



Partner Country Diagnostics: <Country name>

Questionnaire: Status and Development of ABS Agreements

Questions <i>- Questions highlighted in yellow, are also asked in other questionnaires -</i>	Rationale
ABS Policies	
0. Definition of ABS agreements <ul style="list-style-type: none"> How does the government define an ABS agreement? 	<i>This is (in conjunction with A.) important to know for establishing a common and comparable baseline between countries assessed and further monitoring.</i>
Regulatory Framework	
A. Existing ABS agreements	
A1. How many ABS agreements, as defined by the government, exist? Provide details!	<i>ABS agreements will be defined as per the response given to question “0” above. ABS agreements may thus include permits, contracts and /or projects issued, signed and/or otherwise recognized by the government. Please make sure to describe exactly what is covered and what is not by the term “ABS agreement.”</i>
A2. What is the current process and timeline for ABS agreements?	<i>Please note that questionnaire on regulatory framework enquires about steps, sequences, procedures, timelines ABS-related permitting processes. Here, it is necessary to clearly define the process considered for “ABS agreements,” which may or may not be, for the government, the same as permits or projects authorized by other permitting processes.</i>
A3. What is the current process and timeline for securing any other ABS-related permits (e.g. collection, research, export permits)?	<i>Again, the aim is here to differentiate, where applicable between permits for basic research / bioprospecting / commercialization, and to identify which other permits are necessary and in which sequencing. Please note that highlighted information is also requested in the regulatory framework questionnaire (point f).</i>



B. Agreements in the pipeline	
B1. Do you know of any agreements and/or projects dealing with biodiversity-based research, development or commercialization or ABS that have not been formally approved or recognized by government? Provide details.	<i>These are arrangements and/or collaborations with potential of becoming government-recognized ABS agreement. It won't be possible to obtain comprehensive information, but a general idea of some of the lower hanging fruit for ABS agreements.</i>
B2. Are there any existing or planned policies and / or rules to formally approve or endorse such agreements?	
C. Characteristics of ABS laws and regulations / application tools	
C1. How do ABS rules provide (or not) for a) legal certainty, b) clarity over the ownership of GR and aTK c) defined timelines for ABS processes, d) flexibility for ABS negotiations?	<i>The aim is determining how easy or difficult rules and policies make it to negotiate and enforce ABS agreements – and whether tools, instruments and institutions are available to facilitate this.</i>
C2. How would business identify the counterpart for negotiating ABS agreements?	
C3. Are you aware of any guidelines, standards, codes of conduct or training materials providing information and/or guidance on how to deal with ABS rules and practices?	
D. Stakeholder involvement and capacities	
D1. How many ABS agreements with involvement of IPLCs exist? (as defined by government). Provide details key aspects on these agreements.	<i>The aim is determining the potential for ABS-related activities and agreements based on existing capacities and infrastructure. Please note highlighted questions are also included in other questionnaires.</i>
D2. What are other types of stakeholders involved in existing ABS agreements (e.g. types of institutions or companies, nationalities, industrial or scientific sectors)?	
D3. How would you describe capacities of local actors to engage in negotiation and implementation of agreements on biodiversity-based R&D and/or commercialization - in terms of business and/or legal questions	
Institutional set-up and Information Exchange	

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E. Stakeholder involvement and capacities	
E1. Who are potential local partners and supporters? (NGOs, service providers, companies, financial support)	<i>The aim is to determine the capacities to support developing legally sound and equitable ABS agreements in the country / region.</i>
E2. Do you know of legal experts that provide or could provide guidance on ABS negotiations and would be able to draft ABS agreements?	
E3. How do you rate the legal quality of ABS agreements you know?	
E4. Do you know of commercial / value chain experts that provide or could provide guidance in ABS negotiations?	
E5. How do you rate the “deal” for your country in the ABS agreements you know?	
Traditional knowledge and IPLC issues	
F. Resource rights of IPLCs	
F1. Are there questions or issues linked to rights over biological and/or genetic resources or aTK that may affect the negotiation or implementation of ABS agreements?	<i>The objective of TK and IPLC -related questions is to define in more detail how their particular issues, needs and interest are or should be considered in the negotiation or implementation of ABS agreements.</i>
G. Stakeholder involvement and capacities	
G1. Are there IPLC networks, organizations or CBOs/NGOs that support or could provide support to IPLCs in negotiation or implementation of ABS agreements?	
H. Customary rights	
H1. Have community protocols or comparable procedures been used or considered in any ABS agreement or other collaboration on biodiversity-based research, development or commercialization?	



I. R&D and trade	
I1. Are there biodiversity-based research, development or commercialization projects involving IPLCs?	
I2. Are there any research projects in the country that use aTK and/or community-managed/owned GR?	
Transboundary issues	
J. Transboundary value chains	
J1. Looking at existing research, development and commercialization of biological and/or genetic resources and aTK, how important would you say are transboundary resources?	<i>The aim is to identify potential for conflict and collaboration over ABS agreements involving resources and knowledge shared with other countries.</i>
Valorization strategy and value chain development	
K. Valorization strategies	
K1. Is there a national strategy or policies for valorization of biological and/or genetic resources?	<i>Valorization of biological and/or genetic resources refers to strategies, policies, programs or rules aiming to add value to biodiversity through activities such as research, product or service development, supply chain development, local value addition, partnerships, certification and verification, and/or marketing. Please note that highlighted information is also requested in the regulatory framework questionnaire</i>
K2. How do such strategies or policies address ABS-related issues?	
K3. Are there references to biological and/or genetic resources or aTK in national strategies or policies on economic development?	<i>The idea is to get information on measures taken by government to promote and facilitate biodiversity-based R&D and commercialization.</i>
K4. What is your sense are the economic opportunities linked to biodiversity? Do you know of any relevant activities or interest in biodiversity-based R&D, commercialization? Do you know of actors such as universities, agencies, companies or communities being contacted for GR or aTK?	<i>The potential for ABS-related activities (and thus ABS agreements) is also linked to the availability of information for possible users. The idea here is to get a sense of existing information and interest.</i>



L. R&D with GR and aTK	
L1. Is there a national policy on biodiversity-related R&D? What are the actors that conduct taxonomy and biodiversity inventories? Are there national databases or collections?	<i>Most countries have a limited picture of national actors which may be involved, in one way or another, in the valorisation and, or utilization of their genetic resources.</i>
L2. What kind of species, taxonomic inventories exist?	<i>The potential for ABS-related activities (and thus ABS agreements) is also linked to the availability of information for possible users. The idea here is to get a sense of existing information and interest.</i>
L3. Do you know of any projects or ongoing collaborations dealing with biodiversity-based R&D? This may involve universities, research institutes and/or companies. Provide details.	<i>These are arrangements and/or collaborations with potential of becoming government-recognized ABS agreement. It won't be possible to obtain comprehensive information, but a general idea of some of the lower hanging fruit for ABS agreements.</i>
L4. What are human and physical resources, regulatory and policy frameworks for R&D partnerships?	
M. Stakeholder involvement and capacities	
M1. Can you identify experts or institutions related to R&D on biological and/or genetic resources and associated traditional knowledge? (e.g. university researchers, national research institutions, NGOs, IPLC associations)	<i>The aim is determining the potential for ABS-related activities and agreements based on existing capacities and infrastructure.</i>
M2. Are you aware of any national companies, entities or individuals holding patents linked to biological and/or genetic resources?	<i>Patent documents are a good source of information to identify R&D actors.</i>
M3. Can you identify companies and/or institutions engaged in biodiversity-based R&D or commercialization? What are their activities and capacities in this field?	<i>Most countries have a limited picture of national actors which may be involved, in one way or another, in the valorisation and, or utilization of their genetic resources.</i>
N. Commercialization and trade	
N1. Do you know of any sourcing and/or supply chains of biological resources for use in pharmaceutical, biotech, specialty food, cosmetic products? Provide details.	<i>Information on existing use of biological and/or genetic resources though it won't be comprehensive information, will provide a general idea of some of the potential and lower hanging fruit for ABS agreements.</i>

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N2. What information is available on biological resources currently exported and for what uses?	
O. Broader enabling environment	
O1. In general, what rules and policies would you say present opportunities or challenges for the business conduciveness of the countries? Do you compare with other countries?	<i>Beyond ABS, there may be rules and policies that either facilitate or impede business engagement (e.g. tax incentives, availability of funding, business associations, platforms, protection of minority investors, trading across borders, enforcing contracts). All users point to the need to have a stable and predictable business environment. The aim is to determinate how business friendly the environment is / to get a (self)-assessment of the country with respect to its conduciveness for private sector engagement, at least in relation to other African and other provider countries.</i>
O2. Looking at existing actors and dynamics in the country's economy, which would you say are likely to be the key players involved in or supporting the utilization of GR)?	
O3. Do you take key enabling factors for business" – e.g. those reflected in the WB listing <i>ease of doing business</i> into account when developing your ABS strategy? If so, how?	
Stakeholder involvement – Cross cutting	
P. Roles and views	
P1. How does the interviewee see his/her own role (or the role of the group/institution he/she represents) in the ABS process(es)?	
P2. Who else does he/she considers important in these processes?	
P3. How does he/she view the role(s) of these other parties?	
P4. What does he/she think of the capacities of these other parties to get involved and contribute to the process(es)?	
P5. How does he/she perceive his/her own relationship to these other parties?	



P6. How does he/she perceive the relationships between the other parties?		
P7. Where does he/she see potentially conflicting views, interests or action?		
Sources and references		
a.		
b.		
c.		
d.		