

Country	
1. Member State:	CYPRUS
General information	
2. Responsible authority:	Department of Environment, Ministry of Agriculture, Rural Development and Environment
3. Contributing agencies, organisations and other authorities:	-
4. Reporting period	12 October 2014 – 31 August 2017

Parties to the Nagoya Protocol on Access and Benefit-sharing	
5. Is your country a Party to the Nagoya Protocol?	<p><input type="checkbox"/> Yes</p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p>↳ <i>If selected, please indicate if there is any national process in place towards becoming a Party?</i></p> <p><input checked="" type="checkbox"/> Yes</p> <p>↳ <i>Please provide a summary of the status of the process:</i> Cyprus has signed the Nagoya Protocol and intends to ratify it. A legislation regulating access to genetic resources is envisioned along with ratification. Although ratification was intended earlier, we have faced challenges mostly due to lack of national expertise on ABS issues, to enable us to establish an access and benefit-sharing legal regime. It is anticipated that the expertise gained in other Mediterranean countries will be beneficial to us in supporting our efforts to proceed with ratification by 2020.</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>↳ <i>Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol:</i></p> <p>As stated above the main difficulty is the lack of expertise, primarily on the legal aspect of establishing an ABS regime and becoming a Party to the Nagoya Protocol, as well as applying its provisions in Cyprus.</p>

Institutional structures and resources for the implementation of the Regulation	
<p>6. Has your country designated one or more competent authorities as provided in Article 6?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>↳ Please identify the designated competent authority/-ies¹:</p> <p>Director of the Department of Environment, Ministry of Agriculture, Rural Development and Environment.</p> <p>The official designation will be established in the national legislation to become effective approximately by the summer 2018.</p> <p>↳ If selected, please fill in also section 7</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>↳ Please provide explanation why not: <Text entry></p> <p>↳ If selected, please move to section 8</p>
<p>7. Is (one of) the competent authority (authorities) in your country responsible for:</p> <p>- receiving due diligence declarations under Article 7(1) and 7(2)</p> <p>- transmitting information to the ABS Clearing House under Article 7(3)</p> <p>- carrying out checks on compliance in line with Article 9</p>	<p>The official designation for these responsibilities will be established in the national legislation (approximately summer of 2018).</p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ If yes and more than one competent authority established, please indicate which institution is responsible for receiving due diligence declarations²: <Text entry></p> <p>↳ If no, please indicate which other institution is responsible for receiving due diligence declarations: <Text entry></p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ If yes and more than one competent authority established, please indicate which institution is responsible for transmitting information to ABS CH: <Text entry></p> <p>↳ If no, please indicate which other institution is responsible for transmitting information: <Text entry></p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ If yes and more than one competent authority established, please indicate which institution is responsible for carrying out checks: <Text entry></p>

¹ If more than one competent authority established, please number them in point 6.

² In all point 7, if the first option is selected, it is sufficient to refer to a number/(s) corresponding to the authority indicated under point 6

	<p>Inspectors will be appointed after the national legislation becomes effective.</p> <p>Involved in other activities (cooperation, awareness-raising, capacity-building, reporting) (person-months per year):</p> <p>This task is also covered in the above-mentioned 1.2 person-months per year (10% of time of 1 person per year)</p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>↳ <i>Please provide a summary of the main difficulties and challenges encountered in assigning specific staff to administer functions related to the implementation of the Regulation: <Text entry></i></p>
10. An estimate of external annual budget for implementation of the Regulation	<p>An estimate for total external⁵ annual budget for EU ABS Regulation implementation, including cooperation, awareness-raising, capacity-building, reporting:</p> <p><u> 3500 </u> EUR</p>
11. Additional information	<p><i>Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges encountered when establishing the institutional structure for the implementation of the Regulation:</i></p> <p>The main difficulty is the limited of expertise/ relevant experience of personnel to establish an institutional structure for the implementation. Some personnel with limited relevant expertise is distributed/ fragmented across various governmental institutions with different responsibilities which makes it difficult to establish a comprehensive structure.</p>

Legislative measures	
Penalties (Article 11)	
12. Has your country set up a penalty system as required by Article 11?	<p><input type="checkbox"/> Yes</p> <p>↳ <i>If selected, please fill in sections 13-15</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p>↳ <i>If selected, please explain why not and provide a timetable for adoption of penalties:</i></p> <p>This provision is part of the national legislation expected to become effective by summer 2018.</p>
13. What are the types of penalties foreseen for infringements of Article 4 and 7 of the Regulation?	<p><input checked="" type="checkbox"/> Notice of remedial action</p> <p><input type="checkbox"/> Administrative fines</p> <p><input checked="" type="checkbox"/> Criminal sanctions</p>

⁵ Such as public procurement procedures, consultancies, studies, outsourced communication campaigns, etc.

	<input type="checkbox"/> Others <i>↳ If selected, please specify: <Text entry></i> (With regards to the notice of remedial action, according to article 9 of the Regulation, a provision to issue a notice of remedial action or measures to be taken by the user is included within the powers of inspectors appointed to enforce the national legislation and carry out checks, not under the provision for penalties).
14. What is the level of penalties established for breaches of the Regulation?	<Text entry> The draft legislation foresees criminal sanctions, with maximum levels set at 100,000 euros in violation of article 4, paragraph 3, at 100,000 euros in violation of article 7, paragraphs 1 and 2, and at 50,000 euros in violation of article 4, paragraphs 6 and 8. <i>Please provide examples for penalties applicable to offences that are considered to be severe, medium, and of lower importance.</i>
15. Additional information	<i>Please provide any additional relevant information, including – where relevant – a summary of the main challenges when putting penalty systems in place: <Text entry></i> <i>Please provide link(s) to the relevant legislation: <URL and website name></i>

Administrative measures put in place for implementation of the Regulation

Monitoring of user compliance (Article 7)

16. Has your country put in place measures to ensure that a request is made to all recipients of research funding involving utilisation of genetic resources and traditional knowledge associated with genetic resources, to declare that they exercise due diligence?	<input type="checkbox"/> Yes <i>↳ If selected, please fill in section 17 below</i> OR <input checked="" type="checkbox"/> No <i>↳ If selected, please explain why not and indicate if there is any other way of ensuring compliance with Article 7(1):</i> Consultations with the national research funding agency are underway to establish this procedure.
17. How is the request under Article 7(1) made?	<input type="checkbox"/> By law or other legislative measures <i>↳ If selected, please provide reference to relevant legal provisions: <Text entry></i> OR/ AND <input type="checkbox"/> By direct requests to applicants for funding <i>↳ If selected, specify which organization is responsible for making the request: <Text entry></i> <i>↳ If selected, please indicate how many requests have been made so far: <Text entry></i>

	<p>OR/ AND</p> <p><input type="checkbox"/> By means of a website</p> <p style="padding-left: 40px;"><i>↳ If selected, please provide URL and explain the reasons for the choice of that site: <Text entry></i></p> <p>OR/ AND</p> <p><input type="checkbox"/> By other means</p> <p style="padding-left: 40px;"><i>↳ If selected, please specify: <Text entry></i></p>
18. Additional information	<p><i>Please provide any additional relevant information, including – where relevant – a summary of the main difficulties related to implementing a request referred to in Article 7(1):</i></p> <p>The degree to which research in Cyprus falls within the scope of the ABS Regulation/Nagoya framework was uncertain although it was estimated that it was limited due to the small scale R&D undertaken in the country. Studies are carried out by the Department of Environment to assess the degree to which users are impacted by the ABS Regulation, based on the draft sectorial guidance documents. Results from these studies will guide us to design and establish checkpoints for monitoring user compliance as well as checks on users in the near future.</p>
Risk-based plan for checks on user compliance (Article 9(3)(a))	
19. Has your country developed a plan as referred to in Article 9(3)(a)?	<p><input type="checkbox"/> Yes</p> <p style="padding-left: 40px;"><i>↳ If selected, please fill in sections 20 to 22 below</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p style="padding-left: 40px;"><i>↳ Please explain why not and provide a timeline for when the plan is expected to be developed:</i></p> <p>A plan will be developed based on the assessment of the degree of utilization of GR & TR in Cyprus, resulting from the studies mentioned in section 18. The plan is foreseen to be developed by a committee comprised of representatives of relevant authorities, a provision laid out in the draft national legislation.</p>
20. What are the risk factors applied in the preparation of the plan and any other criteria considered in its development?	<p>Please describe the risk factors: <Text entry></p> <p>Please describe any other criteria: <Text entry></p>
21. Which period does the current plan cover? When and how often will the plan be revised?	<Text entry>
22. Additional information concerning development of the plans	<p><i>Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges when preparing the plan: <Text entry></i></p> <p><i>Please provide link to the plan: <URL and website name></i></p>

	<i>and/or</i> <Attachment>
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Enforcement and compliance measures	
Monitoring of user compliance (Article 7) ⁶	
23. How many due diligence declarations have been received based on Article 7(1)?	<Text entry> <i>None</i>
24. How many due diligence declarations have been received based on Article 7(2)?	<Text entry> <i>None</i>
25. Number of checkpoint communiques transferred to the ABS Clearing House	<Text entry> -
26. Number of checkpoints communique transferred to the competent authority referred to in Article 13(2) of the Protocol for confidentiality reasons	<Text entry> -
27. Additional information	<p><i>Please provide a summary of the main difficulties related to monitoring of user compliance as per Article 7(1), if any: <Text entry></i></p> <p>The degree to which research and development in Cyprus falls within the scope of the ABS Regulation/Nagoya framework was uncertain although it was estimated that it was limited due to the small scale R&D undertaken in the country. Studies are carried out by the Department of Environment to assess the degree to which users are impacted by the ABS Regulation, based on the draft sectorial guidance documents. Results from these studies will guide us to design and establish checkpoints for monitoring user compliance as well as checks on users in the near future.</p> <p><i>Please provide a summary of the main difficulties and challenges in relation to implementation of Article 7(2), if any: <Text entry></i></p>

⁶ With regard to Questions 23 to 25, information needs to be provided for the current reporting period, while in the future it will need to be provided only if the DECLARE system was not used.

Checks on users (Article 9)	
28. How many checks have been carried out during the reporting period?	No checks were carried out The national legislation which includes provisions on penalties is expected to become effective by the summer of 2018.
29. What types of checks were carried out?	<input type="checkbox"/> Examination of documents provided upon request <input type="checkbox"/> On-site visits <input type="checkbox"/> Inspections <input type="checkbox"/> Other <i>↳ Please specify: <Text entry></i>
30. Were all the checks carried out in line with the plan developed based on Article 9(3)(b)?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>↳ Please specify what were the reasons/triggers for carrying out the other checks: <Text entry></i>
31. In how many situations the checks were initiated due to substantiated concerns as referred to in Article 9(3)(b)?	The national legislation which includes provisions on penalties is expected to become effective by the summer of 2018.
32. In how many cases were shortcomings identified?	The national legislation which includes provisions on penalties is expected to become effective by the summer of 2018.
33. Additional information	<i>Please provide a summary of the main types of shortcomings identified: <Text entry></i> <i>Please provide a summary of the main difficulties and challenges in relation to checks: <Text entry></i> (see response in section 27)
Penalties (Article 11)	
34. Penalties imposed during the reporting period	<i>Please specify if your country imposed any penalties</i> <input type="checkbox"/> Notice of remedial action <i>↳ If selected, please specify how many: <Text entry></i> <input type="checkbox"/> Fines <i>↳ If selected, please specify how many: <Text entry></i> <input type="checkbox"/> Criminal sanctions <i>↳ If selected, please specify how many: <Text entry></i> <input type="checkbox"/> Others <i>↳ If selected, please specify how many: <Text entry></i>
35. If penalties were applied during the reporting period, which types of infringements were penalised?	Infringement of duties stemming from: <input type="checkbox"/> Article 4 – due diligence

	<input type="checkbox"/> Article 7 – duty to file due diligence declaration <input type="checkbox"/> Other <i>↳ Please specify:</i> The national legislation which includes provisions on penalties is expected to become effective by the summer of 2018.
36. Additional information:	<i>Please provide a summary of the main difficulties and challenges concerning enforcement measures (if any):</i> <Text entry> The national legislation which includes provisions on penalties is expected to become effective by the summer of 2018.
Register of collections (Article 5)	
37. Are you aware of any interest by institutions in your country to become a registered collection?	<input type="checkbox"/> Yes <i>↳ Please indicate how many collections expressed their interest:</i> <Text entry> OR <input checked="" type="checkbox"/> No
38. Number of applications received	<Text entry>
39. Number of verifications carried out	<Text entry>
40. Additional information	<i>Please provide any additional information, including on what might explain the level of interest in becoming a registered collection:</i> <Text entry> There is a limited number of collections in Cyprus, mostly small ones owned by Universities and Government Departments and Institutions. The largest collection is the Gene Bank kept by the Cyprus Agricultural Institute containing seeds only collected from Cyprus, for ex situ conservation and research purposes. Since Cyprus is not yet regulating access to GR there was no interest to become a registered collection for the material maintained at the Gene Bank. Furthermore, due to the small scale of collections it is not anticipated that there will be interest in becoming registered in the near future.

Cooperation and complementary measures	
Cooperation (Article 12)	
41. Has your country ⁷ cooperated with competent authorities or other relevant organizations in other EU Member States?	<input type="checkbox"/> Yes <i>↳ Please specify countries with which the cooperation was undertaken: <Text entry></i> <i>↳ Please provide examples of such cooperation: <Text entry></i> OR <input checked="" type="checkbox"/> No
42. Has your country cooperated with (third countries') competent national authorities referred to in Article 13(2) of the Protocol?	<input type="checkbox"/> Yes <i>↳ Please specify the countries with which the cooperation was undertaken: <Text entry></i> <i>↳ Please specify areas of cooperation: <Text entry></i> Was the cooperation related to any identified shortcomings? <input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>↳ If yes, please specify the shortcomings: <Text entry></i> OR <input checked="" type="checkbox"/> No
Complementary measures (Article 13)	
43. Has your country carried out any training and awareness-raising activities to assist the stakeholders and interested parties in building understanding of their obligations arising from the EU ABS Regulation and relevant provisions of the Protocol and the Convention? ⁸	<input checked="" type="checkbox"/> Yes <i>↳ Please specify type and number of activities carried out:</i> Training sessions: <Text entry> Workshops: <Text entry> Conferences: <Text entry> Others: No organized activities were carried out but letters and emails were distributed to potentially affected users, in research and academia, informing them about the framework of the ABS Regulation. One-to-one communication was established with representatives from potentially impacted research institutions and universities to keep them informed about the progress of development of guidance documents. A questionnaire is being developed to be distributed to all relevant potentially impacted stakeholders to raise awareness and investigate in a more specific way the degree to which they are affected.

⁷ When reference to “country” is made in this part, it shall be understood as covering activities carried out by the authorities, or carried out on their behalf;

⁸ See also response to question 54 from the Nagoya Protocol reporting format

	<p>⌞ Please estimate the number of users that participated in the activities carried out or that received other assistance (e.g. in the form of responses to requests for clarification etc.): <Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p>
<p>44. Has your country organized any activities addressed specifically to academic, university and non-commercial researchers, and small and medium enterprises?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p>⌞ Please specify type and number of activities carried out:</p> <p>Training sessions: <Text entry></p> <p>Workshops: <Text entry></p> <p>Conferences: <Text entry></p> <p>Others: No organized activities were carried out but letters and emails were distributed to potentially affected users, in research and academia, informing them about the framework of the ABS Regulation. One-to-one communication was established with representatives from potentially impacted research institutions and universities to keep them informed about the progress of development of guidance documents. A questionnaire is being developed to be distributed to all relevant potentially impacted stakeholders to raise awareness and investigate in a more specific way the degree to which they are affected</p> <p>⌞ Please estimate number of users that participated in the activities carried out/ that received assistance: <Text entry></p> <p>OR</p> <p><input type="checkbox"/> No</p>
<p>45. Have any complaints been received from users in relation to implementation of the EU ABS Regulation?</p>	<p><input type="checkbox"/> Yes</p> <p>⌞ Please summarise the nature of complaints received: <Text entry></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p>

Submission addresses:

This form should be completed and sent ***by email*** to ENV-F3-NAGOYA-ABS@ec.europa.eu