



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD
AND AGRICULTURE**

**FIRST MEETING OF THE AD HOC TECHNICAL EXPERT GROUP ON
FARMERS' RIGHTS**

Rome, Italy, 11-14 September 2018

**Results of the online survey conducted in 2016 to gather views and needs on the
implementation of Farmers' Rights**

Note by the Secretary

Through Resolution 5/2015, the Governing Body had requested the Secretary to engage Contracting Parties and relevant organizations to gather information at national, regional and global levels for exchanging knowledge, views, experiences and best practices on the implementation of Farmers' Rights, as set out in Article 9 of the International Treaty.

This document provides the results of an online survey that was carried out by the Secretariat in 2016 with the aim of gathering views and information on needs in the context of the implementation of Farmers' Rights, as contained in Article 9 of the International Treaty. It was previously made available to the Seventh Session of the Governing Body as document, IT/GB-7/17/Inf.11.

The online survey was carried out from 1 June to 15 August 2016 and involved 166 respondents from 53 countries representing, *inter alia*, governmental organizations, non-governmental organizations, civil society organizations, seed industry, research and academic institutions, farmers' organizations, indigenous communities and intergovernmental organizations.

The respondents were invited to provide their views and understanding of Farmers' Rights, as they relate to plant genetic resources for food and agriculture. The respondents were also invited to cite the main achievements and/or constraints with regard to the realization of Farmers' Rights, including recommendations to the Governing Body and other views that they wished to share.

This document is being made available for the information of the AHTEG and to further assist its discussions, as appropriate.



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ACRONYMS

CSO	Civil society organization
EC	European Commission
ESA	European Seed Association
EU	European Union
FNI	Fritdjof Nansen Institute
FR	Farmers' Rights
GMO	Genetically modified organism
IPR	Intellectual property rights
ITPGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture
NGO	Non-governmental organization
PBR	Plant breeders' rights
PGRFA	Plant genetic resources for food and agriculture
PVP	Plant variety protection
Q	Question
TK	Traditional knowledge

1. Introduction

The International Treaty is the first legally binding international agreement to recognize the contribution of local and indigenous communities and farmers to the conservation and development of plant genetic resources for food and agriculture (PGRFA), and on this basis to affirm Farmers' Rights with regard to such resources. Article 9 of the International Treaty states the following:

Article 9 - Farmers' Rights

9.1 The Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of plant genetic resources which constitute the basis of food and agriculture production throughout the world.

9.2 The Contracting Parties agree that the responsibility for realizing Farmers' Rights, as they relate to plant genetic resources for food and agriculture, rests with national governments. In accordance with their needs and priorities, each Contracting Party should, as appropriate, and subject to its national legislation, take measures to protect and promote Farmers' Rights, including:

(a) protection of traditional knowledge relevant to plant genetic resources for food and agriculture;

(b) the right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture; and

(c) the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture.

9.3 Nothing in this Article shall be interpreted to limit any rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate.

Millions of farmers, including indigenous and local communities, particularly in developing countries, are custodians as well as innovators of crop diversity. At the last Session of the Governing Body, through Resolution 5/2015, the Governing Body requested the Secretariat to engage Contracting Parties and relevant organizations to gather information at national, regional and global levels for exchanging knowledge, views, experiences and best practices on the implementation of Farmers' Rights, as set out in Article 9 of the International Treaty. It also requested the Secretary, subject to the availability of financial resources, to prepare a study on lessons learned from the

implementation of Farmers' Rights as set out in Article 9 of the Treaty, including policies and legislation; and invited Contracting Parties and relevant stakeholders to submit their views and experiences to derive examples as possible options for national implementation of Farmers' Rights.

In order to serve as an additional basis for the study, the Secretariat carried out an online survey on the implementation of Farmers' Rights during this biennium, the results of which are provided in this document.

2. The purpose of the online survey

The online survey was aimed at gathering:

- views, options and approaches, and possible strategies to advocate for the implementation and promotion of Farmers' Rights;
- inputs for the preparation of a study on lessons learned from the implementation of Farmers' Rights; and
- best practices (if any) for use as examples of possible options for national implementation of Farmers' Rights.

3. Methodology and the questionnaire design

The questionnaire developed by the Fridtjof Nansen Institute (FNI) in 2010 was updated to accommodate additional information on possible choices of responses, before being formatted into an online survey. The questionnaire addressed the main achievements and constraints with regard to the realization of Farmers' Rights; recommendations to the Governing Body, and other views that the respondents wished to share.

The elements of Article 9 of the International Treaty served as the basic design of the questionnaire:

- The protection of traditional knowledge relevant to plant genetic resources for food and agriculture (PGRFA);
- The right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture;
- The right to participate in making decisions, at national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture;
- Any rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material.

The general structure of the questionnaire comprised four sections, as follows:

- Part I. Information of respondents (Questions 1 to 8);
- Part II. Views, perceptions and understanding on Farmers' Rights, as they relate to PGRFA (Questions 9 to 13);
- Part III. Farmers' Rights, as they relate to Plant Genetic Resources for Food and Agriculture (Questions 14 to 34);

- Part IV. Other views and perceptions regarding Farmers' Rights relevant to PGRFA (Questions 35 to 38); and
- Part V. Overall recommendations (Question 39).

The online survey was conducted from 1 June to 15 August 2016, using free online survey software.¹ In order to reach as many stakeholders from all the regions as possible, the questionnaire was made available in three different languages: English, French and Spanish. The Secretary published a notification² to inform Contracting Parties and stakeholders about the electronic survey, inviting them to participate. This was also circulated via email within and outside FAO networks of civil society organizations (CSOs).

Appendix 1 contains the online survey (questionnaire) in English.

The structure of the presentation of results follows that of the questionnaire, and respondents' inputs were summarized together with some graphs.

4. Results

1. The respondents³

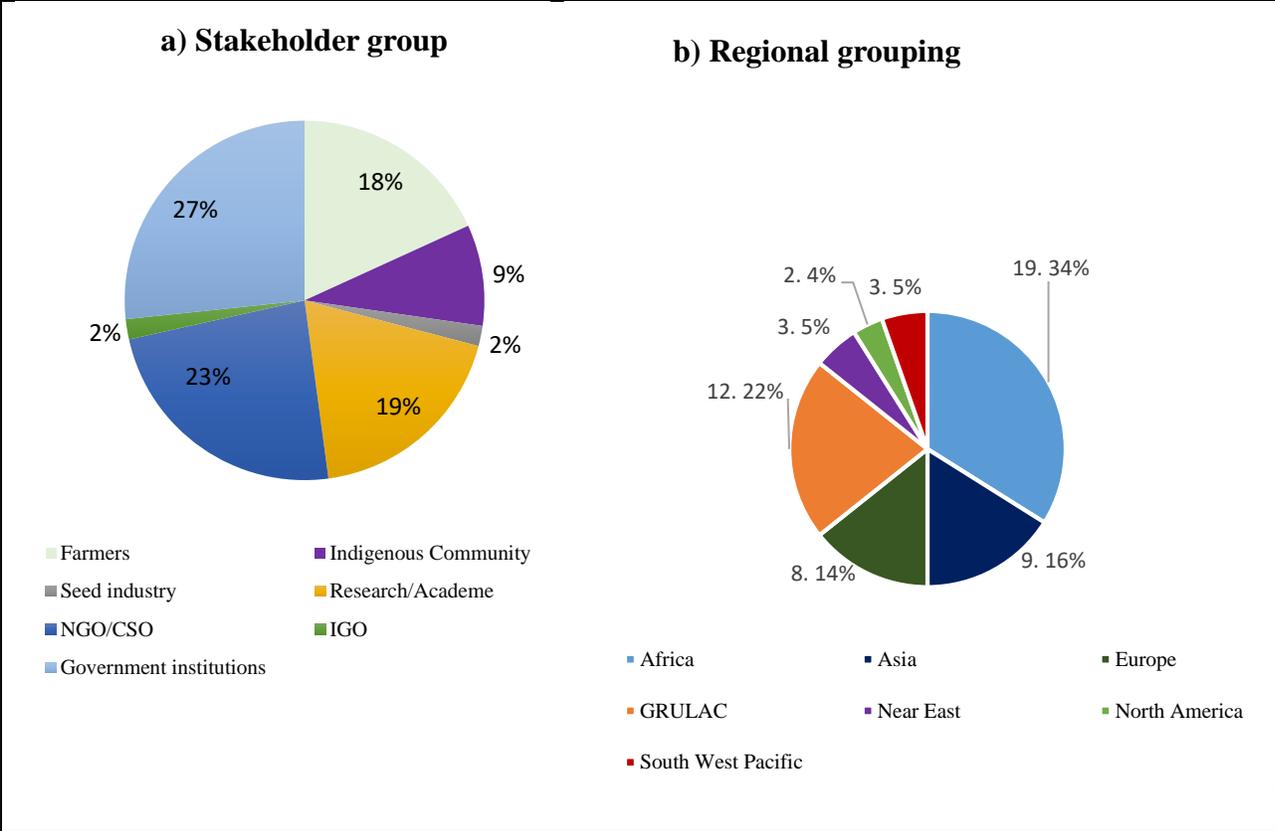
The online survey gathered 166 respondents from 53 countries representing various stakeholders. Figure 1 presents the information of the composition of the stakeholders and their regional groupings.

Figure 1. Stakeholders who participated in the electronic survey and regional group

¹ https://www.surveymonkey.com/r/global_survey_FR_en.

² Notification NCP GB7-008- FRs EC (<http://www.fao.org/plant-treaty/notifications/detail-events/en/c/430818/>).

³ Summary results of Questions 1 to 8



II. Views and understanding of Farmers’ Rights, as they relate to plant genetic resources for food and agriculture.⁴

Figure 2 shows the different aspects/elements of Farmers’ Rights, and the importance the respondents attribute to each of them. Almost two-thirds of the respondents across all stakeholder groups regarded the provisions contained in Article 9 of the International Treaty as very important. About 16 percent of respondents attributed less importance, and a small percentage were not sure about the importance of Farmers’ Rights.

⁴ Summary results of Questions 9 to 13.

Figure 2. The different aspects/elements of Farmers’ Rights and the importance according to the respondents.

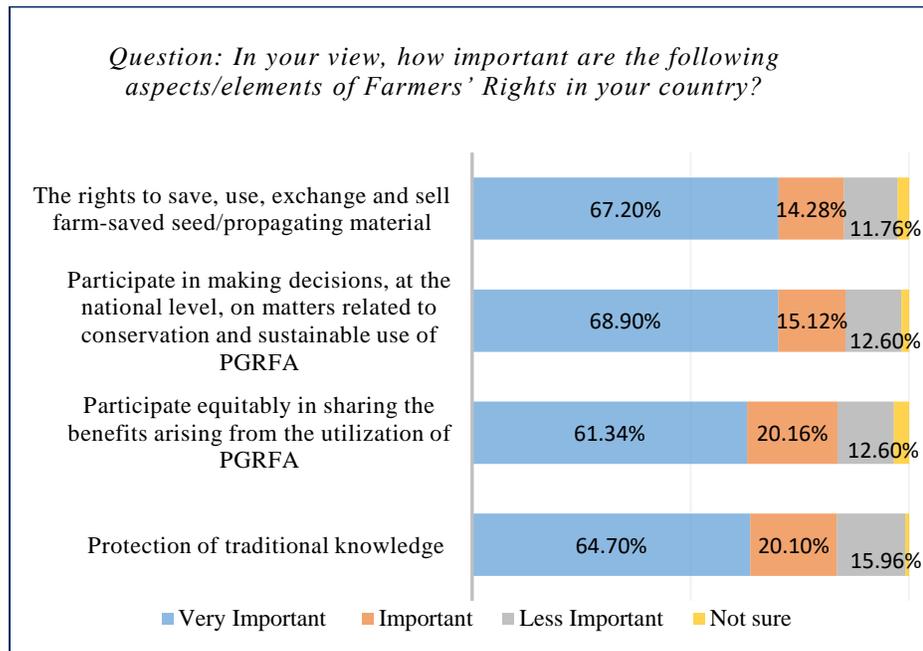
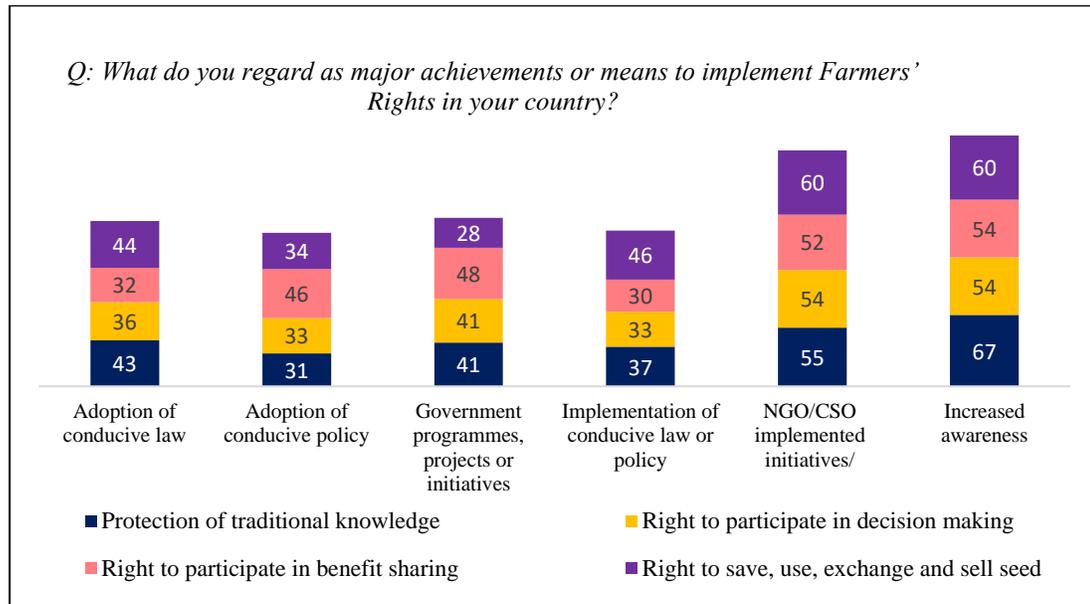


Figure 3 presents the respondents’ views on what they regard as major achievements or means to implement Farmers’ Rights in their respective countries. Approximately 60 percent of the respondents attributed the implementation of Farmers’ Rights to *increased awareness* and the *work promoted by the CSOs’ and NGOs’ initiatives and projects*. In their replies, respondents cited, in particular, activities and projects related to the protection of traditional knowledge, and to the rights of farmers to save, use, exchange and sell farm-saved seed/propagating material. For example, several respondents highlighted the fundamental role of CSOs in working directly with farming communities to empower them and build their capacities on conservation and management of PGRFA (such as establishing community seed/gene banks, organizing seed fairs/local markets, community biodiversity protocols, participatory plant breeding, conserving and improving farmers’ varieties, organic food product registration and certification, geographic indications labelling, promotion of traditional food systems through local cultural festivals). According to the respondents, these activities are contributing to the realization of Farmers’ Rights.

Figure 3. Major achievements or means to implement Farmers' Rights according to respondents.



While the majority of respondents acknowledged the extensive efforts of the CSOs in terms of promoting awareness and understanding of Farmers' Rights, as well as leading ground activities, some respondents attributed the realization (as well as achievements) of Farmers' Rights to the adoption of conducive laws/policies, along with government programmes, projects or initiatives.⁵

The majority of respondents from the European Region highlighted relevant regulations and policies that are supportive of implementation of Article 9 of the International Treaty, e.g. EU regulations that allow the protection of traditional knowledge linked to agricultural products and foodstuffs through Geographical Indications of product origin. According to these respondents, this system allows the protection of traditional knowledge, for example products coming from a specific geographical origin that possess certain qualities, or are made or cultivated according to traditional methods and practices. They also remarked that this system provides EU-wide protection against misuse of such traditional practices.

With regard to the major challenges or obstacles in implementing Farmers' Rights, a summary of the respondents' views is presented below (as well as a diagram in Figure 4).

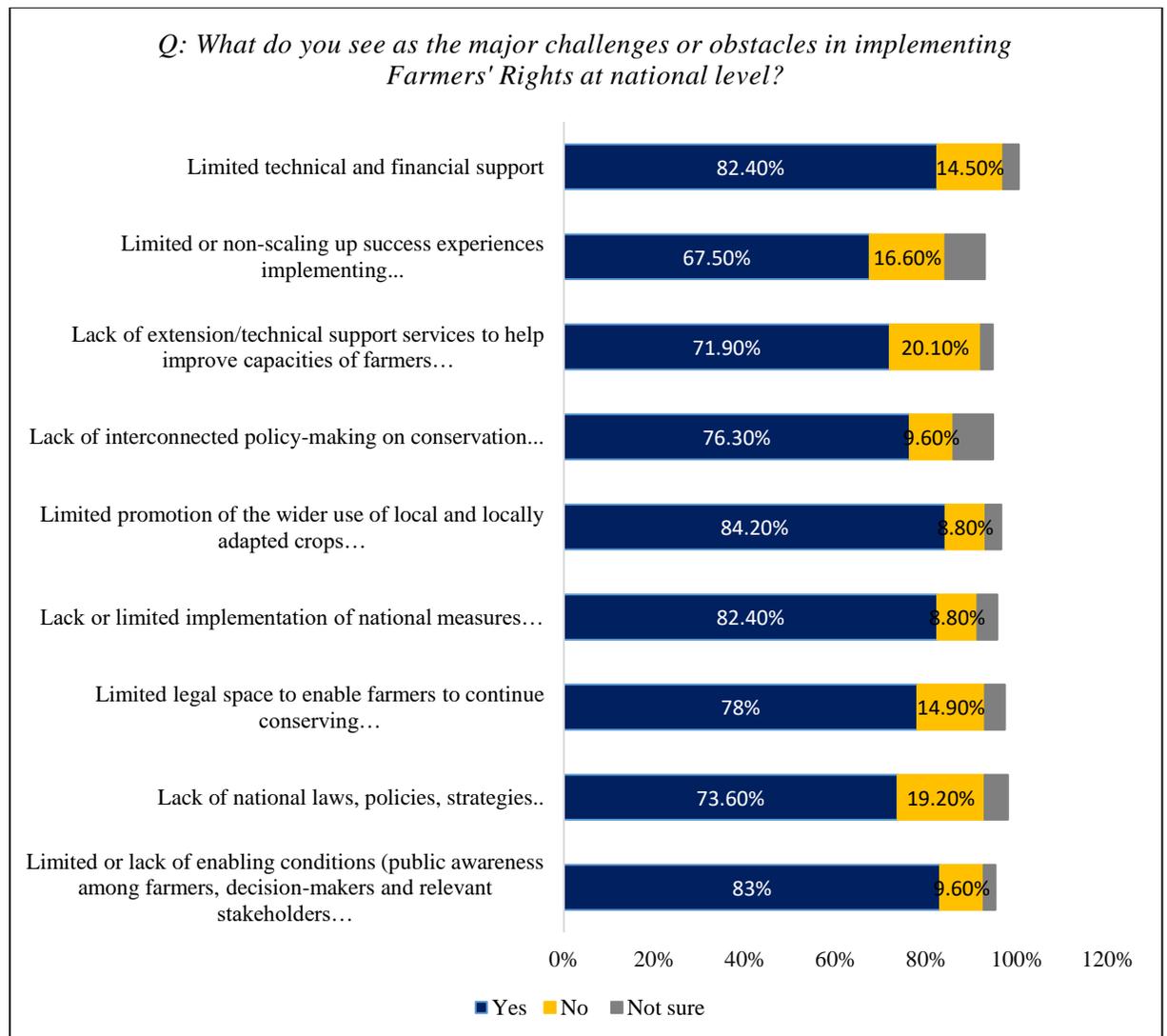
⁵ France, Norway, CSOs and seed industry organizations cited relevant EU regulations including programmes, projects and initiatives relevant to/or supportive of the realization of Farmers' Rights related to PGRFA; ESA Position Paper on Farmers' Rights (https://www.euroseeds.eu/system/files/publications/files/esa_08.773.pdf; ESA comments on the interrelations between UPOV and the International Treaty: http://www.planttreaty.org/sites/default/files/ESA_15.0015.1.pdf

- *Lack or limited promotion of the wider use of locally adapted crops, varieties and underutilized species.* Respondents (84%) said that the lack of promotion of the wider use of locally adapted crops posed a major challenge to implementation of Farmers' Rights. In addition to needing support to promote the wider use of locally adapted crops and varieties, respondents also cited the need for a strategic marketing support system.
- *Limited or lack of enabling conditions.* This refers to the general awareness between and among farmers, decision-makers and relevant stakeholders, due to limited information on the meaning of Farmers' Rights as contained in the International Treaty, and lack of tools or guidelines to implement them. Many respondents (83%) said that this was another major challenge for the realization of Farmers' Rights, and some of them (17%) were divided between the choices of 'not a challenge' or 'unsure'. Other respondents wondered how to implement the provisions of Article 9 of the International Treaty hand in hand with the prevailing government agricultural policies and regulations related to PGRFA.
- *Lack or limited implementation of national measures strengthening informal seed systems.* Eighty two percent of the respondents cited this as a major challenge to the implementation of Farmers' Rights. Some of the respondents who said that this was a challenge cited their existing national policies on seed laws, which were mostly centred on developing modern and high-yielding varieties, causing challenges for small-scale farmers to continue cultivating their own seeds. Also, they considered the government programmes and initiatives to be mainly focused on increasing the volume of agricultural crop production (or industrial agriculture), including through the promotion of genetically modified seeds, causing additional challenges for farmers wanting to conserve their seeds. Several respondents spoke of the need to strengthen informal seed systems, since the formal seed sector cannot meet the demand for seed supply, and in any case, smallholder farmers do not have access to it. Some other respondents highlighted the need to improve informal seed systems, given the preferences of farmers for certain types of crops and varieties based on their social and cultural values – values which are beyond economic importance.
- *Limited technical and financial support.* The majority of respondents (78%) cited the need for technical and financial support to implement Farmers' Rights. About 16% said that this was not an obstacle, and less than 6% said that they were not sure if limitation in terms of technical or financial support could be a challenge or an obstacle to the realization of Farmers' Rights.
- *Limited legal space to enable farmers to continue conserving, developing and sustainably using PGRFA.* Respondents (78%) commented that there was limited legal space to enable farmers and local communities to continue managing PGRFA.
- *Lack of interconnected policy-making on conservation and sustainable use of PGRFA at local and national level to support the recognition played by farmers.* Respondents (76.3%) also said that where policies related to PGRFA existed, there was no connectivity or harmony between local and national levels, to support the recognition played by farmers.
- *Lack of national laws, policies, strategies, programmes and other implementing measures relevant to realization of Farmers' Rights.* In general, 7 out of 10 respondents (72%) said that there were no national laws, policies, strategies, programmes and other implementing tools in place to realize Farmers' Rights.
- *Lack of extension/technical support services to help improve capacities of farmers to manage and conserve PGRFA.* An estimated 72% of respondents cited the lack or extension/technical support services to build capacities of farmers to manage and conserve

PGRFA. However, some respondents (18%) said that they did not see the extension services/technical support as a challenge to implementation of Farmers' Rights.

- *Limited or lack of scaling up of success stories or experiences on implementing Farmers' Rights.* Approximately 67% of the respondents believed that scaling up success stories or experiences in implementing Farmers' Rights would be useful in promoting their realization.
- *Limited understanding of the importance of genetic diversity for agriculture among decision-makers, as well as extension service advisors and other stakeholders engaged in agriculture.*

Figure 4. Proportional representation of the major challenges or obstacles to implementing Farmers' rights at national level.



III. Farmers' Rights, as they relate to plant genetic resources for food and agriculture

A. Protection of traditional knowledge relevant to PGRFA⁶

Questions:

- In your view, how is traditional knowledge relevant to PGRFA promoted and protected in your country? Please describe briefly. You may also cite examples at national and local levels.***
- Do you know any cases of misappropriation of traditional knowledge relevant to PGRFA in your country? Please specify.***
- How would you describe the current situation of the disappearance of traditional knowledge relevant to PGRFA in your country? Please specify.***
- In your experience, which national measures affect the protection of traditional knowledge in your country?***
- Please specify the most important measures in your country and their effects?***
- In your view, in your country, what are the most relevant, important gaps and needs to be addressed in order to promote the protection of traditional knowledge?***
- If you have other views and experience regarding the protection of traditional knowledge in your country, please write them here.***

Several respondents shared the same view that policies and laws should be enacted to promote the protection of traditional knowledge, or to integrate the protection into existing national laws, policies and relevant legislations. Respondents referred to a number of existing national laws and/or regulations and projects⁷ relevant to the protection of traditional knowledge that are in place.⁸ Several respondents mentioned projects and initiatives of governments and CSOs that are helping communities to document their traditional knowledge and indigenous practices through building database/registries of traditional knowledge and indigenous practices, establishing seed/gene banks, open air space museums and similar activities that serve as platform for the sharing and exchange of knowledge systems. The majority of the respondents commented on the loss of traditional knowledge, especially in areas where modernization and industrialization of agriculture is taking place. Also, some respondents linked the loss of traditional knowledge to loss of biodiversity in food and agriculture. To protect traditional knowledge, many of the respondents expressed views on the need

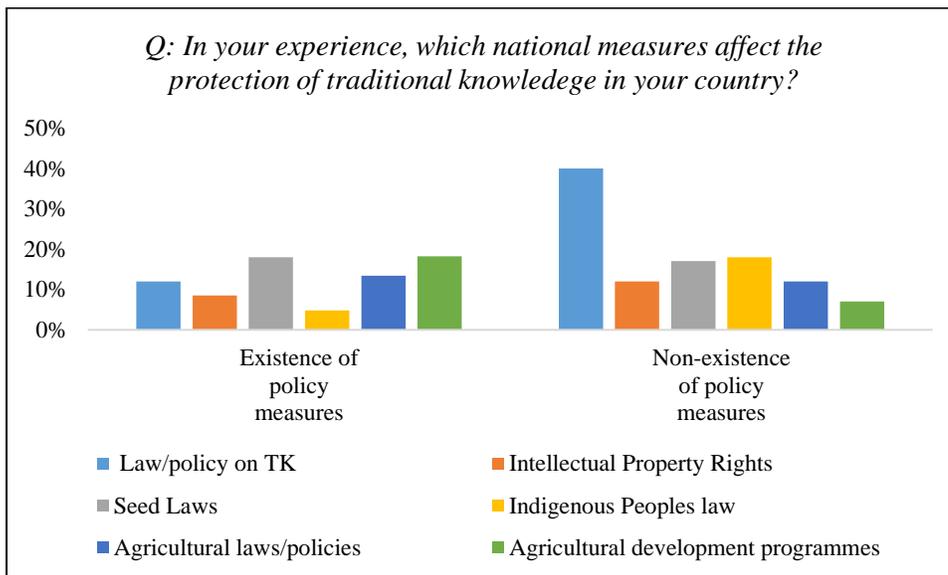
⁶ Summary results of Questions 14 to 20

⁷ The Plant Heritage Project

⁸ The EU Regulations cited by France and Norway, and also cited by CSOs from the European region; Indigenous Peoples Rights Act of the Philippines⁸; and India's Protection of Plant Varieties and Farmers' Rights Act of 2011 and Biological Diversity Act of 2002; Brazil public policies that indirectly brought benefits to farmers and have positive impacts on conservation of PGRFA (i.e. the Food and Acquisition Program, the School Lunch Program (PNAE), National Agroecology National Policy (PNAPO). One respondent cited national biodiversity laws/acts, but did not agree to publish the response in this document.

for: (i) documentation/registration⁹ of traditional knowledge;¹⁰ (ii) government policy or regulations that would protect traditional knowledge from misappropriation; (iii) encouragement to the sharing of traditional knowledge, innovations and practices through farmer-to-farmer initiatives and with research scientists; and (iv) awareness-raising among farmers themselves and relevant stakeholders of the importance and value of traditional knowledge for the conservation and use of PGRFA. Some approaches that were frequently cited as effective means for promoting the sharing of traditional knowledge included: farmers’ exchange visits, seed fairs and the organization of local market days,¹¹ and interaction and collaborative works between farmers and research scientists. Regarding national measures that affect the protection of traditional knowledge related to PGRFA, as shown in Figure 5a and 5b, some respondents cited the non-existence of law/policy measures on traditional knowledge. In cases where laws/policies exist in a country, the respondents had mixed views regarding their impacts (e.g. seed laws, intellectual property rights (IPRs), agricultural development programmes), which were either negative or mixed.

Figure 5a. National measures affecting the protection of traditional knowledge related to PGRFA (existence vs non-existence).

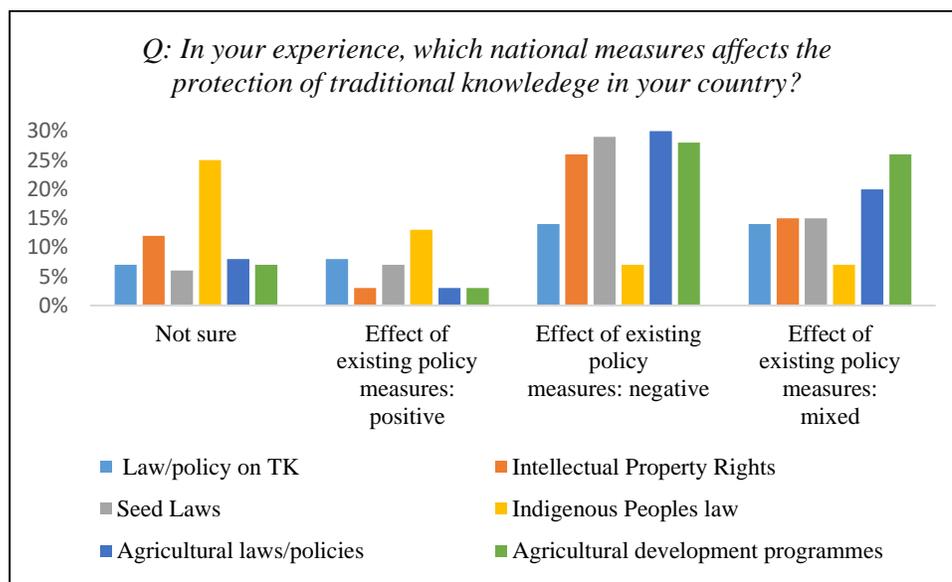


⁹ Examples cited by the respondents: community biodiversity protocols, national registries of traditional practices, community seed/gene banks, open air space museums, National Agricultural Museums, National Institute of Historic and Artistic Heritage, etc.

¹⁰ A few respondents cited documentation of TK as existing. However, this information cannot or has not been released.

¹¹ Example cited by a respondent: Seed fairs in Sierra de los Cuchumatanes in Guatemala, promoted and organized by the Association of Organizations of Cuchumatanes.

Figure 5b. National measures affecting the protection of traditional knowledge related to PGRFA (existence of policy measures: positive, negative or mixed effects)



B. The right of farmers to participate equitably in the sharing of benefits arising from the utilization of PGRFA¹²

Questions:

- *Which national measures in your country affect Farmers' Rights to equitably participate in benefit-sharing?*
- *In your view, in your country, what are the most relevant, important gaps and needs with regard to benefit-sharing?*
- *In your experience, what measures affect the right of farmers to participate in sharing benefits arising from the use of PGRFA?*
- *Please provide information of benefit-sharing with farmers, in your country, if any.*
- *What kind of support or guideline do you think is needed from the Governing Body of the ITPGRFA to implement the right of farmers to participate in sharing benefits arising from the use of PGRFA at national level?*

In reply to the above questions, several respondents expressed the need to promote the equitable sharing of benefits with farmers. Some of the concrete examples mentioned were the existence of

¹² Summary results of Questions 21 to 25

national laws,¹³ policy measures and regulations,¹⁴ providing a framework to enforce such rights where they exist. The majority of the respondents cited the need to develop structural incentive policies to stimulate the conservation and sustainable use of plant genetic resources, including support to conservation and sustainable use of local food crops. Several respondents highlighted the need for government to formulate a mechanism for access and benefit-sharing at national level, and for farmers and indigenous peoples to be represented in this mechanism. Many respondents proposed various means of facilitating the realization of this right, granting farmers ownership of their seeds. They also proposed innovative ways of creating awareness and targeting action, e.g. social networking, information exchange, training, dialogue and consultations, as well as making the International Treaty Benefit-sharing Fund operations more accessible to farming communities.

The respondents' views with regard to the existence or non-existence of policy measures that would promote the equitable sharing of benefits arising from the use of PGRFA, as well as the effect of those policy measures, are illustrated in Figures 6a and 6b. A far greater number of respondents cited the non-existence of policy measures that would promote the equitable sharing of benefits arising from the use of PGRFA, compared with those who cited the existence of such policy measures. In particular, respondents cited a lack of measures for allocating national or local funding for benefit-sharing; lack of measures on legal or administrative law that would promote the right to benefit-sharing arising from the utilization of PGRFA; and lack of capacity-building programmes for Farmers' Rights. The respondents were divided on the effects of existing policy measures. Some had positive views, while others said that the effects of existing policy measures were either negative or mixed. Some respondents shared their positive views regarding the effects of initiatives and programmes related to community gene/seed banks, participatory plant breeding and other biodiversity conservation projects that are helping to promote the equitable sharing of benefits arising from the use of PGRFA.

¹³ India's Protection of Plant Varieties and Farmers' Rights Act of 2011 and Biological Diversity Act of 2002.

¹⁴Examples cited from EU respondents: EU Biodiversity Strategy 2020; National ABS laws in some EU Member States; EU Regulation 511/2014 Implementing the Nagoya Protocol for the EU; EU Regulations 1307/2013, 1308/2013 on the Common Agricultural Policy; EU 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development and Repealing Council Regulation (EC) No 1698/2005; EU 834/2007 on organic products and repealing Regulations (EEC) No 2092/91; EU Biodiversity Strategy to 2020; government programmes and projects/initiatives relevant to Farmers' Rights; Research and Agriculture for Development (RA4D) programme of DG DEVCO of the European Commission. France and Norway cited specific examples.

Figure 6a. Respondents' views regarding national measures affecting the right of farmers to participate equitably in the sharing of benefits arising from the utilization of PGRFA.

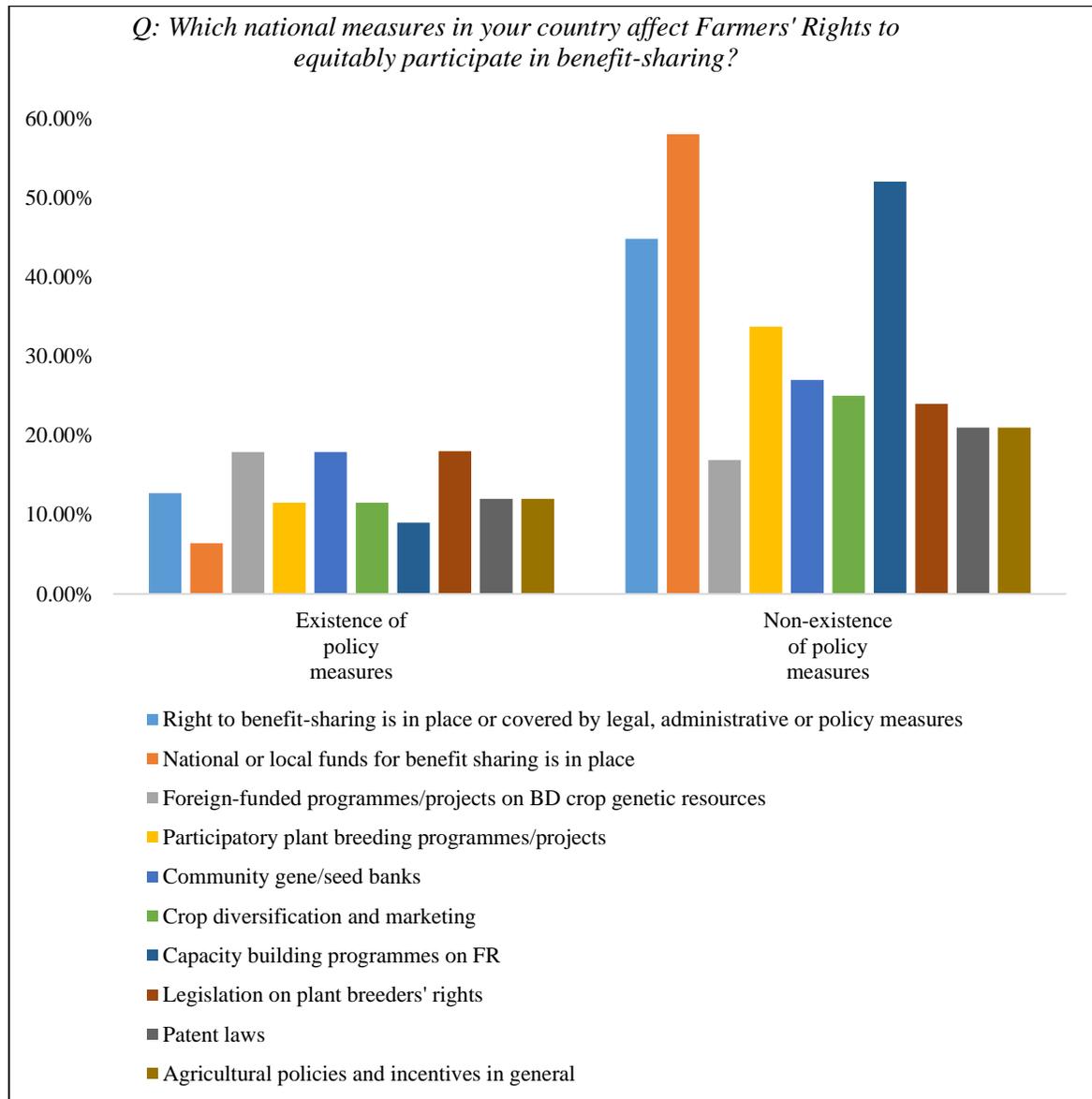


Figure 6b. Respondents' views regarding the effects of national policy measures on the right of farmers to participate equitably in the sharing of benefits arising from the utilization of PGRFA.

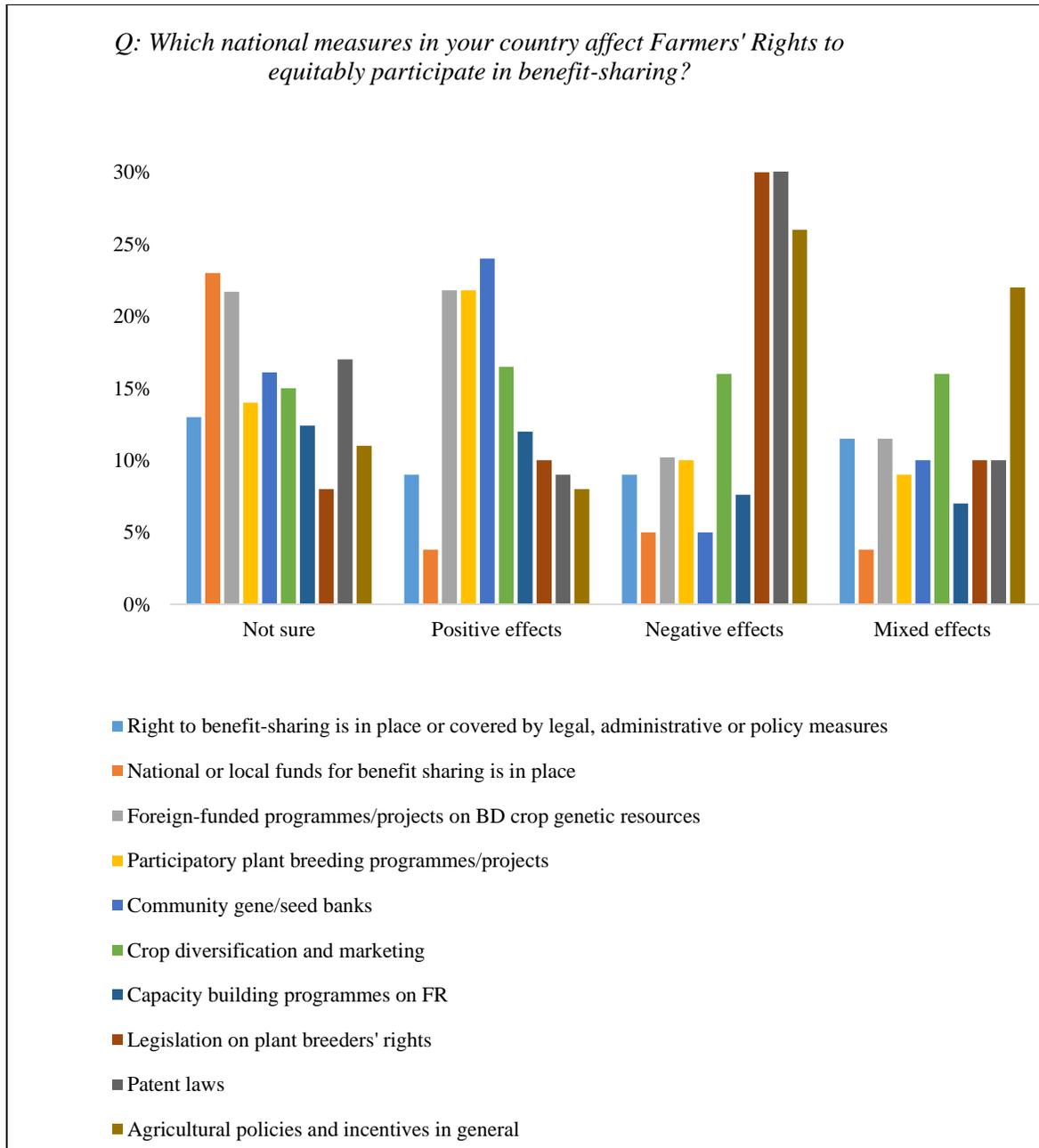
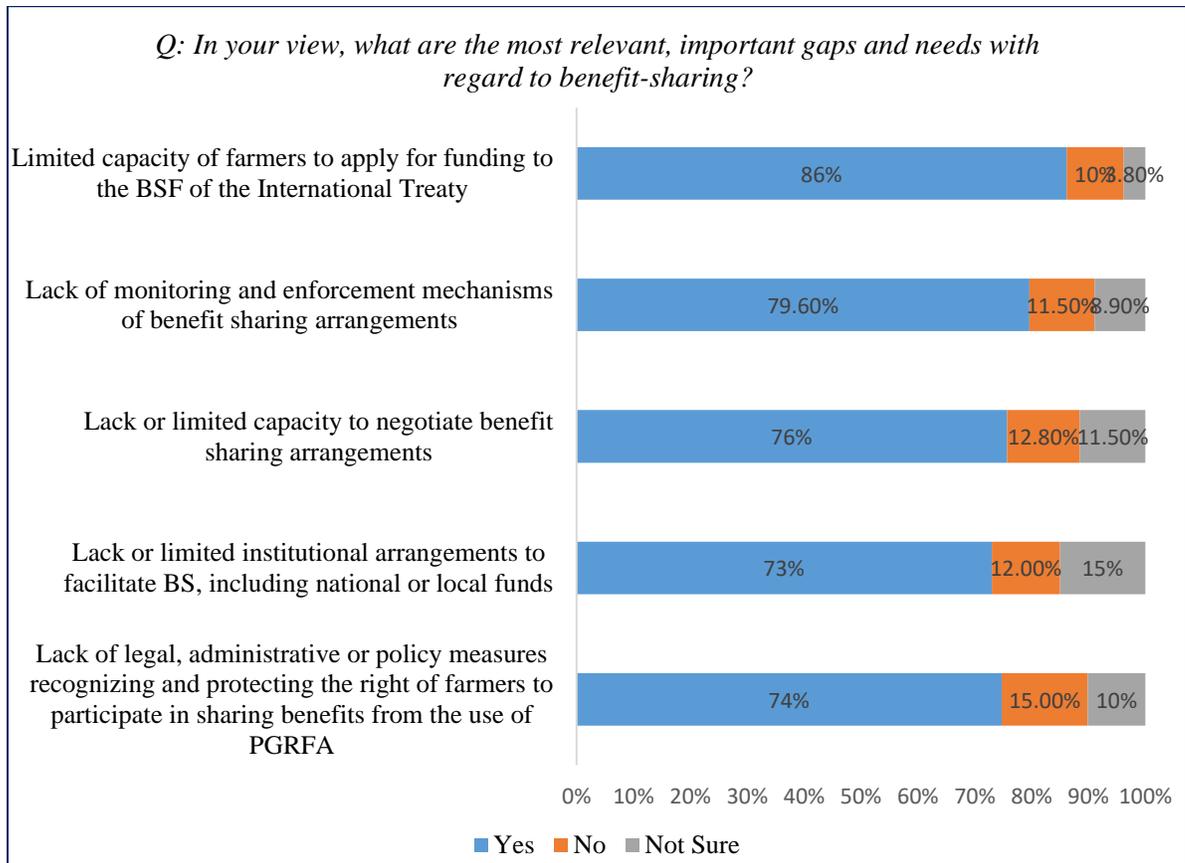


Figure 7 shows a diagram of the most relevant, important gaps and needs to be addressed with regard to equitable benefit-sharing arising from the utilization of PGRFA, summarized according to the respondents' expressed views. The majority of the respondents highlighted the limited capacity of farmers to apply for projects under the Benefit-sharing Fund (BSF) of the International Treaty, while roughly three-quarters of them stressed the lack of monitoring and enforcement mechanisms of

benefit-sharing arrangements. More than two-thirds of the respondents cited the lack of legal, administrative or policy measures to recognize and protect the rights of farmers to participate in equitable sharing of benefits arising from the use of PGRFA. Other relevant gaps cited by the respondents were the lack (or limited) capacity to negotiate, and the lack of institutional arrangements to facilitate benefit-sharing.

Figure 7. Most relevant, important gaps and needs to be addressed with regard to benefit-sharing.



C. *The right to participate in making decisions, at national level, on matters related to the conservation and sustainable use of PGRFA*¹⁵

Which national measures in your country affect the participation of farmers in decision-making regarding PGRFA?

Please specify the most important measures in your country and their effects.

In your view, in your country, what are the most relevant, important gaps and needs to be addressed in order to realize Farmers' Rights to participate in decision-making, on matters related to the conservation and sustainable use of PGRFA?

¹⁵ Summary results of Questions 26 to 30.

Do you have any other views and experiences regarding farmers' participation in decision-making in your country? Please cite.

What kind of support or guidelines do you think are needed from the Governing Body of the ITPGRFA to ensure the right of farmers to participate in making decisions, at national level, on matters related to the conservation and use of PGRFA?

The majority of the respondents commented on the importance of the right of farmers to participate in making decisions on matters relating to PGRFA. According to them, only farmers themselves can speak for the challenges and concerns they face in conserving, sustaining and managing their crop genetic resources, and as a result, they should be involved in decision-making related to PGRFA. Several respondents observed that there is a gradual realization of this right, due to mainstreamed government policy and/or donor requirements, which call for a multistakeholder participatory process, in which CSOs, particularly farmers' organizations, are expected to play a prominent role. Some respondents proposed ideas for ways in which farmers could participate effectively in decision-making related to PGRFA. For example, they mentioned several key activities that would support not only the right of farmers to participate in decision-making, but would also help farmers build their capacity. These were:

- Establish guidelines on how to facilitate awareness-raising at national level, how to build capacity for participation, how to organize legitimate representation, and how to exercise influence on decision-making for farmers representing biodiversity in a country;
- Conduct regular dialogue with farmers' organizations; and
- Farmer-leaders to be regularly invited by the relevant sectors/ministries to participate in key policy discussions at national level, national seed board meetings or equivalent, and biodiversity and agricultural development strategic planning.

The majority of the respondents also viewed the need to continue creating awareness and capacity-building for farmers to participate in decision-making related to PGRFA. With regard to the means of implementing the right of farmers to participate in decision-making at national level, some respondents referred to existing national laws related to the preparation and development of national biodiversity strategies, where participatory consultation processes¹⁶ are required¹⁷ along with other national programmes and initiatives.¹⁸ Respondents from the European region cited some of their existing regulations,¹⁹ which provide the basis of support for stakeholders to participate in consultation and in decision-making related to PGRFA. Figure 8 presents a summary of the

¹⁶Participatory procedures involving all relevant stakeholders, including farmers and indigenous communities, as well as taking account of gender perspectives.

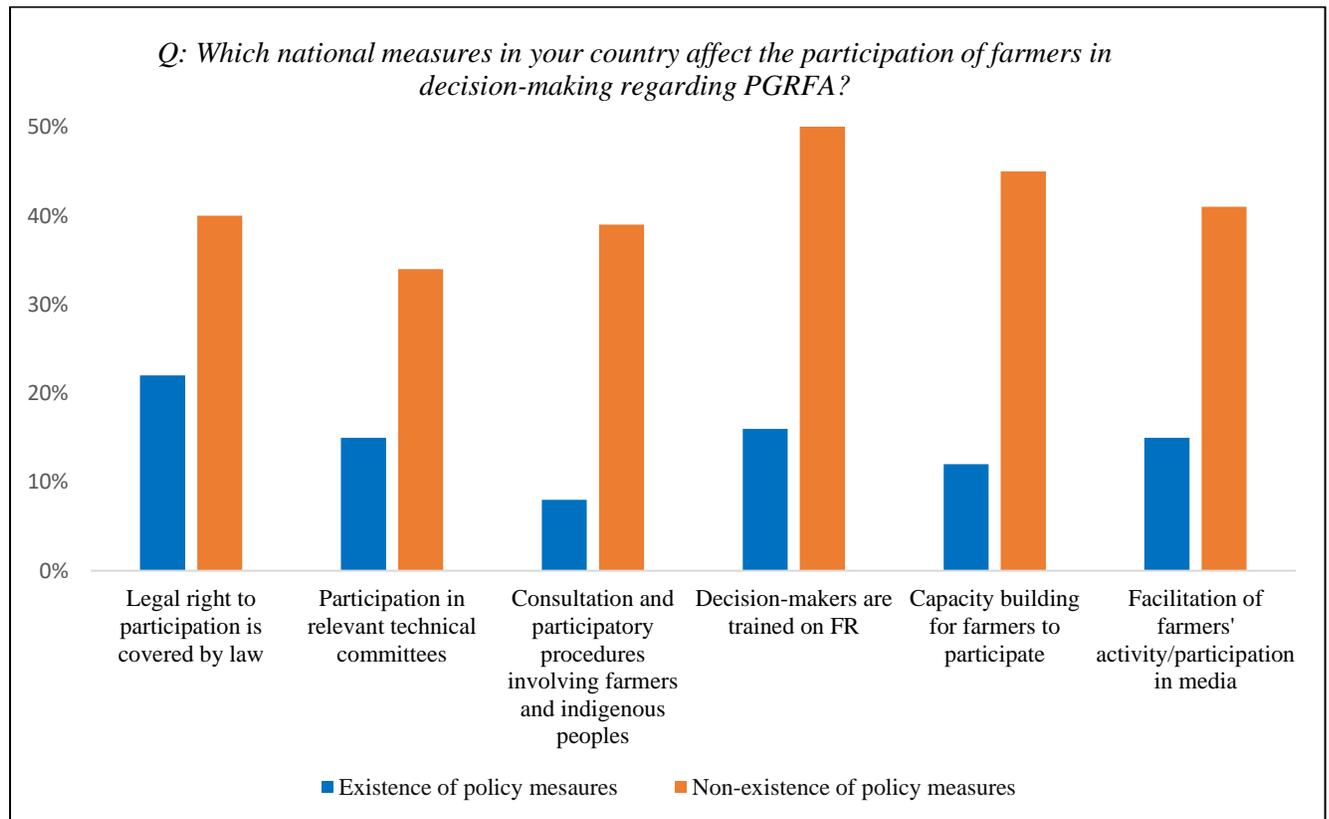
¹⁷ A number of countries referred to their biodiversity laws as a means to implement the provisions of Article 9 of the International Treaty. Due to requests for anonymity, the names of the countries are not mentioned in this report; Protection of Plant Varieties and Farmers' Rights Act of 2011 and Biological Diversity Act of 2002 of India; the Republic Act 8371 of the Philippines adopted in 1997 is a law that recognizes and promotes the rights of indigenous cultural communities/indigenous peoples.

¹⁸ Brazil's National Policy Agroecology (PNAPO), National Agroecology Plan (PLANAPO), Technical and Rural Extension Service (ATER Agroecology).

¹⁹ EU Regulation 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and Repealing Council Regulation (EC) No 1698/2005; EU general guidelines on stakeholder consultation and participation in decision-making; European Innovation Partnership's agricultural productivity and sustainability.

different views of the respondents regarding the existence or non-existence of national measures, and whether the existence of policy measures has positive, negative or mixed effects on the right of farmers to participate in decision-making related to PGRFA. Most of the respondents cited the non-existence of policy measures (legal right to participation; participation in relevant technical committees; consultation and participatory procedures involving farmers and indigenous peoples; decision-makers are trained in FR; capacity-building for farmers to participate; and facilitation of farmers' activity/participation in media). Although some respondents cited the existence of policy measures that allow or support farmers to participate in decision-making, these gave mixed views (positive, negative and mixed effects). In addition, the majority of respondents said that there is a need for the government to establish guidelines on the participation of farmers in various decision-making processes related to PGRFA.

Figure 8. Respondents' views regarding national measures affecting the participation of farmers in decision-making related to PGRFA (existence vs non-existence of policy measures).



D. The rights of farmers to save, use, exchange and sell farm-saved seed and propagating material²⁰

- *Which national measures in your country affect the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material, and how?*
- *Please specify the most important measures in your country and their effects.*
- *In your view, in your country, what are the most relevant, important gaps and needs regarding the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material?*
- *Do you have any other views and experiences regarding the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material? Please cite.*

The respondents' views of national measures in their country that affect the right of farmers to save, use, exchange and sell farm-saved seed/propagating material were mixed, as shown in Figures 9a and 9b. Few respondents cited the existence of national measures (e.g. seed marketing regulations, plant breeders' rights and regulation, patent laws, variety release and regulation, seed exchange networks), and a greater number of respondents cited the non-existence of policy measures (e.g. seed fairs, seed exchange networks, other programmes/projects supporting seed saving and exchanging practices, patents laws, plant breeders' rights and legislation). Some respondents cited the positive effects of existing national measures that promote local programmes and initiatives supporting informal seed sector exchanging and selling mechanisms (e.g. seed fairs, seed networks, and other seed saving and exchanging practices). However, other respondents viewed the effects of their country's national measures as negative, or as having mixed effects. Some other respondents cited initiatives that directly undermine farmers' varieties, such as government subsidies which prioritize hybrid plant varieties, including the introduction of GMO; large-scale farming/industrialization of agriculture. They also cited the lack of, or limited support to informal seed systems. Some respondents from the European region cited laws and regulations²¹ that support the rights of farmers to save, use, exchange and sell farm-saved seed/propagating material, and expressed positive views about the provisions of national laws/regulations assuring the rights of the farmers. Other views expressed by the respondents included a lack of enforcement of existing laws relevant to the right of farmers to their seeds; lack of technical assistance to farmers in meeting the quality standards for seed registration/certification and marketing; the need to review existing national seed laws/legislation to provide farmers with sufficient legal space to enhance the genetic base of crops. According to these respondents, there is a need to introduce national laws, plant variety protection (PVP) laws, or policy that would protect farmers' varieties. Several respondents cited the need to review existing national seed laws, as well as to address the complementary functions of both formal and informal seed systems, and to draw the

²⁰ Summary results of Questions 31 to 34.

²¹ EU Regulation 21/1994 on Community plant variety rights; Commission Regulation (EC) 1768/95 implementing rules on agricultural exemption (farm-saved seed obtained from protected varieties) provided for in Article 14(3) of Regulation 2100/94 EU directive 98/44 on the legal protection of biotechnological inventions; EU legislation on seed marketing consisting of 12 main EU Directives.

attention of all stakeholders/sectors to the importance of conserving and sustaining crop diversity for future food security and nutrition. The majority of respondents cited the importance of addressing crop diversity and Farmers' Rights in educational programmes. Some respondents mentioned the need to address Farmers' Rights together with other basic rights related to access to land and other natural resources, explaining that these rights are relevant if farmers are to continue their role as guardians of biodiversity and genetic resources for food and agriculture.

Figure 9a. Respondents' views regarding national measures affecting the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material (existence vs existence of policy measures).

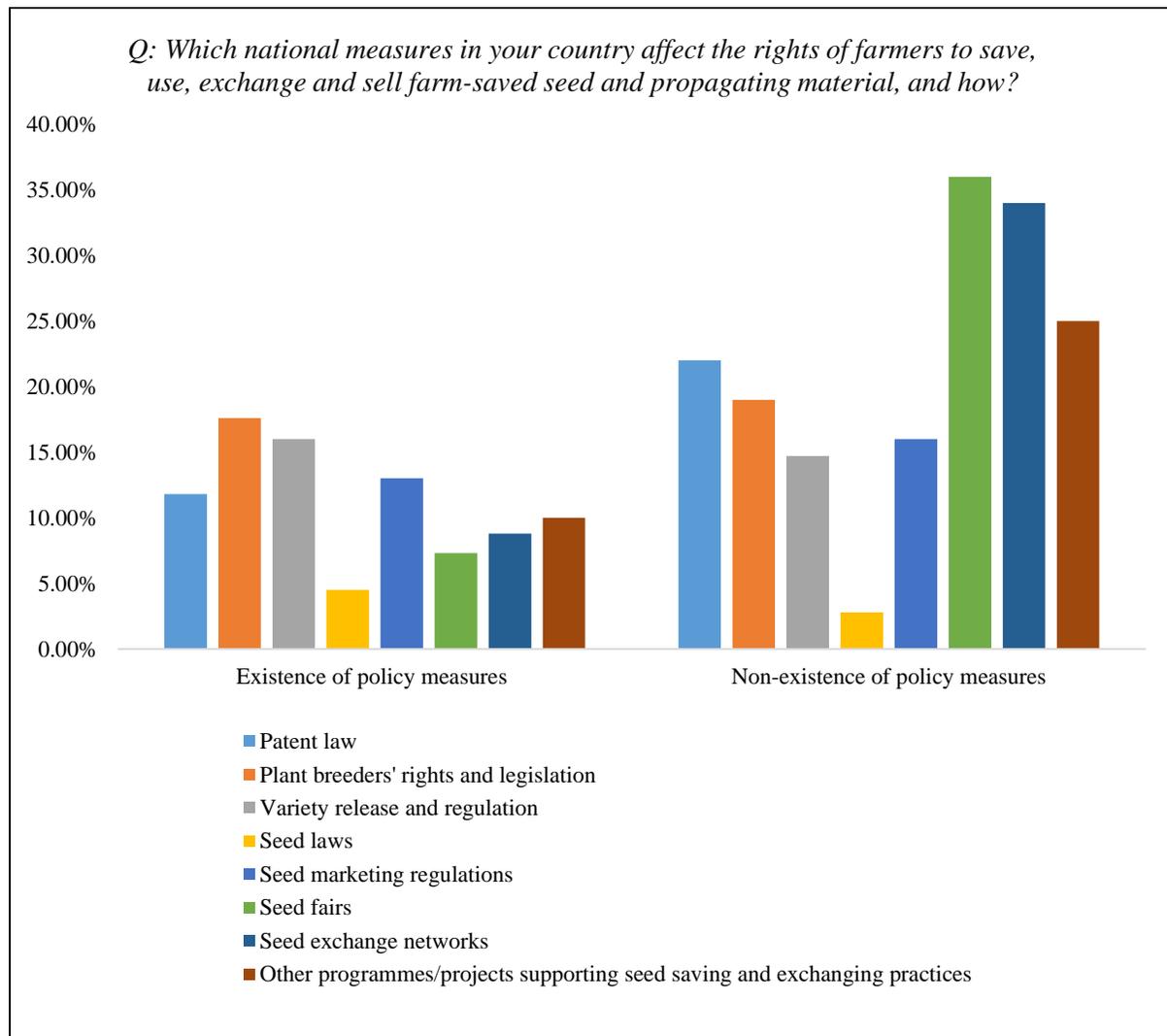
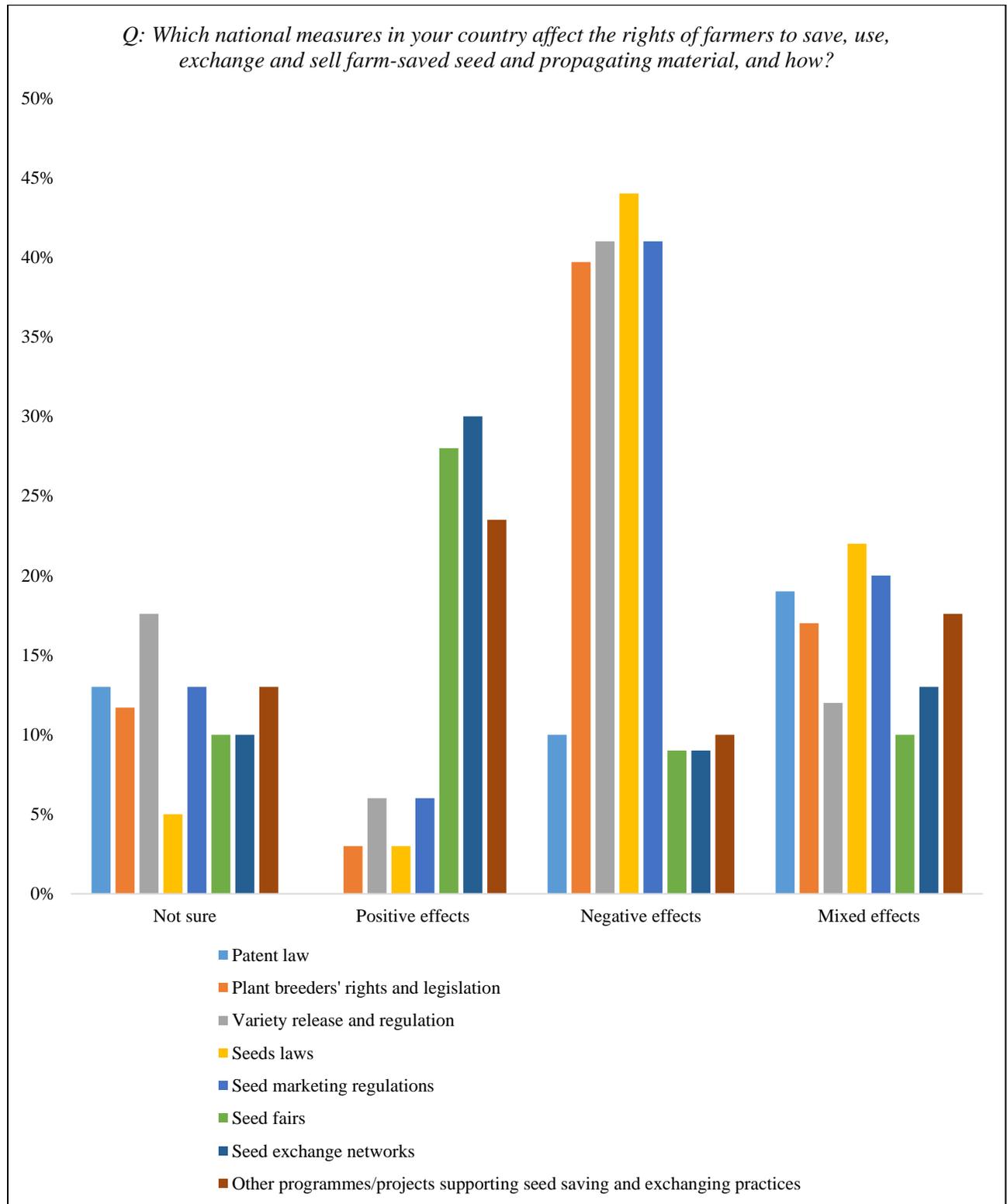


Figure 9b. Respondents' views regarding national measures affecting the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material (existence of policy measures: positive, negative or mixed effects).



IV. Other views on the implementation of Farmers' Rights

On a scale from 1 to 5, how would you rate the implementation of Farmers' Rights in your country? What do you see as the most important measures that still remain to be taken by your country in order to continue or promote the realization of Farmers' Rights?

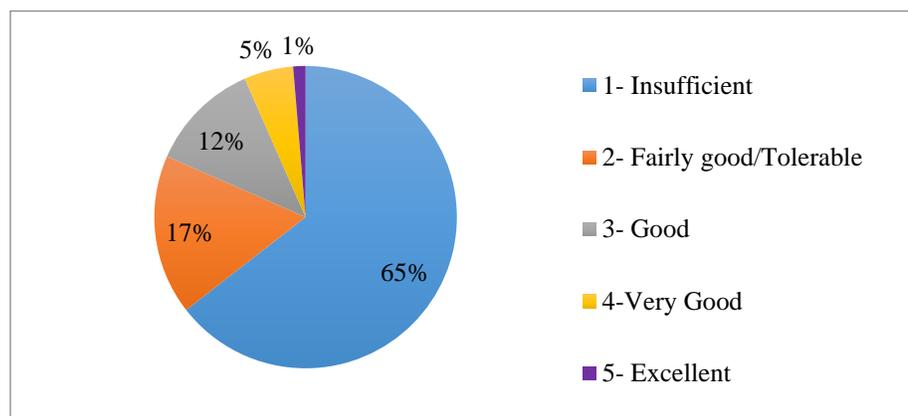
In your view, are there any other areas related to Farmers' Rights relevant to PGRFA that have not been covered by Article 9 of the International Treaty? Please indicate and explain.

In your view, to advocate for the realization of Farmers' Rights, would you agree to explore the establishment of a Farmers' Rights Protocol? Please cite the reason.

Towards the end of the questionnaire, respondents were requested to rate the implementation of Farmers' Rights in their country (Figure 11). On a scale of 1 to 5 (from 1- insufficient to 5- excellent), almost two-thirds of respondents (65%) viewed the implementation of Farmers' Rights as insufficient; fewer than one-quarter of respondents (17%) viewed it as fairly good; about 12% viewed it as tolerable (12%), and some – 5% and 1% – of respondents viewed it very good and excellent, respectively.

No additional areas related to Farmers' Rights relevant to PGRFA were indicated. And only a few respondents expressed their agreement to exploring the establishment of a Farmers' Rights Protocol.

Figure 11. Respondents' rating of the implementation of Farmers' Rights at national level.



V. Overall recommendations of respondents to the Governing Body

What are your recommendations to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture as to how it can support the realization of Farmers' Rights at national level? Please list the points in order of priority.

Below is a summary of recommendations to the Governing Body of the International Treaty, as suggested by the respondents:

- Develop international guidelines on the implementation of Farmers' Rights at country level;
- Prepare model laws and regulations on Farmers' Rights implementation;
- Gather views and experiences on Farmers' Rights and draft a study on lessons learned, as stipulated in Resolution 5/2015;
- Identify case studies and best practices as well as a legal framework for the implementation of Farmers' Rights;
- Promote the shared management of germplasm collections between farmers and researchers (curators);
- Allocate resources and expertise for the realization of Farmers' Rights;
- Work with government to create national awareness of Farmers' Rights;
- Build partnerships and social networks regarding the exchange of information on traditional knowledge;
- Train managers, curators and researchers in the importance of Farmers' Rights;
- Ensure that the Benefit-sharing Fund truly supports farmers engaged in the conservation and sustainable use of crop genetic diversity, particularly in developing countries;
- Establish a global programme for registering, inventorying, georeferencing/geotagging of farmers' crop genetic resources;
- Create and strengthen networks of seed exchange and sociotechnical networks; and
- Strengthen diversified production systems and traditional agricultural systems (Globally Important Agricultural Heritage Systems (GIAHS)).

Appendix 1: Survey questionnaire



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Introduction

Farmers' Rights are critical to ensuring the conservation and sustainable use of genetic resources for food and agriculture and consequently for global food security – today and in the future.

Farmers' Rights consist of the rights of farmers of all regions of the world, particularly those in the centres of origin and crop diversity, to save, use, exchange and sell farm-saved seed and propagating material; be rewarded from the use of plant genetic resources for food and agriculture; participate in decision making at the national level on matters related to crop genetic resources; and protect their traditional knowledge.

The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) was adopted by the Thirty-First Session of the Conference of the Food and Agriculture Organization of the United Nations on 3 November 2001. The International Treaty is the only multilateral binding instrument recognizing Farmers' Rights based on "*...the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of plant genetic resources which constitute the basis of food and agriculture production throughout the world*" (Article 9).

The International Treaty calls for the promotion of Farmers' Rights at the international and national levels and specifically recognizes in Article 9 that the responsibility for realizing these rights, as they relate to plant genetic resources for food and agriculture, rests with the national governments. In accordance with their needs and priorities, each Contracting Party should, as appropriate, and subject to national legislation, take measures to protect and promote Farmers' Rights, including:

Protecting traditional knowledge relevant to plant genetic resources for food and agriculture;

- The right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture;
- The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture;
- The right to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate

At its last session, the Governing Body requested the Secretariat to engage Contracting Parties and relevant organizations to gather information at national, regional and global levels for exchanging knowledge, views, experiences and best practices on the implementation of

Farmers' Rights, as set out in Article 9 of the International Treaty. It also requested the Secretary, subject to the availability of financial resources, to prepare a study on lessons learnt from the implementation of Farmers' Rights as set out in Article 9 of the Treaty, including policies and legislation; and invited Contracting Parties and relevant stakeholders to submit their views and experiences to derive examples as possible options for national implementation of Farmers' Rights.

Within this context, the global electronic survey is aimed to:

- gather views, perceptions, options and approaches and possible strategies to advocate for the implementation and promotion of Farmers' Rights;
- provide inputs to the Treaty Secretary for the preparation of a study on lessons learnt from the implementation of Farmers' Rights, and
- derive examples as possible options for the national implementation of Farmers' Rights.

The results and outcomes of the electronic survey will be presented at the Global Consultation of Farmers' Rights in September 2016, hosted by the Government of Indonesia, co-sponsored and co-organized by the Government of Norway.



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I: Information on respondents

1. Contact Information

Name	<input type="text"/>
Country	<input type="text"/>
Organization	<input type="text"/>
Position	<input type="text"/>
Website (if any)	<input type="text"/>
Email Address	<input type="text"/>

2. Gender

- Male
- Female

3. If representing a group please specify the number of males and females

Males	<input type="text"/>
Females	<input type="text"/>

4. Age Group

Below 30 yrs	Between 31-45 yrs	Above 46 yrs
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. Stakeholder category

- Farmers
- Indigenous Community
- Seed industry
- Research/Academe
- NGO/CSO
- IGO
- Other (please specify)

6. In which capacity are you sharing your views and experiences?

- Personal capacity
- On behalf of a group/institution
- As representative of an institution (please specify)

7. If your answers express what you have consulted with a group of people, how many people did you consult?

1-10	11-20	21-30	31-40	41-50
<input type="radio"/>				

>50 (please specify)

8. Do you agree we

	Yes	No
Use your answers as input for a report or document	<input type="radio"/>	<input type="radio"/>
Publish your answers to this questionnaire online	<input type="radio"/>	<input type="radio"/>
Cite your name (or group) in the report	<input type="radio"/>	<input type="radio"/>



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II. Views, perceptions and understanding on Farmers' Rights, as they relate to PGRFA

9. In your view, how important are the following aspects/elements of Farmers' Rights in your country?

	Very Important	Important	Less Important	Not sure
a. Protection of traditional knowledge relevant to PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Participate equitably in sharing the benefits arising from the utilization of PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Participate in making decisions, at the national level, on matters related to conservation and sustainable use of PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. The rights to save, use, exchange and sell farm-saved seed/propagating material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10. A: What do you regard as major achievements or means to implement Farmers' Rights in your country?

(You can choose more than one answer)

	Adoption of conducive law/s	Adoption of conducive policy	Government programmes, projects or initiatives	Implementation of conducive law/ policy	NGO/CSO implemented initiatives/projects	Increased awareness	Others
a. Protection of traditional knowledge relevant to PGRFA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The right of farmers to participate equitably in sharing the benefits arising from the utilization of PGRFA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The right of farmers to participate in making decisions, at the national level, on matters related to conservation and sustainable use of PGRFA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The rights to save, use, exchange and sell farm-saved seed/propagating material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (please specify)

11. B: What do you regard as major achievements or means to implement Farmers' Rights in your country?

(Kindly provide the measure for each item)

a. Protection of traditional knowledge relevant to PGRFA

b. The right of farmers to participate equitably in sharing the benefits arising from the utilization of PGRFA

c. The right of farmers to participate in making decisions, at the national level, on matters related to conservation and sustainable use of PGRFA

d. The rights to save, use, exchange and sell farm-saved seed/propagating material

12. Please describe briefly the achievements and why do you think it succeeded?

13. What do you see as the major challenges or obstacles in implementing Farmers' Rights at national level?

Yes

No

Not sure

Limited or lack of enabling conditions (public awareness among farmers, decision makers and relevant stakeholders, limited information, knowledge, guidelines, tools, methodologies, capacity) on Farmers' Rights

Lack of national laws, policies, strategies, programmes and other implementing measures relevant for the realization of Farmers' Rights

	Yes	No	Not sure
Limited legal space to enable farmers to continue conserving, developing and sustainably using PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack or limited implementation of national measures strengthening informal seed systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limited promotion of the wider use of local and locally adapted crops, varieties and underutilized species	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of interconnected policy-making on conservation and sustainable use of plant genetic resources at local and national level to support the recognition played by farmers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Lack of extension/technical support services to help improve capacities of farmers to manage and conserve PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limited or non-scaling up success experiences implementing Farmers' Rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limited technical and financial support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="text"/>		



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III. Farmers' Rights, as they relate to Plant Genetic Resources for Food and Agriculture (PGRFA)

A. Protection of traditional knowledge relevant to PGRFA (Article 9.2a)

14. In your view, how is traditional knowledge relevant to PGRFA promoted and protected in your country? Please describe briefly. You may also cite examples at national and local levels.

a. Documenting traditional knowledge to address its erosion and ensuring it can be shared without been misappropriated

b. Documenting traditional knowledge to ensure it can be shared without been misappropriated

c. Through legal, administrative or policy measures, ensuring its promotion and protection, as well as the protection and promotion of the systems generating the traditional knowledge

d. Encouraging sharing traditional knowledge, innovations and practices through, inter alia, cross-visitations, seed fairs and local markets and between farmers and research scientists

e. Increasing awareness among farmers and relevant stakeholders of the importance and value of traditional knowledge for the conservation and use of PGRFA

f. Other (please specify)

15. Do you know any cases of misappropriation of traditional knowledge relevant to PGRFA in your country? Please specify.

16. How would you describe the current situation of the disappearance of traditional knowledge relevant to PGRFA in your country? Please specify.

17. In your experience, which national measures affects the protection of Traditional Knowledge in your country?

	Existence of policy measures	Non-existence of policy measures	Not sure	Effect of existing policy measures: positive	Effect of existing policy measures: negative	Effect of existing policy measures: mixed
Law/policy on traditional knowledge	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law of intellectual property rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law on seeds and varieties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law on Indigenous peoples	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agricultural or other relevant policies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agricultural development programmes/projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marketing and rural related tourism policies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Biosphere reserves, Protected areas and Heritage designated sites	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Others (please specify)

18. Please specify the most important measures in your country, and their effects:

19. In your view, in your country, what are the most relevant, important gaps and needs to be addressed in order to promote the protection of traditional knowledge?

20. If you have other views and experiences regarding the protection of traditional knowledge in your country, please write them here:

B. The right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture (Article 9.2b)

21. The right of farmers to participate equitably in the sharing of benefits arising from the utilization of plant genetic resources for food and agriculture.

Which national measures in your country affect Farmers' Rights to equitably participate in benefit-sharing?

	Existence of policy measures	Non-existence of policy measures	Not sure	Effect of existing policy measures: positive	Effect of existing policy measures: negative	Effect of existing policy measures: mixed
Right to benefit-sharing is in place or covered by legal, administrative or policy measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
National or local funds for benefit-sharing is in place	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Foreign-funded programmes/projects on Biodiversity-crop genetic resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Participatory plant breeding programmes/projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community gene/seed banks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Crop diversification and marketing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Capacity building programmes on Farmers' Rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Legislation on plant breeders' rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Patent law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Agricultural policies and incentives in general	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

22. In your view, in your country, what are the most relevant, important gaps and needs with regard to benefit-sharing?

	Yes	No	Not Sure
Lack of legal, administrative or policy measures recognizing and protecting the right of farmers to participate in sharing benefits arising from the use of PGRFA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack or limited institutional arrangements to facilitate benefit-sharing, including national or local funds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack or limited capacity to negotiate benefit sharing arrangements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of monitoring and enforcement mechanisms of benefit sharing arrangements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limited capacity of farmers to apply for funding to the Benefit-sharing Fund of the International Treaty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

23. In your experience, what measures affect the right of farmers to participate in sharing benefits arising from the use of PGRFA?

24. Please provide information of benefit-sharing with farmers, in your country, if any.

25. What kind of support or guideline do you think is needed from the Governing Body of the ITPGRFA to implement the right of farmers to participate in sharing benefits arising from the use of PGRFA at national level?

C. The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture (Article 9.2c)

26. The rights of farmers to participate in making decisions, at the national level, regarding plant genetic resources for food and agriculture.

Which national measures in your country affect the participation of farmers in decision-making regarding PGRFA?

	Existence of policy measures	Non-existence of policy measures	Not sure	Effect of existing policy measures: positive	Effect of existing policy measures: negative	Effect of existing policy measures: mixed
Legal right to participation is covered by law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Participation in relevant technical committees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consultation and Participatory procedures involving farmers and indigenous communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decision-makers are trained on Farmers' Rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Capacity building for Farmers' participation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitation of farmer activity/ participation in major newspaper/media	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

27. Please specify the most important measures in your country and their effects:

28. In your view, in your country, what are the most relevant, important gaps and needs to be addressed in order to realize Farmers' Rights to participate in decision-making, on matters related to the conservation and sustainable use of PGRFA

29. Do you have any other views and experiences regarding farmers' participation in decision-making in your country? Please cite.

30. What kind of support or guidelines do you think is needed from the Governing Body of the ITPGRFA to ensure the right of farmers to participate in making decisions, at the national level, on matters related to the conservation and use of PGRFA?

D. The rights of farmers to save, use, exchange and sell farm-saved seed and propagating material (Article 9.3)

31. The rights of farmers to save, use, exchange and sell farm-saved seed and propagating material

Which national measures in your country affect the rights of farmers to save, use, exchange and sell farm-saved seed and propagating material, and how?

	Existence of policy measures	Non-existence of policy measures	Not sure	Effect of existing policy measures: positive	Effect of existing policy measures: negative	Effect of existing policy measures: mixed
Patent law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Plant breeders' rights and legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Variety release regulations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Seed laws	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Seed marketing regulations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Seed fairs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Seed exchange networks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other programmes/projects supporting seed saving and exchange practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

32. Please specify the most important measures in your country and their effects:

33. In your view, in your country, what are the most relevant, important gaps and needs regarding Farmers' Rights to save, use, exchange and sell farm-saved seed and propagating material?

34. Do you have any other views and experiences regarding farmers' rights to save, use, exchange and sell farm-saved seed and propagating material? Please cite.



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IV. Other views and perceptions

35. On a scale from 1 to 5, how would you rate the implementation of Farmers' Right in your country?

1 Insufficient

2 Fairly good/Tolerable

3 Good

4 Very Good

5 Excellent

36. What do you see as the most important measures that still remain to be taken by your country in order to continue or promote the realization of Farmers' Rights?

37. In your views, is there any other areas related to Farmers' Rights relevant to PGRFA that has not been covered by Article 9 of the international Treaty? Please indicate and explain.

38. In your view, to advocate realization of Farmers' Rights, would you agree on exploring the establishment of a Farmers' Rights' Protocol? Please cite the reason.



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V. Overall Recommendations

39. What are your recommendations to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture as to how it can support the realization of Farmers' Rights at national level? Please list the points in order of priority.

Thank you for your collaboration. Your feedback is important.