



COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Item 6 of the Provisional Agenda

INTERGOVERNMENTAL TECHNICAL WORKING GROUP ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Eleventh Session

Rome, 18–20 April 2023

DRAFT QUESTIONNAIRE ON THE IMPLICATIONS OF ACCESS AND BENEFIT-SHARING MEASURES FOR THE USE AND EXCHANGE OF GENETIC RESOURCES FOR FOOD AND AGRICULTURE AND FOR BENEFIT-SHARING

The Commission, at its Eighteenth Regular Session, supported future work that further deepens the empirical evidence needed to understand the effects of access and benefit-sharing (ABS) measures. It requested the Secretariat to prepare, based on responses to a pre-tested country questionnaire, a report on the practical application of ABS country measures to the different subsectors of genetic resources for food and agriculture (GRFA) and associated traditional knowledge (TKGRFA), including monitoring of ABS compliance, with a view to identifying the effects of ABS measures on the utilization and conservation of the different subsectors of GRFA and TKGRFA and the sharing of benefits. In addition, the Commission requested the Secretariat to prepare, based on responses to the same questionnaire, an evaluation of the usefulness of the *Elements to facilitate domestic implementation of access and benefit-sharing for different subsectors of genetic resources for food and agriculture with explanatory notes* (ABS Elements) for the development and implementation of ABS measures, with the aim of identifying and addressing gaps and weaknesses in the ABS Elements.

This document contains the draft questionnaire for review. Based on responses to this questionnaire the Secretariat intends to prepare the report on the implications of ABS measures for the use and exchange of GRFA and for the sharing of benefits arising from their utilization.

Part A: General information	
1	<p>Please provide some background information about yourself and/or the institution you work for or represent. Please identify your role in responding to this survey.</p> <p>GROUP I (Commission Members/National Focal Points or Coordinators):</p> <ul style="list-style-type: none"> • FAO Commission Member • National Focal Point for the Commission on Genetic Resources for Food and Agriculture • National Coordinator for Animal Genetic Resources for Food and Agriculture • National Focal Point for Aquatic Genetic Resources for Food and Agriculture • National Focal Point for Forest Genetic Resources • National Focal Point for Plant Genetic Resources for Food and Agriculture • National Focal Point for Biodiversity for Food and Agriculture <p>GROUP II (Stakeholders/user communities):</p> <ul style="list-style-type: none"> • Intergovernmental organization • Public research organization/Academia/University • <i>Ex situ</i> (genebank) collection • Genome database • Farmer organization • Fisher organization • Livestock keeper organization • Forester organization • Private sector • Responding as an individual e.g. researcher • Other (<i>please provide details</i>) <p>GROUP III: Indigenous Peoples and Local Communities (IPLC)</p>
2	<p>Please provide the title and address of the entity you represent or where you work. We may contact you for further information.</p> <p>Full name</p> <p>Title</p> <p>Name of entity/IPLC:</p> <p>Street</p> <p>City</p> <p>Postcode</p> <p>Country</p>
3	<p>May we contact you for further information?</p> <p>Yes, no</p> <p>If yes, please provide contact information:</p> <ul style="list-style-type: none"> <input type="radio"/> Phone <input type="radio"/> Email

Part B.1: Application of national legislative, administrative and policy measures on access and benefit-sharing to genetic resources for food and agriculture	
4	<p>Groups I & II: Does your country currently have legislative, administrative and/or policy measures on access and benefit-sharing (ABS measures) in place, which require prior informed consent and fair and equitable benefit-sharing for access to genetic resources for research and development on their genetic and/or biochemical composition?</p> <p>Yes, no, I don't know</p> <p>If yes, do the ABS measures of your country apply to genetic resources for food and agriculture (GRFA)?</p> <p>Yes, no, I don't know</p>
5	<p>Do the ABS measures of your country include special provisions for (specific or all) GRFA?</p> <p>Yes, no, I don't know</p>

	<p>(a) If yes, please identify the genetic resources for which the ABS measures of your country provide special provisions:</p> <ul style="list-style-type: none"> • All genetic resources for food and agriculture • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
	<p>(b) If yes, please identify the type(s) of special provisions and the GRFA to which they apply:</p> <ul style="list-style-type: none"> • Exemptions of GRFA from scope of the ABS measures If yes, please specify relevant GRFA • Special (e.g. simplified) authorization procedures for GRFA and/or activities related to GRFA If yes, please specify procedure, relevant GRFA and/or activities related to GRFA • Special provisions on benefit-sharing If yes, please specify provisions and relevant GRFA • Other provisions for GRFA If yes, please specify provision(s) and relevant GRFA
6	<p>Do the ABS measures of your country apply to privately held genetic resources? Yes, no, I don't know? (a) If yes, do they also apply to privately held GRFA? Yes, no, I don't know</p>
7	<p>Groups I & II: Have special measures been taken to inform stakeholders who utilize GRFA for research and development on ABS measures, as they apply to GRFA? Yes, no, I don't know</p>
	<p>If yes, how have stakeholders been informed?</p> <ul style="list-style-type: none"> • ABS Clearinghouse (https://absch.cbd.int/en/) • National Clearinghouse • Information seminars • Guidance documentation
	<ul style="list-style-type: none"> • Other (if other, please provide details)
8	<p>Groups I & II: Has your country granted ABS permits for the use of genetic resources for research and development? Yes, no, I don't know</p>
	<p>(a) If yes, how many ABS permits has your country granted for the use of GRFA for research and development?</p> <ul style="list-style-type: none"> • Less than 10 • Less than 50 • More than 50
	<p>(b) Please specify the GRFA for which ABS permits have been granted by your country (<i>Please specify all that apply</i>):</p> <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
9	<p>Groups I & II: Do the ABS measures of your country distinguish between commercial use of genetic resources and use for research/academic purposes?</p>

	Yes, no, I don't know
	(a) If yes, for which genetic resources do the ABS measures distinguish between commercial use and use for research/academic purposes? <ul style="list-style-type: none"> • All • GRFA • Pathogens
	<ul style="list-style-type: none"> • Other (please specify)
	(b) If yes, for which purposes have most ABS measures been granted as of 1 January 2023? <ul style="list-style-type: none"> • Commercial purposes • Research/academic purposes
	<ul style="list-style-type: none"> • Other purposes (if for other purposes, please provide details)

Part B.2 Application of measures on access and benefit-sharing for traditional knowledge associated with genetic resources (TK) that is held by IPLC

10	Groups I – III: Does your country have measures in place requiring that TK that is held by IPLC is accessed with prior informed consent (PIC) or approval and involvement of these IPLC and that mutually agreed terms (MAT) have been established? Yes, no, I don't know
11	Groups I–III: Have measures been taken to inform stakeholders on ABS measures, as they apply to TK? Yes, no, I don't know
	If yes, how have stakeholders been informed? <ul style="list-style-type: none"> • ABS Clearinghouse (https://absch.cbd.int/en/) • National Clearinghouse • Information seminars • Guidance documentation
	<ul style="list-style-type: none"> • Other (if other, please provide details)
12	Group III: Have you or your IPLC granted PIC or approved access to TK associated with genetic resources that is held by your IPLC? Yes, no, I don't know
	(a) If yes, in how many cases have your or your IPLC approved access to TK associated with genetic resources that is held by your IPLC? <ul style="list-style-type: none"> • Less than 10 • Less than 50 • More than 50
	(b) Have you or your IPLC granted prior and informed consent or approved access to TK associated with any of the following genetic resources? (<i>Please specify all that apply</i>) <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture

Part B.3 Application of measures for access to genetic resources where IPLC have the established right to grant access to such resources

13	Groups I – III: Does your country have measures in place which provide IPLCs with the right to determine access to its genetic resources? Yes, no, I don't know
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	If yes, are there measures in place in your country which aim at ensuring that the PIC or approval and involvement of IPLC is obtained for access to their genetic resources? Yes, no, I don't know
14	Groups I – III: Are stakeholders informed of the need for PIC or approval and involvement of IPLC for access to their genetic resources? Yes, no, I don't know
	If yes, how are stakeholders informed? <ul style="list-style-type: none"> • ABS Clearinghouse (https://absch.cbd.int/en/) • National Clearinghouse • Information seminars • Guidance documentation
	• Other (if other, please provide details)
15	Group III: Have you or your IPLC granted PIC or approved access to the genetic resources of your IPLC Yes, no, I don't know
	(a) If yes, in how many cases has your IPLC approved access to its genetic resources? <ul style="list-style-type: none"> • Less than 10 • Less than 50 • More than 50
	(b) Has your IPLC granted PIC or approved access for any of the following genetic resources? (<i>Please specify all that apply</i>) <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture

Part C.1: Exchange experience – GRFA

16	Groups I – III: Are you using or exchanging GRFA? Yes, no, I don't know
	(a) If yes, please specify which (<i>Please specify all that apply</i>): <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
	(b) Please identify the GRFA you are most knowledgeable about or familiar with (<i>Please select only one</i>): <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
<i>For the remainder of this part, please limit your answers to the GRFA you have identified as the one you are most knowledgeable about or familiar with.</i>	
17	Groups I – III: During the last two years, have you exchanged (provided or received) GRFA? Yes, no, I don't know

	<p>(a) If yes, how often?</p> <ul style="list-style-type: none"> • Once or twice a year • Three to four times a year • More than once a month
	<p>(b) With which of the following have you exchanged (provided or received) GRFA during the last two years? (<i>Please specify all that apply</i>)</p> <ul style="list-style-type: none"> • Intergovernmental organization • Domestic public research organization/academia/university • Foreign public research organization/academia/university • Domestic indigenous people/local community • Foreign indigenous people/local community • Domestic <i>ex situ</i> (genebank) collection • Foreign <i>ex situ</i> (genebank) collection • Domestic genome database • Foreign genome database • Domestic private sector • Foreign private sector • Domestic individual, e.g. researcher • Foreign individual, e.g. researcher
	<ul style="list-style-type: none"> • Other (please specify)
	<p>(c) Have the exchanges been based on ABS measures (i.e. PIC and MAT or, in the case of plant genetic resources for food and agriculture, the International Treaty's Standard Material Transfer Agreement (SMTA))?</p> <ul style="list-style-type: none"> • Yes, in most cases • Sometimes • Rarely • Never • Don't know
	<p>(d) How many days, at average, did it take before GRFA could be accessed?</p> <ul style="list-style-type: none"> • No waiting time • Less than 30 days • Less than 90 days • Less than 6 months • More than 6 months
18	Groups I – III: Have you received one or more of the following in return for providing access to GRFA?
	<ul style="list-style-type: none"> • Capacity development/training • Results of research/development on the GRFA provided • Transfer of or access to technology • Monetary benefits
	<ul style="list-style-type: none"> • Other benefits (<i>please specify</i>)
19	Groups I – III: Have you provided one or more of the following in return for receiving GRFA?
	<ul style="list-style-type: none"> • Capacity development/training • Results of research/development on the GRFA provided • Transfer of or access to technology • Monetary benefits • Other benefits (<i>please specify</i>)
20	Groups I & II: During the last two years, have you ever been denied access to GRFA for using them for research or development on their genetic and/or biochemical composition?
	<p>(a) If yes, what have been the reasons for the denial?</p> <ul style="list-style-type: none"> • I did not receive a reply • I received a reply, but no reasons were given

	<ul style="list-style-type: none"> • Absence of ABS measures or implementing regulations • No agreement was reached on access modalities and/or benefit-sharing
	<ul style="list-style-type: none"> • Other reasons (<i>please specify</i>)
	<p>(b) During the last two years, how many of your access requests have been denied?</p> <ul style="list-style-type: none"> • Less than 10% of my requests • Less than 25% of my requests • Between 25 and 50% / About 50% of my requests • More than 50% of my requests
	<p>(c) Countries denying you access to GRFA are located in the following region(s) (<i>Please specify all that apply</i>)¹:</p> <ul style="list-style-type: none"> • Africa • Asia • Europe • Latin America and the Caribbean • Near East • North America • Southwest Pacific
21	Group III: During the last two years, have you ever denied access to your GRFA?
	<p>(a) If yes, for which reasons?</p> <ul style="list-style-type: none"> • Absence of ABS measures or implementing regulations • No agreement was reached on access modalities and/or benefit-sharing
	<ul style="list-style-type: none"> • Other reasons (<i>please specify</i>)
	<p>(b) During the last two years, how many requests for access to your GRFA have you rejected?</p> <ul style="list-style-type: none"> • Less than 10% • Less than 25% • Between 25 and 50% /About 50% • More than 50% • All

Part C.2: Exchange experience – TK	
22	Groups I – III: Are you using or exchanging TK associated with GRFA? Yes, no, I don't know
	<p>(a) If yes, please specify to which GRFA the TK applies (<i>Please specify all that apply</i>):</p> <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
	<p>(b) Please identify the GRFA you are most knowledgeable about or familiar with (<i>Please select only one</i>):</p> <ul style="list-style-type: none"> • Animal genetic resources for food and agriculture • Plant genetic resources for food and agriculture • Aquatic genetic resources for food and agriculture • Forest genetic resources • Microorganism genetic resources for food and agriculture • Invertebrate genetic resources for food and agriculture
<p><i>For the remainder of this part, please limit your answers to the GRFA you have identified as the one you are most knowledgeable about or familiar with.</i></p>	

¹ Please follow the regions, as applicable to FAO Council elections:
<https://www.fao.org/unfao/govbodies/gsbhome/council/council-election/en/>

23	Groups I–III: During the last two years, have you exchanged (provided or received) TK associated with GRFA? Yes, no, I don't know
	(a) If yes, how often? <ul style="list-style-type: none"> • Once or twice a year • Three to four times a year • More than once a month
	(b) With which of the following have you exchanged (provided or received) TK associated with GRFA during the last two years? <i>(Please specify all that apply)</i> <ul style="list-style-type: none"> • Intergovernmental organization • Domestic public research organization/academia/university • Foreign public research organization/academia/university • Domestic indigenous people/local community • Foreign indigenous people/local community • Domestic <i>ex situ</i> (genebank) collection • Foreign <i>ex situ</i> (genebank) collection • Domestic genome database • Foreign genome database • Domestic private sector • Foreign private sector • Domestic individual, e.g. researcher • Foreign individual, e.g. researcher
	<ul style="list-style-type: none"> • Other (please specify)
	(c) Have the exchanges been based on ABS measures (i.e. PIC/ MAT)? <ul style="list-style-type: none"> • Yes, in most cases • Sometimes • Rarely • Never • Don't know
	(d) How many days, at average, did it take before TK could be accessed? <ul style="list-style-type: none"> • No waiting time • Less than 30 days • Less than 90 days • Less than 6 months • More than 6 months
24	Groups I & II: Have you provided one or more of the following in return for receiving TK associated with GRFA that was held by IPLC?
	<ul style="list-style-type: none"> • Capacity development/training • Results of related research/development • Transfer of or access to technology • Monetary benefits
	<ul style="list-style-type: none"> • Other benefits <i>(please specify)</i>
25	Group III: Have you received one or more of the following in return for providing TK associated with GRFA that was held by your IPLC?
	<ul style="list-style-type: none"> • Capacity development/training • Results of related research/development • Transfer of or access to technology • Monetary benefits
	<ul style="list-style-type: none"> • Other benefits <i>(please specify)</i>
26	Groups I & II: During the last two years, have you been denied access to TK associated with GRFA that was held by IPLC?
	(a) If yes, what have been the reasons for the denial? <i>(Please specify all that apply)</i> <ul style="list-style-type: none"> • I did not receive a reply

	<ul style="list-style-type: none"> • I received a reply, but no reasons were given • Absence of ABS measures or implementing regulations • No agreement was reached on access modalities and/or benefit-sharing
	<ul style="list-style-type: none"> • Other reasons (<i>please specify</i>)
	<p>(b) During the last two years, how many of your requests to access TK associated with GRFA have been denied?</p> <ul style="list-style-type: none"> • Less than 10% of my requests • Less than 25% of my requests • Between 25 and 50% of my requests • More than 50% of my requests
	<p>(c) Countries/IPLC denying access to TK are located in the following region(s) (<i>Please specify all that apply</i>):²</p> <ul style="list-style-type: none"> • Africa • Asia • Europe • Latin America and the Caribbean • Near East • North America • Southwest Pacific
27	Group III: During the last two years, have you denied access to your TK associated with GRFA that was held by you/your IPLC?
	<p>(a) If yes, what have been the reasons for the denial? (<i>Please specify all that apply</i>)</p> <ul style="list-style-type: none"> • Absence of ABS measures or implementing regulations • No agreement was reached on access modalities and/or benefit-sharing
	<ul style="list-style-type: none"> • Other reasons (<i>please specify</i>)
	<p>(b) During the last two years, how many requests for access to your TK associated with GRFA have you rejected?</p> <ul style="list-style-type: none"> • Less than 10% • Less than 25% • Between 25 and 50% • More than 50% • All

Part D: ABS Elements	
28	<p>Are you familiar with the publication <i>Elements to facilitate domestic implementation of access and benefit-sharing for different subsectors of genetic resources for food and agriculture with explanatory notes (ABS Elements)</i> by FAO in 2019</p> <p>Yes, no, I don't know</p>
	<p>(a) If yes, how important have the ABS Elements been in guiding interactions on ABS policy development and implementation in your opinion?</p> <ul style="list-style-type: none"> • Very important • Important • Somewhat important • Not important • I don't know
	<p>(b) If yes, please specify the genetic resources for which the ABS Elements have been guiding interactions on ABS policy development and implementation?</p> <ul style="list-style-type: none"> • All genetic resources for food and agriculture • Animal genetic resources for food and agriculture

² Please follow the regions, as applicable to FAO Council elections:
<https://www.fao.org/unfao/govbodies/gsbhome/council/council-election/en/>

	<ul style="list-style-type: none">• Plant genetic resources for food and agriculture• Aquatic genetic resources for food and agriculture• Forest genetic resources• Microorganism genetic resources for food and agriculture• Invertebrate genetic resources for food and agriculture
	(c) Should the ABS Elements be regularly updated in your opinion? Yes, no, I don't know