



Partner Country Diagnostics: <Country name>

Questionnaire: Effective participation of IPLCs based on BCPs and community procedures

Questions <i>- Questions highlighted in yellow, are also asked in other questionnaires -</i>	Rationale
ABS Policies	
A. Policy issues	
A1. How are IPLC-issues reflected in national ABS-related policies?	<i>ABS-related policies would include all principles, statements, strategies and guidelines, issued or recognized by the government, that address issues linked to the valorization and use of biodiversity and/or aTK, ownership or usage rights over biological or genetic resources and/or aTK, the collection, research, development and/or commercialization of biodiversity-based knowledge, products or services. ABS may be the main issue in the policy or only one of the elements in a broader policy, such as a sustainable forestry strategy or biotechnology policy.</i>
A2. Are there any national ABS-related strategies developed or recognized by IPLCs? If yes, which?	
A3. What rules exist regarding the sharing and use of benefits obtained from ABS cases? (e.g. what purposes can the benefits be used for; any distribution rules, defined groups of beneficiaries)	
Stakeholder involvement and capacities	
A4. How were / will IPLCs (be) involved in developing ABS-related policies?	
A5. Is there any formal political representation of IPLCs?	
A6. What is IPLC involvement in decision-making about the distribution of financial, technical and technological support as elements of benefit sharing at local level?	
Regulatory Framework	
B. Legal status of IPLCs	



B1. What are the relevant rights of IPLCs at the level of the constitution?	
B2. What is the legal status and definitions of (1) indigenous peoples, (2) local communities / certain local communities?	
C. Resource rights of IPLCs	
C1. Which legal rights (ownership, use, permission to access, right to share in benefits derived from use) do IPLCs have in existing legislation (e.g. land, forestry, agriculture, fisheries, wildlife laws or regulations)?	
C2. Which legal rights over GR and / or TK do IPLCs have under existing relation?	
C3. What procedural rights exist? (e.g. (F) PIC, participation, consultation, etc.)	
D. Protection of TK	
D1. Is there legislation for TK protection? If yes, which?	
D2. What is the scope of this legislation (e.g. types of TK covered)?	
E. Customary rights	
E1. Are there examples of legislation that protect customary rights? If yes, which?	
E2. Which institutions exist that deal with customary rights?	
E3. Are there community protocols or comparable procedures on access to GR and/or TK and BS?	
E4. Are there other types of bottom-up community documents or procedures on resources /TK?	



E5. To what extent are community protocols / procedures recognized by the state?	
F. ABS legislation	
F1. To which extent do ABS-related laws and regulations cover TK?	<p><i>ABS-related laws and regulations would include legal documents such as constitutions, laws, decrees, acts and regulations issued by the government, that address issues linked to the ownership, usage and/or consultation rights over biological or genetic resources and/or aTK; authorizations to collect, cultivate, use, research, develop and/or commercialize biodiversity-based knowledge, products or services; and/or rules on the sharing of information, monetary and/or non-monetary and other related benefits. ABS may be the main issue in the legal document or only one of the elements in a broader document, such as a protected area regulation or fisheries law.</i></p>
F2. To which extent do ABS-related laws and regulations refer to IPLCs	
F3. What is the role of IPLCs in granting PIC and negotiating MAT? (also to GR)?	
G. Representation	
G1. How were / will IPLCs (be) involved in developing the ABS-related laws and regulations?	
G2. Is there any formal political representation of IPLCs?	
Institutional set-up including information exchange	
H. IPLC organisations	
H1. Which IPLC networks / organisations exist in the country?	<p><i>The aim is to map IPLCs institutions, their relationship with other actors and their effective involvement on ABS issues.</i></p>
H2. What is the nature and scope of work of these institutions, e.g. community groups, NGOs, local governments; e.g. advocacy, exchange, learning?	
H3. Which IPLC organisations are in partnerships with e.g. Ministry, NGOs, etc.?	



H4. Are there specific IPLC women’s networks? If so, which?	
H5. Which of the IPLC organisations in the country are part of regional IPLC networks?	
Stakeholder involvement and capacities	
H6. Which IPLC networks / organisations deal with ABS issues?	
H7. Which are the most relevant supporting CBOs / NGOs supporting IPLCs on issues linked to ABS?	
H8. How are IPLCs represented in ABS-related permitting processes?	
H9. What has been going well so far in these processes? What have been challenges?	
I. Inventories	
I1. Is there any database, inventory or other initiative that collects, documents and systematizes aTK (e.g. in relation to traditional seeds, animal breeds or medicinal knowledge)? If yes, please describe.	<i>The aim is defining the potential for ABS issues to arise in relation to biological and/or genetic resources and aTK held by IPLCs but also gathered in ex-situ collection</i>
I2. What types of TK are included? (e.g. widely shared; shared within certain groups; secret knowledge)	
I3. To which extent do these inventories have policies or procedures to ensure compliance with ABS principles (e.g. PIC for access, benefit-sharing for utilisation)?	
Transboundary issues	
J. Overview on transboundary issues	
J1. To which degree are transboundary issues relevant for IPLCs (e.g. because they share cultures, resources or aTK)?	<i>The aim is to identify possible overlap and potential for cooperation and/or conflict in IPLCs sharing biological and/or genetic resources and aTK across</i>

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Questionnaire:



J2. How are transboundary issues addressed by IPLCs (e.g. through cooperation, discussion)	<i>borders.</i>
J3. Are there any ABS-related laws or policies concerning transboundary TK?	
Valorization strategy and value chain development	
K. Strategies	
K1. How do any strategies, policies or programs for the valorization of biological and/or genetic resources address the rights, needs and interests of IPLCs, including in relation to aTK?	<p><i>The aim is to specifically determine whether and how biological and/or genetic resources and aTK are considered in these strategies, policies and programs.</i></p> <p><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.</i></p>
K2. In particular, how do these strategies, policies or programs address different types of aTK (for example, widely shared / shared within certain groups / secret knowledge)?	
K3. What perceptions exist regarding potential opportunities, challenges, risks and benefits in develop value chains based on aTK?	
L. R&D and trade	
L1. Are there any existing ABS agreements involving IPLCs?	
L2. Are there biodiversity-based research, development or commercialization projects involving IPLCs?	
L3. Which research projects in the country use aTK and/or community-managed/owned GR?	
L4. Which commercial products based on aTK and/or community-managed/owned GR are sold in the country?	
Stakeholder involvement – Cross cutting	
M. Roles and views	



M1. How does the interviewee see his/her own role (or the role of the group/institution he/she represents) in the ABS process(es)?	
M2. Who else does he/she considers important in these processes?	
M3. How does he/she view the role(s) of these other parties?	
M4. What does he/she think of the capacities of these other parties to get involved and contribute to the process(es)?	
M5. How does he/she perceive his/her own relationship to these other parties?	
M6. How does he/she perceive the relationships between the other parties?	
M7. Where does he/she see potentially conflicting views, interests or action?	
Sources and references	
a.	
b.	
c.	
d.	