

**REGULATIONS  
for a Checkpoint of Monitoring the  
Utilization of Genetic Resources**

**CHAPTER 1  
GENERAL PROVISIONS**

1. A Checkpoint of monitoring the utilization of genetic resources (hereinafter – Checkpoint) is designated in accordance with article 17 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (hereinafter – Nagoya Protocol).

2. General management of the Checkpoint is carried out by the Director of the State Scientific Institution “Institute of Genetics and Cytology at the National Academy of Sciences of Belarus” (hereinafter – Institute).

3. Tasks and functions of the Checkpoint are implemented by the National Coordination Centre for Access to Genetic Resources and Benefit-Sharing (hereinafter – Centre) by order of the Director of the Institute.

4. The Checkpoint is carried out its activities in accordance with:

- The Decree of the President of the Republic of Belarus of 22 May 2014 № 235 “On Accession to the International Treaty”;

- Article 17 of the Nagoya Protocol;

- The Resolution of the Council of Ministers of the Republic of Belarus of 1 October 2014 № 933 “On Establishment of the National Coordination Centre for Access to Genetic Resources and Benefit-Sharing”;

- Other standard legal acts of the Republic of Belarus.

**CHAPTER 2  
TASKS AND FUNCTIONS OF THE CHECKPOINT**

5. Tasks of the Checkpoint:

5.1. Supporting compliance with the Nagoya protocol in the Republic of Belarus by taking appropriate measures, stated below, for monitoring and enhancing transparency about the utilization of genetic resources. Such measures shall include:

- receiving or collecting information related to prior informed consent, to the source of the genetic resource, to the establishment of mutually agreed terms and (or) to the utilization of genetic resources;

- imposing requirements on users of genetic resources to provide the information specified in paragraph 2.1.1, as well as to take appropriate, effective and proportional measures to address situations of non-compliance with the Nagoya Protocol;

- Providing such information, including from internationally recognized certificates of compliance, where they are available, without prejudice to the protection of confidential information, to relevant national authorities, to the Party providing prior informed consent and to the Access and Benefit-sharing Clearing-House;

- advising providers and users of genetic resources to include provisions in mutually agreed terms to share information on the implementation of such terms, including through reporting requirements;

- encouraging the use of cost-effective communication tools and systems.

5.2. Providing and receiving information in accordance with the internationally recognized certificate of compliance, which shall contain the following minimum information when it is not confidential:

- Issuing authority;
- Date of issuance;
- The provider;
- Unique identifier of the certificate;
- The person or entity to whom prior informed consent was granted;
- Subject-matter of genetic resources covered by the certificate;
- Confirmation that mutually agreed terms were established;
- Confirmation that prior informed consent was obtained;
- Commercial and/or non-commercial use.

6. Functions of the Checkpoint:

6.1. Ensuring the efficiency of measures specified in article 17 of the Nagoya Protocol to monitor and to enhance transparency about the utilization of genetic resources.

6.2. Rendering information and advisory assistance to ministries, departments and economic entities whose activities are covered by the Nagoya Protocol.

6.3. Carrying out activities for raising awareness of providers and users of genetic resources of the Nagoya Protocol provisions to monitor and to enhance transparency about the utilization of genetic resources.

6.4. Addressing situations of non-compliance within its competence and (or) by contacting the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (as appropriate).

### **CHAPTER 3 RIGHTS AND DUTIES OF THE CHECKPOINT.**

For its activities the Checkpoint is vested with the following rights:

7.1. To request and receive necessary documents and information from the State bodies, legal and natural persons in the prescribed manner.

7.2. To contact the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus for reporting incidents of non-compliance with the Nagoya Protocol in the territory of the Republic of Belarus. To take appropriate measures for addressing the situations of non-compliance.

7.3. To apply for and obtain necessary legal, economic and other consultations in State and departmental institutions of the Republic of Belarus as well as in the Secretariat of the Convention on Biological Diversity.

7.4. To apply to the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus with suggestions on the format of disseminating positive experience of ensuring access to genetic resources and their mutually beneficial use among interested legal and natural persons in accordance with the Nagoya Protocol provisions.

8. Duties of the Checkpoint:

8.1. To perform functions assigned to the Checkpoint to the full in accordance with the present Regulations.

8.2. To ensure the efficiency of implementing measures to monitor and to enhance transparency about the utilization of genetic resources.

#### **CHAPTER 4 COOPERATION. COMMUNICATION**

9. In its activities, the Checkpoint cooperates on the following issues:

- Analysis and reporting – with Deputy Directors for research work and for scientific-innovative work, Scientific Secretary of the Institute, with the Department of Biological Sciences, with Scientific-Organizational and Information-Analytical Department of the National Academy of Sciences of Belarus;

- Carrying out activities concerning request of necessary information in accordance with prescribed functions and rights – with the Director and the Deputy Directors of the Institute for research and scientific-innovative work, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

- Taking measures to monitor and to enhance transparency about the utilization of genetic resources and to address situations of non-compliance – with the Director of the Institute, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

#### **CHAPTER 5 RESPONSIBILITY**

10. The Centre staff shall bear the responsibility for carrying out the duties of the Checkpoint in accordance with the Regulations of the Centre.