

Resolving the Enforcement Regulation of Genetic Resources Act at the State Council, and Implementation of Nagoya Protocol

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1. Overview

- As the world 98th Nagoya Protocol resolved country, Korea established the detailed mandatory report inclusive of Access Report to domestic genetic resources and procedural regulation as of August 17th, 2017.

2. Background

- The Genetic Resources Information Management Center is to be installed at the National Institute of Biological Resources under the Ministry of Environment in order to investigate, collect, manage & provide the information on genetic resources access and sharing benefit, while the National Institute of Biological Resources establishes and operates the information sharing system for information management and provision.
- In addition to the management of information, the Genetic Resources Information Management Center is to support the tasks of Nagoya Protocol related competent government institutions, and execute the tasks of promoting the Nagoya Protocol to raise the recognition of concerned industries as well.

3. Major Aspects

- Services of Competent National Institutions
 - Investigation & management on status of using domestic genetic resources, confirmation on concluding the agreement for sharing benefit obtained from domestic genetic resources as per the Article 11 of corresponding law, and the investigation & management of its implementation status are added as a part of services offered by the competent national institutions.
- Determining the detailed contents of report obligation and stipulating the handling procedures
 - To determine the detailed items (Position & Name of Reporter, Subject Genetic Resource, Purpose & Application of Access, etc.) of Access Report on domestic genetic resources, and to submit to the head of competent national institution in accordance with the relevant ordinances of Ministry of Environment.
 - The head of competent national institution is to notify whether to accept or not within 30 days from the date of receiving the Report, issue the Access Report Certificate when accepted, and request to supplement if necessary by specifying the contents and period of supplementation.
 - To allow the reporter concluded the agreement of sharing benefit after the Report request the confirmation on agreement conclusion to the head of competent national institution.
 - To determine the event of any third country (third party) request or the presence of country providing the corresponding genetic resource other than Korea due to the reason of change in Access Report on domestic genetic resource.
 - To determine the detailed items of Report in compliance of required procedure on overseas genetic resources, and enforce to report to the head of competent national institution within do days from the date obtaining the prior approval of country providing the resource.

- Organization and Operation of Genetic Resource Information Management Center
 - Installed the Genetic Resource Information Management Center belonging to the National Institute of Biological Resources, having the head of National Institute of Biological Resources establish & operate the information sharing system for execution of given service tasks.
 - Added the operational task support for national communication service institution, global cooperation, and promotion of public relation for raising people's recognition on genetic resources as a part of service tasks for the Genetic Resource Information Management Center.
 - Determined the items prohibiting or limiting the access to & use of domestic genetic resources as per the Article 12 of corresponding law as the information to be provided to the Genetic Resource Information Management Center by the heads of competent national institutions and national inspection institutions.

- Organization and Operation of Committee
 - Defined the organization of Committee consisting of below 20 committee members inclusive of 1 committee chairman, a high executive official of Ministry of Environment to be appointed by the Minister of Environment.
 - The Committee is to deliberate the matters of competency when the jurisdiction of national competent or inspection institution is not clear, stipulating the opening of committee conferences and terms of resolutions as the attendance of more than half the numbers and the favor of majority attendees.

- Countermeasure for Nagoya Protocol in addition to the establishment of domestic implementation laws and regulations.
 - Offering suggestion of countermeasure solutions has been done in ongoing basis by continuously providing the overseas countries' trends and contract reference information to relevant industries.

- People's recognition of genetic resources is raised inducing to prepare in advance through the operation of Support Service Center by each concerned ministry, hosting the Korea ABS Forums (June, 2012 ~, hosting 3~4 times/year), and operation of customized enterprise consulting programs (total 84 times).
- Supported the Korean enterprises allowing them easily use the domestic and overseas biological resources.
 - Cooperation network with those biological resource rich countries is on the process, together with the development of overseas biological resource alternatives, analysis of serviceability, supporting the technology development inclusive of cultivation & growing of resource.

< Summary of Industrialization of Resources Support Project >

| Major Projects | Performance and Plan | | |
|---|----------------------|-------------|--------------------------|
| | 2015 | 2016 | 2020 |
| Establishment of National Biological Species List | 45,295 | 47,003 | 60,000 |
| Serviceability Analysis | 303 | 638 | 2,000 |
| Massive Cultivation Technology Development | - | 13 | 79 |
| International Cooperation Network (Ministry of Environment) | 5 countries | 7 countries | +Max. 4 countries (2017) |

4. Source

- Ministry of Environment (<http://www.me.go.kr/>)