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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

**Twenty-Seventh Extraordinary Session
Geneva, March 26, 2010**

APPOINTMENT OF THE NEW VICE SECRETARY-GENERAL

Document prepared by the Office of the Union

1. The purpose of this document is to inform the Council of the developments and next steps of the procedure for the appointment of a new Vice Secretary-General and to invite the Council to consider a decision concerning the terms of appointment for the new Vice Secretary-General of UPOV.

Procedure for the Appointment of a New Vice Secretary-General

2. The current extension of the appointment of the Vice Secretary-General will end on November 30, 2010. The post of Vice Secretary-General will thus become vacant on December 1, 2010.

3. The Consultative Committee, at its seventy-seventh session held in Geneva on April 3, 2009, approved the procedure and timetable for the appointment of a new Vice Secretary-General in 2010. The developments that had taken place and the next steps concerning that procedure are summarized below:

(a) the circular announcing the vacancy and the general description of the post of Vice Secretary-General and an outline of the conditions of employment of the post was sent on May 29, 2009 (C. U 3659) with a closing date for applications of August 31, 2009;

(b) the Consultative Committee, at its seventy-eighth session, held in Geneva on October 21 and 22, 2009, considered the applications received for the post of Vice Secretary-General, in conjunction with the Report of the first meeting of the *Ad hoc* Sub-Committee of the Consultative Committee which was held in Geneva on October 20, 2009, and selected the following candidates, listed in alphabetical order, to be interviewed by the *Ad hoc* Sub-Committee of the Consultative Committee:

Mr. Peter John BUTTON (United Kingdom of Great Britain and Northern Ireland);
Mrs. Antonia IVAȘCU (Romania);
Mr. Raimundo LAVIGNOLLE (Argentina);

(c) after the seventy-eighth session of the Consultative Committee, on December 15, 2009, the Secretary-General was informed of the personal decision of Mrs. Antonia Ivascu to withdraw her candidature for the post of Vice Secretary-General. Members of the Union were notified accordingly;

(d) the “Informal Meeting for members of the Union concerning the procedure for the appointment of a new Vice Secretary-General” was held in Geneva on the morning of February 1, 2010, and presentations were made by Mr. Button and Mr. Lavignolle on the topic “How to address the challenges facing UPOV in the next five years”;

(e) the interviews of Mr. Button and Mr. Lavignolle were conducted by the *Ad hoc* Sub-Committee of the Consultative Committee on the afternoon of February 1, 2010 and the Report of its second meeting was sent to the members of the Union on February 24, 2010;

(f) the Consultative Committee, at its seventy-ninth session to be held in Geneva on the morning of March 26, 2010, will make a recommendation on the appointment of the new Vice Secretary-General to the Council; and

(g) the Council, at its twenty-seventh extraordinary session to be held in Geneva on the afternoon of March 26, 2010, after seeking the agreement of the Secretary-General, will appoint the new Vice Secretary-General of UPOV.

Appointment of the New Vice Secretary-General

4. The UPOV Convention (Article 26(5)(iii) of the 1991 Act and Article 21(b) of the 1978 Act) states that the Council of UPOV shall appoint the Vice Secretary-General of UPOV and determine the terms of appointment.

5. The Agreement between the World Intellectual Property Organization and the International Union for the Protection of New Varieties of Plants (WIPO/UPOV Agreement, document UPOV/INF/8), signed on November 26, 1982, Article 7(1) provides as follows:

“Article 7

Appointment and Dismissal of the Staff of the Office of UPOV

“(1) Appointment of the Vice Secretary-General of UPOV and the possible termination of his appointment for disciplinary reasons or reasons of incapacity to fulfill his duties shall take place after the Council of UPOV has sought the agreement of the Secretary-General of UPOV to the said appointment or dismissal.

[...]”

6. In accordance with the relevant provisions of the UPOV Convention (Article 26(5)(iii) of the 1991 Act and Article 21(b) of the 1978 Act) and of the WIPO/UPOV Agreement (Article 7(1)), the Council is invited to appoint the new Vice Secretary-General for the period from December 1, 2010 to November 30, 2012. In conformity with the conditions of employment of the post provided in Circular U 3659 of May 29, 2009, “[t]owards the end of that period, the Council of UPOV will decide whether the contract is to be renewed, and if so for how long.”

7. In relation to the conditions of employment of the post provided in Circular U 3659 of May 29, 2009, the Council is invited to make the appointment “either at the D-2 or Assistant Secretary General (ASG) grade of the United Nations common system depending upon the qualifications and experience of the successful applicant.”

8. *The Council is invited to:*

(a) appoint the new Vice Secretary-General of UPOV for the period from December 1, 2010 to November 30, 2012; and

(b) make the appointment either at the D-2 or Assistant Secretary General (ASG) grade of the United Nations common system depending upon the qualifications and experience of the successful candidate.

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