



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 5 April 2013**

**8152/13**

**AGRI      222  
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**NOTE**

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from:	General Secretariat
to:	Delegations
Subject:	Fourteenth Regular Session of the FAO Commission on Genetic Resources for Food and Agriculture (Rome, 15-19 April 2013)

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At its meeting on 3 April 2013, the Working Party on Genetic Resources in Agriculture discussed preparations for the fourteenth regular session of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA14) , which will take place in Rome from 15 to 19 April 2013.

In addition to considering draft position papers and statements, it examined the draft declaration of competences and voting rights proposed by the Commission. In accordance with the FAO General Rules, the EU must submit such a declaration to the FAO Secretariat before all FAO meetings.

The meeting noted that, while the Commission had initially proposed "shared competence - EU vote" for six items on the CGRFA14 agenda, it had modified its proposal to "shared competence - MS vote" for five of them (see Annex). It insisted, however, on an EU vote for agenda item 2.4, "Consideration of the need for and modalities of access and benefit-sharing arrangements for genetic resources for food and agriculture".

Several delegations objected to an EU vote for agenda item 2.4 and expressed the view that voting by Member States remained appropriate for that agenda item. They argued that the position had not changed since the previous CGRFA meeting in 2011, for which Coreper had approved a declaration of competences and voting rights indicating "shared competence - MS vote" for all agenda items, including that on access and benefit-sharing (cf. docs 12818/11 and 12901/11).

The representative of the Commission argued that the situation had indeed changed since 2011, in particular because, in October 2012, the Commission presented to the Council and the Parliament a draft Regulation with the objective of establishing uniform user compliance rules throughout the Union covering all users and all uses of genetic resources, including for food and agriculture, so as to permit EU ratification of the Nagoya Protocol to the Convention on Biological Diversity. For that reason, it was appropriate for the European Commission to take the lead on behalf of the Union and its Member States on the issue of access and benefit-sharing.

Several delegations did not accept this argument, on the grounds that the proposed Regulation had yet to be adopted.

The Presidency concluded that there was no agreement on the voting arrangements for CGRFA14 agenda item 2.4 and that the issue would need to be discussed again at the FAO Coordination Working Party meeting on 10 April 2013.

The representative of the Commission reserved his institution's right to refer the matter to Coreper, if necessary.

**14th Regular Session of the Commission on Genetic Resources for Food and Agriculture  
(CGRFA14)**

**Rome, 15 - 19 April 2013**

**Draft Declaration of Competences and Voting Rights Submitted by the European Union**

1. Adoption of the agenda and timetable

**MULTI-YEAR PROGRAMME OF WORK**

2. Cross-sectorial matters
  - 2.1 Key issues and the preparation of *The State of the World's Biodiversity for Food and Agriculture*  
***Shared Competence – MS Vote***
  - 2.2 Review of relevant international targets and indicators for biodiversity for food and agriculture  
***Shared Competence – MS Vote***
  - 2.3 Roadmap or work programme on climate change and genetic resources for food and agriculture  
***Shared Competence – MS Vote***
  - 2.4 Consideration of the need for and modalities of access and benefit-sharing arrangements for genetic resources for food and agriculture, including Report of the First Session of the Ad Hoc Technical Working Group on Access and Benefit-sharing for Genetic Resources for Food and Agriculture  
***Shared Competence – EU Vote***
  - 2.5 Review of key issues on biodiversity and nutrition  
***Shared Competence – MS Vote***
3. Forest genetic resources
  - 3.1 Presentation of The State of the World's Forest Genetic Resources  
***Shared Competence – MS Vote***
  - 3.2 Report of the Second Session of the Intergovernmental Technical Working Group on Forest Genetic Resources, including discussion of options for the follow-up  
***Shared Competence – MS Vote***

4. Animal genetic resources
  - 4.1 Report of the Seventh Session of the Intergovernmental Technical Working Group on Animal Genetic Resources for Food and Agriculture  
***Shared Competence – MS Vote***
  - 4.2 Review of the implementation of the Interlaken outcomes  
***Shared Competence – MS Vote***
  - 4.3 Preparation of *The Second Report on the State of the World's Animal Genetic Resources for Food and Agriculture*  
***Shared Competence – MS Vote***
5. Aquatic genetic resources
  - 5.1 Status of preparation of *The State of the World's Aquatic Genetic Resources*  
***Shared Competence – MS Vote***
  - 5.2 Review of scoping policy analysis  
***Shared Competence – MS Vote***
6. Review of key issues in micro-organisms and invertebrates  
***Shared Competence – MS Vote***
7. Plant genetic resources
  - 7.1 Report of the Sixth Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture  
***Shared Competence – MS Vote***
  - 7.2 Follow-up to the Commission's recommendations regarding the implementation of the *Second Global Plan of Action for Plant Genetic Resources for Food and Agriculture*  
***Shared Competence – MS Vote***
  - 7.3 Genebank Standards for Plant Genetic Resources for Food and Agriculture  
***Shared Competence – MS Vote***
  - 7.4 Review of cooperation with the International Treaty on Plant Genetic Resources for Food and Agriculture  
***Shared Competence – MS Vote***
8. Implementation of the Multi-Year Programme of Work
  - 8.1 Human and financial resources available for the implementation of the Multi-Year Programme of Work  
***Shared Competence – MS Vote***
  - 8.2 Strategic Plan 2014-2021 for the implementation of the Multi-Year Programme of Work  
***Shared Competence – MS Vote***

## **COOPERATION WITH INTERNATIONAL INSTRUMENTS AND ORGANIZATIONS**

9. Cooperation with international instruments and organizations  
*Shared Competence – MS Vote*

### **THE COMMISSION'S MODE OF OPERATION**

10. Status and profile of the Commission, including discussion of the operation of Commission meetings  
*Shared Competence – MS Vote*
11. Composition of Intergovernmental Technical Working Groups  
*Shared Competence – MS Vote*

### **OTHER MATTERS**

12. Other business  
*Shared Competence – MS Vote*
13. Date and place of the Commission's Fifteenth Regular Session  
*MS Competence – MS Vote*
14. Election of the Chairperson and Vice-Chairpersons of the Fifteenth Regular Sessions  
*MS Competence – MS Vote*
15. Adoption of the Report  
*Shared Competence – MS Vote*
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