

Country	
1. Member State:	Hungary
General information	
2. Responsible authority:	Ministry of Agriculture Kossuth tér 11. Budapest Hungary 1055
3. Contributing agencies, organisations and other authorities:	Pest County Government Office Városház utca 7. Budapest Hungary 1052
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?	<input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No <p>↳ <i>If selected, please indicate if there is any national process in place towards becoming a Party?</i></p> <input type="checkbox"/> Yes ↳ <i>Please provide a summary of the status of the process:</i> <Text entry> 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> <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?	<input checked="" type="checkbox"/> Yes ↳ <i>Please identify the designated competent authority/-ies</i> ¹ : Pest County Government Office ↳ <i>If selected, please fill in also section 7</i> OR <input type="checkbox"/> No ↳ <i>Please provide explanation why not:</i> <Text entry> ↳ <i>If selected, please move to section 8</i>

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

<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><input checked="" 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 declarations:</i> <Text entry></p> <p>↳ <i>If no, please indicate which other institution is responsible for receiving due diligence declarations:</i> <Text entry></p>
<p>- transmitting information to the ABS Clearing House under Article 7(3)</p>	<p><input checked="" 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> <Text entry></p> <p>↳ <i>If no, please indicate which other institution is responsible for transmitting information:</i> <Text entry></p>
<p>- carrying out checks on compliance in line with Article 9</p>	<p><input checked="" 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> <Text entry></p> <p>↳ <i>If no, please indicate which other institution is responsible for checking compliance:</i> <Text entry></p>
<p>- recognition and verification of registered collections</p>	<p><input type="checkbox"/> Yes OR <input checked="" type="checkbox"/> No</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> <Text entry></p> <p>↳ <i>If no, please indicate which other institution is responsible for recognizing and verifying registered collections:</i> Ministry of Agriculture</p>
<p>- cooperation with third countries under Article 7(3)</p>	<p><input checked="" 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> <Text entry></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>- implementation of complementary measures under Article 13 (awareness raising, training activities, guidance to users etc.)</p>	<p>⌞ <i>If no, please indicate which other institution is responsible for the cooperation: <Text entry></i></p> <p><input type="checkbox"/> Yes OR <input checked="" 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: <Text entry></i></p> <p>⌞ <i>If no, please indicate which other institution is responsible for implementation of complementary measures: Ministry of Agriculture</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 OR <input type="checkbox"/> Yes</p> <p>⌞ <i>Please provide information about the additional checkpoints: <Text entry></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): There are several people who administer ABS related tasks, but none of them are exclusively working on this file. Approximately the equivalent of the work of 2 persons is dedicated to ABS.</i></p> <p>Involved in enforcement of the Regulation (person-months per year⁴): 1</p> <p>Involved in other activities (cooperation, awareness-raising, capacity-building, reporting) (person-months per year): 1</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>
<p>10. An estimate of external annual budget for implementation of the Regulation</p>	<p>An estimate for total external⁵ annual budget for EU ABS Regulation implementation, including cooperation, awareness-raising, capacity-building, reporting:</p> <p>_____ EUR</p> <p>There is no external budget for the implementation.</p>
<p>11. Additional information</p>	<p><i>Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges encountered when establishing the institutional</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);

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

	structure for the implementation of the Regulation: <Text entry>
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Legislative measures

Penalties (Article 11)

12. Has your country set up a penalty system as required by Article 11?	<input checked="" type="checkbox"/> Yes <i>↳ If selected, please fill in sections 13-15</i> OR <input type="checkbox"/> No <i>↳ If selected, please explain why not and provide a timetable for adoption of penalties: <Text entry></i>
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13. What are the types of penalties foreseen for infringements of Article 4 and 7 of the Regulation?	<input checked="" type="checkbox"/> Notice of remedial action <input checked="" type="checkbox"/> Administrative fines <input type="checkbox"/> Criminal sanctions <input type="checkbox"/> Others <i>↳ If selected, please specify: <Text entry></i>
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14. What is the level of penalties established for breaches of the Regulation?	<p>The competent authority imposes a fine on the user in the amount of one hundred thousand Forints for failing to submit the due diligence declaration.</p> <p>The fine is five million Forints for the failure to apply due diligence referred to in Article 4 (3) of the Regulation.</p> <p>The fine is ten million Forint for the failure to apply due diligence referred to in Article 4 (3) of the Regulation when a product made with the utilisation of genetic resources or traditional knowledge associated with genetic resources is distributed in trade.</p> <p><i>Please provide examples for penalties applicable to offences that are considered to be severe, medium, and of lower importance.</i></p>
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15. Additional information	<p><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></p> <p><i>Please provide link(s) to the relevant legislation: https://absch.cbd.int/countries/HU</i></p>
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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 checked="" type="checkbox"/> Yes <i>↳ If selected, please fill in section 17 below</i> OR <input 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): <Text entry></i>
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<p>17. How is the request under Article 7(1) made?</p>	<p><input checked="" type="checkbox"/> By law or other legislative measures</p> <p><i>↳ If selected, please provide reference to relevant legal provisions: Section 6 (1) of Government Decree No. 3/2016. (I.20.) on certain rules of implementation of international and European Community legal acts on access to genetic resources and the fair and equitable sharing of the benefits arising from their utilisation.</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: <Text entry></i></p> <p><i>↳ If selected, please indicate how many requests have been made so far: <Text entry></i></p> <p>OR/ AND</p> <p><input checked="" 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: The www.biodiv.hu site is the main government administered hub for biodiversity related issues. Information about the implementation of the Nagoya Protocol is regularly uploaded here.</i></p> <p>OR/ AND</p> <p><input type="checkbox"/> By other means</p> <p><i>↳ If selected, please specify: <Text entry></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): <Text entry></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: The risk –based plan is currently under development by the Ministry of Agriculture, endorsement is expected this year. The start of the application of this plan by the competent authority is envisaged for 2018.</i></p>
<p>20. What are the risk factors applied in the preparation of the plan and any other criteria considered in its development?</p>	<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> 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)?	0
24. How many due diligence declarations have been received based on Article 7(2)?	0
25. Number of checkpoint communiques transferred to the ABS Clearing House	0
26. Number of checkpoints communique transferred to the competent authority referred to in Article 13(2) of the Protocol for confidentiality reasons	0
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><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?	0
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 ↳ Please specify: <Text entry>
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 ↳ 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)?	<Text entry>
32. In how many cases were shortcomings identified?	<Text entry>
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: <Text entry>
Penalties (Article 11)	
34. Penalties imposed during the reporting period	Please specify if your country imposed any penalties <input type="checkbox"/> Notice of remedial action ↳ If selected, please specify how many: <Text entry> <input type="checkbox"/> Fines ↳ If selected, please specify how many: <Text entry> <input type="checkbox"/> Criminal sanctions ↳ If selected, please specify how many: <Text entry> <input type="checkbox"/> Others ↳ If selected, please specify how many: <Text entry>
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 ↳ Please specify: <Text entry>

36. Additional information:	<i>Please provide a summary of the main difficulties and challenges concerning enforcement measures (if any):</i> <Text entry>
Register of collections (Article 5)	
37. Are you aware of any interest by institutions in your country to become a registered collection?	<input checked="" type="checkbox"/> Yes ↳ <i>Please indicate how many collections expressed their interest:</i> <Text entry> OR <input type="checkbox"/> No
38. Number of applications received	0
39. Number of verifications carried out	0
40. Additional information	<i>Please provide any additional information, including on what might explain the level of interest in becoming a registered collection: “Interest” referred to in question 37 were informal enquiries about the conditions of being a registered collection, not formal submissions of requests.</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 checked="" type="checkbox"/> Yes ↳ Please specify countries with which the cooperation was undertaken: EU Member States ↳ Please provide examples of such cooperation: Cooperation includes regular exchange of information at workshops, conferences or on phone and e-mail. OR <input 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 ↳ 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? <input type="checkbox"/> Yes OR <input type="checkbox"/> No ↳ If yes, please specify the shortcomings: <Text entry> 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 ↳ Please specify type and number of activities carried out: Training sessions: 2 Workshops: <Text entry> Conferences: <Text entry> Others: Information dissemination at the biannual agricultural fair, explanations in e-mail and phone. ↳ 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.): 300 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 checked="" type="checkbox"/> Yes</p> <p>↳ Please specify type and number of activities carried out:</p> <p>Training sessions: 1</p> <p>Workshops: <Text entry></p> <p>Conferences: <Text entry></p> <p>Others: <Text entry></p> <p>↳ Please estimate number of users that participated in the activities carried out/ that received assistance: 40</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 checked="" type="checkbox"/> Yes</p> <p>↳ Please summarise the nature of complaints received: Several users expressed dissatisfaction informally, that their administrative burdens will be rising because of the implementation of the EU ABS Regulation.</p> <p>OR</p> <p><input type="checkbox"/> No</p>

Budapest, 27th October, 2017

Submission addresses:

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