formula, contribution thresholds, database interface measures and governance structures are still being finalized, some of which will be presented by the Steering Committee to the Conference of the Parties at its seventeenth meeting. The methodology is therefore modular: elements for which evaluability depends on a finalized design feature are classified as modality-contingent and flagged as "not yet evaluable".

8. [Two][Three] limitations are assumed in the present methodology, given that they cannot be remedied by improved data collection:

(a) Attribution[: outcomes cannot be attributed to specific digital sequence information on genetic resources, contributors or countries of origin (decision 15/9, para. 5), and the review cannot satisfy demands for bilateral origin-benefit linkages][: information on attribution of specific digital sequence information on genetic resources is limited to the declarations by the contributors, and verification of the same is not possible until improvements are made to the accountability and transparency associated with databases and other tools used to make digital sequence information on genetic resources publicly accessible];

[(b) Political questions: whether the trigger, thresholds or allocation formula are fair in an absolute sense is a political question for the Parties. The review provides an assessment of only performance against the criteria in paragraph 9 of decision 15/9;]

(c) Party requests: The allocation formula, thresholds and rates of contribution are set through separate processes decided by the Parties. The review provides an assessment of only whether adopted rates are generating the intended flows and whether thresholds appear to be a barrier to uptake (EC2).

II. Review framework

9. Table 1 contains elements that are either fully or conditionally evaluable at the eighteenth meeting of the Conference of the Parties. Elements marked † are conditional on specific decisions reached or actions taken at, or immediately following, the seventeenth meeting of the Conference of the Parties, such as the adoption of the allocation formula and the manual of operations, and the launch of a survey or tracker. Table 2 contains elements that are not evaluable at the eighteenth meeting of the Conference of the Parties regardless of the outcomes of the seventeenth meeting, primarily because operational conditions or external instruments are not in place.

Table 1
Consolidated review framework: elements fully or conditionally evaluable at the eighteenth meeting of the Conference of the Parties

Pillar/element	*Data status*	*Data source*	*Evaluability*
P1 – Monetary contribution and distribution [and governance]			
Contributions are received from the users of digital sequence information on genetic resources, including those identified by the Parties (decision 16/2, enclosure I)	Existing (MPTFO)	MPTFO financial report[1] [cost and administrative burden where sufficient data are available]	Fully evaluable; feeds KMGBF Target 13 indicators
Total contributions received ([volume][amount], number, sector[, including vis-à-vis indicative rates in decision 16/2])			
Distribution by region and recipient type †	Existing (MPTFO) – formula modality-contingent	MPTFO allocation data	Basic distributional data evaluable now; full evaluation is conditional on adoption of the allocation formula at COP-17 [feeds KMGBF Target 13 indicators]
Disbursement rate	Existing (MPTFO)	MPTFO financial report	Fully evaluable
Allocation process compliance (including transparency, accountability and gender-responsiveness)	Existing (Fund Secretariat)	Secretariat narrative report[1]	Fully evaluable
Governance set-up progress – G1.vi (leading element) (see G1 below) †	Existing (Fund Secretariat)	Cali Fund annual report;[1] report of the Steering Committee to the Conference of the Parties; Steering Committee meeting minutes; manual of operations (once adopted)	Fully evaluable; full evaluation of G1.vi is conditional on adoption of the manual of operations at COP-17

[1] MPTFO financial report + Fund Secretariat narrative report = Cali Fund annual report.

Pillar/element	*Data status*	*Data source*	*Evaluability*
P2 – [Contribution levels], trigger design, efficiency and costs			
EC1 – contributor awareness, understanding [and clarity] [and] operational effectiveness of contribution conditions † [including the assessment of the effectiveness and suitability of the trigger for monetary contribution as outlined in decision 16/2]	To develop (survey)	Contributor or stakeholder survey; including national reporting on Target 13; [Distinguish between entities that were unaware, that were aware but found conditions uncertain, and that were aware but did not contribute]	Evaluable in survey launched soon after COP-17, complemented by data on actual contributions and contribution patterns; interim results possible before COP-18 Conditional on Secretariat launching survey after COP-17
EC2 – business-case perception of contribution thresholds†	To develop (survey)	Contributor or stakeholder survey, [competent national authority or national focal point for CBD, as appropriate,] complemented by data on entities meeting the threshold, contributing entities and contributions received	Evaluable if survey launched soon after COP-17; interim results possible before COP-18 Conditional on Secretariat launching survey after COP-17, as well as potential effect of COP-17 decision on contribution threshold for participation expectation and contribution level
EC3 – [value proposition and incentive for provider and user, including recognition of certificate]			
P3 – Non-monetary benefits [arising from the use of digital sequence information on genetic resources]			
(whole row bracketed) [Open] access to digital sequence information on genetic resources, [in alignment with the CARE and FAIR principles, as well as the recommendations set out in section III of the UNESCO *Recommendation on Open Science*]	Existing (databases)	Database operator voluntary reports	Fully evaluable if reports made available

Pillar/element	*Data status*	*Data source*	*Evaluability*
Capacity-building *(could be considered for table 2)*		[Report of the technical centres under the long-term strategic framework for capacity-building and development of CBD]	
Technology transfer			
P4 – Mechanism's coherence with other mechanisms, including contributions to the Kunming-Montreal Global Biodiversity Framework and complementarity with national and international access and benefit-sharing frameworks			
EC3 (a) – national incentivization measures (ABS discharge) †	To develop (Party notification)	Party notification on national ABS measures, including digital sequence information on genetic resources; Secretariat tracker (see para. 6)	Evaluable if tracker is launched and Party notification issued immediately after COP-17 Conditional on Secretariat launching tracker and COP-17 authorizing Party notification
[[National measures] [Progress, measures or actions (decision 16/2, annex, para. 10)] of Parties that fund, sponsor or host databases within national jurisdictions, including on accountability and transparency, in alignment with decision 15/9 and paragraph 11 of the annex to decision 16/2]			
Impact on research and innovation (*could be considered for table 2)*		Report from databases	
EC3 (c) – provider confidence (national ABS alignment)	To develop (assessment)	Party national reports and PMRR; Party notification	Partially evaluable through Party notification only; results considered interim, given early stage of the Mechanism Monitor in subsequent cycles, including on the perception of a voluntary extension of the mechanism
Coherence with national biodiversity strategies and action plans and national	Existing (CBD Secretariat)	PMRR and Secretariat	Partially evaluable at COP-18 (interim results only, given the early stage of the Mechanism)

Pillar/element	*Data status*	*Data source*	*Evaluability*
digital sequence information and ABS measures			Monitor in subsequent cycles
P5 – Rights of indigenous peoples and local communities, [open access and research impacts] [and the impact of utilization of digital sequence information on genetic resources on them]			
All elements	—	—	*No P5 elements evaluable at COP-18* *All P5 elements are shown in table 2*
G1 – Governance assessment			
G1.i – Decision-making inclusivity †	Interim (Secretariat)	SC meeting minutes; manual of operations (once adopted)	Fully evaluable; manual of operations (if adopted at COP-17) adds allocation formula governance
G1.ii – Transparency and timeliness of documentation	Interim (Secretariat)	Secretariat periodic report, [including timely availability of decisions, meeting documents and relevant financial documents]	Fully evaluable
G1.iii – Quality of management response †	Existing (SC)	SC management response; manual of operations (once adopted)	Fully evaluable from COP-18; manual of operations (if adopted at COP-17) adds allocation governance
G1.iv – Institutional coherence (among SC, Fund Secretariat and MPTFO)	Existing (Fund Secretariat)	Secretariat periodic report [, including clarity of mandates, roles and responsibilities of SC and MPTFO]	Fully evaluable
G1.v – Fiduciary and financial integrity	Existing (MPTFO)	MPTFO annual report; MPTFO processes	Fully evaluable
G1.vi – Governance [effectiveness and accountability][set-up progress] [(most important leading element)] †	Existing (Secretariat)	SC meeting minutes; Cali Fund annual reports;	Fully evaluable; if the manual of operations is adopted at COP-17, governance set-up evaluable in full

Pillar/element	*Data status*	*Data source*	*Evaluability*
		manual of operations (once adopted)	
EC1–EC5 – Enabling-condition diagnostic (cross-cutting summary)			
EC1 – Industry clarity (see P2 above)	To develop (survey)	Contributor or stakeholder survey	See P2 above †
EC2 – Business case fit for both users and providers (see P2 above)	To develop (survey)	Contributor or stakeholder survey	See P2 above †
EC3 – Legal certainty (see P4 above and table 2)	See P4 in table 2	See P4 in table 2	EC3(a) and (c) see P4 above; EC3(b) see table 2
EC4 – Institutional readiness of indigenous peoples and local communities (see table 2)	To develop (assessment)	Consultation of indigenous peoples and local communities; Party reports	See table 2
EC5 – Governance quality (see G1 above)	Existing (qualitative)	Secretariat; SC meeting minutes	See G1 above
Colour coding: green = existing data available; amber = data to be developed, instrument not yet in place or evaluation conditional on a COP-17 decision; grey = cross-reference rows. *Abbreviations*: ABS, access and benefit-sharing; CARE, collective benefit, authority to control, responsibility and ethics; CBD, Convention on Biological Diversity; COP, Conference of the Parties; EC, enabling condition; FAIR, findable, accessible, interoperable and reusable; G, governance assessment; KMGBF, Kunming-Montreal Global Biodiversity Framework; MPTFO, Multi-Partner Trust Fund Office; P, pillar; PMRR, planning, monitoring, reporting and review; SC, Steering Committee; UNESCO, United Nations Educational, Scientific and Cultural Organization.			

Table 2
Consolidated review framework: elements not yet evaluable at the eighteenth meeting of the Conference of the Parties

Pillar/element	*Data status*	*Data source*	*Evaluability*
P2 – Contribution levels, trigger design, efficiency and costs			
Transaction costs and administrative burden	To develop (study)	SC-commissioned study	Evaluable at a future meeting of the Conference of the Parties; requires dedicated study

Pillar/element	*Data status*	*Data source*	*Evaluability*
P3 – Non-monetary benefits			
Non-monetary benefit-sharing assessment, as aligned with the Global Biodiversity Fund monitoring framework methodology for indicator C.2[2] Non-monetary benefits arising from applicable internationally agreed ABS instruments	To develop (reporting)	Database operator reports in table 1; contributor or stakeholder survey	Partially evaluable; typology and survey to be developed; with particular consideration of non-monetary benefits for indigenous peoples and local communities fully evaluable at a future meeting of the Conference of the Parties; [extent includes the total amount and where it goes]
P4 – Mechanism's coherence with other mechanisms, including contributions to the KMGBF and complementarity with national and international ABS frameworks			
Biodiversity impact of funded activities	To develop	Secretariat; Party reports	Not yet evaluable; qualitative contribution assessment possible at a future meeting of the Conference of the Parties.
Contribution to KMGBF Goal C and Target 13 binary indicator	Not yet evaluable	KMGBF monitoring report and PMRR	Not yet evaluable: no DSI-specific information in KMGBF Goal C or Target 13 at the moment; PMRR does not contain allocation formula data Evaluable at a future meeting of the Conference of the Parties
Alignment with PMRR reporting cycles	Not yet evaluable	PMRR or Secretariat	Not yet evaluable: PMRR does not yet contain allocation formula data Evaluable at a future meeting of the Conference of the Parties
EC3 (b) – [[contribution][obligation]-stacking risk][interactions and synergies between the operations of the Multilateral Mechanism and other multilateral access and benefit-sharing instruments] (ITPGRFA, BBNJ, WHO PABS)	To develop (protocol)	Secretariat stacking risk protocol	Not yet evaluable: decisions have not yet been made in relation to other international instruments on whether and how to deal with the sharing of benefits from the use of digital sequence information on genetic resources within the scope of the instruments Evaluable at a future meeting of the Conference of the Parties

[2] www.gbf-indicators.org/metadata/headline/C-2

Pillar/element	*Data status*	*Data source*	*Evaluability*
P5 – Indigenous peoples and local communities' rights, open access and research impacts			
EC4 – Institutional readiness of indigenous peoples and local communities and entity designation (*could be considered for table 1)*	To develop (assessment)	Consultation of indigenous peoples and local communities; Party reports	[Partially][Not yet] evaluable: Cali Fund operations not fully started Evaluable at a future meeting of the Conference of the Parties
Benefits received by indigenous peoples and local communities and their identified or designated entities	Existing or to develop	MPTFO allocation data; consultation of indigenous peoples and local communities	Partially evaluable for factor (j) of enclosure VI and paragraph 21 of the annex to decision 16/2, through survey or Party notification; results considered interim Monitor in subsequent cycles.
Non-hindrance of research and innovation, including related to new technologies	To develop (study)	SC study; research community consultation	Not yet evaluable: Cali Fund operations not fully started Evaluable at a future meeting of the Conference of the Parties
Abbreviations: ABS, access and benefit-sharing; BBNJ, Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction; COP, Conference of the Parties; DSI, digital sequence information; EC, enabling condition; ITPGRFA, International Treaty on Plant Genetic Resources for Food and Agriculture; KMGBF, Kunming-Montreal Global Biodiversity Framework; MPTFO, Multi-Partner Trust Fund Office; PMRR, planning, monitoring, reporting and review; Steering Committee; WHO PABS, World Health Organization Pathogen Access and Benefit-Sharing System.			

III. Methodological approach, consultation and quality assurance

10. The Steering Committee will oversee the review. Data for the review are classified under three confidentiality tiers (public, restricted and sensitive) and collected through the following four reporting data sources, as a minimum:

(a) Annual financial report of the Multi-Partner Trust Fund Office;

(b) Annual narrative report of the Fund Secretariat;

(c) Reporting by Parties on national implementation through a notification;

(d) Voluntary reporting by database and tool managers on digital sequence information on genetic resources reports, including on alignment with FAIR and CARE principles.

11. In addition, stakeholder consultations, including a structured questionnaire for Parties, indigenous peoples and local communities, database operators and contributors, as well as targeted consultations with indigenous peoples and local communities, will generate analytically usable evidence. Draft findings should be circulated [to stakeholders] for comment, and all substantive comments should be recorded.

A. Independence and quality assurance

12. Analytical work is conducted by functionally independent evaluators free from conflicts of interest with the Steering Committee, Secretariat of the Multilateral Mechanism, the Secretariat of the Convention and the Multi-Partner Trust Fund Office.

13. In addition, draft findings are subject to peer review.

B. Structure of the report

14. The review report should comprise five sections:

(a) Executive summary;

(b) Evaluability update;

(c) Findings by category of pillar and G1, each presented as:

(i) Evidence;

(ii) Finding;

(iii) Conclusion;

(iv) Recommendation;

(d) Cross-cutting findings;

(e) Proposed adjustments (major or minor).

15. In addition, the report should contain four annexes for the following: data tables; consultation synthesis; management response; and peer review record.

C. Steering Committee response to the assessment

16. The Steering Committee responds to each recommendation set out in the report through the management response. It accepts, accepts with modifications or declines, with reasons, each recommendation. For every accepted recommendation, [an][a proposed] action plan is provided in which the action, responsible body, timeline and resource implications are specified. Recommendations for major revisions to the Multilateral Mechanism must be brought to the Conference of the Parties for endorsement. A report on the implementation status of the action plans should be presented before the subsequent review cycle.

D. Follow-up to the report

17. Given that the implementation status of the action plan from the previous review should be presented before the subsequent review cycle, recommendations should be recorded either as completed on time, completed late, partially completed or not yet commenced, and be accompanied by an explanation for any delay and a revised timeline, where appropriate. If an action in the plan is not completed and an adequate explanation is not provided, it should be treated as an implementation failure and should be reported in the cross-cutting findings section of the next review report under G1.iii (quality of management response).

18. The management response is a living document: the Steering Committee may update it between cycles to reflect changing circumstances but must report those changes to the Conference of the Parties, along with the associated reasons and consequences.

III. Governance, roles and responsibilities

19. The Conference of the Parties, [once a methodology is adopted,] will review [its][the final] report. The Steering Committee, as the governing body of the Multilateral Mechanism, including the Cali Fund, should [have oversight of][drive] the methodology development and data collection and produce the final report. Subsequently, the Steering Committee should prepare a proposed management response. It should be noted that the Committee is itself subject to a governance assessment under G1, which is managed in accordance with section II.A above, on independence and quality assurance.

20. The [Secretariat of the Convention on Biological Diversity, currently acting as the interim] Fund Secretariat[,] [drives][supports] the methodology development, prepares submissions, coordinates data collection and compiles the resulting data.

21. The two mandates of the Conference of the Parties and its Secretariat, and of the Steering Committee and its interim Secretariat are distinct, even though some staff might serve both entities. The circularity risk – that the Secretariat both prepares data and assists in interpreting it – is managed through the independence provisions provided in section II.A above. Evaluators must independently verify data supplied by the Secretariat against primary sources, where possible. Any data quality concerns that are raised must be documented in the peer review record (as noted in para. 11 above).

22. The Multi-Partner Trust Fund Office will provide financial records through its public reporting obligations, contribution logs, disbursement data, audit reports and certified financial statements.

23. Parties will submit data as part of the planning, monitoring, reporting and review of the implementation of the Kunming-Montreal Global Biodiversity Framework. Parties will also [be invited to] submit data on administrative, policy or legislative measures and incentivization of users in their jurisdictions. Last, Parties will review draft findings as part of the review process.

24. Indigenous peoples and local communities will be consulted on CARE-compliant data handling, provide evidence on benefits received and review passages with a “sensitive” confidentiality classification.

25. Database operators [should][will be invited to] supply interface measure reports, access statistics and quality assessments of annual provenance data.

26. Last, the private sector contributors [should][will be invited to] provide survey responses and inputs during consultation.

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