European Genebank Network for Animal Genetic Resources.

Terms of Reference

(Approved by the ERFP General Assembly, 9th of September)

1. Introduction

World food security and poverty alleviation are global challenges for present and future generations. At the same time, the conservation and sustainable utilization of biological diversity as well as the fair and equitable sharing of the benefits arising out of the use of genetic resources are central responsibilities of the global community, as agreed by the adoption of the Convention of Biological Diversity (CBD) in 1992. The Sustainable Development Goal (SDG) 2 "Zero hunger" and SDG 15 (Life and land) also highlight these challenges. As an important part of the agricultural biodiversity, animal genetic resources (AnGR) are an essential basis for livestock production and offer opportunities to adapt animal breeds to changing production systems, markets and environments, especially in the light of climate change.

The relevance of AnGR have been acknowledged in the SDG 2, whose Target 2.5 stated that: *By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed*

In addition two indicators have been stablished to monitor the situation of the AnGR, Indicator 2.5.1.b: Number of animal genetic resources for food and agriculture secured in medium or long term conservation facilities and Indicator 2.5.2: Proportion of local breeds classified as being at risk of extinction

The European countries are highly interdependent, with respect to AnGR. Animal genes, genotypes and populations have spread all over Europe since ancient times. Continuous development and improvement of AnGR has taken place in Europe and AnGR have been systematically exchanged internationally, within Europe and globally. Because of this interdependence among countries and the importance of AnGR for food and nutrition security the FAO's Commission for Genetic Resources for Food and Agriculture (CGRFA) has a fundamental role for the conservation and sustainable use of AnGR.

Based on the work of the CGRFA the first international technical conference for AnGR has, in September 2007, adopted in Interlaken the first Global Plan of Action for Animal Genetic Resources (GPA).The GPA comprises of twenty-three Strategic Priorities which are aimed at combating the erosion of animal genetic diversity and at using AnGR in a sustainable fashion. The Strategic Priorities for Action, contained within the GPA, propose specific measures to reverse the ongoing trends of erosion and to promote the

sustainable use of AnGR. The actions directly address the key questions of practical implementation, through coherent and synergistic development of the necessary institutions and capacities. The Strategic Priority 9 of the GPA stresses the establishment and strengthening of the ex situ conservation of AnGR.

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization (ABS) elaborates the general rules of the CBD on ABS in relation to the utilisation of AnGR and traditional knowledge associated with these genetic resources. This includes the effective implementation of benefit-sharing commitments set out in mutually agreed terms between providers and users. The Nagoya Protocol encourages countries, to develop, update and use sectoral and cross-sectoral model contractual clauses for mutually agreed terms and to promote best practices. The European Union (EU), its Member States and other European countries have developed ABS legislation to implement the Nagoya Protocol.

The European Commission have adopted the Commission Delegated Regulation (EU) 2020/686, supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of germinal product establishments and the traceability and animal health requirements for movements within the Union of germinal products of certain kept terrestrial animals. This regulation recognise for the first time an exception for the movement of germinal products from the Gene Banks between member countries of the EU.

The European Regional Focal Point for Animal Genetic Resources (ERFP) committed to facilitate the implementation of the FAO Global Plan of Action (GPA) in Europe and to support the in situ and ex situ conservation and sustainable use of AnGR, and to enhance the National Coordinators (NC) activities at the European level. The main ERFP bodies to support the ex situ conservation are the European Gene Bank Network for Animal Genetic Resources, (EUGENA) and the ERFP Working Group Ex situ conservation, supervised by the ERFP Assembly and assisted by the ERFP Working Group Documentation and Information and the ERFP Secretariat.

The European region, through the ERFP, has established the European Genebank Network for AnGR (EUGENA). EUGENA will support the ex situ conservation and sustainable use of AnGR and facilitate the implementation of the UN´s SDG, FAO's GPA and the Nagoya Protocol for ABS in the European Region and the application of the new animal health Regulation 2020/686 in EU countries. EUGENA is governed by ERFP and is working on the basis of Terms of Reference (ToR), as agreed by the General Assembly of ERFP.

ERFP Member countries can decide to participate in EUGENA. Individual countries will identify potential EUGENA Member Gene banks, which are recognized at national level for the long term conservation and sustainable use of AnGR. Any genetic material in the Member Genebanks remains under full sovereignty and responsibility of the Member Country and its Member Genebank(s).

2. Definitions.

Genebank: A genebank for AnGR is a repository for ex situ conservation and sustainable use of AnGR held by a host institution authorized and/or recognized by a national authority to fulfil these tasks. A genebank may be constituted by one or more repositories (in vitro or in vivo) collaborating as a network.

Member Country: An ERFP member country that has one or more EUGENA genebanks.

Member Genebank: A genebank within a Member Country, which participates in the EUGENA.

Genetic Material: Reproductive or any genetic material from breeds for long-term storage, which can be used for reproduction or research and development, particularly semen, oocytes, embryos, somatic cells and DNA.

Host institution: The host institution is the institution(s) authorized and/or recognized by a national authority for executing the genebank functions.

Legal basis: The legal basis describes the legal framework or the official decision for the establishment and/or recognition of the genebank.

Ownership of the material: Ownership of the material describes the owner(s) of the genetic material which is stored or maintained in the genebank.

Governance body: Governance body is the legal person, institution, group of institutions or such body as entitled and stated by the legal basis to decide on the operations of the genebank.

Starting date of the collection: The starting date of the collection is the year, when the first genetic material in the genebank was collected and stored.

Starting date of the genebank: The starting date of the genebank is the date of the official decision for the establishment and/or recognition of the genebank.

Collection categories: Core collection, Historic collection, Working collection, Evaluation collection as defined in the FAO guidelines (www.fao.org/docrep/016/i3017e/i3017e00.pdf).

Acquisition conditions: Acquisition conditions are the conditions, which have to be fulfilled to acquire genetic material, possibly outlined in a specific document (e.g. material acquisition agreement (MAA)) in order to include it into the genebank.

Access conditions: Access conditions are the conditions, which have to be fulfilled to get access to the genetic material held in the genebank, possibly outlined in a specific document (e.g. material transfer agreement (MTA)).

Other valid competent authority in the country: any authority in the country with the legal competences under national rules to nominate a host institution a genebank as EUGENA member.

3. Objectives of the EUGENA

The objectives of the EUGENA are:

- to support genebanks in European countries to fulfil their individual roles and objectives;
- to improve monitoring and assessment of AnGR kept in ex situ collections in European countries by sharing information on genebank collections;
- to improve genebank operations and procedures in European countries by sharing information;
- to use synergies for ex situ conservation and sustainable use of AnGR by joint activities of genebanks in European countries;
- to increase the efficiency of ex situ conservation and sustainable use of the genetic diversity of transboundary breeds;
- to promote harmonization of acquisition and access terms for ex situ conservation and sustainable use throughout the genebanks in European countries;
- to facilitate a quality improvement of the genebanks in European countries;
- to create an element of the European research infrastructure for conservation and sustainable use of AnGR;
- to facilitate a regional European approach for international cooperation and exchange of AnGR in the context of the implementation of the Nagoya Protocol for Access and Benefit Sharing.
- to support countries in the achievement of target 2.5 of the SDG 2, and in the monitoring of indicators SDG 2.5.1.b and 2.5.2.
- to facilitate the implementation of the exception for movements of germinal products between genebanks in different countries of the EU, foreseen in Regulation 2020/686.

4. Participation in EUGENA

Participation in EUGENA can be agreed by two processes

1. a two-step process.

• step 1 (international): ERFP Member Country and the ERFP Secretariat sign the EUGENA Memorandum of Understanding (see Annex 1).

• step 2 (national): The Member Country representative and the representative(s) of the genebank(s) agree on/ sign the EUGENA Letter of Agreement (see Annex 2) for the

participation in the EUGENA. Member Country representative informs the ERFP Secretariat on genebanks that participate in EUGENA.

2. a single steep process:

The NC or other valid competent authority in the country (in case NC has not legal competences under the national rules) nominate a host institution a genebank as EUGENA member, presenting to ERFP secretariat a statement (see annex 3) recognizing the host institution is developing functions as a repository for ex situ conservation and sustainable use of AnGR. A declaration of commitment of the host institution (see annex 4) must accompanied the nomination by the NC or other valid competent authority in the country. The enrolment of the country in EUGENA will be recognised with the first genebank nomination.

In both processes, the compliance of the relevant national legal framework by the host institution (i.e. animal health regulation, ABS regulation, animal welfare regulation…) must we settled in the EUGENA Memorandum of Understanding and EUGENA Letter of agreement or in the statement of nomination and declaration of commitment.

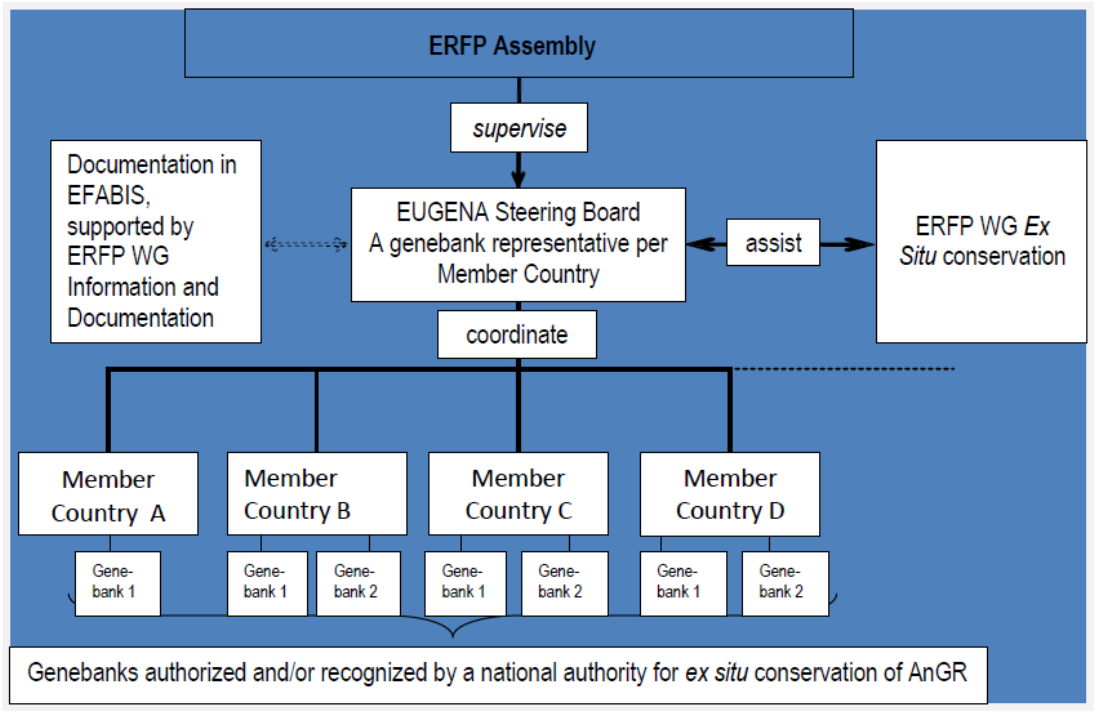
5. Organizational structure and governance of the EUGENA

The EUGENA is a network of Member Genebanks in European countries to support the ex situ conservation and sustainable use of AnGR in Europe under these Terms of Reference. It operates under the umbrella of the ERFP. EUGENA itself does not constitute a legal entity but operates by its member genebanks collectively. The member genebanks operate in accordance with their respective national legal framework. The EUGENA activities are coordinated by the Steering Board.

The Steering Board consists of a genebank representative per Member Country (one person per country) nominated by the NC. The Steering Board is supervised by the ERFP Assembly and assisted by the ERFP Working Group on Ex situ conservation.

For the documentation of the genetic material, which is stored in the EUGENA, the ERFP Working Group on Documentation and Information supports the Steering Board. The ERFP Secretariat provides technical and administrational support to the EUGENA (see Diagram 1).

Diagram 1: The organizational structure of the EUGENA



Role of the ERFP Assembly:

The EUGENA Member Countries within the ERFP Assembly play a supervising role for EUGENA as follows:

- Approving the EUGENA workplan developed by the Steering Board
- Deciding on the use of ERFP funds for activities of EUGENA
- Receiving and approving annual progress reports on activities from the Steering Board
- General supervision of the European Genebank Network

Role of the Steering Board:

The operational body of the EUGENA is the Steering Board, which consists of a genebank representative per Member Country (one person per country).

The Steering Board will:

- implement the objectives of the EUGENA
- develop a workplan to be approved by the ERFP Assembly
- implement and monitor the workplan,
- seek advice from the Working Group *Ex situ* Conservation
- seek advice from the Working Group Information and Documentation
- report annually to the ERFP Assembly

Role of the ERFP Secretariat:

The ERFP Secretariat will, in relation to EUGENA:

- act as contractual partner on behalf of the ERFP for the MoU between the member country and ERFP
- provide technical and administrational support for the European Genebank Network

Role of the ERFP WG on Ex situ Conservation:

The ERFP Working Group on Ex situ conservation will, in relation to EUGENA:

- work on topics proposed by the Steering Board and/ or the Assembly
- propose topics to the Steering Board and/ or the Assembly
- promote participation of genebanks in the network
- maintain a communication network with respect to the *ex situ* conservation and sustainable use of AnGR

Role of the ERFP WG on Information and Documentation:

The ERFP Working Group on Documentation and Information will, in relation to EUGENA:

- support the documentation of the genetic material of the genebanks in EFABIS
- support exchange of information on material/donor animals in genebanks

6. Conditions for the acquisition and the access of genetic material

The acquisition and access conditions for genetic material, which is stored in a member genebank will have to comply with the national laws, regulations or rules of the Member Country.

The exchange and use of genetic material from genebanks shall follow relevant European legislation for international exchange, and specific national laws or derogations for national use, if applicable.

The genebanks provide information on the property rights, acquisition and access conditions of use for each genetic material, which they have stored for the purposes of the EUGENA. The WG on Ex Situ Conservation may advise on harmonized collection categories for the consideration by the Steering Board.

The genebanks are recommended to follow the Guidelines for the development of Material Transfer Agreement (MTA) for Conservation and Breeding (see Annex 5) the Guidelines for the development of Material Transfer Agreement (MTA) for research (see Annex 6) and the Guidelines for the development of Material Acquisition Agreements (see annex 7). Such guidelines were developed jointly by the WG on Ex situ Conservation and the TF on ABS.

7. Documentation and inventory reports

The documentation of the genetic material which is included in the EUGENA is performed at the national level and reported by the NC to the EUGENA portal and EFABIS/DAD-IS.

The WG on Documentation and Information and the WG on Ex Situ Conservation will advise on information that should be published in the EUGENA portal and in EFABIS for different collection categories and types of genetic material.

8. Funding of the EUGENA

The funding of each genebank is arranged at the national level.

The ERFP may support further development of EUGENA and possible activities through *Ad hoc* Actions and/ or in cooperation with the ERFP Working Group on *Ex situ* conservation and/ or the ERFP Working Group on Documentation and Information.

Annex

[Annex 1: Memorandum of Understanding]

[Annex 2: Letter of Agreement]

[Annex 3: Model of statement of nomination]

[Annex 4: Model of Declaration of commitment of participating Genebanks]

[Annex 5: Guidelines for the development of Material Transfer Agreement (MTA) for Conservation and Breeding]

[Annex 6: Guidelines for the development of Material Transfer Agreement (MTA) for research]

[Annex 7: Guidelines for the development of Material Acquisition Agreements]