

Country	
1. Member State:	Latvia
General information	
2. Responsible authority:	The Ministry of Environmental Protection and Regional Development (<i>valdimarts.slaukstins@varam.gov.lv</i>)
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?	<input type="checkbox"/> Yes OR <input checked="" 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 checked="" type="checkbox"/> No ↳ <i>Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol:</i> no decision taken yet with regard to possible ratification due to uncertainty for application capacity.

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> : National Botanical Garden. The Ministry of Environmental Protection and Regional Development transfers some of it's tasks to National Botanical Garden by the annual agreement of delegated tasks. Since 2016 agreement includes task to ensure functions of the competent authority of the Regulation 5111/2014.

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

	<p>In the same time additional measures needs to be finished to ensure that the competent authority of the Regulation 5111/2014 is designated through the national legislative system as well.</p> <p>↳ <i>If selected, please fill in also section 7</i></p> <p>OR</p> <p><input type="checkbox"/> No</p> <p>↳ <i>Please provide explanation why not: <Text entry></i></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>Please see also the answer to part 6. In principle National Botanical Garden as the competent authority should be considered as responsible for tasks stated in part 7. Additional enshrinement of Article 7(1) is planned into national law till end of 2018.</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 declarations²: <Text entry></i></p> <p>↳ <i>If no, please indicate which other institution is responsible for receiving due diligence declarations: <Text entry></i></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: <Text entry></i></p> <p>↳ <i>If no, please indicate which other institution is responsible for transmitting information: <Text entry></i></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: <Text entry></i></p> <p>↳ <i>If no, please indicate which other institution is responsible for checking compliance: <Text entry></i></p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ <i>If yes and more than one competent authority</i></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>established</i>, please indicate which institution is responsible for recognition and verification of collections: <Text entry></p> <p>↳ <i>If no</i>, please indicate which other institution is responsible for recognizing and verifying registered collections: <Text entry></p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ <i>If yes and more than one competent authority established</i>, please indicate which institution is responsible for cooperation with third countries: <Text entry></p> <p>↳ <i>If no</i>, please indicate which other institution is responsible for the cooperation: <Text entry></p> <p><input checked="" type="checkbox"/> Yes OR <input type="checkbox"/> No</p> <p>↳ <i>If yes and more than one competent authority established</i>, please indicate which institution is responsible for implementation of complementary measures: <Text entry></p> <p>↳ <i>If no</i>, please indicate which other institution is responsible for implementation of complementary measures: <Text entry></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>: <Text entry></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</i>, please indicate how many (person-months per year): <Text entry></p> <p>Involved in enforcement of the Regulation (person-months per year⁴):</p> <p>one person / one month per year</p> <p>Involved in other activities (cooperation, awareness-raising, capacity-building, reporting) (person-months per year):</p> <p>one person / one month 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</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);

	<i>the Regulation:</i> <Text entry>
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: 10 000 EUR (as one time project support from state fund for an evaluation study)
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> <i>for example, a public procurement for an evaluation study have been announced three times due to lack of participation, while also taking unplanned time for establishing 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: it is planned to set a penalty system in the end of 2018.</i>
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:</i> <Text entry>
14. What is the level of penalties established for breaches of the Regulation?	Draft law foresees oral remark, warning, fine up to 700 eur for natural person and fine up to 14 000 eur for legal person. <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> <Text entry> <i>Please provide link(s) to the relevant legislation:</i> <URL and

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

	website name>
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Administrative measures put in place for implementation of the Regulation

Monitoring of user compliance (Article 7)

<p>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?</p>	<p><input type="checkbox"/> Yes <i>↳ If selected, please fill in section 17 below</i></p> <p>OR</p> <p><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): it is planned to implement Article 7(1) by the request of law in the end of 2018.</i></p>
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<p>17. How is the request under Article 7(1) made?</p>	<p><input type="checkbox"/> By law or other legislative measures <i>↳ If selected, please provide reference to relevant legal provisions: <Text entry></i></p> <p>OR/ AND</p> <p><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> <p>OR/ AND</p> <p><input type="checkbox"/> By means of a website <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 <i>↳ If selected, please specify: <Text entry></i></p>
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<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>
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Risk-based plan for checks on user compliance (Article 9(3)(a))

<p>19. Has your country developed a plan as referred to in Article 9(3)(a)?</p>	<p><input type="checkbox"/> Yes <i>↳ If selected, please fill in sections 20 to 22 below</i></p> <p>OR</p> <p><input checked="" type="checkbox"/> No <i>↳ Please explain why not and provide a timeline for when the plan is expected to be developed: the plan will be developed in due course taking into account risk and amount of Latvian users to whom Regulation could be</i></p>
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	applicable.
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: <Text entry> Please describe any other criteria: <Text entry>
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	<i>Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges when preparing the plan:</i> <Text entry> <i>Please provide link to the plan:</i> <URL and website name> <i>and/or</i> <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)?	<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	<i>Please provide a summary of the main difficulties related to monitoring of user compliance as per Article 7(1), if any:</i> <Text entry> <i>Please provide a summary of the main difficulties and challenges</i>

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.

	<i>in relation to implementation of Article 7(2), if any: <Text entry></i>
Checks on users (Article 9)	
28. How many checks have been carried out during the reporting period?	Due to implementation problems no checks fully started. Consultations to possible users can be reported.
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:
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 checked="" type="checkbox"/> No ↳ Please specify what were the reasons/triggers for carrying out the other checks: please see answer to part 19.
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: <Text entry></i> <i>Please provide a summary of the main difficulties and challenges in relation to checks: <Text entry></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 ↳ 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 type="checkbox"/> Yes ↳ Please indicate how many collections expressed their interest: <Text entry> OR <input checked="" type="checkbox"/> No
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> <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?	<input checked="" type="checkbox"/> Yes ↳ Please specify countries with which the cooperation was undertaken: Slovakia, EC, ABS Competent Authorities Group ↳ Please provide examples of such cooperation: consultation regarding implementation issues of the Regulation 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: <Text entry> Workshops: <Text entry> Conferences: <Text entry> Others: consultation (answering questions) to possible users ↳ 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.): about ten 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: <Text entry></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: <Text entry></p> <p>OR</p> <p><input checked="" 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