



EUROPEAN COMMISSION

HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Summary report of the meeting of the Expert group on legislation of seed and plant propagating material - Working Group on "PLANT GENETIC RESOURCES" held on 31 March 2014

Chairperson: Ms I. Clement-Nissou

Experts from the following Member States were present: AT, BE, BG, CZ, DE, ES, FI, FR, HR, IE, IT, LT, LV, NL, PL, SE, SL, UK. Experts from CH and NO were also present. 1 Expert from CPVO was also present.

COM welcomed the participation of experts from MS from both sides, the PGRFA sector and the UPOV sector.

1. Report from the bureau Meeting (Th. Meier, DE)

DE indicated that the next session of the GB is foreseen 5-9 October 2015 in Rome.

COM and DE reported on the issue of the list of eligible countries for the third call of proposal. According to the decision of the last GB, the countries eligible are developing countries as recognized by the World Bank. The issue is that some EU members (HU, RO, BG) as well as candidate countries are now included in the list. EU MS can't be seen as developing countries even if they are classified as 'Upper middle income' economy by the World Bank. EU funds provided for the 3rd call are for developing countries. The COM should prepare an Email/letter to the ITPGRFA.

It was noted that Indonesia announced a first contribution from a developing country for the next call of proposal (more than 1 million \$).

A discussion took place with regards to the part of the Governing Body (GB) report concerning the decision making process for the compliance committee as well as the issue of material under development provided by CGIARCs. It was also noted that the Treaty was not very active in the framework of discussion on food security and climate change in international fora.

2 Third call of proposal under the Benefit Sharing fund of the ITPGRFA (B. Visser, NL and Th. Meier, DE-)

NL gave some explanations about the third call of proposals. It was indicated that the experts from NL and CZ are willing to continue their work as regional experts with regard to the evaluation of the proposals received for the third call.

3 ITPGRFA and UPOV cooperation

COM introduced the item, and presented the position adopted for the UPOV Council meeting. UPOV and ITPGRFA are complementary and it is fruitful to identify issue of supportiveness and to increase awareness.

Taking into account that the resolution of the last GB was addressing both WIPO and UPOV, it was regretted that the ITPGRFA Secretariat had not sent a similar letter to WIPO. Some

experts supported the elaboration of a letter to be sent by ERG to the ITPGRFA Secretariat on possible cooperation between UPOV and ITPGRFA.

4 Ad-hoc open-ended working group to enhance the functioning of the MLS

A discussion took place on the participation of observers' organization.

The 5 European regional experts (ES, FR, NL, NO, CH) presented the draft principles to be discussed:

- * Review of Benefit sharing arrangements in order to make the benefit sharing fund sustainable and predictable in the long run;
- * Better implementation of the multilateral system, including possible extension of annex I of the ITPGRFA;

The experts' group agreed that it would be preferable not to fix the EU/ERG position now.

5 Nagoya protocol in EU

COM presented a brief State of play (adoption of the EU regulation in the EU parliament and adoption foreseen in the Council by mid-April). The Regulation recognizes the specificity of PGRFA included in the MLS of the Treaty and that the sMTA may be used for non-Annex I species.

COM (DG ENV) will prepare implementing act in order to determine the stage of final development of a product in different sectors.

6. Miscellaneous

No points raised due to time constraint.