



**COUNCIL OF
THE EUROPEAN UNION**

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ENV	154
AGRI	122
WTO	52
PI	34
DEVGEN	56
MI	154
SAN	73
CODEC	441

NOTE

from: General Secretariat

to: Coreper/Council

No. Cion prop.: 14641/12 ENV 750 AGRI 650 WTO 321 PI 116 DEVGEN 272 MI 604 SAN 221
- COM(2012) 576 final + COR 1

Subject: Proposal for a Regulation of the European Parliament and of the Council on
Access to Genetic Resources and the Fair and Equitable Sharing of Benefits
Arising from their Utilization in the Union
- Orientation debate

1. The Commission submitted the above-mentioned proposal to the Council on 25 October 2012.
2. The Working Party on the Environment (WPE) started the examination of the proposal in the past semester. The Presidency has already prepared two compromise texts that were discussed by the Working Party. At this stage of discussions, the Presidency considers it useful to hold an orientation debate so as to steer further work within the Council. With this objective, the Presidency presents two questions in order to guide the ministerial debate.

3. The Committee of Permanent Representatives is invited to consider the questions prepared by the Presidency as set out in the Annex to this Note, and to submit them to Council with a view to the orientation debate at its meeting on 21 March 2013.

 4. The Presidency encourages delegations to send written replies before the Council meeting and, where possible, to make joint interventions during the Council meeting.
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Questions for Ministers

1. *Do you consider that the obligations of users contained in the legislative proposal adequately reflect the requirements of the Nagoya Protocol with regard to user compliance in the Union? Will they contribute to the aim of effective implementation of benefit sharing arrangements?*

 2. *In your view and in the light of the Nagoya Protocol, is the proposed balance between the obligations of users and the monitoring of these obligations by Member States appropriate in order to ensure the use within the Union of genetic resources accessed in accordance with relevant requirements?*
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