



C/34/15

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL**Thirty-Fourth Ordinary Session
Geneva, October 26, 2000**RECORD OF THE DECISIONS
ADOPTED IN THE SESSION*adopted by the Council*Introduction

1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its thirty-fourth ordinary session in Geneva on October 26, 2000, under the chairmanship of Mr. Ryusuke Yoshimura (Japan).
2. The list of participants is given in Annex I to this document.
3. The Council took the decisions recorded below, under each relevant agenda item.
4. The draft report on the session will be submitted to the next session of the Council for adoption.

Adoption of the Report on the Thirty-Third Ordinary Session

5. The Council adopted the report as given in document C/33/18 Prov.

Examination of the Conformity of the Legislation of any State and any Organization Having Submitted a Request under Article 34(3) of the 1991 Act of the UPOV Convention

Republic of Azerbaijan

6. Discussions were based upon document C/34/12.

7. The Council decided

(a) to advise the Government of the Republic of Azerbaijan that the Law in its main provisions incorporates the substance of the Convention, and that it may deposit an instrument of accession to the Convention;

(b) to further advise the Government of the Republic of Azerbaijan that it may wish to correct the deviations and inconsistencies described in document C/34/12 at the earliest opportunity;

(c) to request the Office of the Union to offer its assistance to the Government of the Republic of Azerbaijan in the preparation of a revised translation into one or more of the official languages.

The former Yugoslav Republic of Macedonia

8. Discussions were based upon document C/34/13.

9. The Council decided

(a) to advise the Government of The former Yugoslav Republic of Macedonia that the Law does not incorporate some important provisions of the Convention;

(b) to request the Office of the Union to offer its assistance to the Government of The former Yugoslav Republic of Macedonia in drafting the necessary amendments to the Law, and the preparation of a more satisfactory translation into one or more of the official languages of UPOV;

(c) to further advise the Government of The former Yugoslav Republic of Macedonia that upon the adoption of the necessary amendments described in C/34/13 to the satisfaction of the Office of the Union and the making of implementing regulations, it may deposit an instrument of accession to the Convention.

Tunisia

10. Discussions were based upon document C/34/14.

11. The Council decided

(a) to advise the Government of Tunisia that the Law in its main provisions incorporates the substance of the Convention, and that it may deposit an instrument of accession to the Convention;

(b) to further advise the Government of Tunisia that it may wish to supplement the texts of its legislation, where necessary, so as to avoid recourse to the Constitutional Provision.

Report by the Vice-President on the Work of the Fifty-Ninth and Sixtieth Sessions of the Consultative Committee; Adoption of Recommendations, if Any, Prepared by That Committee

12. No decision was called for under this agenda item.

Report by the Secretary-General on the Activities of the Union in 1999; Supplementary Report on Activities During the First Nine Months of 2000

13. The Council approved the report by the Secretary-General on the activities of the Union in 1999, given in document C/34/2, and noted the report on activities during the first nine months of 2000, given in document C/34/3.

14. The Council expressed appreciation to the Office of the Union for the work carried out, and also to WIPO for the assistance provided.

Report by the Secretary-General on the Management of the Union During the 1998-99 Biennium and the Financial Situation of the Union at December 31, 1999

15. The Council unanimously approved the report by the Secretary-General on the management of the Union during the 1998-99 biennium and the financial situation of the Union at December 31, 1999, as given in document C/34/4.

16. The delegation of the United States of America advised that its contribution outstanding on December 31, 1999, had been paid in the year 2000. The Council decided to add the updated Annex A.7 of document C/34/4 as Annex II to this report.

Report on the Auditing of the Accounts of the 1998-99 Biennium

17. The Council noted the report of the auditors on the accounts of the 1998-99 biennium contained in document C/34/4, Annex B, and expressed its gratitude to the Government of Switzerland for its cooperation in this matter.

Representation Allowance for the Vice Secretary-General

18. The Council decided that the Vice Secretary-General will receive a representation allowance at the same level as the Assistant Directors General of WIPO, namely, 12,000 Swiss francs per year effective from October 1, 2000.

Progress of the Work of the Administrative and Legal Committee

19. The Council noted the work of the Administrative and Legal Committee as described in document C/34/9 and in the oral report given by its Chairman, Mr. John Carvill (Ireland).

Progress of the Work of the Technical Committee, the Technical Working Parties and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular

20. The Council noted the work of the Technical Committee, the Technical Working Parties and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular as given in document C/34/10 and its addendum, and approved the programs of work for the forthcoming sessions.

Calendar of Meetings in 2001

21. The Council established the calendar of meetings in 2001 as reproduced in Annex III to this document.

Election of the New President and the New Vice-President of the Council

22. The Council elected, in each case for a term of three years ending with the thirty-seventh ordinary session of the Council, in 2003:

- (a) Mr. Karl Olov Öster (Sweden), President of the Council, and
- (b) Mrs. Adelaida Harries (Argentina), Vice-President of the Council.

23. The Council expressed its appreciation to the outgoing President, Mr. Ryusuke Yoshimura (Japan), for the work carried out during his term.

Situation in the Legislative, Administrative and Technical Fields

24. No decision was called for under this agenda item.

Retirement and Arrival of the Vice Secretary-General

25. The Council noted that Mr. Barry Greengrass retired on June 30, 2000. It paid tribute to his outstanding contribution to the development of the Union over the last twelve years.

26. The Council also noted that Dr. Rolf Jördens took up his duties as Vice Secretary-General on July 1, 2000.

27. *The Council adopted this record at the close of the session.*

[Annex I follows]

ANNEXE I/ANNEX I/ANLAGE I/ANEXO I

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(dans l'ordre alphabétique des noms français des États / in the alphabetical order of the names
in French of the States / in alphabetischer Reihenfolge der französischen Namen
der Staaten / por orden alfabético de los nombres en francés de los Estados)

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INTERNATIONALE VEREINIGUNG DER ANWÄLTE FÜR GEWERBLICHES EIGENTUM (FICPI) /
FEDERACIÓN INTERNACIONAL DE ABOGADOS DE PROPIEDAD INDUSTRIAL (FICPI)

Jean-François LÉGER, Membre du Comité exécutif, 122, rue de Genève, 1226 Thônex, Suisse

FÉDÉRATION INTERNATIONALE DU COMMERCE DES SEMENCES (FIS) /
INTERNATIONAL FEDERATION OF THE SEED TRADE (FIS) /
INTERNATIONALER SAMENHANDELSVERBAND (FIS) /
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IV. BUREAU / OFFICERS / VORSITZ / OFICINA

Ryusuke YOSHIMURA, President
Karl Olov ÖSTER, Vice-President

V. BUREAU DE L'OMPI / OFFICE OF WIPO / BÜRO DER WIPPO /
OFICINA DE LA OMPI

Thomas KEEFER, Assistant Director General

VI. BUREAU DE L'UPOV / OFFICE OF UPOV / BÜRO DER UPOV /
OFICINA DE LA UPOV

Kamil IDRIS, Secretary-General
Rolf JÖRDENS, Vice Secretary-General
Peter BUTTON, Technical Director
Raimundo LAVIGNOLLE, Senior Counsellor
Barry GREENGRASS, Consultant
Evgeny SARANIN, Consultant
Sumito YASUOKA, Consultant
Choun-Keun PARK, Intern

[L'annexe II suit/
Annex II follows/
Anlage II folgt/
Sigue el Anexo II]

ANNEX II

ANNEX A.7

Contributions and Working Capital Fund Shares due
on December 31, 1999

| <u>Member State*:</u> | <u>No Arrears/Year(s) of Arrears</u> | <u>Update Showing Amounts of These</u> <u>Arrears Unpaid as of October 26, 2000</u> <u>(in Swiss Francs)</u> |
|--------------------------|---|--|
| Argentina | No arrears | |
| Australia | No arrears | |
| Austria | No arrears | |
| Belgium | No arrears | |
| Bulgaria | No arrears | |
| Canada | No arrears | |
| Chile | No arrears | |
| Colombia | No arrears | |
| Czech Republic | No arrears | |
| Denmark | No arrears | |
| Ecuador | No arrears | |
| Finland | No arrears | |
| France | No arrears | |
| Germany | No arrears | |
| Hungary | No arrears | |
| Ireland | No arrears | |
| Israel | No arrears | |
| Italy | No arrears | |
| Japan | No arrears | |
| Mexico | No arrears | |
| Netherlands | No arrears | |
| New Zealand | No arrears | |
| Norway | No arrears | |
| Paraguay | No arrears | |
| Poland | No arrears | |
| Portugal | No arrears | |
| Republic of Moldova | No arrears | |
| Russian Federation | Working Capital Fund Contribution 1999 | 4 167 <u>26 820</u> 30 987 |
| Slovakia | No arrears | |
| South Africa | No arrears | |
| Spain | No arrears | |
| Sweden | No arrears | |
| Switzerland | No arrears | |
| Trinidad and Tobago | No arrears | |
| Ukraine | Contribution 1997 (balance) Contribution 1998 Contribution 1999 | 19 540 26 820 <u>26 820</u> 73 180 |
| United Kingdom | No arrears | |
| United States of America | No arrears | |
| Uruguay | No arrears | |
| | Total | <u>104 167</u> |

* Only those member States that have contributed for 1998 and 1999, or for 1999, are shown in this list.

[Annex III follows]

ANNEX III

DATES OF MEETINGS IN 2001

presented in the order of the organs

Council

October 25

Consultative Committee

April 6

October 24

Administrative and Legal Committee

April 5

October 22 and 23

Technical Committee

April 2 to 4 (morning)

[Editorial Committee: April 2 and 3 (evenings)]

Technical Working Party for Agricultural Crops

September 3 to 7, Texcoco, Mexico

Technical Working Party on Automation and Computer Programs

June 4 to 7, Prague, Czech Republic

Technical Working Party for Fruit Crops

October 1 to 5, Valencia, Spain

Technical Working Party for Ornamental Plants and Forest Trees

September 24 to 28, Nagano, Japan

Technical Working Party for Vegetables

June 25 to 29, Salerno, Italy

Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular

November 21 to 23, Hanover, Germany

[End of Annex III and of document]