



**Sub-regional Capacity-
building Workshop on
the Nagoya Protocol for
Central and Eastern
Europe and Central
Asian countries,
April 1st, 2014**

EU Regulation implementing the Nagoya Protocol in the Union

Presentation content

- *Preparatory work*
- *Characteristics of the "EU Baseline"*
- *Main features of the proposal*
- *Legislative Procedure and next steps*

Preparatory work

- *Consultation with EU stakeholders*
- *Bilateral consultations with other Parties*
- *Conferences and workshops*
- *Consultant's Impact Study including sectoral reports to develop the "EU baseline"*
- *Commission Impact Assessment*

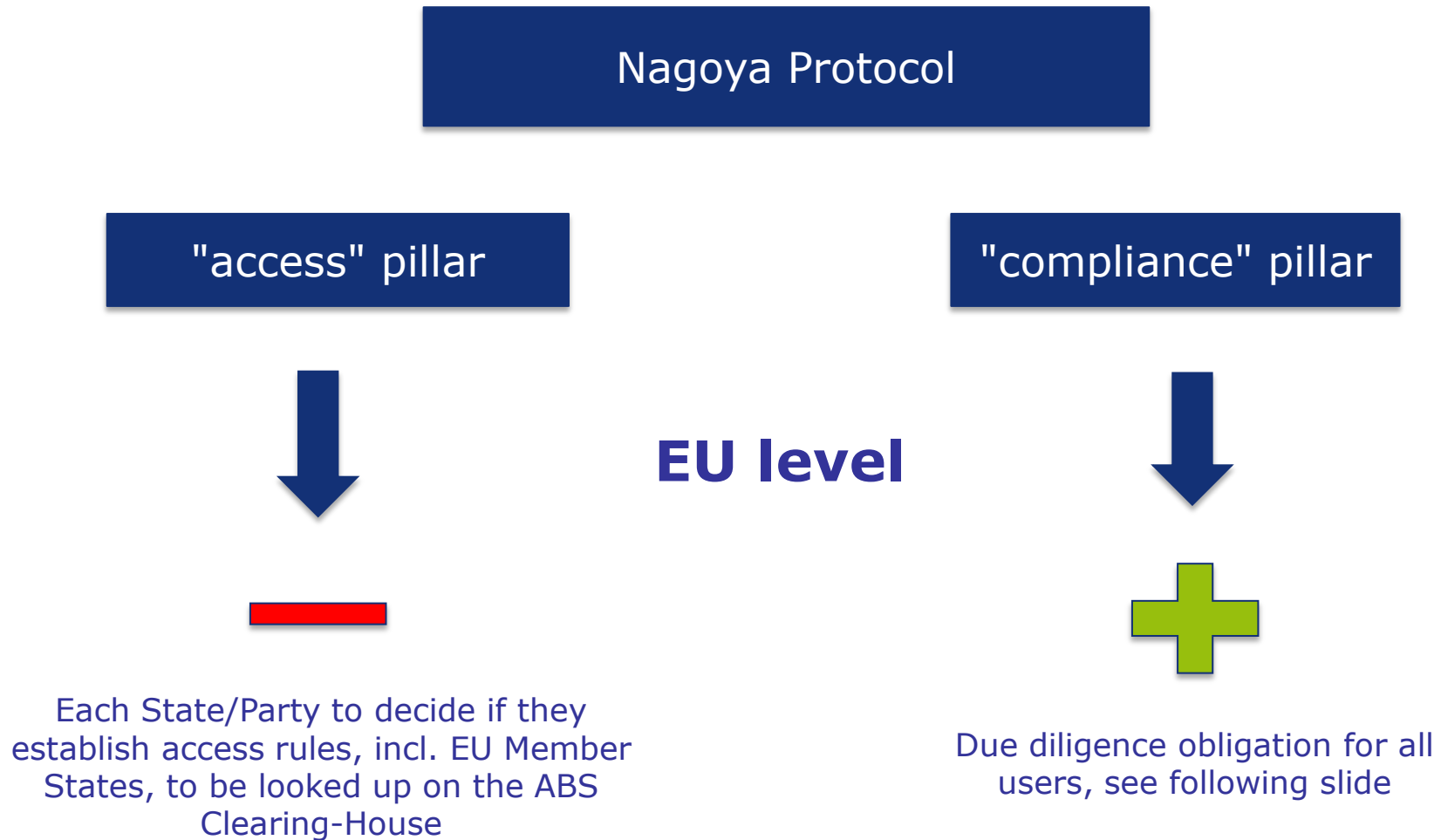
All relevant documents are available at:

http://ec.europa.eu/environment/biodiversity/international/abs/index_en.htm

Characteristics of the "EU Baseline"

- *Genetic resources are utilised in the EU for a wide range of purposes, by a wide range of actors with different interests*
- *Multiple actors at different stages of the value chain (collecting, basic research, applied research, product development)*
- *Future interest in R&D on genetic resources stable or increasing, while demand for 'in situ' access will depend very much on conditions that give legal certainty to users*
- *In situ access is mostly done by university-based researchers and scientists affiliated with ex situ collections.*
- *Commercial users rarely collect in the wild*
- *Ex situ collections play a fundamental role in the EU genetic resources value chain for both non-commercial and commercial users*
- *ABS best practices exist particularly up-stream in the EU user-chain*

Implementing the Nagoya Protocol – main features of the legislation



Main features of the legislation

– scope –

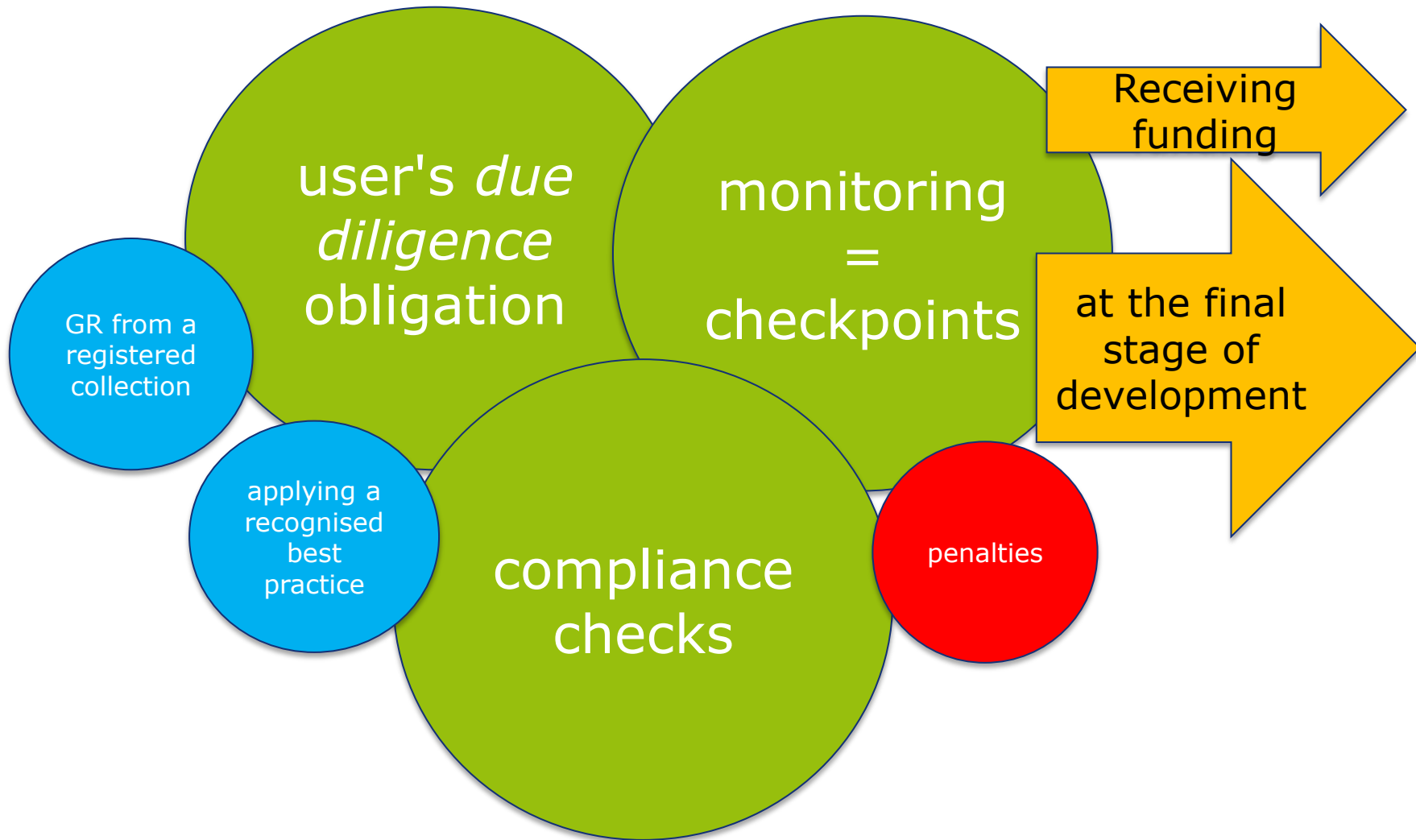
Does my activity fall under the scope of the ABS regulation?

- On substance, incl. specialised instruments?
- Temporally?
- Geographically?

IF YES



Key provisions of the EU ABS regulation



Main features of the legislation – due diligence concept

"due diligence" obligation:

- **When? Where? What?**
- **From whom and to whom?**
- **Access permit (PIC)?**
- **Mutually agreed terms?**
 - incl. benefit-sharing
- **Presence or absence of rights and obligations?**



where applicable

insufficient info / uncertainties

Discontinue utilisation



European
Commission

Legislative Procedure

- *Political agreement between European Parliament and Council since December 2013*
- *Endorsed by the sub-committees of both institutions in December 2013 and February 2014 respectively*
- *Formal decisions of EP Plenary reached in March 2014*
- *Formal decision of Council to be completed in April 2014*
- *Ratification ahead of a possible CBD/NP CoP/MoP 1 in October 2014*



Thank you for your attention!

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