

Country	
1. Member State:	Republic of Croatia
General information	
2. Responsible authority:	Ministry of Environment and Energy
3. Contributing agencies, organisations and other authorities:	Ministry of Agriculture
4. Reporting period	<i>12 October 2014 – 31 August 2017</i>

Parties to the Nagoya Protocol on Access and Benefit-sharing	
5. Is your country a Party to the Nagoya Protocol?	<input checked="" type="checkbox"/> Yes OR No <p style="margin-left: 40px;"><i>⌞ If selected, please indicate if there is any national process in place towards becoming a Party?</i></p> <p style="margin-left: 80px;"><input type="checkbox"/> Yes <i>⌞ Please provide a summary of the status of the process:</i></p> <p style="margin-left: 80px;">OR <input type="checkbox"/> No <i>⌞ Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol:</i></p> <p>Republic of Croatia had become a Party to the Nagoya Protocol on 1 December 2015. Implementation of the NP as well as the EU ABS Regulation will be more challenging than it was the process of ratification of the Nagoya Protocol itself.</p>

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?	<input type="checkbox"/> Yes <p style="margin-left: 40px;"><i>⌞ Please identify the designated competent authority/-ies⌞:</i></p> <p>Ministry of Environment and Energy and Ministry of Agriculture</p> <p style="margin-left: 40px;"><i>⌞ If selected, please fill in also section 7</i></p> OR <input checked="" type="checkbox"/> No

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

	<p>⌞ <i>Please provide explanation why not:</i></p> <p>Draft Act on Implementation of the Regulation (EU) No 511/2014 on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union (further in the text: Act on Implementation of the Regulation), envisages two competent authorities: Ministry of Environment and Energy and Ministry of Agriculture. On 9th of November 2017 Draft Act on Implementation of the Regulation has passed the governmental procedure and is now forwarded to Croatian Parliament for adoption.</p> <p>⌞ <i>If selected, please move to section 8</i></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>- recognition and verification of registered collections</p>	<p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for receiving due diligence declarations²:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for receiving due diligence declarations:</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for transmitting information to ABS CH:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for transmitting information:</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for carrying out checks:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for checking compliance:</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p>

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>- cooperation with third countries under Article 7(3)</p> <p>- implementation of complementary measures under Article 13 (awareness raising, training activities, guidance to users etc.)</p>	<p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for recognition and verification of collections:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for recognizing and verifying registered collections:</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for cooperation with third countries:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for the cooperation:</i></p> <p><input type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>⌞ <i>If yes and more than one competent authority established, please indicate which institution is responsible for implementation of complementary measures:</i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for implementation of complementary measures:</i></p>
<p>8. Has your country designated any checkpoints beyond those envisaged in Article 7(1) –7(2) of the Regulation?</p>	<p><input checked="" type="checkbox"/> No</p> <p>OR</p> <p><input type="checkbox"/> Yes</p> <p>⌞ <i>Please provide information about the additional checkpoints:</i></p>
<p>9. Does your country have specific staff to administer functions directly related to the implementation of the Regulation?³</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><i>If selected, please indicate how many (person-months per year):</i></p> <p>Involved in implementation of the Regulation (person-months per year⁴):</p> <p>- Ministry of Environment and Energy: two persons per whole 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:</i></p>

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 external ⁵ annual budget for EU ABS Regulation implementation, including cooperation, awareness-raising, capacity-building, reporting: Ministry of Environment and Energy: 10.000,00 EUR
11. Additional information	<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>

Legislative measures	
Penalties (Article 11)	
12. Has your country set up a penalty system as required by Article 11?	<input type="checkbox"/> Yes <i>↳ If selected, please fill in sections 13-15</i> OR <input checked="" type="checkbox"/> No <i>↳ If selected, please explain why not and provide a timetable for adoption of penalties:</i> Penalty system is not yet in place because the Act on Implementation of the Regulation is not yet in force.
13. What are the types of penalties foreseen for infringements of Article 4 and 7 of the Regulation?	<input type="checkbox"/> Notice of remedial action <input type="checkbox"/> Administrative fines <input type="checkbox"/> Criminal sanctions <input type="checkbox"/> Others <i>↳ If selected, please specify:</i>
14. What is the level of penalties established for breaches of the Regulation?	<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:</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	<input type="checkbox"/> Yes

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

<p>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?</p>	<p>⌞ <i>If selected, please fill in section 17 below</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p>⌞ <i>If selected, please explain why not and indicate if there is any other way of ensuring compliance with Article 7(1):</i></p> <p>This measure is not in place because the Act on Implementation of the Regulation is not yet in force.</p>
<p>17. How is the request under Article 7(1) made?</p>	<p><input type="checkbox"/> By law or other legislative measures</p> <p>⌞ <i>If selected, please provide reference to relevant legal provisions:</i></p> <p>OR/ AND</p> <p><input type="checkbox"/> By direct requests to applicants for funding</p> <p>⌞ <i>If selected, specify which organization is responsible for making the request:</i></p> <p>⌞ <i>If selected, please indicate how many requests have been made so far:</i></p> <p>OR/ AND</p> <p><input type="checkbox"/> By means of a website</p> <p>⌞ <i>If selected, please provide URL and explain the reasons for the choice of that site:</i></p> <p>OR/ AND</p> <p><input type="checkbox"/> By other means</p> <p>⌞ <i>If selected, please specify:</i></p>
<p>18. Additional information</p>	<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>Risk-based plan for checks on user compliance (Article 9(3)(a))</p>	
<p>19. Has your country developed a plan as referred to in Article 9(3)(a)?</p>	<p><input type="checkbox"/> Yes</p> <p>⌞ <i>If selected, please fill in sections 20 to 22 below</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p>⌞ <i>Please explain why not and provide a timeline for when the plan is expected to be developed:</i></p> <p>Plan under Article 9(3)(a) is not developed because the Act on Implementation of the Regulation is not yet adopted and in force. However, draft Act on Implementation of the Regulation provides an obligation to develop a plan based on risk approach. Plan will be prepared and developed in 2018 after adoption of the Act on Implementation of the Regulation in Croatian Parliament.</p>

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: Please describe any other criteria:
21. Which period does the current plan cover? When and how often will the plan be revised?	
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:</i></p> <p><i>Please provide link to the plan: <URL and website name> and/or <Attachment></i></p>

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)?	<i>None.</i>
24. How many due diligence declarations have been received based on Article 7(2)?	<i>None.</i>
25. Number of checkpoint communiques transferred to the ABS Clearing House	<i>None.</i>
26. Number of checkpoints communique transferred to the competent authority referred to in Article 13(2) of the Protocol for confidentiality reasons	<i>None.</i>
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:</i></p> <p><i>Please provide a summary of the main difficulties and challenges in relation to implementation of Article 7(2), if any:</i></p> <p>At the time of preparation of this report, the Act on implementation of the Regulation has not been enacted yet by the Croatian Parliament. For this reason, enforcement and compliance measures have not been yet put in place.</p> <p>Act on implementation of the Regulation may come into force in I. or II. quarter of 2018 (two readings are envisaged).</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?	None. See reply to question 27.
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:</i> Not applicable in this reporting period.
30. Were all the checks carried out in line with the plan developed based on Article 9(3)(a)?	<input type="checkbox"/> Yes OR <input type="checkbox"/> No <i>↳ Please specify what were the reasons/triggers for carrying out the other checks:</i> Not applicable in this reporting period.
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?	None.
33. Additional information	<i>Please provide a summary of the main types of shortcomings identified:</i> <i>Please provide a summary of the main difficulties and challenges in relation to checks:</i>
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:</i> <input type="checkbox"/> Fines <i>↳ If selected, please specify how many:</i> <input type="checkbox"/> Criminal sanctions <i>↳ If selected, please specify how many:</i> <input type="checkbox"/> Others <i>↳ If selected, please specify how many:</i> Not applicable in this reporting period.

35. If penalties were applied during the reporting period, which types of infringements were penalised?	<p>Infringement of duties stemming from:</p> <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: Not applicable in this reporting period.</i>
36. Additional information:	<i>Please provide a summary of the main difficulties and challenges concerning enforcement measures (if any):</i>
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> OR <input checked="" type="checkbox"/> No Most probably there will be some, but so far, no collection has expressed its interest.
38. Number of applications received	None.
39. Number of verifications carried out	None.
40. Additional information	<i>Please provide any additional information, including on what might explain the level of interest in becoming a registered collection:</i>

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:</i> <i>↳ Please provide examples of such cooperation:</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:</i> <i>↳ Please specify areas of cooperation:</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:</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: Workshops: Conferences: Others: Presentations to members of the expert group working on the preparation of the upcoming Act on Implementation of the Regulation. There were two occasions when presentations on the Nagoya Protocol, Regulation and Implementing Regulation took place. <i>↳ 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.):</i> OR <input type="checkbox"/> 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;

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

<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 type="checkbox"/> Yes</p> <p>↳ Please specify type and number of activities carried out:</p> <p>Training sessions:</p> <p>Workshops:</p> <p>Conferences:</p> <p>Others:</p> <p>↳ Please estimate number of users that participated in the activities carried out/ that received assistance:</p> <p>OR</p> <p><input checked="" type="checkbox"/> No</p> <p>The Ministry of Environment and Energy plans to do some workshops addressed specifically to academic/university and non-commercial researchers, current collections and small and medium enterprises as well se members of the industry.</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:</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