



C/34/3

ORIGINAL: English

DATE: October 2, 2000

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

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

REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2000

Document prepared by the Office of the Union

I. COMPOSITION OF THE UNION

Members and Future Members

1. On May 26, 2000, Kyrgyzstan deposited its instrument of accession to the 1991 Act of the Convention. That Act entered into force with respect to Kyrgyzstan on June 26, 2000.
2. On August 24, 2000, Estonia deposited its instrument of accession to the 1991 Act of the Convention. That Act entered into force with respect to Estonia on September 24, 2000.
3. As of that date, the Union comprised 46 member States: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Kenya, Kyrgyzstan, 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.
4. Under Article 34(3) of the 1991 Act, "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.”

5. Three requests were considered in the period under review:

- (a) a request by the African Intellectual Property Organization (OAPI), by letter of December 20, 1999;
- (b) a request by Kazakhstan, by Note verbale of February 22, 2000;
- (c) a request by Honduras, by letter of March 1, 2000.

6. At its seventeenth extraordinary session, held on April 7, the Council examined the laws of the above-mentioned Organization and States, and took the decisions described in paragraphs 7, 8 and 9.

7. The Council decided:

- (a) that the Bangui Agreement was in conformity with the Convention;
- (b) that, once the Bangui Agreement was in force, the member States of the African Intellectual Property Organization (OAPI), and OAPI itself, might deposit instruments of accession to the Convention.

8. The Council decided:

- (a) to advise the Government of Kazakhstan that the Law, after adoption of suitable regulations, provides the basis for a system of protection conforming with the Convention, and that it may deposit an instrument of accession to the Convention after making such regulations;
- (b) to further advise the Government of Kazakhstan that it may wish to correct the (possible) deviations and inconsistencies at the earliest opportunity;
- (c) to request the Office of the Union to offer its assistance to the Government of Kazakhstan for the drafting of any regulations and the preparation of translations into one or more of the official languages of UPOV.

9. The Council decided:

- (a) to take a positive decision on the conformity of the legislation of Honduras with the provisions of the Convention, subject to its amendment as mentioned in paragraph 41 of document C(Extr.)/17/5;
- (b) to request the Office of the Union to offer its assistance to the Government of Honduras in respect of the amendments to be made to the Bill;
- (c) to further advise the Government of Honduras that
 - (i) after consultation with the Office of the Union as to whether its proposed amendments to the Bill are adequate, and

(ii) after adoption of the Bill with the incorporation of such amendments but without other substantial changes, and after making implementing regulations,

it may deposit an instrument of accession to the 1991 Act of the UPOV Convention.

Situation in Relation to the Various Acts of the Convention

10. The 1991 Act was acceded to by Australia, on January 20, 2000, by Kyrgyzstan, on June 26, and by Estonia, on August 24, 2000, bringing to fifteen the number of member States bound by the 1991 Act.

11. Under Article 30(2) of the 1991 Act, each State or intergovernmental organization must be in a position, under its laws, to give effect to the provisions of the 1991 Act at the time of depositing its instrument of adherence.

12. In the first nine months of 2000, according to the information of the Office of the Union, Spain passed a law to adapt its system of protection to the 1991 Act. Accordingly, the number of member States which have laws which conform in all respects with the 1991 Act reached twenty-two, while thirteen non-member States (and the European Union) were in a position to accede at any time to the said Act. The OAPI and its member States will be in a position to accede to the 1991 Act after the revised *Accord de Bangui* has come into effect. Most other member States have adopted amendments in line with that Act or drawn up draft laws.

13. The table annexed to this report summarizes the situation of the member States with regard to the various Acts of the Convention as at September 30, 2000.

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

14. The Council held its seventeenth extraordinary session on April 7, under the chairmanship of Mr. Ryusuke Yoshimura (Japan). With the agreement of the Secretary-General, the Council appointed Mr. Rolf Jördens as Vice Secretary-General of UPOV in lieu of Mr. Barry Greengrass who retired on June 30, 2000. The Council also examined the requests for advice under Article 34(3) of the 1991 Act of the OAPI, Kazakhstan and Honduras. At the conclusion of the session, UPOV gold medals were awarded to Mr. Ricardo López de Haro y Wood of Spain and Mr. Bill Whitmore of New Zealand, former Presidents of the Council of UPOV, in recognition of their contributions to the Union.

Consultative Committee

15. The Consultative Committee held its fifty-ninth session on April 7, under the chairmanship of Mr. Karl Olov Öster (Sweden). It agreed to propose to the Council that it appoint Mr. Rolf Jördens as Vice Secretary-General of UPOV. It discussed the review, then underway, of Article 27.3(b) of the TRIPS Agreement, and developments in the fields of

biodiversity, plant genetic resources and plant variety protection. It also reviewed the activities and organizational structure of the Office of the Union.

Administrative and Legal Committee, Technical Committee, Technical Working Parties and Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular

16. For the work of the above bodies, reference is made to documents C/34/9 and C/34/10.

III. COURSES, SEMINARS, WORKSHOPS

17. On January 27 and 28, UPOV organized jointly with the World Intellectual Property Organization (WIPO) and the Organization of African Unity (OAU) and in cooperation with the Government of Zimbabwe in Harare a Round Table on the *sui generis* protection of plant varieties under Article 27.3(b) of the TRIPS Agreement. Representatives from OAU, OAPI, the African Regional Industrial Property Organization (ARIPO), the African Seed Trade Association (AFSTA), the African Regional Centre for Technology (ARCT), the Conference of Ministers of Agriculture of West and Central Africa (CMA/AOC), the Secretariat of the WANA (West Asia and North Africa) Seed Network and of the Government of Zimbabwe participated in the Round Table.

18. On February 1, UPOV organized in Harare, in cooperation with the Ministry of Agriculture and Lands of Zimbabwe, a national seminar on plant variety protection.

19. On February 15, UPOV organized, in cooperation with the Department of Agriculture of the Philippines in Manila, a national seminar on the protection of plant varieties under the UPOV Convention.

20. UPOV, WIPO and the *Secretaría de Integración Económica Centroamericana* (SIECA) co-operated to organize national seminars on the protection of plant varieties and biodiversity

(a) on March 13 in San José, Costa Rica, jointly with the Ministry of Foreign Trade (COMEX) and the Ministry of Agriculture and Livestock (MAG);

(b) on March 15 in Tegucigalpa, Honduras, jointly with the Secretariat for Agriculture and Livestock (SAG); and

(c) on March 17 in San Salvador, jointly with the Ministry of Agriculture and Livestock (MAG) and with the Seed Producers Association of San Salvador (ASPRODES).

Participants in the seminars in El Salvador and Honduras came from Guatemala, Nicaragua and Panama, as well as the host countries. The Government of Uruguay and WIPO provided lecturers.

21. On March 13 and 14, and on March 16 and 17, UPOV and WIPO organized national seminars in Kishinev and Bucharest, respectively, on the protection of plant varieties under the UPOV Convention, the patent system and the TRIPS Agreement. The Kishinev seminar was organized in cooperation with the State Agency on Industrial Property Protection (AGEPI) and the State Commission for Crop Varieties Testing and Registration of Moldova. The Bucharest seminar was organized in cooperation with the State Office for Inventions and

Trademarks and the State Institute for Variety Testing and Registrations of Romania. The European Patent Office (EPO) and the Community Plant Variety Office (CPVO) each provided a speaker.

22. On April 27, UPOV organized in Peradeniya, Sri Lanka, in cooperation with the Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan and with the Department of Agriculture of Sri Lanka, a national seminar on the protection of plant varieties under the UPOV Convention.

23. From May 17 to 19, UPOV organized in cooperation with the MAFF of Japan a Technical Coordination Meeting for Asian plant variety protection systems in Tsukuba, Japan. Participants came from China, Indonesia, Malaysia, the Philippines, the Republic of Korea, Thailand, Vietnam and the host country, Japan. The United Kingdom provided a speaker.

24. From May 29 to June 2, UPOV organized a training course on the protection of plant varieties for Ibero-American countries in cooperation with the National Research Institute for Agricultural and Food Technology (INIA) and the Spanish Agency for International Cooperation (AECI) in Cartagena de Indias (Colombia). Twenty-six persons participated. Lecturers were provided and financed by the Government of Spain and the Community Plant Variety Office of the European Community respectively.

25. From June 5 to 16, UPOV organized, in cooperation with WIPO and the Ministry of Agriculture and Fisheries of France, and with the assistance of the *Groupement national interprofessionnel des semences et plants* (GNIS), a seminar on the protection of plant varieties and the UPOV Convention in Angers and La Rochelle, France. Participants were from Algeria, Cameroun, Côte d'Ivoire, Gabon, Morocco, Senegal and Tunisia and of OAPI.

26. On June 9 and 10, UPOV organized, in cooperation with the State Committee of Ukraine for Testing and Protection of Plant Varieties, in Kyiv, a Workshop on Data Handling. Participants came from the Czech Republic, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Kyrgyzstan, Latvia, Mexico, Poland, Republic of Moldova, Russian Federation, Slovenia, Ukraine and the United Kingdom.

27. On August 28, the Office of the Union organized, together with the Ministry of Agriculture of Indonesia, a national seminar on the protection of plant varieties under the UPOV Convention, in which a total of 60 persons participated. The Ministry of Agriculture, Forestry and Fisheries of Japan provided a speaker.

IV. RELATIONS WITH STATES AND ORGANIZATIONS

28. On January 7, the Vice Secretary-General participated in a meeting in Paris, convened by the Office of the Prime Minister of France, to discuss biodiversity issues.

29. On January 11, the Vice Secretary-General and an official of the Union met with Mr. Francois Burgaud, Director of International Relations in the *Groupement national interprofessionnel des semences et des plants* (GNIS), to discuss proposals for technical assistance for francophone African States.

30. On January 12, the Vice Secretary-General traveled to Frankfurt for discussions with Mr. Rolf Jördens, President of the Federal Office of Plant Varieties (*Bundessortenamt*), Germany.
31. On January 21, the Vice Secretary-General wrote to Dr. W.J. van der Walt, General Manager, South African Seed Organization, with information concerning the status of African States in introducing plant variety protection systems.
32. On January 21, the Secretary-General wrote to Mr. Baba Dioum, *Coordinateur général*, Conference of Ministers of Agriculture of West and Central Africa (*Conférence des Ministres de l'agriculture de l'Afrique de l'Ouest et du Centre*) (CMA/AOC), concerning the follow-up to a resolution on plant variety protection taken by the Conference.
33. On January 31, the Vice Secretary-General visited Mrs. Bellah Mpfu, Head (Seed Services), Department of Research and Specialist Services of the Ministry of Lands and Agriculture of Zimbabwe, to discuss the Plant Breeder's Rights Amendment Bill of Zimbabwe.
34. On January 31, the Vice Secretary-General was a guest at a lunch given by the Zimbabwe Seed Trade Association, his hosts including Mr. Barry McCarter, Chairman, Seed Co. Ltd., and Mr. Vincent Gwarazimba, General Manager of the Association.
35. On January 31, the Vice Secretary-General visited the premises of the African Regional Industrial Property Office (ARIPO) in Harare.
36. From February 16 to 17, the Vice Secretary-General and an official of the Union took part in a Workshop on the Impact on Research and Development of *sui generis* Approaches to Plant Variety Protection of Rice in Developing Countries, organized by the Council for Partnership for Rice Research in Asia (CORRA) in cooperation with the International Rice Research Institute (IRRI), the Global Forum on Agricultural Research (GFAR), the Asia Pacific Association of Agricultural Research Institutions (APAARI), the United States Agency for International Development Aid, the Rockefeller Foundation, the Ministry of Foreign Affairs of the Netherlands, and the private sector committee of the Consultative Group for International Agricultural Research (CGIAR). The Vice Secretary-General gave a paper on the implications of the 1991 Act of the UPOV Convention for developing countries and an official of the Union spoke on the protection of rice varieties under the UPOV system.
37. On February 18, the Vice Secretary-General paid a courtesy call on Mr. R.P. Cantrell, Director General of the International Rice Research Institute (IRRI).
38. On February 18, the Vice Secretary-General and an official of the Union met with representatives of the Department of Agriculture of the Philippines in Quezon City. They met Mrs. Celia Fernandez, Assistant Secretary for Legislative Liaison and Legal Affairs, and other officials of the Department of Agriculture, as well as Ms. Rosa D. Guzman, Committee Secretary, Committee on Agriculture and Food of the Philippines Congress. They discussed the Plant Variety Protection Act then before the Congress.
39. On February 21, the Vice Secretary-General and an official of the Union met in Singapore with Mr. S. Tiwari, Senior State Counsel and Head of International Affairs Division, of the Attorney-General's Chambers of Singapore, with Ms. Liew Woon Yin, Registrar of Trademarks, and Ms. Lee Siew Mooi, Head of the Orchids and Ornamental

Plants Centre of the Primary Production Department of the Ministry of National Development of Singapore.

40. On February 22, the Vice Secretary-General and an official of the Union held discussions at the Plant Breeding Institute, Latihan Pengembangan Pertanian (ILPP), Serdang, Malaysia, to discuss plant variety protection issues.

41. On February 23, the Vice Secretary-General and an official of the Union attended a meeting in the Department of Agriculture of Malaysia chaired by Mr. Ishak Haji Ibrahim, Deputy Director General I, Department of Agriculture, and discussed Malaysian proposals to legislate in relation to plant variety protection.

42. On February 24, the Vice Secretary-General and an official of the Union visited the Division of Seed Science and Technology, the Central Seed Testing Laboratory and the National Phytotron Facility of the Indian Agricultural Research Institute Campus in New Delhi where they met Dr. Arpi Katiyar, Assistant Director General, Seeds, of the Indian Council for Agricultural Research. They subsequently participated in a meeting chaired by Mr. Goorindar Nair, Joint Secretary (Seeds), Ministry of Agriculture and Cooperatives of the Government of India, at which the Plant Variety Protection and Farmers Rights Bill of 1999 was discussed.

43. From March 6 to 8, an official of the Union participated in a Symposium in Montpellier, France, on Molecular Markers for Characterising Genotypes and Identifying Cultivars in Horticulture, under the aegis of the Commission of Biotechnology of International Society of Horticultural Science.

44. On March 13, in San José, Costa Rica, in the context of a series of national seminars in Latin America, an official of the Union discussed with Mr. Frantz Acoste Polonio, President of the Intellectual Property Commission of the National Assembly of Costa Rica, the Costa Rica Bill and its implementation.

45. On March 14, the same official visited the headquarters of the *Instituto Interamericano de Cooperación Agrícola* (IICA) in San José and had discussions on future joint activities with Mr. Enrique Alarcón, Director of Science and Technology, Mr. Rodolfo Quiros Guardia, Director of Policy and Trade, and Mr. Rafael Ledesma, Director of Distance Learning Centre.

46. On March 15, in Tegucigalpa, Honduras, an official of the Union met with Mr. Ramón Villeda Bermúdez, First Vice President of the National Assembly, and subsequently with Mr. Guillermo Alverado Downing, Secretary of State in the Office of Agriculture and Livestock in Honduras. They discussed the Bill on the protection of plant varieties and the role of plant variety protection in the development of agriculture. Mr. Downing handed to him a letter to the Secretary-General of UPOV requesting the advice of the Council of UPOV on the conformity of the Bill with the 1991 Act of the UPOV Convention.

47. On March 17, an official of the Union met in San Salvador with Mr. Salvador Urrutia Loucel, Minister of Agriculture and Livestock.

48. On March 24, a group of officials from the Government of Venezuela visited the Office of UPOV and received information on plant variety protection and the activities of the Union.

49. From April 3 to 7, 2000, the Office of the Union was represented by an official of WIPO in the second Inter-sessional Meeting of the Chairman's Contact Group, which met in Rome, to continue negotiations on the revision of the International Undertaking on Plant Genetic Resources in harmony with the Convention on Biological Diversity.
50. On April 4, the Vice Secretary-General had discussions with Mr. Gamal Eissa Attya, Director, Breeders' Rights and Variety Registration Department, Ministry of Agriculture, Cairo, concerning the Intellectual Property Law that will contain powers to make a Decree on the subject of plant variety protection.
51. On April 4, the Vice Secretary-General had discussions with Mr. Chang Hyun Kim, Director, National Seed Management Office, Republic of Korea, concerning his country's accession to the UPOV Convention.
52. On April 5, the Vice Secretary-General and an official of the Union had discussions with Ms. Dolly Chakrabarty, Deputy Secretary, Department of Agricultural and Cooperation, Ministry of Agriculture of India, concerning the Plant Variety Protection Bill of India.
53. On April 7, the Vice Secretary-General corresponded with the Permanent Mission of Mauritius in Geneva, in response to a note announcing the intention of Mauritius to legislate in relation to plant variety protection and to join UPOV.
54. On April 11, the Vice Secretary-General participated in an observer capacity in a meeting of the Administrative Council of the Community Plant Variety Office of the European Union.
55. On April 25, the Vice Secretary-General wrote to Mr. Amin Petrosyan, Director General, Ministry of Agriculture of Armenia, in response to his letter announcing that the Selection Achievement Protection Law had come into effect in Armenia.
56. On April 27, in the context of the UPOV national seminar held in Sri Lanka, the Vice Secretary-General and an official of the Union had discussions with Dr. D.M. Karunaratna, Director of the Intellectual Property Office and Registrar of Trademarks, Colombo, concerning a Draft Plant Variety Protection Law of Sri Lanka.
57. On April 28, the Vice Secretary-General and an official of the Union visited the Rice Research Institute at Batalagoda, Sri Lanka. They were accompanied by Mr. O.P.K. Chandrasiri, Assistant Director of Agriculture, Seed Certification Service of Sri Lanka.
58. On May 8, the Vice Secretary-General wrote to Mr. Do Thi Xuan Huong of the Department of Science, Technology and Product Quality of the Ministry of Agriculture and Rural Development of Vietnam, concerning the Decree on Plant Variety Protection of Vietnam and the preparation of Implementing Regulations.
59. On May 10, the Vice Secretary-General received the visit of Dr. D.M. Karunaratna, of Sri Lanka. They discussed the preparation of the Plant Variety Protection Bill.
60. On May 12, the Vice Secretary-General traveled to Paris where he met with the Secretary General of the *Comité pour la protection des obtentions végétales* (CPOV), and with Mr. Rolf Jördens, President of the Federal Office of Plant Varieties (*Bundessortenamt*),

Hanover, Germany, and Vice Secretary-General designate of UPOV. They discussed a forthcoming UPOV training course.

61. On May 15, an official of the Union gave a lecture on “Plant variety protection, a world overview today” at the 4th International Course on Plant Variety Protection in Wageningen, Netherlands, an international training course for experts and officials from countries that are in the process of developing PBR laws or in which laws have recently been passed.

62. On May 16, the Vice Secretary-General delivered a paper on the impact of the 1991 Act of the UPOV Convention on the world seed industry in a lecture meeting organized by the Society for Techno-Innovation in Agriculture, Forestry and Fisheries (STAFF) in Tokyo. The meeting was held on the premises of the Bio-Oriented Technology Research Advancement Institution (BRAIN).

63. From May 21 to 25, the Vice Secretary-General participated in the World Congresses of the International Seed Trade Federation (FIS) and the International Association of Plant Breeders (ASSINSEL), in Rome.

64. On May 22, together with Mr. Rolf Jördens, the Vice Secretary-General visited the International Plant Genetic Resources Institute (IPGRI) headquarters in Rome where they met Mr. Jan M.M. Engels, Director, Genetic Resources Science and Technology Group, with whom they discussed issues of common interest to IPGRI and UPOV.

65. On May 26, Mr. Roman O. Omorov, Director, State Agency of Intellectual Property, Bishkek (Kyrgyzstan), called upon the Secretary-General to deposit the instrument of accession of the Kyrgyz Republic to the 1991 Act of the UPOV Convention.

66. On May 30, the Vice Secretary-General received the visit of Mr. Nheuni Sisavad, Director General, Department of Intellectual Property within the Office of the Prime Minister of the Lao People’s Democratic Republic.

67. On May 31, the Office of UPOV sent to the Permanent Mission of Mauritius in Geneva its comments on the draft Plants Bill of Mauritius.

68. On June 6 and 7, the Vice Secretary-General participated in ABIC 2000, in Toronto, a conference organized by the Agricultural Biotechnology International Conference. He spoke on June 7 on International Issues in Intellectual Property Relating to Plants.

69. On June 9, the Secretary-General wrote to Mr. Youssef Wally, Deputy Prime Minister and Minister for Agriculture of Egypt, concerning the provisions on plant variety protection which are to be included in an omnibus intellectual property law.

70. On June 20, the Secretary-General wrote to Mr. Ivari Padr, Minister of Agriculture of Estonia, concerning the Estonian Variety Protection Act.

71. On June 21, the Vice Secretary-General met with Ms. Karin Scheidegger of the *Institut für Europa- und Wirtschaftsvölkerrecht* of the University of Berne, who is working with Prof. Thomas Cottier on an analysis of the ASSINSEL proposal to the Commission on Genetic Resources for Food and Agriculture of FAO.

72. On June 22, the Office of UPOV provided comments on the plant variety protection elements of an industrial property law of Saudi Arabia.
73. On June 28, the Vice Secretary-General and an official of the Union met with Mr. R.C. Jain, Additional Secretary, Department of Agriculture and Cooperation, Ministry of Agriculture of India. They discussed the Indian Plant Variety Protection Bill.
74. On June 30, the Vice Secretary-General wrote to Mrs. Kruna Cermak-Horbec of the Ministry of Agriculture of Croatia, concerning the procedure for her country's accession to the 1991 Act of the UPOV Convention.
75. On July 4, the Vice Secretary-General took part, in Celle, Germany, in the Annual Meeting of Representatives of the National Designated Authorities Responsible for the OECD Schemes for the Varietal Certification of Seed Moving in International Trade.
76. On July 11, the Vice Secretary-General received the visit of Mrs. Bilyana Lekic, Advisor, Industrial Property Protection Office, Ministry of Development, the former Yugoslav Republic of Macedonia.
77. On July 14, an official of the Union attended a meeting organized by the Bureau for Latin America and the Caribbean of WIPO, with Vice Ministers and other high officials from El Salvador, Guatemala, Honduras and Nicaragua, in which officials from the *Secretaría de Integración Económica Centroamericana* (SIECA) also participated. The meeting provided an opportunity to discuss UPOV activities in the Central American region.
78. On July 19, the Vice Secretary-General received a visit from Mr. David F. Luke, Minister/Counsellor, Multilateral Trade Issues, Permanent Delegation of the OAU in Geneva, with whom he discussed the follow-up to the meeting jointly organized with OAU and WIPO in Harare.
79. On August 7, the Vice Secretary-General discussed UPOV's activities in Southern Africa with Mr. Mogens Lemonius, of the World Bank's Subsaharan Africa Seed Initiative (SSASI) Program.
80. On August 15, the Office of UPOV received a letter from Mr. Irshat Aliev, Minister for Agriculture of Azerbaijan, requesting the advice of the Council of UPOV on the conformity of the Law on Breeding Achievements of the Azerbaijan Republic with the 1991 Act of the UPOV Convention.
81. On August 17, the Vice Secretary-General received the visit of Mr. Christopher A. Osah, Minister in the Permanent Mission of Nigeria in Geneva, with whom he discussed the plant variety protection system of UPOV and other matters.
82. From August 26 to 31, the Office of the Union was represented in the Third Inter-sessional Meeting of the Chairman's Contact Group of the Commission on Genetic Resources for Food and Agriculture of FAO, which continued negotiations on the revision of the International Undertaking on Plant Genetic Resources, in harmony with the Convention on Biological Diversity.
83. On August 29, the Vice Secretary-General and an official of the Union participated in a meeting in Jakarta, chaired by Dr. Djoko S. Damardjati, Head of Center Research Institute for

Food Crops, Ministry of Agriculture of Indonesia, at which the draft of the Plant Variety Protection Act was discussed with two congressmen and several government officials.

84. On August 31, the Vice Secretary-General and an official of the Union held a small half-day seminar at the Department of Agriculture, Bangkok. In the afternoon, they had discussions with government officials at the Office of Plant Variety Protection, Department of Agriculture, concerning the Plant Varieties Protection Act of Thailand.

85. On September 4 and 5, the Vice Secretary-General participated in the World Potato Congress in Amsterdam, Netherlands. He presented a paper on "Plant Breeders Rights – An Effective Instrument to the Benefit of Breeders, Farmers and Society."

86. On September 4 and 5, UPOV was represented in the second meeting of the Advisory Committee for the Central Advisory Service (CAS) of the Consultative Group for International Agricultural Research (CGIAR) which Service is located in the International Service for National Agricultural Research (ISNAR) in The Hague.

87. On September 6 and 7, UPOV was represented in an observer capacity in the Genetic Resources Policy Committee of the CGIAR which also met in The Hague.

88. On September 12, the Secretary-General received a letter from Mrs. Verika Demirovska, Director, Minister of Agriculture, Forestry and Water Economy, the former Yugoslav Republic of Macedonia, requesting the advice of the Council of UPOV on the conformity of the Seeding Material, Planting Material, Obligation, Variety, Recognition, Approval and Protection Law of her country with the 1991 Act of the UPOV Convention.

89. On September 13, the Vice Secretary-General participated in a hearing on TRIPS and Biodiversity organized by the Swedish Ministry of Foreign Affairs and of Trade. He gave a lecture on the TRIPS requirements for an effective *sui generis* system for the protection of plant varieties and the UPOV Convention. Minister Leif Pagrotsky participated. Also present was Karl Olov Öster, Vice President of the Council of UPOV.

90. On September 14, the Vice Secretary-General received in his office Dr. Nelson Velasco Izquierdo, President, *Instituto Ecuatoriano de la Propiedad Intelectual* (IEPI), Ecuador, and spoke about UPOV activities in Latin America.

91. On September 15, the Vice Secretary-General received a letter from the Mr. Ahterrazak Daaloui, Director General of Agricultural Production, and Mr. Aissa Bouziri, Deputy Director for the Control and Certification of Seeds and Plants, announcing that a request for the advice for the Council of UPOV on the conformity of the Tunisian legislation on Seeds, Plants and Plant Varieties with the 1991 Act of the UPOV Convention had been sent through diplomatic channels to the Office of UPOV.

92. From September 16 to 19, the Vice Secretary-General participated in the Third Conference of OAU/AEC Ministers of Trade held in Cairo, Egypt. In a preparatory meeting of experts, he commented on a draft African Model Legislation for the Protection of the Rights of Local Communities, Farmers and Breeders and for the Regulation of Access to Biological Resources. The Ministers urged assistance and collaboration with international partner organizations, such as UPOV, WTO and WIPO, in the furtherance of this initiative.

93. On September 21 and 22, the Vice Secretary-General participated in a meeting of the Council on TRIPS. He made an intervention on key elements of the UPOV Convention.
94. On September 22, the Vice Secretary-General received a visit of Mr. Masato Fukushima, Assistant Director, Seed and Seedlings Division, Ministry of Agriculture, Forestry and Fisheries, Japan.
95. From September 25 to 27, the Vice Secretary-General participated in the Asian Seed Conference 2000, organized by the Asian Pacific Seed Association, in Bangalore, India. He spoke with Mr. Shri S.B.P.B.K. Satyanarayan Rao Ji, the Indian Minister of State for Agriculture, about the Indian Protection of Plant Varieties and Farmer's Rights Bill. The Minister reconfirmed the intention of his government to join UPOV.
96. On September 27, an official of the Union gave a video-conference on Plant Variety Protection under the UPOV Convention at the Post-Graduate Specialization Course on Intellectual Property, organized by the World Intellectual Property Organization (WIPO) Worldwide Academy and the University of Turin, in cooperation with the Government of Italy and the International Training Center of the International Labour Office.
97. On September 28, the Vice Secretary-General submitted comments to the Secretary-General, Ministry of Agriculture and Forestry of Indonesia, on the Draft Act of the Republic of Indonesia on Plant Variety Protection.
98. On September 29, an official of the Union participated in a meeting with Mr. Kim Gon Il, Chief, Seed Department, and Mr. Li Mun Il, Director, Seed Section, Province Nord Hwanghae, Democratic People's Republic of Korea, organized at the *Service des semences et plants, Station fédérale de recherches en production végétale*, in Nyon, Switzerland.
99. On September 29, the Vice Secretary-General spoke with Mr. Adrian Otten, Director, Intellectual Property Division, World Trade Organization, about the review of Article 27.3(b) of the TRIPS Agreement.

V. PERSONNEL

100. Mr. Rolf Jördens took up his duties as Vice Secretary-General of UPOV on July 1, 2000. Mr. André Heitz's functions as Director-Counsellor ceased on March 1, 2000, when he became General Secretary of the Federation of International Civil Servants Associations. Mr. Peter Button was appointed as Technical Director of UPOV on September 1, 2000. Mr. Sumito Yasuoka joined UPOV in a consultant capacity for one year from June 1, 2000.

VI. PUBLICATIONS

101. The Office of the Union published:

- (a) three issues of "Plant Variety Protection," the Gazette and Newsletter of UPOV;

(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) four updated discs in the series constituting the UPOV central database, “UPOV-ROM Plant Variety Database;”

(d) a prototype of “TG-ROM 99,” a collection on CD-ROM of adopted UPOV Test Guidelines.

102. The Council is invited to note this report.

[Annex follows]

MEMBER STATES OF THE UNION
(September 30, 2000)

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 -

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.

C/34/3
Annex, page 2

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
Chile	- - - -	- - December 5, 1995 -	- - January 5, 1996 -
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 -
Estonia	- - - -	- - - August 24, 2000	- - - September 24, 2000
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 -

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

C/34/3
Annex, page 3

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
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 -
Japan	- - October 17, 1979 -	- - August 3, 1982 November 24, 1998	- - September 3, 1982 December 24, 1998
Kenya	- - - -	- - April 13, 1999 -	- - May 13, 1999 -
Kyrgyzstan	- - - -	- - - - May 26, 2000	- - - - June 26, 2000
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 -

C/34/3
Annex, page 4

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
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
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 -

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

C/34/3
Annex, page 5

State	Date of Signature ¹	Date of Deposit of Instrument ^{1, 2}	Date Upon Which State Became Bound ¹
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: 46 member States

[End of document]