FOLLOW UP
GENRES BRIDGE PROJECT
2022-2023

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Main highlights

• Follow-up of political agenda under EU-Presidencies to lobby for promoting a **Genetic Resource Strategy for Europe**

• Progress in joint work with animal sector, namely on potential **legal framework for a future European Information and Coordination Center (ECIC)**
Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe (GRS4E) - France (1/6)

• SC meeting 2022

Information on the next meeting of the Working Party for NCs to interact with their legal representative to this Party

• Conclusions of French Presidency

In conclusion and in response to requests from various MS, the French EU Presidency suggested drawing up Council conclusions on this topic during future presidencies, extending and deepening those of 19 Oct 2020 on the F2F Strategy:

“The Council of the EU… INVITES the Commission to present a EU strategy on GR for aquaculture, forestry and agriculture, based on the work of the FAO Commission on GR for Agriculture and Food”.
Meeting in Nov 2022:

Participants:
• 2 representatives of the Czech Min. Agr. and 2 Czech plant experts
• Members of the GRS4E drafting Task Force
• 2 representatives of the Swe. Board of Agr.

Discussion summary – main points:

• A clear consensus among participants that the **GRSE shall be considered a fully-fledged and comprehensive strategy**

• Participants noted: GR are at the very interface between biodiversity issues and agricultural production, and they are very marginal and poorly considered in both existing strategies (EU Biodiv., FTF).
Discussion summary – main points (continued):

• Participants agreed that the EC should take the GRSE, and work further with the aim of developing a self-standing EU strategy for genetic resources

• Domain-specific strategies for aquatic, invertebrate and microbial genetic resources should be developed to complement the Genetic Resources Strategy for Europe in the future

Conclusions of Czech Presidency:

➢ The Czech Presidency proposed to bring this summary to the relevant European Commission services and discussed it in a meeting
Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe (GRS4E) - Sweden (4/6)

- Initiatives taken by French and Czech Presidencies during 2022 well noted
  - The strategy and its recommendations in general well received
  - Some MS expressed fears about possible impacts on national policies or budgets → preference for an EU framework
  - Various opinions about a ECIC; again worries about costs
  - Expert views, not those of the policy level
Sweden aims to seek clarity → virtual WP on 8 May

1. If a common European framework for Genetic Resources were to be established, what are the **pros** and **cons** of establishing a framework at EU level, vs. at a wider pan-European level?

2. The Genetic Resources Strategy for Europe suggests establishing a ‘Coordination and Information Centre’ (recommendation 3.1.3 of the Strategy):
   a. Which tasks should be assigned as priority to such a Centre?
   b. What are the **pros** and **cons** of establishing a Centre at EU level, vs. at a wider pan-European level?
Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe (GRS4E) - Sweden (6/6)

• To date: inputs from 11 MS (CY, CZ, DE, DK, ES, FI, FR, HR, NL, PL and RO)

• Analysis ongoing to find common ground

• Summary of responses to be prepared in June
Preliminary thoughts on potential legal framework for an ECIC (1/7)

Context: The ECPGR_ERFP Task Force mandated S. Csörgö¹ and J. Bormann² to look at the potential legal framework and suitable options for establishing an ECIC.

3 legal frameworks presented, based on existing legal acts:

• The EU Platform on Food Losses and Food Waste
• The EU Observatory on Infringements of IP Rights

1. S. Csörgö → Euroseeds; 2. J. Bormann → Administration des Services Techniques de l’Agriculture (Animal Production)/Luxembourg
The EU Platform on Food Losses and Food Waste (2016–2021) renewed for 5 years (2022–2027), chaired by DG SANTE

- 1st mandate: Support the Commission, the MS and all actors in the value chain in achieving the SDG Target 12.3 on food loss and waste

- 2nd mandate: Support actions laid down under the F2F Strategy and help to scale up action across the EU, mobilizing MS, food business and civil society to accelerate progress toward SDG Target 12.3

- The Platform is an “informal Commission expert group” established at the level of the DG SANTE

- Composed of 80 members representing public and private sectors, chaired by DG SANTE

- Only travel and subsistence expenses of members are covered by the Commission.
Tasks and functions of ECIC as specified in the GRSE, comparable with the Platform tasks (green bullets)

• Assist European countries and the EU Commission in establishing or further developing the policy and regulatory framework in Europe

• Act as a European project implementation, reporting and payment agency for the conservation and sustainable use of agricultural genetic resources

• Coordinate Europe’s contributions to international cooperation

• Promote and coordinate effective implementation, documentation and reporting on agricultural genetic resources conservation and sustainable use in Europe under relevant global policy and legislative instruments

• Create awareness among all relevant European stakeholders of the roles, values and status of agricultural genetic diversity and disseminate information and knowledge on agricultural genetic resources

? support the European cooperative programmes, and the national programmes, in implementing the European and domain-specific genetic resources strategies
Potential legal framework for an ECIC (4/7)
EU Observatory on infringements of IP rights

Background:

• **OECD report** on the seriousness and worrying growth of the phenomenon of counterfeiting and its economic impact *(2005)*

• **Council Resolution (2008)** on a comprehensive European anti-counterfeiting and anti-piracy plan:

  → *Invites the Commission to act by setting up a European counterfeiting and piracy observatory, …based on the Commission's existing structures, should enable a regular assessment …of the extent of counterfeiting and piracy*

• **Commission communication** on enhancing the enforcement of IPRs in the internal market *(2009)*

  ➢ *The Observatory is established to serve as the central resource for gathering, monitoring and reporting information and data related to all IPR infringements*
The Observatory today

• **Council Conclusions (2010)** called on the Commission to establish a legal basis in EU law to be more involved in IP enforcement activities

• **EP Resolution (2010)** called on more formalized cooperation between the EUIPO and Member States in the field of action against IPR infringements

• **Regulation 368/2012 of the EP and Council** entrusted the EUIPO with running the Observatory

- Now the Observatory is **integrated into the EUIPO but as a separate structure linked to DG GROW**
- **Own budgetary means of EUIPO are used** = No EU funding since EUIPO is a self-financing agency; operating through working groups and expert groups meetings
Potential legal framework for an ECIC (6/7)

Similar route for ECIC?

Starting with a loose structure…

- Highlighting Objectives SDGs 2 (Zero hunger) and 15 (Life and Land) and other important global references
- Relying on *Genetic Resources Strategy for Europe*

  ➢ *Continue to push Council Conclusions … and try to reinforce it by a EP Resolution*

  ➢ Towards a temporary EU Platform/Observatory “alike structure” for the ECIC with limited mandate and funding

...and ending with an ECIC based on Commission existing structures?

- Use the operational period of the Platform/Observatory to investigate:
  - The possibility to set up a separate legal framework for GR (Rec. 3.1.1 and 3.1.2/GRS4E)
  - The creation of an ECIC with a comprehensive mandate under this new framework, as a “EU reference center”

  ➢ *Maintain tight interactions with Council and EP to support the transition with relevant recommendations and resolutions*
Potential legal framework for an ECIC (7/7)
Task Force Conclusions

• Appreciated the idea to start with a loose entity that might evolve in time into a more formal structure
• Need to clearly formulate a justification for the implementation of the GR Strategy for Europe

➢ Next step: to obtain a strong statement from the European Council (in the form of a Conclusion or Resolution) and/or the European Parliament, which would force the Commission to take action.
THANK YOU