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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL**Thirty-fourth Ordinary Session
Geneva, October 26, 2000**

ANNUAL REPORT OF THE SECRETARY-GENERAL FOR 1999

*(thirty-first year)***I. CONSTITUTIONAL MATTERS**

1. The Council of UPOV decided at its fourteenth extraordinary session, held on April 29, 1997, that those States that had requested the Council's advice on the conformity of their legislation with the 1978 Act of the UPOV Convention prior to the entry into force of the 1991 Act might, subject to their fulfilling the conditions set by the Council, deposit an instrument of accession to the 1978 Act before the first anniversary of the entry into force of the 1991 Act, that is, before April 24, 1999.

2. At its thirty-third ordinary session, held on October 20, 1999, the Council unanimously decided to reconfirm the decision described above and to authorize the Secretary-General, after consultation with the President of the Council, to accept instruments of accession to the 1978 Act by India, Nicaragua and Zimbabwe provided that the depositing State had, in the opinion of the Secretary-General after consultation with the President of the Council, acted expeditiously to complete its legislation and any UPOV formalities and to effect the deposit.

II. COMPOSITION OF THE UNION

Number of Members

3. On December 31, 1999, the membership of the Union was 44, namely six more than on December 31 of the previous year. That is due to the following events which occurred in 1999:

(a) On March 23, China deposited its instrument of accession to the 1978 Act. The latter entered into force for China on April 23.

(b) On April 13, Kenya deposited its instrument of accession to the 1978 Act. The latter entered into force for Kenya on May 13.

(c) On April 21, Bolivia deposited its instrument of accession to the 1978 Act. The latter entered into force for Bolivia on May 21.

(d) On April 23, Brazil and Panama deposited their instruments of accession to the 1978 Act. The latter entered into force for Brazil and Panama on May 23.

(e) On June 29, Slovenia deposited its instrument of accession to the 1991 Act of the Convention. The latter entered into force for Slovenia on July 29.

4. The 44 member States are the following: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Moldova, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Ukraine, United Kingdom, United States of America, Uruguay. An Annex detailing the membership status of the Union as of December 31, 1999, is attached.

Position in Relation to the Various Acts of the Convention

5. On December 31, 1998, the situation was as follows:

(a) two States were bound by the 1961 Act as amended by the 1972 Act;

(b) the 1978 Act was the most recent Act binding 27 States;

(c) the 1991 Act was the most recent Act binding nine States.

6. In addition to the accessions reported above, the following events took place in 1999:

(a) On January 22, the United States of America deposited its instrument of ratification of the 1991 Act. The latter entered into force for the United States of America on February 22;

(b) On December 20, Australia deposited its instrument of accession to the 1991 Act. The latter will enter into force for Australia on January 20, 2000.

7. On December 31, 1999, the position of the member States in relation to the various Acts of the Convention was thus as follows:

(a) two States were bound by the 1961 Act as amended by the 1972 Act, namely Belgium and Spain;

(b) the 1978 Act was the most recent Act binding 30 States, namely Argentina, Australia (but only until January 20, 2000), Austria, Bolivia, Brazil, Canada, Chile, China, Colombia, Czech Republic, Ecuador, Finland, France, Hungary, Ireland, Italy, Kenya, Mexico, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Slovakia, South Africa, Switzerland, Trinidad and Tobago, Ukraine, Uruguay;

(c) the 1991 Act was the most recent Act binding 12 States, namely Bulgaria, Denmark, Germany, Israel, Japan, Netherlands, Republic of Moldova, Russian Federation, Slovenia, Sweden, United Kingdom, United States of America.

8. Article 30(2) of the 1991 Act provides as follows:

“(2) [*Conformity of laws*] It shall be understood that, on depositing its instrument of ratification, acceptance, approval or accession, as the case may be, each State or intergovernmental organization must be in a position, under its laws, to give effect to the provisions of this Convention.”

9. In 1999, to the knowledge of the Office of the Union, Finland and Ireland passed laws to adapt their systems of protection to the 1991 Act; a draft new law was before Parliament in Spain. Accordingly, the number of member States which have laws which conform in all respects with the 1991 Act reached 17. Most other member States have adopted amendments in line with that Act or drawn up draft laws.

10. The table annexed to this report is a synopsis of the position of the various States in relation to the various Acts of the Convention as of December 31, 1999.

Future Members

11. Under Article 34(3) of the 1991 Act,

(3) [*Advice of the Council*] Any State which is not a member of the Union and any intergovernmental organization shall, before depositing its instrument of accession, ask the Council to advise it in respect of the conformity of its laws with the provisions of this Convention. [...]

12. Requests for the advice of the Council were filed in the period under review by the following eight countries:

(a) Slovenia, by letter of February 4;

(b) Romania, by letter of February 23;

(c) Georgia, by letter of March 1;

- (d) Costa Rica, by letter of March 22;
- (e) Lithuania, by letter of July 3;
- (f) Tajikistan, by letter of August 16;
- (g) Republic of Korea, by letter of September 3;
- (h) Egypt, by letter of October 17.

13. At its sixteenth extraordinary session, held on March 26, the Council examined the laws of four States and took the decisions described below (where relevant, it asked the Office of the Union to offer its assistance to the Governments in finalizing legislation):

- (a) It decided that the law of Slovenia conformed in all respects with the Convention.
- (b) It decided to advise the Governments of Romania and Georgia that their Laws, after adoption of suitable regulations, provided the basis for laws conforming with the Convention, and that they might then deposit an instrument of accession to the Convention.
- (c) It decided to advise the Government of Costa Rica that the Bill submitted for the advice of the Council provided the basis for a law conforming with the Convention, and that after the enactment into law of the Bill with no substantial alterations, and after the adoption of suitable regulations, it might deposit an instrument of accession to the Convention.

14. At its thirty-third ordinary session, held on October 20, the Council examined the laws of four States and took the decisions described below (where relevant, it asked the Office of the Union to offer its assistance to the Governments in amending or finalizing legislation):

- (a) It decided to advise the Government of Lithuania that the Law, being based upon the principles of the 1978 Act, did not incorporate some important provisions of the 1991 Act, and that upon the adoption of the necessary amendments to the satisfaction of the Office of the Union and the making of implementing regulations, it might deposit an instrument of accession to the Convention.
- (b) It decided to advise the Government of Tajikistan that the Law, after the adoption of suitable regulations, provided the basis for a law conforming with the Convention, that it might deposit an instrument of accession to the Convention after making such regulations, and that it might wish to correct some minor deviations and inconsistencies at the earliest opportunity;
- (c) It decided to advise the Government of the Republic of Korea that the Law in its main provisions incorporated the substance of the Convention, that it might deposit an instrument of accession to the Convention, and that it might wish to correct some deviations and inconsistencies at the earliest opportunity.
- (d) It decided to advise the Government of Egypt that the Draft Decree when supplemented by provisions on provisional protection and the publication of information provided a basis for a law conforming with the Convention, and that after the adoption of a Decree based upon the Draft and incorporating the said provisions it might deposit an instrument of accession to the Convention.

15. On December 31, 1999, the following 16 States and the European Community had initiated the procedure for accession to UPOV: Belarus, Costa Rica, Croatia, Egypt, Estonia, Georgia, India, Kyrgyzstan, Lithuania, Morocco, Nicaragua, Republic of Korea, Romania, Tajikistan, Venezuela and Zimbabwe.

III. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

16. The Council held its sixteenth extraordinary session on March 26, under the chairmanship of Mr. Ryusuke Yoshimura (Japan), to examine the requests for advice submitted by Costa Rica, Georgia, Romania and Slovenia, under Article 34(3) of the 1991 Act.

17. The Council held its thirty-third ordinary session on October 20, again under the chairmanship of Mr. Ryusuke Yoshimura. The session was attended by observers from 11 non-member States¹ and seven international organizations.²

18. At that session, the Council took the following main decisions:

(a) It pronounced on the conformity of the legislation of Egypt, Lithuania, the Republic of Korea and Tajikistan with the 1991 Act.

(b) On a recommendation by the Consultative Committee, it authorized the Secretary-General, after consultation with the President of the Council, to accept instruments of accession to the 1978 Act by India, Nicaragua and Zimbabwe provided that the depositing State had, in the opinion of the Secretary-General after consultation with the President of the Council, acted expeditiously to complete its legislation and any UPOV formalities and to effect the deposit.

(c) It approved the report by the Secretary-General on the activities of the Union in 1998 and noted the report on activities during the first nine months of 1999.

(d) It approved the progress reports of its various subsidiary bodies and either drew up or approved their work plans for the coming year.

(e) It approved the program and budget of the Union for the 2000-2001 biennium.

(f) It decided to renew the designation of Switzerland as auditor of the accounts of UPOV up to and including the year 2003.

¹ Croatia, Estonia, Greece, India, Lithuania, Morocco, Nicaragua, Oman, Republic of Korea, Romania, Tunisia.

² World Trade Organization (WTO), Organization for Economic Co-operation and Development (OECD), European Community (EC), International Seed Testing Association (ISTA), Association of European Horticultural Breeders (AOHE), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Seed Trade Federation (FIS).

(g) It unanimously elected for three-year terms, which will expire at the close of the thirty-sixth ordinary session of the Council, in 2002,

(i) Mr. Wieslaw Pilarczyk (Poland) as Chairman of the Technical Working Party on Automation and Computer Programs;

(ii) Mr. József Harsányi (Hungary) as Chairman of the Technical Working Party for Fruit Crops;

(iii) Miss Elizabeth Scott (United Kingdom) as Chairman of the Technical Working Party for Ornamental Plants and Forest Trees;

(iv) Mrs. Julia Borys (Poland) as Chairman of the Technical Working Party for Vegetables.

Consultative Committee

19. The Consultative Committee held its fifty-seventh session on March 26, under the chairmanship of Mr. Karl Olov Öster (Sweden). It heard a report from the Vice Secretary-General on the status of accessions to the 1978 Act and reports by the representatives of the member States on developments with respect to the application of the 1991 Act. It discussed the review, then underway, of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement).

20. The Consultative Committee held its fifty-eighth session on October 19, also under the chairmanship of Mr. Karl Olov Öster. The Committee essentially prepared the thirty-third ordinary session of the Council and, having been informed of the wish of the Vice Secretary-General to retire, decided on the procedure to be followed for the appointment of a new Vice Secretary-General.

Administrative and Legal Committee

21. The Administrative and Legal Committee held its thirty-ninth session, on March 25 under the chairmanship of Mr. John V. Carvill (Ireland). The session was attended by observers from three non-member States³ and three international organizations.⁴

22. The Committee examined the notion of breeder and the notion of trees and vines for the purposes of the provisions on novelty and the duration of protection. It noted a document describing a point of law with respect to the effects of a priority claim that is currently being considered within the European Patent Office (EPO) and whose solution might have repercussions on plant variety protection law; it also noted the plans of WIPO with regard to the setting up of a dedicated communication system (WIPOnet) offering a variety of other services.

³ Brazil, Nicaragua, Romania.

⁴ European Community (EC), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA).

23. The Committee held its fortieth session on October 18, also under the chairmanship of Mr. John V. Carvill. The session was attended by observers from four non-member States⁵ and four international organizations.⁶

24. The Committee examined again the notion of breeder and requested a position paper on the subject. It also examined again the notion of trees and vines and requested a document setting out possible recommendations to member States and possible provisions for adoption, at the appropriate time, when the special treatment for trees and vines would be eliminated. It had a discussion on the “breeder’s exemption” and the legality of contractual clauses aiming at its elimination.

Technical Committee

25. The Technical Committee held its thirty-fifth session from March 22 to 24 under the chairmanship of Mrs. Elise Buitendag (South Africa). The session was attended by observers from three non-member States⁷ and four international organizations.⁸

26. On the basis of the preparatory work done by the Technical Working Parties, the Committee adopted Test Guidelines for the following 16 taxa: apple rootstocks; *Cymbidium*; dill; grapevine; leek; okra; onion, shallot; opium/seed poppy; pyrus rootstocks; radish; black radish; rhubarb; rye; statice; walnut; weeping fig.

27. The Committee also had before it progress reports from the Technical Working Parties, and it outlined the Working Parties’ future work. It then considered questions raised by the Working Parties on the basis of the experience of member States in the conduct of distinctness, uniformity and stability tests on new plant varieties. Among other things it confirmed its decision that a difference caused by an endophyte should not establish distinctness.

Technical Working Parties

28. The Technical Working Parties held the following sessions outside Geneva:

(a) The Technical Working Party for Agricultural Crops (TWA) held its twenty-eighth session in Ottawa (Canada) from June 22 to 25 under the chairmanship of Mrs. Françoise Blouet (France). A subgroup on cotton and rice met in the same place on June 21.

⁵ India, Morocco, Republic of Korea, Romania.

⁶ European Community (EC), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA), International Seed Trade Federation (FIS).

⁷ Brazil, Egypt, Romania.

⁸ European Community (EC), Organization for Economic Co-operation and Development (OECD), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), Association of Plant Breeders of the European Community (COMASSO).

(b) The Technical Working Party on Automation and Computer Programs (TWC) held its seventeenth session in Helsinki (Finland) from June 29 to July 2 under the chairmanship of Mr. J. Law (United Kingdom).

(c) The Technical Working Party for Fruit Crops (TWF) held its thirtieth session in Nitra (Slovakia) from September 6 to 10 under the chairmanship of Mr. C. Barnaby (New Zealand).

(d) The Technical Working Party on Ornamental Plants and Forest Trees (TWO) held its thirty-second session in Pruhonice (Czech Republic) from September 13 to 18 under the chairmanship of Mr. J. Barendrecht (Netherlands).

(e) The Technical Working Party for Vegetables (TWV) held its thirty-third session in Hanover (Germany) from June 5 to 9 under the chairmanship of Mr. B. Bar-Tel (Israel).

29. The basic task of four of the Working Parties consists in drawing up Test Guidelines. They submitted drafts to the Technical Committee for adoption for the following taxa: sunflower (TWA); pear (TWF); gerbera, iris, kangaroo paw, *Osteospermum* (TWO); industrial chicory; witloof, chicory (TWV). They produced others for the following taxa, to be submitted to the professional organizations for comment: brome, red clover, subterranean clover, cotton, white mustard, fodder radish, rice (TWA); *Calluna*, *Guzmania*, *Hippeastrum*, *Zantedeschia* (TWO); globe artichoke, curly kale, fennel, garlic, swede, tomato, turnip (TWV).

30. The Technical Working Party on Automation and Computer Programs discussed various possibilities for reducing efforts and costs associated with variety testing (incomplete block designs for the tests, reduction of the number of reference varieties, reduction of the number of growing cycles, e.g. from three to two). It noted that that the Windows version of the DUSTNT program developed by the United Kingdom experts was now available; it encouraged more States to make use of that freely available software, which would facilitate further harmonization among member States.

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

31. The Working Group did not meet in 1999.

IV. COURSES, SEMINARS AND WORKSHOPS

32. From January 19 to 21, UPOV co-organized with the *Organismo Internacional Regional de Sanidad Agropecuaria* (OIRSA) and the World Intellectual Property Organization (WIPO) a Workshop in San José (Costa Rica), on plant variety protection laws for the following Central American and Caribbean countries: Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Argentina, Colombia, Uruguay and the European Union provided speakers.

33. On February 15, UPOV jointly organized with WIPO and the World Trade Organization (WTO), for the members and observers of the joint organizers, a Symposium in Geneva on the Protection of Plant Varieties under Article 27.3(b) of the TRIPS Agreement.

34. UPOV jointly organized with WIPO and WTO three Workshops on the Protection of Plant Varieties under Article 27.3(b) of the TRIPS Agreement:

(a) on March 18 and 19, in Bangkok, in cooperation with the Government of Thailand and with a financial contribution from the Government of New Zealand, for members in the Asia and the Pacific Region;

(b) on May 3 and 4, in Cairo, in cooperation with the Government of Egypt, for countries of the Arab Region and Turkey; the program included presentations on national experience and plans to implement *sui generis* systems in Egypt, Algeria, Morocco, Oman, Tunisia and Turkey.

(c) on May 6 and 7, in Nairobi, in cooperation with the Government of Kenya, for anglophone African countries; the program included presentations on national experience and plans to implement *sui generis* systems in Kenya, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

35. From May 17 to 21, UPOV organized, jointly with the Ministry of Science and Technology, the Ministry of Agriculture and the State Forestry Administration of China, in cooperation with the Yunnan Provincial Government and with financial support from the Ministry of Agriculture, Forestry and Fisheries of Japan, an International Seminar in Kunming (China) on Technological Innovation and the National Implementation of the Protection of New Varieties of Plants. In addition to participants from China, there were participants from Malaysia, the Philippines, the Republic of Korea, Thailand and Vietnam. Japan, New Zealand and the United Kingdom provided speakers.

36. UPOV and WIPO organized in the Baltic States, in each case in cooperation with the Ministry responsible for agriculture in the host country, national Seminars on the Protection of Plant Varieties under the UPOV Convention, the Patent System and the TRIPS Agreement:

(a) on June 15, in Tallin (Estonia);

(b) on June 17, in Riga (Latvia);

(c) on June 21, in Vilnius (Lithuania).

Finland and the European Patent Office (EPO) provided speakers. The seminars provided an opportunity for detailed discussions with the Governments concerning their laws for the protection of new plant varieties and their interest in becoming member States of the Union.

37. From July 5 to 16, UPOV organized a Briefing Workshop in Cambridge (United Kingdom) on Plant Variety Protection under the UPOV Convention. The Workshop was organized in cooperation with the Ministry of Agriculture, Forestry and Fisheries of Japan, the Ministry of Agriculture, Fisheries and Food and the National Institute of Agricultural Botany of the United Kingdom. Participants in the Workshop came from Bangladesh, Bulgaria, China, Croatia, Egypt, India, Indonesia, Kenya, Kyrgyzstan, Malawi, Mauritius, Sri Lanka, Thailand, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Zambia and Zimbabwe, and from the African Regional Industrial Property Organization (ARIPO) and the Organization of African Unity (OAU). The Governments of France, Japan and the United Kingdom provided speakers.

38. UPOV cooperated with the *Instituto Nacional de Semillas* of Argentina in the organization of a Latin-American Regional Seminar on the 1991 Act of the UPOV Convention. The Seminar was held in Buenos Aires on August 10 and 11; it also benefited from support provided by the *Asociación Argentina de Protección de las Obtenciones Vegetales* (ARPOV) and the American Seed Trade Association (ASTA). The Governments of Brazil, Chile, Colombia and Uruguay and the Community Plant Variety Office provided speakers.

39. A National Seminar on the Protection of New Plant Varieties, organized by the Cuban Industrial Property Office in cooperation with UPOV, was held in Havana from October 4 to 6. The Government of Spain and the Community Plant Variety Office provided speakers.

40. UPOV and WIPO organized, in cooperation with the Ministry of Agriculture and Food of Georgia and the National Intellectual Property Center, a Seminar on the Protection of Plant Varieties under the UPOV Convention, the Patent System and the TRIPS Agreement for the benefit of the countries of the region (Armenia, Azerbaijan, Georgia): The Seminar took place in Tbilisi from October 5 to 7. The Republic of Moldova, the Russian Federation, Ukraine and the EPO provided speakers. The seminar provided an opportunity to meet with national delegations from Armenia, Azerbaijan and Georgia.

V. RELATIONS WITH MEMBER STATES

41. Australia—On June 7, the Vice Secretary-General had discussions, in Canberra, with Mr. Doug Waterhouse, Registrar, Plant Breeders' Rights Office, with Mr. Ian Thompson, Assistant Secretary, Field Crops, Agricultural Industries Division, Department of Agriculture, Fisheries and Forestry, and with Mr. Tim Roseby, First Assistant Secretary, Agriculture, Industries Division, and three members of the Plant Breeders' Rights Advisory Committee, Ms. Cheryl McCaffrey, Mr. David Moore and Mr. Hugh Roberts.

42. On June 8, the Vice Secretary-General had discussions in Canberra with officials of the Trade Negotiations Division, Department of Foreign Affairs and Trade.

43. Bolivia—On April 21, the Vice Secretary-General received the visit of Mrs. Silvia Ávila Seifert, Ambassador and Permanent Representative of Bolivia in Geneva, who deposited the instrument of accession of Bolivia to the 1978 Act of the UPOV Convention.

44. Brazil—On April 23, Mr. Luiz César Gasser, Second Secretary, Permanent Mission of Brazil in Geneva, called on the Vice Secretary-General to deposit the instrument of accession of Brazil to the 1978 Act of the UPOV Convention.

45. China—On March 22, the Vice Secretary-General received a visit from the following representatives of the Chinese Government who discussed arrangements for the forthcoming regional seminar in Kunming, and the deposit of the instrument of accession of China to the 1978 Act of the UPOV Convention: Mr. Ruichun Duan, Vice Secretary-General, Ministry of Science and Technology; Mr. Yunkun Li, Deputy Director General, Department of Science and Technology, State Forestry Administration; Mrs. Sanba Hang, Division Director, Department of Rural and Social Development, Ministry of Science and Technology; Mrs. Ping Zou, Division Chief, Division of Intellectual Property and Achievement Management, Department of Sci-Technology and Education, Ministry of Agriculture; and

Mrs. Yangling Zhao, First Secretary for Science and Technology, Permanent Mission of China in Geneva.

46. On March 23, the same persons were present when Mr. Hou Zhengi, Counsellor in the Permanent Mission of China in Geneva, deposited the instrument of accession of China to the 1978 Act of the UPOV Convention with the Vice Secretary-General.

47. On May 17, the Vice Secretary-General and officials of the Union, as well as officials from UPOV member States, participated in the opening ceremony for the UPOV Day in EXPO '99, an International Horticultural Exposition in Kunming. They subsequently participated in the International Seminar on Technological Innovation and the National Implementation of the Protection of New Varieties of Plants organized by UPOV in cooperation with the Governments of China and Japan on May 18 and 19.

48. On May 20, in Beijing, the Vice Secretary-General and officials of the Union held discussions with officials of the State Forestry Administration and, on May 21, with officials of the Ministry of Agriculture.

49. France—On September 27, the Vice Secretary-General and an official of the Union visited Paris for discussions with Mr. Francis Heux, Head of the *Bureau de la sélection végétale et des semences* of the Ministry of Agriculture and Fisheries, concerning the funds in trust contributed by his Ministry to UPOV. Also present were Miss Nicole Bustin, Secretary General of the *Comité de la protection des obtentions végétales* (CPOV), and Mr. François Burgaud, responsible for international affairs in the *Groupement national interprofessionnel des semences* (GNIS).

50. Germany—On September 2, the Vice Secretary-General participated in the celebration, in Hanover, of the 50th Anniversary of the formation of the Federal Office of Plant Varieties (*Bundessortenamt*). In a separate ceremony, he presented UPOV medals to officials of the *Bundessortenamt* who had served as chairpersons of main UPOV committees or of Technical Working Parties.

51. Ireland—On January 14, the Office of the Union wrote to Mr. John V. Carvill, Controller of Plant Breeders' Rights, with comments on the Plant Varieties (Proprietary Rights) (Amendment) Bill, 1997.

52. Kenya—On April 13, the Vice Secretary-General received the instrument of accession of Kenya to the 1978 Act of the Convention from Mrs. Juliet Gicheru, First Secretary, Legal Affairs, Permanent Mission of Kenya, and from Mr. Chepsiror, Ministry of Foreign Affairs in Nairobi.

53. On September 8, the Office of the Union received the visit of Mr. Lukas Sese, Kenya Industrial Property Office, who was en route to a meeting organized by the Quaker United Nations Office on "TRIPS Art. 27.3(b): definitions, compatibility with the CBD and *sui generis* systems."

54. New Zealand—On February 25, the Vice Secretary-General discussed with Mr. Bill Whitmore, Commissioner of Plant Variety Rights, the possibility of Mr. Whitmore representing UPOV in a meeting in Bangkok (Thailand) on Seed Policies and Systems in the Asian Region that was to be organized by the Food and Agriculture Organization of the United Nations (FAO) in cooperation with the Asia and Pacific Seed Association (APSA).

55. Panama—On April 23, Mr. Leonardo A. Kam Binns, Ambassador and Permanent Representative of Panama in Geneva, called on the Vice Secretary-General to deposit the instrument of accession of Panama to the 1978 Act of the UPOV Convention.

56. United Kingdom—On February 1, the Vice Secretary-General attended a dinner given by the Ambassador and Permanent Representative of the United Kingdom, Mr. Roderick M.J. Lyne, CMG, in honor of the visit of Mr. Brian Wilson, MP, Ministry for Trade.

57. On February 24, the Vice Secretary-General arranged with Mr. David Boreham, Controller, Plant Variety Rights Office, for him to speak on the subject of plant variety protection at a conference organized in Nyanga (Zimbabwe) from March 8 to 11, by the African Regional Intellectual Property Office (ARIPO), the European Patent Office (EPO) and the Patent Office of the United Kingdom.

58. On March 1, the Vice Secretary-General visited Cambridge to discuss with Dr. Simon Draper, Deputy Director, National Institute of Agricultural Botany (NIAB), proposals to organize a two-week course in Cambridge on plant variety protection in 1999.

59. United States of America—On January 22, Mrs. Soching Tsai, First Secretary, and Mr. Edward R. Cummings, Counsellor for Legal Affairs, United States Permanent Mission in Geneva, deposited with the Vice Secretary-General the instrument of ratification of the 1991 Act of the UPOV Convention of the United States of America.

60. On February 19, the Vice Secretary-General spoke on the telephone with Ms. Ann-Marie Thro, newly appointed Commissioner of the Plant Variety Protection Office.

VI. RELATIONS WITH NON-MEMBER STATES AND REGIONAL ORGANIZATIONS

States and Organizations of North Africa and Western Asia

61. WANA (West Asia and North Africa) Seed Network—On May 5 and 6, an official of the Union participated as an observer, in Cairo (Egypt), in the Third Council of the WANA Seed Network.

62. Algeria—On February 16, the Vice Secretary-General received a visit from Mr. Amor Bouhnik, Director General, National Algerian Institute for Industrial Property (INAPI), Mr. O. Si Laabi, *Directeur de la normalisation, qualité et protection*, Mrs. F. Madi, *Administrateur, Ministère de l'industrie et de la restructuration*, and Mr. A. Assabaii, *Directeur général du CNCSP*. They explained that their country's proposals to introduce plant variety protection were at a late stage of consultation.

63. Egypt—On March 23, the Vice Secretary-General had discussions with Mr. Gamal Aissa Attya, Director, Plant Breeders' Rights and Variety Registration Department, Ministry of Agriculture.

64. On May 10 and 11, the Vice Secretary-General participated, in Cairo, in the Third Egyptian National Seed Conference, giving a presentation on plant variety protection systems.

65. On November 19, the Vice Secretary-General wrote to Assistant Secretary Eng. Fawzy Zaky Shaheen, Under-Secretary for Seed Certification and Head of the Central Administration for Seed testing and Certification (CASC), Ministry of Agriculture, concerning the conformity of a proposed draft Decree with the 1991 Act of the UPOV Convention.

66. Jordan—On September 2, the Office of the Union received the visit of Mrs. Maha Ali, Researcher, Ministry of Industry and Trade, WTO Unit, and Mrs. Hana Al-Bitar, Trademark Examiner, Directorate of Trade Registration and Industrial Property Protection, Ministry of Industry and Trade, and was informed that a draft law on plant variety protection was being prepared by the Ministry of Agriculture.

67. Lebanon—On July 7, the Office of the Union wrote to Mr. Hassan Machlab, Head, Department of Plant Breeding, Agriculture Research Institute, to provide information on plant variety protection and UPOV.

68. On November 12, an official of the Union made a presentation on plant variety protection to a group of Members of Parliament, headed by Mr. Élie Ferzely, Vice-President, and Mr. Chaker Abou-Sleiman, President of the Commission for Administration and Justice.

69. On December 17, the Vice Secretary-General wrote to Mr. Rafael Debanné, President of the Agricultural Committee of the Beirut Chamber of Commerce, Industry and Agriculture, concerning the procedure for becoming a member State of UPOV.

70. Sultanate of Oman—On October 20, the Office of the Union received the visit Mr. Ali Hussein Al-Lawati, Director, Ministry of Agriculture and Fisheries, Department of Plant Production Research and discussed with him a draft law on plant variety protection.

71. Syria—On July 7, the Office of the Union wrote to Mr. Abdul Wahab Madarati, Cereals and Legumes Director, General Organization for Seed Multiplication, to provide information on plant variety protection and UPOV.

72. Tunisia—On February 16, Mr. M. Hamdi, *Directeur général, Direction générale des affaires juridiques, Ministère de l'agriculture*, and Mr. A. Bouziri, *Sous-directeur, Contrôle et certification des semences et plants*, left with the Office of the Union the latest draft of proposals for a new seed law incorporating provisions enabling the Government to establish a plant variety protection system.

States and Organizations of Sub-Saharan Africa

73. Organization of African Unity (OAU)—On April 7, the Vice Secretary-General received a visit from Mr. David Luke, Chief of Trade, Commerce and Tourism, at the Headquarters of the OAU, Addis Ababa (Ethiopia). They discussed issues of common interest to the two organizations.

74. African Regional Industrial Property Organization (ARIPO)—On September 21, the Vice Secretary-General received a visit from Mr. Mzondi Chirambo, Director General of ARIPO, with whom he discussed developments concerning the protection of plant varieties in the member States of ARIPO and the UPOV program of activities in Africa.

75. African Intellectual Property Organization (OAPI)—From February 22 to 25, an official of the Union attended, in Bangui (Central African Republic), the Diplomatic Conference at which the revised *Accord de Bangui* was opened for signature.
76. On July 28, the Office of the Union transmitted an *aide-mémoire* on plant variety protection for the purposes of the ratification of the revised *Accord de Bangui* and the accession to the UPOV Convention.
77. In September, during the sessions of the WIPO Assemblies, the Office of the Union received the visit of many delegates of OAPI member States and discussed with them the steps to be taken for the ratification of the revised Bangui Agreement and the accession to the UPOV Convention. It also prepared and transmitted an information document on varieties containing genes that would prevent the harvested seed from germinating.
78. Conference of Ministers of Agriculture of West and Central Africa (CMA/AOC)—From November 24 to 26, the Vice Secretary-General participated in the *Comité Technique de Suivi* of the Conference of Ministers of Agriculture of West and Central Africa (CMA/AOC) and in the Conference of Ministers, which were held in Abidjan (Côte d'Ivoire). The Conference recommended the member States of OAPI to ratify the revised *Accord de Bangui* which makes provision for the protection of plant varieties and urged its other member States to enact legislation conforming with the 1991 Act of the UPOV Convention.
79. East Africa—On January 18 and 19, the Vice Secretary-General participated in a workshop in Kampala (Uganda) on the impact of intellectual property rights on trade and agriculture in East Africa organized by the Agricultural Biotechnology Support Project (ABSP) of Michigan State University (United States of America), in cooperation with the Uganda National Council for Science and Technology, and with funding from USAID. During the course of the workshop he had discussions with: Dr. Robert N. Mshana, Executive Secretary, a.i., Science and Technology Research Commission, Organization of African Unity; Mr. Daudi B. Npiri, Agricultural Commissioner for Research and Training, Ministry of Agriculture and Cooperatives, Tanzania; Dr. Sabuni M. Mbaga, Acting Assistant Commissioner, Crop Development Department, of the same Ministry; and Dr. Bellah Mpfu, Head, Seed Services, Zimbabwe.
80. Burundi—On May 3, the Office of the Union wrote to Mr. Innocent Sabushimike, Director General of Industry, Ministry of Commerce, Industry and Tourism, and to Mr. Aloys Katihabwa, Director of the Department of Industrial Studies and Documentation of the same Ministry, to provide information on plant variety protection and UPOV.
81. Comoros—On May 3, the Office of the Union wrote to Mr. Oussoufa Haribou, Head of Section, Ministry of Energy, Industry and Handicrafts, to provide information on plant variety protection and UPOV.
82. Côte d'Ivoire—On June 3, an official of the Union wrote to Mr. Soro Nagolo, Director of Industrial Development, Ministry Delegate to the Prime Minister Responsible for the Plan and Industrial Development, on the procedure for accession to UPOV.
83. Djibouti—On May 3, the Office of the Union wrote to Mr. Othman Aden Ahmed, *Chargé de mission*, Ministry of Commerce and Industry, and to Mr. Ali Ali Ahmed Ali, Head of the Industrial Development Section of the same Ministry, to provide information on plant variety protection and UPOV.

84. Ethiopia—On April 13, the Vice Secretary-General wrote to Mr. Abebe Belachew, of the newly established National Seed Industry Agency of Ethiopia, informing him that the Office of the Union was sending an extensive collection of UPOV materials to assist in the operations of his new office.
85. On July 7, the Office of the Union wrote to Mr. Getinet Gebeybu, General Manager, National Seed Industry Agency, to provide information on plant variety protection and UPOV.
86. Ghana—On November 19, the Vice Secretary-General wrote to Mrs. J. Oware, Principal State Attorney, Registrar General's Department, with the comments of the Office of the Union on a draft plant variety protection Bill.
87. Madagascar—On January 19, the Office of the Union sent information on plant variety protection and UPOV to Mrs. Yannick Ariane Rabemanantsoa Rasoarimanana, Secretary General of the Ministry of Agriculture and National Coordinator of the Seed Sector of Madagascar.
88. On May 3, the Office of the Union wrote to Mr. Julien Velontrasina, Director General of the Malagassy Industrial Property Office (OMAPI), and to Mrs. Malka Fleurette Miangozara, Head of the Multilateral Relations Section, Ministry of Commerce and Consumption, to provide information on plant variety protection and UPOV.
89. On August 30, the Office of the Union received the visit of H.E. Mr. Rija Rajohnson, Minister for Water Resources and Forestry, and Mr. Nomenjanabary A. Andriamanandrata, Director of the Sustainable Management of Forestry Resources, Ministry of Water Resources and Forestry. They were accompanied by Mrs. Lisa Dean, Country Director, CARE International Madagascar, Mr. Alexander A.JF. Kroll, Ki, Plant International, and Mr. Alex Rübél, Director of the Zoo of Zurich (Switzerland). The discussions pertained to the contribution which plant variety protection offers in respect of biodiversity concerns.
90. On September 3, the Office of the Union received the visit of Mr. Lala Christian Michel Razafimandimby, Director of Communication, Cabinet Raketamanga.
91. On September 20 and 28, the Office of the Union received the visit of Mrs. Lalao Rakotomanga, Director at OMAPI, and provided information on plant variety protection.
92. On December 1, the Office of the Union received the visit of Mrs. Lalao Rakotomanga and Mr. Alfred Rakotonjanahary, Director General of the National Office for Environment.
93. Mauritius—On February 17, the Vice Secretary-General received a visit from Professor Manrakhan, Head of the Food and Agricultural Research Council, and of Mr. Maghespren Chinappen, Principal Research and Development Officer, Ministry of Agriculture Food Technology and National Resources. He discussed their Government's proposals to enact a *sui generis* law for the protection of new plant varieties.
94. On September 2, the Office of the Union was informed by Mr. Maghespren Chinappen that it had been suggested that enabling provisions be included in the Plant Act to expedite the introduction of plant variety protection.

95. On November 9, the Vice Secretary-General received the visit of Mr. Maghespren Chinappen, who reported that Mauritius planned to add provisions to its new seed law enabling the preparation of provisions establishing a plant variety protection system.
96. On December 3, the Office of the Union sent comments to Mr. Maghespren Chinappen on the proposed amendments to the Plant Act designed to provide the basis for the plant variety protection system.
97. Rwanda—On May 3, the Office of the Union wrote to Mr. Theogene Munyazikwiye, Head of Division, Ministry of Youth, Sports, Culture and Professional Training, and to Mr. Innocent Twagirayezu, Attaché to the Directorate of Industry, Ministry of Trade, Industry and Handicraft, to provide information on plant variety protection and UPOV.
98. Zimbabwe—On April 14, the Vice Secretary-General wrote to Dr. Bellah Mpfu, Head, Seed Services, Ministry of Agriculture, with the comments of the Office of the Union on a draft Bill to amend the plant variety protection law of Zimbabwe so as to meet the comments of the Council of UPOV.
99. On August 25, the Vice Secretary-General wrote to Dr. Bellah Mpfu with the comments of the Office of the Union on the draft Bill.

States and Organizations of Latin America and the Caribbean

100. Caribbean—On October 15, the Office of the Union transmitted documents to Mrs. Barbara Graham for the purposes of a seminar on Caribbean Task Force to Facilitate Preparation of a Legal Framework to Enforce Intellectual Property Rights in Agriculture organized by the Inter-American Institute for Cooperation on Agriculture (IICA) in Saint Lucia from October 18 to 21, 1999.
101. Central America—From January 19 to 21, an official of the Union participated in a Workshop in San José, Costa Rica, on Plant Variety Protection Laws. The workshop provided an opportunity for detailed discussions with official representatives of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama.
102. Barbados—On September 28, the Office of the Union received the visit of Mr. Pat K.H. Cheltenham, Chairman of the Advisory Committee on Intellectual Property, and Mrs. Maureen Crane-Scott, Registrar, Corporate Affairs and Intellectual Property Office.
103. On October 27, the Vice Secretary-General met the Registrar of the Corporate Affairs and Intellectual Property Office, Ministry of International Trade and Business, and the Permanent Secretary of the Ministry of Agriculture and Rural Development, Dr. Winston Small. He subsequently participated in a meeting of ministries and agencies interested in plant variety protection organized by the Ministry of International Trade and Business, which was chaired by Mr. Pat Cheltenham.
104. On October 28, the Vice Secretary-General met Ms. Cynthia Herbert, Deputy Chief Parliamentary Counsel.
105. Colombia and Peru—From February 8 to 12, a training course for Mrs. Sylvia Teresa Bazan Leigh of the National Institute for the Defense of Competition and Intellectual Property

(INDECOPI) of Peru, organized at the *Instituto Colombiano Agropecuario* (ICA), in Bogota (Colombia), was funded by the Office of the Union.

106. Cuba—On October 5, in connection with the National Seminar on Plant Variety Protection, organized by the Cuban Industrial Property Office in cooperation with UPOV, an official of the Union met Mrs. Rosa Elena Simeón Negrín, Ministry of Science, Technology and the Environment.

107. On October 6, the official of the Union visited the Institute for Basic Crop and Agricultural Research (INIFAT) with a specialist from the Cuban Industrial Property Office.

108. Dominica—On February 10, the Vice Secretary-General wrote to Ms. S.M.A. Segopolo, Chief Parliamentary Draftsman, concerning her country's plant variety protection Bill.

109. On December 2, the Vice Secretary-General received a visit from the Hon. Anthony P. La Ronde, Attorney General, who expressed interest in seminars on the subject of plant variety protection, both for his country and for the members of the Organization of Eastern Caribbean States.

110. Jamaica—On August 27, the Secretary-General wrote to Mr. Phillip Paulwell, Minister for Commerce and Technology, concerning a proposed mission to Jamaica in October.

111. On September 23, the Vice Secretary-General received the visit of Mr. Phillip Paulwell, Minister, Ms. Diane Daley, Legal Director, Copyright Unit, and Ms. Nicole Foga, Legal Advisor, Ministry of Commerce and Technology. They discussed the preparation of a plant variety protection law and other developments in intellectual property in Jamaica.

112. On October 25, the Vice Secretary-General met in Kingston, Mr. Phillip Paulwell, Minister of Commerce and Technology in Kingston, to discuss proposed legislation on plant variety protection. He also participated in a meeting of representatives of agencies interested in the protection of new varieties of plants, organized by the Ministry of Agriculture.

113. Nicaragua—On January 22, an official of the Union visited Managua City for discussions with Dra. María Soledad Pérez de Ramírez, Director, Intellectual and Industrial Property Office, on the text of the draft law on plant variety protection prior to its being sent to the National Assembly.

114. During the week from October 18 to 22, the Office of the Union was in touch with officials of the Directorate of Competition and Transparency in the Markets concerning the debate in the National Assembly on the subject of plant variety protection, which culminated in the adoption of a new law on October 21.

115. Suriname—On November 9, the Vice Secretary-General received a visit of Mrs. Yvonne Roepal-Soeratram, Head, Bureau of Industrial Property, Ministry of Justice and Police, who discussed the steps to be taken by the Government of Surinam to prepare a plant variety protection law.

States of Asia and the Pacific

116. Bhutan—On September 15, the Vice Secretary-General received the visit of Mr. Sohan Tobgay, Second Secretary in the Permanent Mission of Bhutan in Geneva.

117. India—On January 21, a delegation from the Government of Haryana State, India, comprised of Ms. Krishna Gehlawat, Minister of State for Agriculture, Ms. Shakuntala Jakhu, Director of Agriculture, Mr. Hem Chander Disodia, Commissioner and Secretary, Dr. Kartar Singh, Director of Horticulture, Panchkula, and Mr. Hawa Singh Lohan, Project Director, Integrated Watershed Development Project (Hills), visited WIPO. An official of the Union made a presentation on plant variety protection and UPOV.

118. On February 16, the Vice Secretary-General received a visit from Ms. Dolly Chakrabarty, Deputy Secretary Seeds, Ministry of Agriculture and Cooperatives, who explained that her Government's proposals were now ready in the form of a Bill, but that it was unlikely to be able to present the Bill to Parliament and complete the parliamentary procedure by April 24, 1999.

119. On April 12, the Vice Secretary-General wrote to Mr. Ramesh Jain, Additional Secretary, Ministry of Agriculture, with comments on an outline of proposed Indian legislation.

120. On April 22, the Vice Secretary-General was a guest at a reception given by the Ambassador and Permanent Representative of India in Geneva, Mrs. Savitri Kunadi, on the occasion of the visit to Geneva of Mr. N.K. Singh, Cabinet Secretary in the Indian Government.

121. On September 17, the Vice Secretary-General received the visit of Mr. Sharat Sabharwal, Deputy Permanent Representative of India in Geneva, with whom he discussed the closing of the 1978 Act to further accessions.

122. On October 13, the Vice Secretary-General gave a presentation on UPOV to five senior officials of the Agriculture Directorate of the Governments of Indian States.

123. On December 17, the Office of the Union received the information from Ms. Dolly Chakrabarty that the Protection of Plant Varieties and Farmer's Rights Bill, 1999, had been introduced in the Lok Sabha on December 14 and had been referred to a joint committee of both Houses of Parliament.

124. Fiji—On August 27, the Vice Secretary-General wrote to Mr. Isikili Mataitoga, Ambassador of Fiji in Brussels, with information on the UPOV Convention.

125. Mongolia—On September 23, the Vice Secretary-General received a visit of Mr. Gundegmaa Jargalsaikhan, responsible for law and international affairs in the Intellectual Property Office of Mongolia, for discussions on the protection of plant varieties in his country.

126. Republic of Korea—On August 27, the Vice Secretary-General wrote to Mr. Kim Sung Hun, Minister for Agriculture and Forestry, concerning the procedure for seeking the advice of the Council of UPOV on the conformity of his country's law with the 1991 Act.

127. Seychelles—On December 1, the Vice Secretary-General wrote to Mr. William M. Bell, Director, Legal Affairs and Research, Ministry of Foreign Affairs, with information on plant variety protection.

128. Singapore—On September 23, the Vice Secretary-General wrote to Ms. Liew Woon Yin, Registrar of Trade Marks and Patents of the Intellectual Property Office, concerning the protection of plant varieties in Singapore.

129. Thailand—On December 17, the Vice Secretary-General wrote to Mr. Wichar Thitiprasert, Director of the Plant Varieties Protection Office, Department of Agriculture, in response to his inquiry concerning the procedure for becoming a member State of UPOV.

130. Vanuatu—On October 18, the Office of the Union provided information on plant variety protection to Mrs. Patricia Simeoni, Vanuatu Agricultural Research and Training Centre, Department of Agriculture.

States and Organizations of Europe and Central Asia

131. Community Plant Variety Office (CPVO)—On September 28, the Vice Secretary-General attended a meeting of the Administrative Council of CPVO in Angers (France).

132. On December 13, the Vice Secretary-General and an official of the Union, took part in a meeting of the Administrative Council of the CPVO in Angers (France).

133. CIS Countries and Central and Eastern Europe—From February 8 to 12, an official of the Union participated in a Symposium on Seed Production in CIS Countries and in the Region of Central and Eastern Europe in Moscow (Russian Federation). During the symposium he met representatives of plant variety protection offices and senior officials from the Ministries of Agriculture of Armenia, Belarus, Bulgaria, Kyrgyzstan, Latvia, the Republic of Moldova, the Russian Federation, Tajikistan, Ukraine and Uzbekistan. He made two presentations on UPOV and plant variety protection.

134. Azerbaijan—On September 21, the Vice Secretary-General received a visit from Mr. Mir Yagub Seyidov, Head of the Patent Office of Azerbaijan, with whom he discussed the procedure for accession to the UPOV Convention.

135. Belarus, - On January 6, an official of the Union discussed with Mr. Valery I. Kudashov, Chairman of the Belarus State Patent Office, and other officials of his office, the accession of Belarus to the UPOV Convention.

136. On November 11, the Vice Secretary-General and an official of the Union, visited Minsk and met Mr. Yuri D. Moroz, Minister of Agriculture and Food, and officials of the Ministry, to discuss the accession of Belarus to the 1991 Act of the UPOV Convention. He subsequently participated in a meeting at the Belarus Patent Office, chaired by Mr. Valery Kudashov, its Chairman, with the participation of Mr. Leonid Voronetskiy, an official of the Cabinet of Ministers.

137. On November 12, the Vice Secretary-General and an official of the Union visited the Belarus Research Institute of Arable Farming and Fodder, at Zhodino, and gave a presentation

on plant variety protection to some 26 researchers at agricultural research institutes of Belarus.

138. Croatia—On December 9, the Office of the Union wrote to Mrs. Kruna Cermak Horbek, Advisor, Ministry of Agriculture and Forestries, with suggestions concerning adjustments that were necessary to bring the law of Croatia into conformity with the 1991 Act.

139. Estonia—On January 29, the Office of the Union wrote to Mrs. Pille Ardel, Head of the Variety Control Department, Estonian Plant Protection Inspectorate, submitting comments and proposals on the draft of the changes to be made in the Plant Variety Rights Act.

140. Georgia—On September 22, the Vice Secretary-General received the visit of Mr. David Gabunia, Director General of the Georgian Patent Office, with whom he discussed the regional seminar that was to take place in his country from October 5 to 7.

141. Kazakhstan—On July 19 and 20, the Vice Secretary-General and an official of the Union visited Almaty. They had discussions Mrs. Raushan Alchimbaeva, Deputy Director of the National Patent Office, from whom they learned that the plant variety protection law of Kazakhstan had passed through both Houses of the Legislature and awaited only the signature of the President. They also visited the National Academic Centre for Agrarian Research of the Ministry of Science and Higher Education, and the Iliskaya Crop Variety Research Centre of the Kazakh Institute of Agriculture and the National Headquarters of the State Commission for Agriculture Variety Testing.

142. On September 22, the Vice Secretary-General received a visit from Mr. Tolesh E. Kaudyrov, Director of the National Patent Office of Kazakhstan, and Mrs. Raushan Alchimbaeva.

143. Former Yugoslav Republic of Macedonia—On August 23 and 24, the Office of the Union received a visit from a delegation of the Ministry of Agriculture, Forestry and Water Resources Management consisting of Mrs. Verica Dimaprovskaa, Advisor to the Minister, Ms. Roza Nakova, Inspector, and Mrs. Ljubica Trenccevska. They discussed in detail the text of a draft seed law which would incorporate provisions designed to conform with the 1991 Act.

144. Tajikistan—On August 24, the Secretary-General wrote to Mr. Sh. Kabirov, Minister for Agriculture of Tajikistan, informing him that the subject of the conformity of the law of Tajikistan with the 1991 Act of the UPOV Convention would be placed upon the agenda of the October Council session.

145. Turkey—On February 9, the Vice Secretary-General wrote to Mr. Bahattin Bozkurt, Director, Seed Registration and Certification Centre, Ministry of Agriculture and Rural Affairs, concerning his country's draft plant variety protection Bill.

146. On April 15, the Vice Secretary-General wrote to Mr. Bahattin Bozkurt with the comments of the Office of the Union on the Bill.

147. Turkmenistan—On July 22 and 23, the Vice Secretary-General and an official of the Union traveled to Ashgabat, where they had discussions with Dr. Reshit Agabaev, Chairman, and Dr. Geldi Gurbanov, Deputy Chairman, Patent Office of Turkmenistan, and with

Mr. R. Annaev, Head, Department of Plant Protection, and Mr. A. Durdyev, Head, Department of Scientific Support, Ministry of Agriculture. They subsequently visited the Institute of Experimental Biology and the Protection of Plants where they met its Director, Mr. Dovlet Babayev.

148. On September 21, the Vice Secretary-General received a visit from Mr. Geldi Gurbanov, Deputy Chairman of the Patent Office of Turkmenistan, and discussed the draft law for the protection of plant varieties which was under discussion in his country.

149. Uzbekistan—On March 5, the Vice Secretary-General wrote to Dr. Akil A. Azimov, Director, State Committee for Science and Technology of Uzbekistan, with the comments of the Office of the Union on the Law of Selection Achievements of his country.

150. On July 21, the Vice Secretary-General and an official of the Union visited Tashkent, where they had discussions with Dr. Akil A. Azimov and with Mr. Zayr Z. Ziyatov, Chairman, and Mr. Takhir B. Berdimuradov, Deputy Chairman, State Commission for Variety Testing, who announced that they proposed to modify their national law to conform with the 1991 Act of the UPOV Convention before joining the Union.

151. Yugoslavia—On February 16, the Vice Secretary-General received a visit from Dr. Jan Kišgeci, Director, Federal Institute for Plant and Animal Genetic Resources, together with staff from his Institute. Dr. Kišgeci left a copy of a draft plant variety protection law, modified so as to take into account earlier comments from the Office of the Union.

VII. RELATIONS WITH INTERNATIONAL ORGANIZATIONS

Governmental and Semi-Governmental Organizations

152. World Intellectual Property Organization (WIPO)—On January 22, the Vice Secretary-General and officials of the Office of the Union conducted an internal briefing session on UPOV and the UPOV Convention for staff of the Cooperation for Development Sector of WIPO.

153. On March 23, an official of the Union presented a lecture on Article 27.3(b) of the TRIPS Agreement and plant variety protection at a Symposium in Bangui (Central African Republic) on the Implementation of the TRIPS Agreement organized jointly by WIPO and WTO for French-speaking African countries.

154. On May 11 and 12, an official of the Union participated in the National Seminar in Abidjan (Côte d'Ivoire) on the TRIPS Agreement organized by WIPO in cooperation with the local authorities; he made a presentation on Article 27.3(b) of the TRIPS Agreement and plant variety protection.

155. On November 12, an official of the Union presented a lecture on plant variety protection at the session in French of the WIPO Academy on Intellectual Property.

156. World Trade Organization (WTO)—On July 7 and 8, an official of the Union participated as an observer, in Geneva, in a session of the (WTO) Council for TRIPS.

157. On October 14, the Secretary-General provided to the Chairman of the Council for TRIPS, Ambassador Carlos Pérez de Castillo, a report on the technical assistance activities of UPOV relevant to the implementation of the TRIPS Agreement.

158. Convention on Biological Diversity (CBD)—On April 16, an official of the Union wrote to the Secretariat of the Convention on Biological Diversity providing comments on a paper entitled “Consequences of the use of the new technology for the control of plant gene expression for the conservation and sustainable use of biological diversity” that was eventually submitted to the fourth meeting of the Subsidiary Body for the Provision of Scientific, Technical and Technological Advice (SBSTTA) held in Montreal from June 21 to 25.

159. On June 4, the Office of the Union wrote to the Secretariat of the Convention on Biological Diversity to provide comments on a document entitled “The relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights and the Convention on Biological Diversity,” that was to be submitted to the Intersessional Meeting on the Operation of the Convention (June 28 to 30, 1999, Montréal, Canada).

160. Food and Agriculture Organization of the United Nations (FAO)—From April 19 to 23, an official of the Union participated as an observer in the eighth regular session, in Rome (Italy), of the (FAO) Commission on Genetic Resources for Food and Agriculture.

161. Organisation for Economic Co-operation and Development (OECD)—From May 19 to 21, an official of the Union participated as an observer, in Paris, in the Annual Meeting of the Representatives of the Designated Authorities responsible for the implementation of the OECD Schemes for the Varietal Certification of Seeds Moving in International Trade.

162. Consultative Group for International Agricultural Research (CGIAR)—On August 31 and September 1, the Vice Secretary-General attended a meeting, in The Hague (Netherlands), of the Central Advisory Service on Proprietary Technology of the CGIAR, organized by the International Service for National Agricultural Research (ISNAR).

163. International Centre for Agricultural Research in Dry Areas (ICARDA)—On May 8 and 9, the Union was represented by the Vice-Secretary General and an official of the Union in a Workshop in Cairo on Plant Variety Protection: Current Status and Implications for the Development of the Seed Industry in WANA (West Asia and North Africa), organized ICARDA. A presentation was made by an official of the Union on “Acceding to the UPOV Convention: How and Why?”

164. Inter-American Institute for Cooperation on Agriculture (IICA)—On January 21, an official of the Union received the visit of Mr. Enrique Alarcón, Director of the Department of Science and Technology and Natural Resources, IICA, San José (Costa Rica).

165. International Plant Genetic Resources Institute (IPGRI)—On March 8, the Vice Secretary-General participated in a Policy Workshop in Rome (Italy) for the Board of Trustees of IPGRI. He presented a paper on plant variety protection.

166. On March 9, the Vice Secretary-General participated in the thirteenth IPGRI Board Meeting and the tenth Board Meeting for the International Network for the Improvement of Banana and Plantain (INIBAP) in Rome. The Board Meetings coincided with a special event

designed to celebrate the twenty-fifth Anniversary of the formation of IPGRI and its predecessor, the International Board for Plant Genetic Resources. The Board endorsed a strategic objective of IPGRI which was to secure closer relations with UPOV.

167. International Service for National Agricultural Research (ISNAR)—On September 9, the Vice Secretary-General participated in a Workshop on the Impact of Globalization on Agricultural Research and Development Strategies in Developing Countries in The Hague (Netherlands), organized by ISNAR.

168. International Vine and Wine Office (OIV)—On February 16, the Office of the Union transmitted a note on plant variety protection to Mr. Georges Dutruc-Rosset, Director General, OIV, for submission to the Expert Group on Vine Breeding at its session of March 9.

169. World Seed Conference 1999—From September 6 to September 8, the Vice Secretary-General participated in the World Seed Conference 1999, in Cambridge, United Kingdom, co-organized by the International Seed Testing Association (ISTA), FIS/ASSINSEL, OECD and UPOV, acting as Session Leader in Session III, which was entitled “Seeds and the Law.”

Non-governmental organizations

170. Association of European Horticultural Breeders (AOHE)—On February 5, an official of the Union participated, in Paris (France), in the General Assembly of AOHE and made a presentation on the UPOV Convention and recent developments.

171. International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) and International Seed Trade Federation (FIS)—From May 30 to June 4, the Vice Secretary-General took part in the FIS/ASSINSEL World Congresses in Melbourne, (Australia).

172. Licensing Executives Society International (LESI)—On March 2, the Vice Secretary-General participated in a meeting between officials of WIPO and Mr. Planton Mandros, President, Mr. Heinz Goddar, President Elect, and Mr. Tom Small and Mr. Dennys Watson, Co-Chairs, of LESI, who wished to discuss the results of the joint WIPO-UPOV-WTO Symposium and progress on the review of Article 27.3(b) of the TRIPS Agreement.

VIII. OTHER EXTERNAL RELATIONS ACTIVITIES

173. On March 5, an official of the Union lectured on plant variety protection at the Federal Intellectual Property Institute (OFPI) in Bern (Switzerland).

174. On March 18, the Vice Secretary-General, in Bangkok, took part in a live telephone debate with Professor Johnson Ekpere, Consultant to the Organization of African Unity (OAU) in Lagos, on developments in intellectual property protection relating to plants in Africa. The discussion was broadcast by the BBC World Service.

175. On March 30, the Vice Secretary-General participated in a meeting of the Organizing Committee of the World Seed Conference held at the Swiss Federal Agricultural Research Centre at Changins (Switzerland).

176. On April 1, the Vice Secretary-General attended the funeral of Mr. Victor Desprez at Cappelle-en-Pévèle (France), a Life President of the International Seed Trade Federation (FIS) and an outstanding figure in the world seed industry.

177. On April 8, the Vice Secretary-General corresponded with Mr. Sunil Archak, Researcher, National Research Centre on DNA Fingerprinting, New Delhi, on the subject of *CoFab*, a draft of a proposed international convention on the protection of plant varieties for developing countries, which is promoted by certain NGOs.

178. On April 23, the Vice Secretary-General took part in a meeting in Vevey, Switzerland, organized by the Quaker United Nations Office in Geneva, entitled “Choosing *Sui Generis* Systems: Options and Processes.”

179. On May 14, an official of the Union lectured, in Wageningen (Netherlands), at the Third International Course on Plant Variety Protection organized by the Centre for Plant Breeding and Reproduction Research (CPRO-DLO).

180. In the week of June 14, the Office of the Union received the visit of Mrs. Jayashree Watal, Visiting Scholar, Institute for International Economics, Washington D.C., who was preparing a book on the TRIPS Agreement and developing countries.

181. On July 1, an official of the Union lectured in a post-graduate course on intellectual property held by the Federal Institute of Technology, Zurich (Switzerland).

182. On June 10 and 11, the Vice Secretary-General and an official of the Union lectured in the Seed Policies and Regulations Harmonization Training Program for Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, organized under the Cochran Fellowship Program of the United States Department of Agriculture at the Seed Science Center, Iowa State University, Ames, Iowa. They had discussions with officials responsible for seed policy, including plant variety protection, in the participating countries.

183. On November 3, the Vice Secretary-General participated in the East European Seed Trade Meeting in Prague, organized by the Czech and Moravian Plant Breeders and Seed Trade Association, and gave a general presentation on plant variety protection under the UPOV Convention.

184. On November 25, an official of the Union participated as a panelist in a discussion on *L'Introduction de plantes transgéniques en agriculture: évaluation et critères de décision* at a course organized by the *Centre International de Hautes Études Agronomiques Méditerranéennes* (CIHEAM) in Saragossa (Spain).

IX. PUBLICATIONS

185. The Office of the Union published:

(a) an Arabic version of the UPOV Model Law on the Protection of New Varieties of Plants;

(b) updated editions, covering every event affecting the composition of the Union, of the information leaflet on UPOV and plant variety protection in English, Arabic, Chinese, French, German, Russian and Spanish;

(c) one supplement to Part I of the “Collection of Important Texts and Documents” in English, French, German and Spanish;

(d) two issues of the periodical *Plant Variety Protection*;

(e) six update discs in the series constituting the UPOV central database (*UPOV-ROM Plant Variety Database*).

186. The Council is invited to approve this report.

[Annex follows]

MEMBER STATES OF THE UNION

(December 31, 1999)

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
Argentina	- - -	- - November 25, 1994 -	- - December 25, 1994 -
Australia	- - -	- - February 1, 1989 December 20, 1999	- - March 1, 1989 January 20, 2000
Austria	- - -	- - June 14, 1994 -	- - July 14, 1994 -
Belgium	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	November 5, 1976 November 5, 1976 - -	December 5, 1976 February 11, 1977 - -
Bolivia	- - -	- - April 21, 1999 -	- - May 21, 1999 -
Brazil	- - -	- - April 23, 1999 -	- - May 23, 1999 -
Bulgaria	- - -	- - March 24, 1998	- - April 24, 1998
Canada	- - October 31, 1979 March 9, 1992	- - February 4, 1991 -	- - March 4, 1991 -
Chile	- - -	- - December 5, 1995 -	- - January 5, 1996 -

¹ *1st line:* International Convention for the Protection of New Varieties of Plants of December 2, 1961
2nd line: Additional Act of November 10, 1972
3rd line: Act of October 23, 1978
4th line: Act of March 19, 1991.

² of ratification where the State has signed the Convention or the Additional Act, as the case may be; of ratification, acceptance or approval if the State has signed the Act of 1978; of accession where it has not signed the text concerned.

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State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
China	- - -	- - March 23, 1999 -	- - April 23, 1999 -
Colombia	- - -	- - August 13, 1996 -	- - September 13, 1996 -
Czech Republic ³	- - -	- - -	- - January 1, 1993 -
Denmark	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 6, 1968 February 8, 1974 October 8, 1981 April 26, 1996	October 6, 1968 February 11, 1977 November 8, 1981 April 24, 1998
Ecuador	- - -	- - July 8, 1997 -	- - August 8, 1997 -
Finland	- - -	- - March 16, 1993 -	- - April 16, 1993 -
France	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	September 3, 1971 January 22, 1975 February 17, 1983 -	October 3, 1971 February 11, 1977 March 17, 1983 -
Germany	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	July 11, 1968 July 23, 1976 March 12, 1986 June 25, 1998	August 10, 1968 February 11, 1977 April 12, 1986 July 25, 1998
Hungary	- - -	- - March 16, 1983 -	- - April 16, 1983 -
Ireland	- - September 27, 1979 February 21, 1992	- - May 19, 1981 -	- - November 8, 1981 -
Israel	- - - October 23, 1991	November 12, 1979 November 12, 1979 April 12, 1984 June 3, 1996	December 12, 1979 December 12, 1979 May 12, 1984 April 24, 1998
Italy	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	June 1, 1977 June 1, 1977 April 28, 1986 -	July 1, 1977 July 1, 1977 May 28, 1986 -

³ Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

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State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
Japan	- - October 17, 1979 -	- - August 3, 1982 November 24, 1998	- - September 3, 1982 December 24, 1998
Kenya	- - - -	- - April 13, 1999 -	- - May 13, 1999 -
Mexico	- - July 25, 1979 -	- - July 9, 1997 -	- - August 9, 1997 -
Netherlands	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	August 8, 1967 January 12, 1977 August 2, 1984 October 14, 1996	August 10, 1968 February 11, 1977 September 2, 1984 April 24, 1998
New Zealand	- - July 25, 1979 December 19, 1991	- - November 3, 1980 -	- - November 8, 1981 -
Norway	- - - -	- - August 13, 1993 -	- - September 13, 1993 -
Panama	- - - -	- - April 23, 1999 -	- - May 23, 1999 -
Paraguay	- - - -	- - January 8, 1997 -	- - February 8, 1997 -
Poland	- - - -	- - October 11, 1989 -	- - November 11, 1989 -
Portugal	- - - -	- - September 14, 1995 -	- - October 14, 1995 -
Republic of Moldova	- - - -	- - - September 28, 1998	- - - October 28, 1998
Russian Federation	- - - -	- - - March 24, 1998	- - - April 24, 1998

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
Slovakia ³	- - - -	- - - -	- - January 1, 1993 -
Slovenia	- - - -	- - - June 29, 1999	- - - July 29, 1999
South Africa	- - October 23, 1978 March 19, 1991	October 7, 1977 October 7, 1977 July 21, 1981 -	November 6, 1977 November 6, 1977 November 8, 1981 -
Spain	- - - March 19, 1991	April 18, 1980 April 18, 1980 - -	May 18, 1980 May 18, 1980 - -
Sweden	- January 11, 1973 December 6, 1978 December 17, 1991	November 17, 1971 January 11, 1973 December 1, 1982 December 18, 1997	December 17, 1971 February 11, 1977 January 1, 1983 April 24, 1998
Switzerland	November 30, 1962 November 10, 1972 October 23, 1978 March 19, 1991	June 10, 1977 June 10, 1977 June 17, 1981 -	July 10, 1977 July 10, 1977 November 8, 1981 -
Trinidad and Tobago	- - - -	- - December 30, 1997 -	- - January 30, 1998 -
Ukraine	- - - -	- - October 3, 1995 -	- - November 3, 1995 -
United Kingdom	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 17, 1965 July 1, 1980 August 24, 1983 December 3, 1998	August 10, 1968 July 31, 1980 September 24, 1983 January 3, 1999
United States of America	- - October 23, 1978 October 25, 1991	- - November 12, 1980 January 22, 1999	- - November 8, 1981 February 22, 1999
Uruguay	- - - -	- - October 13, 1994 -	- - November 13, 1994 -

Total: 44 member States

[End of Annex and of document]

³ Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).