Country	
1. Member State:	Estonia
General information	
2. Responsible authority:	Ministry of the Environment
3. Contributing agencies, organisations and other authorities:	Ministry of the Environment Ministry of Rural Affairs Ministry of Science and Education Environmental Inspectorate
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?	☐ Yes OR X No └ *If selected*, please indicate if there is any national process in place towards becoming a Party? X Yes └ *Please provide a summary of the status of the process:* Ratification under way: Act on ratification has been prepared, national ratification procedure under way. Tentative ratification: end of 2017. OR ☐ No └ *Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol*: <Text entry>

Institutional structures and resources for the implementation of the Regulation	
6. Has your country designated one or more competent authorities as provided in Article 6?	X Yes └ *Please identify the designated competent authority/-ies1:* Ministry of the Environment, Ministry of Rural Affairs, Ministry of Science and Education └ *If selected,* please fill in also section 7

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

	OR ☐ No └ *Please provide explanation why not:* <Text entry> └ *If selected,* please move to section 8
7. Is (one of) the competent authority (authorities) in your country responsible for: - receiving due diligence declarations under Article 7(1) and 7(2)	X Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for receiving due diligence declarations2*:* Ministry of the Environment, Ministry of Rural Affairs, Ministry of Science and Education └ *If no,* please indicate which other institution is responsible for receiving due diligence declarations*:* <Text entry>
- transmitting information to the ABS Clearing House under Article 7(3)	X Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for transmitting information to ABS CH: Ministry of the Environment └ *If no,* please indicate which other institution is responsible for transmitting information: <Text entry>
- carrying out checks on compliance in line with Article 9	☐ Yes OR X No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for carrying out checks: <Text entry> └ *If no,* please indicate which other institution is responsible for checking compliance: Environmental Inspectorate
- recognition and verification of registered collections	X Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for recognition and verification of collections: Ministry of the Environment, Ministry of Rural Affairs, Ministry of Science and Education

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

- cooperation with third countries under Article 7(3) - implementation of complementary measures under Article 13 (awareness raising, training activities, guidance to users etc.)	└ *If no*, please indicate which other institution is responsible for recognizing and verifying registered collections: <Text entry> X Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for cooperation with third countries: Ministry of the Environment, Ministry of Rural Affairs, Ministry of Science and Education └ *If no,* please indicate which other institution is responsible for the cooperation: <Text entry> X Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for implementation of complementary measures: Ministry of the Environment, Ministry of Rural Affairs, Ministry of Science and Education └ *If no*, please indicate which other institution is responsible for implementation of complementary measures: <Text entry>
8. Has your country designated any checkpoints beyond those envisaged in Article 7(1) –7(2) of the Regulation?	X No OR ☐ Yes └ *Please provide information about the additional checkpoints:* <Text entry>
9. Does your country have specific staff to administer functions directly related to the implementation of the Regulation?[3]	X Yes *If selected*, please indicate how many (person-months per year): 6 Involved in enforcement of the Regulation (person-months per year[4]): 4 Involved in other activities (cooperation, awareness-raising, capacity-building, reporting) (person-months per year): 2 OR ☐ No └ *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>

[3] This information could be useful for the evaluation of the effectiveness of the Regulation under Article 16.

[4] Note that this information can be provided in a aggregated format (average per year for the reporting period);

10. An estimate of external annual budget for implementation of the Regulation	An estimate for total external5 annual budget for EU ABS Regulation implementation, including cooperation, awareness-raising, capacity-building, reporting: For year 2017: 4000 EUR (external contracts)
11. Additional information	*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:* Setting up of institutional structure for implementing of nagoya Protocl has been very challenging in many reasons: 1. Financial concerns: Designated budget has been almost zero (except some contracts for analyzing the obligations connected to ratification and backgrpund information (genetic resources used for R&D in Estonia etc). 2. Institutional concerns: it has been difficult to agree upon new obligations coming from Protocol. Different competent authorities has been rather reluctant in regard of taking new tasks. Also, division of responsibility has been complicated.

Legislative measures	
Penalties (Article 11)	
12. Has your country set up a penalty system as required by Article 11?	X Yes └ *If selected,* please fill in sections ~~12~~13-~~14~~15 OR ☐ No └ *If selected,* please explain why not and provide a timetable for adoption of penalties: <Text entry>
13. What are the types of penalties foreseen for infringements of Article 4 and 7 of the Regulation?	☐ Notice of remedial action X Administrative fines ☐ Criminal sanctions ☐ Others └ *If selected,* please specify: <Text entry>

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

14. What is the level of penalties established for breaches of the Regulation?	<Text entry> *Please provide examples for penalties applicable to offences that are considered to be severe, medium, and of lower importance.*
15. Additional information	*Please provide any additional relevant information, including – where relevant – a summary of the main challenges when putting penalty systems in place*: <Text entry> *Please provide link(s) to the relevant legislation:* According to Nature Conservation Act § 74 (6): The penalty for failure to comply with the requirements established in Articles 4 and 7 of Regulation (EU) No 511/2014 of the European Parliament and of the Council is a fine of up to 300 fine units [fine unit = 4 euros, ie fine is up to 1200 euros). The penalty for the same act committed by a legal person is a fine of up to 32 000 euros. Link to the act: https://www.riigiteataja.ee/en/eli/ee/508112013010/consolide/current

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?	X Yes └*If selected,* please fill in section ~~16~~ 17 below OR ☐ No └*If selected, please explain why not and indicate if there is any other way of ensuring compliance with Article 7(1):* <Text entry>
17. How is the request under Article 7(1) made?	☐ By law or other legislative measures └*If selected, please provide reference to relevant legal provisions:* <Text entry> OR/ AND X By direct requests to applicants for funding └ *If selected, specify which organization is responsible for making the request:* Estonian Research Council └*If selected, please indicate how many requests have been made so far:* Not applicable OR/ AND X By means of a website └*If selected, please provide URL and explain the reasons for the choice of that site:* www.etis.ee; Estonian Research Information System OR/ AND

	☐ By other means └*If selected, please specify:* <Text entry>
18. Additional information	*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):* <Text entry>
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)?	X Yes └*If selected,* please fill in sections ~~19~~ 20 to ~~21~~ 22 below OR ☐ No └ *Please explain why not and provide a timeline for when the plan is expected to be developed:* <Text entry>
20. What are the risk factors applied in the preparation of the plan and any other criteria considered in its development?	Please describe the risk factors: Identification of possible users of genetic resources; access measures. Please describe any other criteria: <Text entry>
21. Which period does the current plan cover? When and how often will the plan be revised?	Annual plans, updated once a year.
22. Additional information concerning development of the plans	*Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges when preparing the plan*: It has been difficult to indentify possible users of genetic resources. It is even more complicated as the guidelines are not ready yet and there are many gray areas that has made it even more difficult to decide wheter some users and/or activities go under Protocol or not. *Please provide link to the plan:* <URL and website name> *and/or* <Attachment>

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)?	None
24. How many due diligence declarations have been received based on Article 7(2)?	None
25. Number of checkpoint communiques transferred to the ABS Clearing House	None
26. Number of checkpoints communique transferred to the competent authority referred to in Article 13(2) of the Protocol for confidentiality reasons	None
27. Additional information	*Please provide a summary of the main difficulties related to monitoring of user compliance as per Article 7(1), if any: <Text entry>* *Please provide a summary of the main difficulties and challenges in relation to implementation of Article 7(2), if any: <Text entry>*
Checks on users (Article 9)	
28. How many checks have been carried out during the reporting period?	Less than 10.
29. What types of checks were carried out?	☐ Examination of documents provided upon request X On-site visits (to the main universities in Estonia) ☐ Inspections X Other └ *Please specify:* questionnaire that was sent to all potential users of genetic resources (ca 60 institutions)

[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.

30. Were all the checks carried out in line with the plan developed based on Article 9(3)(a~~b~~)?	X Yes OR ☐ No └ *Please specify what were the reasons/triggers for carrying out the other checks:* <Text entry>
31. In how many situations the checks were initiated due to substantiated concerns as referred to in Article 9(3)(b)?	None
32. In how many cases were shortcomings identified?	Analysis under way, no results yet available.
33. Additional information	*Please provide a summary of the main types of shortcomings identified:* <Text entry> *Please provide a summary of the main difficulties and challenges in relation to checks*: As it is complicated to define what kind of activities and/or genetic resources go under Protocol, it has also been complicated to identify possible users of genetic resources.
Penalties (Article 11)	
34. Penalties imposed during the reporting period	*Please specify if your country imposed any penalties* ☐ Notice of remedial action └ *If selected,* please specify how many: None ☐ Fines └ *If selected,* please specify how many: None ☐ Criminal sanctions └ *If selected,* please specify how many: None ☐ Others └ *If selected,* please specify how many: None
35. If penalties were applied during the reporting period, which types of infringements were penalised?	Infringement of duties stemming from: ☐ Article 4 – due diligence ☐ Article 7 – duty to file due diligence declaration ☐ Other └ *Please specify:* <Text entry>
36. Additional information:	*Please provide a summary of the main difficulties and challenges concerning enforcement measures (if any)*: No penalties imposed yet, too early stage for giving any information about difficulties.

Register of collections (Article 5)	
37. Are you aware of any interest by institutions in your country to become a registered collection?	X Yes └ *Please indicate how many collections expressed their interest:* ca 10 OR ☐ No
38. Number of applications received	None so far. Some institutions have shown their interest, but as we have not yet annuonced officially the possibility to bacome a registered collection then it is too early yet.
39. Number of verifications carried out	None
40. Additional information	*Please provide any additional information, including on what might explain the level of interest in becoming a registered collection:* <Text entry>

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?	☐ Yes └ *Please specify countries with which the cooperation was undertaken:* <Text entry> └ *Please provide examples of such cooperation:* <Text entry> OR X No
42. Has your country cooperated with (third countries') competent national authorities referred to in Article 13(2) of the Protocol?	☐ Yes └ *Please specify the countries with which the cooperation was undertaken:* <Text entry> └ *Please specify areas of cooperation:* <Text entry> Was the cooperation related to any identified shortcomings? ☐ Yes OR ☐ No └ *If yes, please specify the shortcomings:* <Text entry> OR X No

[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;

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	X Yes └ Please specify type and number of activities carried out: Training sessions: <Text entry> Workshops: <Text entry> Conferences: A conference (info day) for cosmetics sector. Others: questionnaire that was addressed to all possible genetic resources users that included also an informative introduction about the Protocol. Bilateral consultation with universities. └ 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.): Ca 150 participants in the conference for cosmetics sector; 10 – 15 institutions consulted bilaterally. OR ☐ No
44. Has your country organized any activities addressed specifically to academic, university and non-commercial researchers, and small and medium enterprises?	X Yes Please see the text under q 43. └ Please specify type and number of activities carried out: Training sessions: <Text entry> Workshops: <Text entry> Conferences: <Text entry> Others: <Text entry> └ Please estimate number of users that participated in the activities carried out/ that received assistance: <Text entry> OR ☐ No
45. Have any complaints been received from users in relation to implementation of the EU ABS Regulation?	☐ Yes └Please summarise the nature of complaints received: We have not received any official complaints, but the users have complained about the lack of guidelines, difficulties of defining R&D connected to genetic resources that would go under jurisdiction of the Protocol, different interpretations in regard of above mentioned question. As far as the guidelines are not ready yet, it is complicated to take any actions and start proper implementation of the Protocol. OR ☐ No

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

Submission addresses:

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