



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”.

Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe – Czech Republic (2/6)

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).



Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe – Czech Republic (3/6)

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



Actions during EU-Presidencies to lobby for a Genetic Resource Strategy for Europe (GRS4E) - Sweden (5/6)

- 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:

- Council Regulation (EC) N° 870/2004 and N° 1590/2004 on the conservation, characterization, collection and utilization of GR in agriculture
- 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



Potential legal framework for an ECIC (2/7)

EU Platform on Food Losses and Food Waste

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**.

Potential legal framework for an ECIC (3/7)

Fitness check of the EU Platform on Food Losses and Food Waste

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 assessmentof 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*



Potential legal framework for an ECIC (5/7)

EU Observatory on infringements of IP rights

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

A horizontal bar with a vibrant rainbow gradient, transitioning from green on the left to yellow, orange, and finally magenta on the right.