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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

Sixth Extraordinary Session

Geneva, September 29, 1986

REPORT

noted by the Consultative CommitteeConvocation of the Session

1. Pursuant to Article 19 of the 1978 Act of the International Convention for the Protection of New Varieties of Plants and to Rule 4(3) of the Rules of Procedure of the Council of the International Union for the Protection of New Varieties of Plants (UPOV) (hereinafter referred to as "the Council"), the sixth extraordinary session of the Council was convened, upon instruction of the President of the Council, Mr. J. Rigot (Belgium), by a written notification to the member States of UPOV emanating from the Secretary-General of UPOV, to meet at the headquarters of UPOV on September 29, 1986.

Opening of the Session

2. The sixth extraordinary session of the Council was held in Geneva on September 29, 1986, and was opened and presided over by the President of the Council.

3. The list of participants appears in the Annex to this report.

Agenda

4. The only item on the agenda was the appointment of a new Vice Secretary-General of UPOV.

Appointment of a Vice-Secretary General

5. The President made a statement extolling the merits of Dr. Heribert Mast, Vice Secretary-General of UPOV since March 4, 1974, who had submitted, for reasons of health, his resignation on August 11, 1986, and had passed away on August 15, 1986. The Council observed a minute of silence in his memory.
6. The President recalled that, under Article 21 of the 1978 Act of the UPOV Convention, it was for the Council to appoint a Vice Secretary-General and determine the terms of his appointment and that Article 7 of the Agreement between the World Intellectual Property Organization (WIPO) and UPOV called for that appointment to take place after the Council had sought the agreement of the Secretary-General of UPOV. Further, the President noted that, since the session had been convened with a notice of less than two months, Rule 4(4) of the Rules of Procedure of the Council required that decisions of the Council be made without a dissenting vote.
7. The President noted that applications concerning five candidatures for the post of Vice Secretary-General of UPOV had been submitted by governments, four of which had reached the Secretary-General of UPOV by September 15, 1986, the date fixed in the announcement of the post, namely (in the chronological order received) those of Dr. Walter Gfeller (Switzerland), Mr. B. Bar-Tel (Israel), Mr. F.C. Espenhain (Denmark), Mr. M.J. Kuiper (Netherlands), and that the fifth, namely that of Professor Italo Eynard (Italy), had been received on September 17, 1986.
8. Following statements made by the President and the Secretary-General in which each indicated what were the desirable qualities of a Vice Secretary-General, the Secretary-General reviewed the qualifications and experience of each of the candidates and said that he would welcome the choice of Dr. Walter Gfeller (Switzerland) for appointment by the Council to the post of Vice Secretary-General.
9. After a full discussion, in which the delegations of Denmark, France, the Federal Republic of Germany, Hungary, Israel, Italy, Japan, the Netherlands, New Zealand, the United Kingdom and the United States of America made statements and the Secretary-General replied to questions and, following a suspension of the meeting to enable further consultations among the delegations, the Council decided, without a dissenting vote, to appoint Dr. Walter Gfeller (Switzerland) to the post of Vice Secretary-General of UPOV. The Council also decided that the terms of his appointment would be those set forth in the descriptions of that post as appearing in the Annex to Note C.U 1138 of August 15, 1986.
10. Upon the proposal of the Delegation of the Federal Republic of Germany, the Council decided that the Office of the Union should prepare, for consideration at a future session of the Council, a paper outlining the possible procedures that could be followed in the selection of candidates for the post of Vice Secretary-General of UPOV.
11. This report was noted by the Consultative Committee at its thirty-fourth session, on December 1, 1986.

[Annex follows]

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS/TEILNEHMERLISTE

I. MEMBER STATES/ETATS MEMBRES/VERBANDSSTAATEN

BELGIUM/BELGIQUE/BELGIEN

M. J. RIGOT, Ingénieur en chef, Directeur au Ministère de l'agriculture, 39, route d'Anderlues, 6530 Thuin

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- Mr. N. INOUE, First Secretary, Permanent Mission of Japan, 10, avenue de Budé, 1211 Geneva 19, Switzerland

NETHERLANDS/PAYS-BAS/NIEDERLANDE

- Mr. W.F.S. DUFFHUES, Director, Arable Crops and Horticulture, Ministry of Agriculture and Fisheries, Bezuidenhoutseweg 73, The Hague

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II. OFFICER/BUREAU/VORSITZ

M. J. RIGOT, President

III. SECRETARIAT/SEKRETARIAT

Dr. A. BOGSCH, Secretary-General of UPOV

Mr. G. LEDAKIS, Legal Counsel of WIPO

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