



LEGISLATION & REGULATIONS

Working Group Charta

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1. Purpose and Vision of the Working Group

The Legislation and Regulations Group gathers information on regulations and legislation potentially affecting CETAF members research activities or operations and represents CETAF as relevant stakeholder at the science-policy interface. It engages directly with regulatory body such as the European Commission, the CBD Secretariat, or other relevant stakeholders. The WG ensure that the voice of CETAF members is heard at the European and on international level and supports the CETAF membership so that they can manage their legal obligations by offering professional training.

2. Strategic Relevance to CETAF

The Legislation and Regulations Working Group was initiated in 2012 and was one of the earliest CETAF Working Groups. It has engaged in major two legislative processes of the European Commission affecting the CETAF membership, the drafting of compliance laws to implement the Nagoya Protocol in the EU, and amending the Animal-By-Product law of the EU (a detailed list is provided in the annex):

- The drafting and implementation of the Nagoya Protocol in the EU, and the drafting of measures for the access and benefit sharing (ABS), due diligence declarations and compliance obligations and measures for users of genetic resources within the EU.
- The development and recognition of the CETAF Code of Conduct (2019), the first and still only recognized Best Practice to comply with for Access and Benefit-Sharing Obligation in the EU by the European Commission.
- The development and recognition of the CETAF Code of Conduct for the United Kingdom of Great Britain and Northern Ireland (2022), one of currently two recognised best practice measures for achieving compliance with the system of implementation of the Nagoya Protocol on Access and Benefit Sharing (ABS) by the Government of the United Kingdom of Great Britain and Northern Ireland (UK).
- The amending of the Animal By-Product law of the EU affecting the import and return of preserved natural history specimens.

Several submission of views and comments to studies or calls of the Secretariat of the Convention on Biological Diversity (CBD), its Nagoya Protocol (NP), Digital Sequence Information (DSI) including participation in the Ad-Hoc Technical Expert Group of the Secretariat of the CBD (2020), and stakeholder meetings of the EU COM on the NP, DSI and EU ABS regulation.

3. Main Themes and Objectives

Implementation of the Nagoya Protocol:

- Benefit Sharing: engagement in the development of the headline indicators for the sharing of non-monetary benefits under the CBD (post-2020 Global Biodiversity Framework).
- Engagement in the stakeholder process of the forthcoming revision of the EU ABS Regulation (EU) 511/2014.

Transport of preserved natural history specimens over international borders:

- Engagement to further harmonise the Animal-By-Product laws of the EU and their harmonized implementation in the EU Member States (currently not the case).
- Engagement with EU customs laws to engage with increasing difficulties to handle preserved natural history specimens being transferred as international loans.

4. Work Plan and Deliverables

Scheduling of regular meetings as required to work on submissions where required and to schedule workshops for the CETAF Membership. Actual work and working plans are closely correlated with opening and deadlines of calls to submit views.

5. Evaluation and Success Metrics

Most of the deliverables of the WG have and will be published on the CETAF website; it might be worth considering to add an subpage that collects and lists all submissions of the Legislation and Regulations WG to highlight their work and relevancy for the science-policy interface and strengthen CETAF visibility as relevant political stakeholder

<https://cetaf.org/resources/best-practices/>

6. Timeline and Lifetime

The Legislation and Regulations Working Group is an ongoing CETAF WG.

7. Roles and Responsibilities

Chair/Co-Chairs: invite to regular meetings of the WG, participate or nominate members to participate in official hearings, and take a lead in the drafting of submissions.

Members of the Working Group: participate in the regular meetings and contribute through drafting or commenting to the actual work.



8. Governance and Decision-Making Structure

The individual members can either agree or disagree in their role and functions as regular members of the working group. In case they disagree with a proposal, it is expected that they offer an alternative solution that can be discussed by the group. Non-regular/inactive members of the WG are informed via the mailing list about the actual work and can attend the regular meetings, engage actively and participate in the decision making of the ongoing work or projects.

9. Communication and Collaboration Tools

The communication of the group is coordinated via central group mailing list, which contains the mail addresses of all members of the Working Group (cetaf_abs_core@cetaf.simplelists.com). All necessary information and documents, as well as the regular meetings of the group are coordinated through this mailing list.

10. Stakeholder Engagement (Internal & External)

The CETAF Legislation & Regulations working Group participates in regular meetings of the CETAF General Assembly or prepares information for such meetings, as required. The Chair/Co Chairs of the working group participate in the meetings of the CETAF Working Group leaders and the meetings of the CETAF Executive and the WG leads. It engages and exchanges directly with similar working groups, for example the Legislation and Regulations Committee of the Society for the Preservation of Natural History Collections ([SPNHC](#)), or the Alliance of University and Non-University Biodiversity Research in Germany ([Consortium of German Natural History Collections](#), [Deutsche Naturwissenschaftliche Forschungssammlungen](#), [DNFS](#); [German LifeSciences Association](#) ([VBIO](#), [Verband Biowissenschaften](#), [Biologie und Biomedizin in Deutschland](#), [VBIO e. V.](#)) and the [Leibniz Biodiversity Research Alliance](#)).

ANNEX

List of relevant EU legislative documents:

- EU COMMISSION IMPACT ASSESSMENT SWD(2012) 292 final – STAFF WORKING DOCUMENT, 4.10.2012. *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.*
- REGULATION (EU) No 511/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 *on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union.*
- COMMISSION IMPLEMENTING REGULATION (EU) 2015/1866 of 13 October 2015 *laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices.*
- EU GUIDANCE DOCUMENT (2016/C 313/01) EUROPEAN COMMISSION NOTICE. *Guidance document on the scope of application and core obligations of Regulation (EU) No 511/2014 of the European Parliament and of the Council on the compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union.*
- EU GUIDANCE DOCUMENT C(2020) 8759. EUROPEAN COMMISSION NOTICE. *Guidance document on the scope of application and core obligations of Regulation (EU) No 511/2014 of the European Parliament and of the Council on the compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union.*
- COMMISSION REGULATION (EU) No 294/2013 of 14 March 2013 *amending and correcting Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.*
- COMMISSION REGULATION (EU) 2020/762 of 9 June 2020 *amending Regulation (EU) No 142/2011 as regards microbiological standards for raw petfood, requirements concerning approved establishments, technical parameters applicable to the alternative method Brookes' gasification process and hydrolysis of rendered fats, and exports of processed manure, certain blood, blood products and intermediate products.*

