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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL**Thirty-Fifth Ordinary Session****Geneva, October 25, 2001**

ANNUAL REPORT OF THE SECRETARY-GENERAL FOR 2000

(thirty-second year)

I. COMPOSITION OF THE UNION

Number of Members

1. On December 31, 2000, the Union had 46 members. The following States acceded to the Union in 2000:

(a) On May 26, 2000, Kyrgyzstan deposited its instrument of accession to the 1991 Act of the Convention. The latter entered into force with respect to Kyrgyzstan on June 26, 2000.

(b) On August 24, 2000, Estonia deposited its instrument of accession to the 1991 Act of the Convention. The latter entered into force with respect to Estonia on September 24, 2000.

2. The 46 member States are the following: 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. An Annex detailing the membership status of the Union as of December 31, 2000, is attached.

Situation in Relation to the Various Acts of the Convention

3. On December 31, 1999, 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 30 States;
- (c) the 1991 Act was the most recent Act binding 12 States.

4. In addition to the accessions of Estonia and Kyrgyzstan mentioned above, Australia, which had deposited its instrument of accession to the 1991 Act, became bound by that Act on January 20, 2000.

5. On December 31, 2000, 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 29 States, namely Argentina, 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 15 States, namely: Australia, Bulgaria, Denmark, Estonia, Germany, Israel, Japan, Kyrgyzstan, Netherlands, Republic of Moldova, Russian Federation, Slovenia, Sweden, United Kingdom, United States of America.

6. 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.”

7. In 2000, to the knowledge of the Office of the Union, Spain passed a law to adapt its system of protection to the 1991 Act. The law entered into force on April 10, 2000. The Government of Austria produced the draft of a law in order to implement the 1991 Act of the Convention. Belgium also started to adapt its legislation to the 1991 Act of the Convention. Accordingly, the number of member States having laws which conformed in all respects with the 1991 Act reached 22. Most other member States adopted amendments in line with that Act or drawn up draft laws.

8. 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, 2000.

Future Members

9. 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. [...]"

10. Requests for the advice of the Council were filed in the period under review by the African Intellectual Property Organization (OAPI), by letter of December 20, 1999 (received on January 18, 2000), and by the following five States:

- (a) Kazakhstan, by note verbale of February 22, 2000;
- (b) Honduras, by letter of March 1, 2000;
- (c) Azerbaijan, by letter of August 15, 2000;
- (d) The former Yugoslav Republic of Macedonia, by letter of September 4, 2000;
- (e) Tunisia, by letter of September 9, 2000, and by a note of October 12, 2000.

11. At its seventeenth extraordinary session, held on April 7, 2000, the Council examined the conformity of the Bangui Agreement establishing an African Intellectual Property Organization with the UPOV Convention. It decided that the Bangui Agreement was in conformity with the Convention and 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.

12. The Council, during its seventeenth extraordinary session, also examined the laws of two States and took the following decisions:

(a) It decided to advise the Government of Kazakhstan that its law, after adoption of suitable regulations, provided the basis for a system of protection conforming with the Convention and that it might deposit an instrument of accession to the Convention after making such regulations.

(b) It took a positive decision on the conformity of the legislation of Honduras with the provisions of the Convention, subject to specific amendments and that, after adoption with the incorporation of such amendments, but without other substantial changes, and after making implementing regulations, it might deposit an instrument of accession to the 1991 Act of the UPOV Convention.

13. At its thirty-fourth ordinary session, held on October 26, 2000, the Council examined the laws of three 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 Azerbaijan that the Law in its main provisions incorporated the substance of the Convention, that Azerbaijan might deposit an

instrument of accession to the Convention and that it may wish to correct the deviations and inconsistencies identified at the earliest opportunity.

(b) The Council decided to advise the Government of The former Yugoslav Republic of Macedonia that the Law does not incorporate some important provisions of the Convention and that The former Yugoslav Republic of Macedonia, upon adoption of the necessary amendments and the making of implementing regulations, might deposit an instrument of accession to the Convention.

(c) It decided to advise the Government of Tunisia 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 Tunisia might wish to supplement the text of its legislation so as to avoid recourse to the constitutional provision.

14. By December 31, 2000, the following 21 States, the European Community (EC) and the African Intellectual Property Organization (OAPI) had initiated the procedure for accession to UPOV: Azerbaijan, Belarus, Costa Rica, Croatia, Egypt, Estonia, Georgia, Honduras, India, Kazakhstan, Kyrgyzstan, Lithuania, Morocco, Nicaragua, Republic of Korea, Romania, Tajikistan, The former Yugoslav Republic of Macedonia, Tunisia, Venezuela and Zimbabwe.

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

15. The Council held its seventeenth extraordinary session on April 7, 2000, under the chairmanship of Mr. Ryusuke Yoshimura (Japan), to appoint a new Vice Secretary-General and to examine the requests for advice submitted by the African Intellectual Property Organization (OAPI), Honduras and Kazakhstan under Article 34(3) of the 1991 Act of the UPOV Convention.

16. Mr. Ricardo López de Haro y Wood from Spain and Mr. Bill Whitmore from New Zealand were awarded Gold Medals in recognition of their outstanding contribution as Presidents of the Council of UPOV.

17. The Council held its thirty-fourth ordinary session on October 26, 2000, again under the chairmanship of Mr. Ryusuke Yoshimura. The session was attended by observers from 17 non-member States¹ and eight international organizations².

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

(a) It pronounced on the conformity of the legislation of Azerbaijan, The former Yugoslav Republic of Macedonia and Tunisia with the 1991 Act.

¹ Azerbaijan, Algeria, Belarus, Burundi, Côte d'Ivoire, Croatia, Greece, The former Yugoslav Republic of Macedonia, India, Iraq, Libyan Arab Jamahiriya, Oman, Uganda, Republic of Korea, Romania, Thailand, Tunisia.

² United Nations Environment Program (UNEP), World Trade Organization (WTO), European Community (EC), Organization for Economic Co-operation and Development (OECD), International Seed Testing Association (ISTA), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Federation of Industrial Property Attorneys (FICPI), International Seed Trade Federation (FIS).

(b) It approved the report by the Secretary-General on the activities of the Union in 1999 and noted the report on activities during the first nine months of 2000.

(c) It noted the report of the auditors on the accounts of the 1998-1999 biennium.

(d) It decided on the representation allowance for the Vice Secretary-General.

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

(f) The Council elected for three-year terms ending with the thirty-seventh ordinary session of the Council, in 2003,

(i) Mr. Karl Olov Öster (Sweden) as President of the Council; and

(ii) Mrs. Adelaida Harries (Argentina) as Vice-President of the Council.

(g) The Council paid tribute to the former Vice Secretary-General, Mr. Barry Greengrass, who retired on June 30, 2000, and who was awarded the Gold Medal of UPOV. The Council then welcomed the new Vice Secretary-General, Mr. Rolf Jördens, who had taken up his duties on July 1, 2000, and the Technical Director, Mr. Peter Button, who had taken up his duties on September 4, 2000.

Consultative Committee

19. The Consultative Committee held its fifty-ninth session on April 7, 2000, under the chairmanship of Mr. Karl Olov Öster (Sweden). It agreed to propose to the Council that, with the approval of the Secretary-General, it appoint Mr. Rolf Jördens as Vice Secretary-General of UPOV. It supported the proposal of the Secretary-General to have a special farewell session for the retiring Vice Secretary-General, Mr. Barry Greengrass, during the thirty-fourth ordinary session of the Council in October 2000 and to organize a farewell dinner for Mr. Greengrass to be held on October 25, 2000. It prepared the decisions of the Council on the conformity of the legislation of Honduras with the 1991 Act of the UPOV Convention. 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) and took note of the situation in the field of biodiversity, plant genetic resources and plant variety protection. It noted the proposal of the Office of UPOV on the organizational structure of the Office and decided to leave it to the Secretariat of UPOV to find the optimal micromangement structure while taking into consideration the financial constraints. It decided which types of documents should be freely accessible on the UPOV Web site and which ones should be made available on the Web site under restricted areas.

20. The Consultative Committee held its sixtieth session on October 25, 2000, also under the chairmanship of Mr. Karl Olov Öster. The Committee essentially prepared the thirty-fourth ordinary session of the Council, discussed the ongoing review of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement), considered the situation in the field of biodiversity, plant genetic resources and plant variety protection, discussed the implementation of a new organizational structure of the

Office of the Union and agreed that the Office of the Union make investigations concerning Russian as a working language in UPOV, including the financial aspects.

Administrative and Legal Committee

21. The Administrative and Legal Committee held its forty-first session on April 6, 2000, under the Chairmanship of Mr. John Carvill (Ireland). The session was attended by observers from six non-member States³ and four international organizations⁴.

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. With regard to recent developments in the European Community, it had a discussion on signs which may constitute a variety denomination. It considered links between a hybrid variety and its components from the point of view of novelty. It discussed to what extent protected varieties had to be made available under the breeder's exemption provided for by the Convention and it considered possible effects of marking protected varieties.

23. The Committee held its forty-second session on October 23 and 24, 2000, also under the chairmanship of Mr. John Carvill. The Secretary-General paid tribute to Mr. Barry Greengrass and introduced the new Vice Secretary-General, Mr. Rolf Jördens, and the new Technical Director, Mr. Peter Button. The Committee considered documents concerning the notion of breeder and common knowledge. It considered important questions raised by the Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT). With regard to the new General Introduction of the Assessment of Distinctness, Uniformity and Stability in New Varieties of Plants, the Committee discussed aspects of particular relevance to it. Furthermore, it considered a list of genera and species of trees and vines for the purposes of the provisions on novelty and duration of protection.

Technical Committee

24. The Technical Committee held its thirty-sixth session from April 3 to 5, 2000, under the chairmanship of Mrs. Elise Buitendag (South Africa). The session was attended by observers from six non-member States⁵ and four international organizations⁶.

25. On the basis of preparatory work done by the Technical Working Parties, the Committee adopted Test Guidelines for the following seven taxa: gerbera; iris; kangaroo paw; osteospermum; pear; sunflower and witloof, chicory.

26. The Committee had before it progress reports from the Technical Working Parties, and it outlined the Working Parties' future work. The Committee discussed the procedure intended to lead to the adoption of a revised General Introduction and considered questions

³ Costa Rica, Croatia, India, Morocco, Republic of Korea and 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), Association of Plant Breeders of the European Community (COMASSO).

⁵ Egypt, Greece, 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 Plant Genetic Resources Institute (IPGRI).

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.

Technical Working Parties

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

(a) The Technical Working Party for Agricultural Crops (TWA) held its twenty-ninth session in Uppsala (Sweden) from June 27 to 30 under the chairmanship of Mrs. Françoise Blouet (France). A Subgroup on Sugarcane met in the same place on June 26.

(b) The Technical Working Party on Automation and Computer Programs (TWC) held its eighteenth session in Kyiv (Ukraine) from June 12 to 15 under the chairmanship of Mr. W. Pilarczyk (Poland), and a Workshop on Data Handling was held in the same place on June 9 and 10.

(c) The Technical Working Party on Ornamental Plants and Forest Trees (TWO) held its thirty-third session in Budapest (Hungary) from June 26 to 30 under the chairmanship of Miss E. Scott (United Kingdom).

(d) The Technical Working Party for Vegetables (TWV) held its thirty-fourth session in Angers (France) from September 11 to 15 under the chairmanship of Mrs. J. Borys (Poland).

(e) The Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (BMT) held its sixth session at Angers (France) from March 1 to 3 under the Chairmanship of Mr. M. Camlin (United Kingdom).

28. The basic task of four of the Working Parties consists in drawing up Test Guidelines and discussing specific issues related to the revision of the General Introduction. They submitted drafts to the Technical Committee for adoption of Test Guidelines for the following taxa: Alaska Brome-grass, *Bromus*, Cotton, Fodder Radish, Red Clover, Rescue Grass, Subterranean Clover, Swede and White Mustard (TWA); Actinidia (TWF), Amaryllis Guzmania, Ling/Scots Heather, and Zantedeschia (TWO). They produced others for the following taxa, to be submitted to the professional organizations for comment: Cocksfoot, Field Bean, Lotus, Sugarcane, Meadow Fescue/Tall Fescue and Turnip Rape (TWA); European Plum, Prunus Rootstocks (TWF); Lavendula, Ornamental Apple, Pentas and Thyme (TWO); Curly Kale, Fennel, Garlic, Globe Artichoke, Horse Radish, Swede, Tomato, Thyme and Turnip (TWV).

29. The Technical Working Party on Automation and Computer Programs (TWC) discussed various possibilities for reducing efforts and costs associated with variety testing (types of characteristics and the scale levels, incomplete block design, the COYD and COYU analyses, the use of more than one location, glossary of statistical terms, future role of molecular markers, telecommunications, exchangeable software and development and the World Wide Web). The TWC noted a suggestion to host the TWC Web page, which is presently hosted by the United Kingdom, on the UPOV Web site.

30. The Workshop on Data Handling, in which 31 participants from 16 member States and three observer States took part, was considered to be worthwhile repeating in another region.

31. The Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (BMT) agreed to propose to the Technical Committee (TC) the establishment of *ad hoc* subgroups for Maize, Oilseed Rape, Rose, Tomato and Wheat, formed jointly by crop experts in biomolecular techniques, for further studies on the possible use of molecular techniques in DUS testing.

III. COURSES, SEMINARS AND WORKSHOPS

32. On January 27 and 28, UPOV organized jointly with the World Intellectual Property Organization (WIPO) and the Organization of African Unity (OAU) 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 the Government of Zimbabwe participated in the Round Table.

33. 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.

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

35. UPOV, WIPO and the *Secretaría de Integración Económica Centroamericana* (SIECA) cooperated to organize national seminars on the protection of plant varieties and biodiversity:

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

(b) on March 15 in Tegucigalpa, 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.

36. 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 seminar in Kishinev 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 seminar in Bucharest 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.

37. 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.

38. 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.

39. From May 29 to June 2, UPOV organized a training course on the protection of plant varieties for Ibero-American countries in cooperation with WIPO, 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 (CPVO).

40. 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, Cameroon, Côte d'Ivoire, Gabon, Morocco, Senegal and Tunisia and from OAPI.

41. 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 Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Kyrgyzstan, Latvia, Mexico, Poland, Republic of Moldova, the Russian Federation, Slovenia, Ukraine and the United Kingdom.

42. 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 (MAFF) of Japan provided a speaker.

43. On October 9 and 10, UPOV organized, in cooperation with the National Secretary of Agriculture of Santo Domingo, Dominican Republic, a national seminar on the protection of plant varieties under the UPOV Convention, in which a total of 30 persons participated. The National Service for Seed Inspection and Certification from Mexico and the Inter-American Institute for the Cooperation on Agriculture (IICA) provided speakers. The representative of UPOV took the opportunity to comment further on the draft national Law on Plant Breeder's Rights of the Dominican Republic.

44. On October 12 and 13, the Office of the Union organized, together with the Ministry of Agriculture, Livestock and Food of Guatemala, a national seminar on the protection of plant varieties under the UPOV Convention, in which a total of 30 persons participated. Lectures were presented by a representative from the National Service for Seed Inspection and Certification from Mexico and by a representative of the International Research Institute for Maize and Wheat (CIMMYT).

45. On November 23 and 24, the Office of the Union organized, together with the National Seed Institute from Uruguay (INASE), the Uruguayan Association for the Protection of Plant Breeders (URUPOV) and WIPO, a regional seminar on the UPOV Convention, the commitments of the TRIPS Agreement and the implementation of an effective plant variety protection system, in which about 70 persons participated. The *Instituto Nacional de Semillas* of Uruguay, the Community Plant Variety Office (CPVO), the International Association of Breeders for the Protection of Varieties (ASSINSEL) and WIPO provided speakers.

IV. RELATIONS WITH MEMBER STATES, NON-MEMBER STATES AND ORGANIZATIONS

46. 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.

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

48. 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.

49. 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.

50. 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.

51. On January 31, the Vice Secretary-General visited Mrs. Bellah Mpofu, 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.

52. 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.

53. On January 31, the Vice Secretary-General visited the premises of the African Regional Industrial Property Office (ARIPO) in Harare.

54. 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 in Los Baños, Philippines, 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.

55. 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) in Los Baños, Philippines.

56. 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, Philippines. 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.

57. 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.

58. 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.

59. 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.

60. 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.

61. 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.

62. On March 13, in San José, 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.

63. 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.

64. On March 15, in Tegucigalpa, 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 the UPOV official 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.

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

66. 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.

67. From April 3 to 7, 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.

68. On April 4, the Vice Secretary-General had discussions in the Office of the Union 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.

69. On April 4, the Vice Secretary-General had discussions in the Office of the Union with Mr. Chang Hyun Kim, Director, National Seed Management Office, Republic of Korea, concerning his country's accession to the UPOV Convention.

70. On April 5, the Vice Secretary-General and an official of the Union had discussions in the Office of the Union with Ms. Dolly Chakrabarty, Deputy Secretary, Department of Agricultural and Cooperation, Ministry of Agriculture of India, concerning the Plant Variety Protection Bill of India.

71. 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.

72. 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 (CPVO) of the European Union in Angers, France.

73. 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.
74. 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.
75. 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.
76. 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.
77. 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.
78. On May 12, the Vice Secretary-General traveled to Paris where he met with Ms. Nicole Bustin, 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.
79. 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 Plant Breeder’s Rights laws or in which laws have recently been passed.
80. 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).
81. 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.
82. 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.

83. 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.
84. 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.
85. 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.
86. 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.
87. 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.
88. On June 20, the Secretary-General wrote to Mr. Ivari Padr, Minister of Agriculture of Estonia, concerning the Estonian Variety Protection Act.
89. 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.
90. On June 22, the Office of UPOV provided comments on the plant variety protection elements of an industrial property law of Saudi Arabia.
91. On June 28, the Vice Secretary-General and an official of the Union met, in Geneva, 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.
92. 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.
93. 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.
94. 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.
95. 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.

96. On July 19, the Vice Secretary-General received a visit from Mr. David F. Luke, Minister/Counselor, 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.
97. On August 7, the Vice Secretary-General discussed on the telephone UPOV's activities in Southern Africa with Mr. Mogens Lemonius of the World Bank's sub-Saharan Africa Seed Initiative (SSASI) Program.
98. 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.
99. On August 17, the Vice Secretary-General received the visit of Mr. Christopher A. Osah, Minister in the Permanent Mission of Nigeria at Geneva, with whom he discussed the plant variety protection system of UPOV and other matters.
100. 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.
101. 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.
102. On August 31, the Vice Secretary-General and an official of the Union held a 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.
103. 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."
104. 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.
105. 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.
106. On September 12, the Secretary-General received a letter from Mrs. Verica 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.

107. On September 13, the Vice Secretary-General participated in a hearing on TRIPS and Biodiversity organized by the Swedish Ministries of Foreign Affairs and of Trade in Stockholm. 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 Mr. Karl Olov Öster, Vice-President of the Council of UPOV.

108. 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.

109. On September 15, the Vice Secretary-General received a letter from 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 of 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.

110. From September 16 to 19, the Vice Secretary-General participated in the Third Conference of OAU/AEC Ministers of Trade held in Cairo. 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, WIPO and WTO, in the furtherance of this initiative.

111. On September 21, the Vice Secretary-General wrote a letter to Mr. Ramesh C.A. Jain, Additional Secretary, Ministry of Agriculture, New Delhi, containing comments on the Indian Protection of Plant Varieties and Farmers' Rights Bill 2000 and its conformity with the 1978 Act of the UPOV Convention.

112. On September 21 and 22, the Vice Secretary-General participated in a meeting of the Council for TRIPS in Geneva. He made an intervention on key elements of the UPOV Convention.

113. On September 22, the Vice Secretary-General received a visit from Mr. Masato Fukushima, Assistant Director, Seed and Seedlings Division, Ministry of Agriculture, Forestry and Fisheries, Japan.

114. On September 22, the Secretary-General wrote a letter to Dr. Yossuf Wally, Deputy Prime Minister and Minister of Agriculture and Land Reclamation, Ministry of Agriculture, Cairo, concerning conformity of the draft Egyptian legislation on plant variety protection with the 1991 Act of the UPOV Convention.

115. From September 25 to 27, the Vice Secretary-General participated in the Asian Seed Conference 2000, organized by the Asia and Pacific Seed Association (APSA), 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.

116. 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 Labor Office.

117. 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.

118. On September 28, the Office of the Union provided written comments on the draft Law on Plant Breeder's Rights to Mr. José Juan Pimentel, Director, *Departamento de Semillas, Secretaría de Estado de Agricultura*, Dominican Republic, on the conformity of the draft with the 1991 Act of the Convention.

119. On September 28, the Vice Secretary-General wrote a letter to the Secretary-General, Ministry of Agriculture, Jakarta, with comments on the Indonesian draft of the Act on Plant Variety Protection in respect to its conformity with the 1991 Act of the Convention.

120. 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.

121. On September 29, the Vice Secretary-General spoke with Mr. Adrian Otten, Director, Intellectual Property Division, World Trade Organization (WTO), about the review of Article 27.3(b) of the TRIPS Agreement.

122. On October 2, the Vice Secretary-General wrote a letter to Mr. Sione Vuna Fa'otusia, Legal Officer (Intellectual Property), Ministry of Labor, Commerce & Industry, Nuku'alofa, Tonga, providing him, at his request, with background material concerning plant variety protection and offering assistance with a view to the enactment of a plant variety protection legislation.

123. On October 2 and 3, the Vice Secretary-General participated in the International Workshop *Appui aux pays de l'Afrique de l'ouest et du centre face aux aspects agricoles des négociations multilatérales*, organized by the German Foundation for Development, in cooperation with the World Bank and the Government of Senegal. He gave a lecture on "*Les obligations suite à l'Accord sur les aspects des droits de propriété intellectuelle qui touchent au commerce (Accord sur les ADPIC)*".

124. On October 9, the Vice Secretary-General wrote a letter to Mr. Viktor Volkodav, Chairman, State Commission of Ukraine for Testing and Protection of Plant Varieties, Kyiv, concerning financial aspects to be discussed in the fringes of the forthcoming October meeting of the Council.

125. On October 9, the Secretary-General wrote a letter to Mrs. Verica Demirovska, Director, Ministry of Agriculture, Forestry and Water Economy, Skopje, The former Yugoslav Republic of Macedonia, in which he, replying to her request, announced a visit of UPOV officials with a view to further assist her country in its efforts to accede to the UPOV Convention.

126. On October 11, the Vice Secretary-General wrote a letter to Mrs. Verica Demirovska, Director, Ministry of Agriculture, Forestry and Water Economy, Skopje, The former Yugoslav Republic of Macedonia, in which he raised some questions concerning the Macedonian Law on Plant Variety Protection for which the Government had requested the advice of the Council of UPOV on its conformity with the 1991 Act of the UPOV Convention.

127. On October 11, the Vice Secretary-General transmitted the final implementation report on the Funds-in-Trust with the Japanese Government for 1999 to Mr. Yoichu Suzuki, Minister, Permanent Mission of Japan at Geneva.

128. On October 11, the Vice Secretary-General sent a letter to Mr. Jan Engels, Director, Genetic Resources Science & Technology Group, International Plant Genetic Resources Institute (IPGRI), Rome, in which he suggested a meeting to discuss areas of cooperation which subsequently took place on October 16, 2000, in Angers, France.

129. On October 11, the Office of UPOV wrote a letter to Mr. Aïssa Bouziri, *Sous directeur de contrôle de semences, Contrôle et certification des semences et plants*, Tunis, concerning the document on the examination for conformity of the Tunisian Law on Plant Variety Protection with the 1991 Act of the Convention.

130. On October 12, the Vice Secretary-General wrote a letter to Mr. Joël Guiard, GEVES, Guyancourt, France, in which he inquired whether GEVES could provide training for an expert from the Republic of Korea in the framework of his internship program with the Office of UPOV.

131. On October 12, the Vice Secretary-General wrote letters to Mr. V.M. Penchukov, Executive Director, Russian Seed Association, Moscow, to Mr. R. Arnitis, Director, State Plant Protection Service, Ministry of Agriculture of the Republic of Latvia, Riga, and to Mr. Valery J. Kudashov, Chairman, State Patent Office of Belarus, Minsk, concerning their request to organize a regional symposium in 2001 on plant variety protection.

132. From October 13 to 15, an official of the Union participated in a National Workshop on Intellectual Property in Accra, Ghana, organized by WIPO, where he gave lectures on plant variety protection under the UPOV Convention and advised Ghanaian officials on their draft Bill on the Protection of Plant Varieties.

133. On October 16, the Vice Secretary-General sent a letter to Mr. Thorsteinn Tomasson, Director, Agricultural Research Institute, Reykjavik, to inquire about the status of the proposed Icelandic Legislation on Plant Variety Protection and its Government's intention to accede to UPOV.

134. On October 17 and 18, the Vice Secretary-General participated in the inauguration ceremony of the new premises of the Community Plant Variety Office (CPVO) in Angers, France, and in the meeting of the Administrative Council of the CPVO. He awarded a UPOV silver medal to Mr. José María Elena Rosselló, Vice President of the CPVO, who served as President of the UPOV Technical Committee from 1984 to 1986.

135. On October 19 and 20, an official of the Union attended an OECD meeting in Geneva on accidental presence of GM seed in non-GM seed.

136. On October 20, the Office of UPOV wrote a letter to Mrs. Elizabeth Owiredu-Gyampoh, Registrar-General's Department, Ministry of Justice, Accra, to follow up the National Workshop on Intellectual Property which had just been held in Ghana containing some information on how to improve the wording of the Ghanaian draft Protection on Plant Varieties Bill.

137. On October 25, in Geneva, an official of the Union discussed with Mrs. Verica Demirovska, Director, Directorate for Seed, and Ms. Ljubica Trencavska, Senior Advisor, Ministry of Agriculture, Forestry and Water Economy, The former Yugoslav Republic of Macedonia, the Law for Seeding Material, Planting Material for Multiplication, Variety Recognition, Approval and Protection in relation to the provisions of the 1991 Act.

138. On October 26, in Geneva, an official of the Union explained key principles of the 1991 Act to representatives of the Ministry of Agriculture and Cooperatives of Thailand.

139. On October 26, the Secretary-General sent a letter to Mr. Rubens Ricupero, Secretary-General, United Nations Conference on Trade and Development, transmitting a paper on plant variety protection and the protection of traditional knowledge to be presented at an Expert Meeting on Systems and National Experiences for Protecting Traditional Knowledge, Innovations and Practices, to be held in Geneva, from October 30 to November 1.

140. On October 26, the Vice Secretary-General wrote a letter to Mr. Roland Nymann, Director General, Estonian Plant Production Inspectorate, Harjumaa, Estonia, concerning his request for a regional symposium on plant variety protection.

141. On October 26, the Vice Secretary-General wrote a letter to Mr. Viktor Volkodav, Chairman, State Commission of Ukraine for Testing and Protection of Plant Varieties, Kiev, in which he welcomed Ukraine's intention to intensify cooperation and to specify areas where the Office might provide advice in 2001.

142. On October 30, an official of the Union presented a paper "Plant Variety Protection and the Protection of Traditional Knowledge" at the UNCTAD Expert Meeting on "Systems and National Experience for Protecting Traditional Knowledge, Innovations and Practices," in Geneva.

143. On October 30, in Tokyo, the Vice Secretary-General and an official of the Union met executives of the seed industry of Japan to discuss UPOV's participation in the Annual Conference of the Asia and Pacific Seed Association to be held in Japan in September 2001.

144. From October 31 to November 2, the Vice Secretary-General and an official of the Union gave lectures in a training course organized by the Japan International Cooperation Agency (JICA) in Tokyo, involving selected participants from Bolivia, Brazil, China, Costa Rica, India, Indonesia, Kenya, Philippines, Thailand and Viet Nam.

145. On November 2, in Tokyo, the Vice Secretary-General awarded the UPOV Gold Medal to Mr. Ryusuke Yoshimura, former President of the UPOV Council.

146. On November 2, the Office of the Union sent a message to Mr. Ansori Singungen, Patent Office, Indonesia, containing information about countries offering patent protection for plant varieties.

147. On November 2, in Tokyo, the Vice Secretary-General and an official of the Union met Dr. Muneo Iwamoto, Deputy Director General for the Agriculture, Forestry and Fisheries Research Council's Secretariat, and Mr. Yukimasa Shinoda, Director of the Seed and Seedlings Division at the Japanese Ministry of Agriculture, Forestry and Fisheries.

148. On November 8, the Secretary-General wrote a letter to Mr. Salim Ahmed Salim, Secretary General, Organization of African Unity (OAU) at Addis Ababa, Ethiopia, concerning the follow-up of the Conference of Ministers of Trade, held in Cairo, in September 2000, which requested UPOV to assist in setting up plant variety protection in Africa.

149. On November 8, the Vice Secretary-General wrote a letter to Mr. H. Dieter Hoinkes, Deputy Administrator for External Affairs, Office of Legislative and International Affairs, US Patent and Trademark Office, Washington, D.C., asking for his comments on a recent change in the practice of the US Patent Office with regard to plant variety protection.

150. On November 9, the Vice Secretary-General spoke on the telephone to Mr. Rainhard Mang, *Ministersekretär* and *Abteilungsleiter*, Austrian Federal Ministry of Agriculture and Forestry, about Austria's position within UPOV and provided him with some background information concerning financial contributions to the UPOV budget.

151. On November 10, the Vice Secretary-General sent a message to Mrs. Anna Grünberg, United States Patent and Trademark Office, Washington, D.C., commenting on her questions concerning Articles 6 and 11 of the 1991 Act of the UPOV Convention.

152. From November 12 to 17, an official of the Union participated, in an observer capacity, in the Fourth Inter-sessional Meeting of the Chairman's Contact Group of the Commission on Genetic Resources for Food and Agriculture in Neuchâtel, Switzerland.

153. On November 15, the Vice Secretary-General wrote a letter to Mrs. Yvette Dattée, Director, GEVES, La Minière, Guyancourt, France, containing arrangements for his visit to GEVES, together with the Technical Director of UPOV.

154. On November 17, the Vice Secretary-General sent a letter to Mr. James Gunvaldsen Klaassen, Counsel – Justice Canada, Saskatoon, Canada, transmitting certified information on membership of UPOV which he had requested.

155. On November 20, the Vice Secretary-General wrote a letter to Mrs. Hanja Mariama Déo Balde, *Ministre du commerce, de l'industrie et des PME*, Conakry, Republic of Guinea, in reply to her request for assistance in the setting up of a national structure for plant variety protection.

156. On November 20, officials of the Union received a group of representatives of non-governmental organizations coordinated by the World Wildlife Fund (WWF).

157. From November 20 to 22, the Vice Secretary-General, together with an official from the Union, attended the Panamerican Seed Seminar in Punta del Este, Uruguay. He gave a lecture on "The UPOV Convention, the *sui generis* System for the Protection of Plant Breeder's Rights".

158. On November 21 and 22, an official of the Union participated in a first meeting of the examination offices of the Community Plant Variety Office (CPVO), in Angers, France.
159. On November 22, the Office of the Union wrote a letter to Dr. Fazil Pashaev, Head of State Committee on Testing and Protection of Selection Achievements, Baku, Azerbaijan, containing information with regard to the finalizing of the procedure of the accession to the UPOV Convention.
160. On November 28, the Vice Secretary-General sent a letter to Mr. Nheune Sisavad, Director General, Department of Intellectual Property, Standardization and Meteorology, Science, Technology and Environment Agency, of Lao People's Democratic Republic, concerning a national seminar on plant variety protection.
161. On November 28, an official of the Union participated in the Open Day for Pointsettia Breeders, organized by the Danish Institute of Agricultural Sciences in Aarslev, Denmark, and in the meeting on Phytoplasmas, arranged by the Community Plant Variety Office (CPVO) at the same location.
162. On November 29, the Vice Secretary-General met with Mr. Masato Fukushima, Assistant Director, Seed and Seedlings Division, Ministry of Agriculture, Food and Fisheries of Japan, who was in Geneva for the Council for TRIPS.
163. On November 29, the Vice Secretary-General wrote a message to the Secretariat of the Asia and Pacific Seed Association (APSA) suggesting the organization of a briefing seminar on plant variety protection on the occasion of the Asian Seed Meeting 2001, to be held in Chiba, Japan.
164. On November 30, the Vice Secretary-General wrote a letter to Mrs. Kruna Cermak-Horbec, Senior Counselor for Seed, Ministry of Agriculture and Forestry, Zagreb, Croatia, containing information on the procedure of acceding to the UPOV Convention.
165. On December 1, the Office of the Union sent a note to the Permanent Mission of Japan, thanking the Japanese Government for having confirmed its intention to make a voluntary financial contribution to the UPOV program in 2002-2003, and transmitted the work plan.
166. On December 6, the Office of the Union wrote a letter to Mr. Carmelo Justiniano, *Jefe División Registros, Oficina Regional de Semillas*, Santa Cruz de la Sierra, Bolivia, containing background information on the UPOV rules on variety denominations.
167. On December 7, the Vice Secretary-General received the visit of Mr. Kim Tong Hwan, Second Secretary, Permanent Mission of the People's Democratic Republic of Korea, and briefed him on UPOV and plant variety protection.
168. On December 7, the Vice Secretary-General wrote a letter to His Excellency Mr. Saša Vitošević, Federal Minister, Federal Ministry of Agriculture, Belgrade, Yugoslavia, concerning the procedure to accede to the UPOV Convention.
169. On December 7, the Secretary-General wrote a letter to Her Excellency Mrs. Yolanda Biké, Ambassador, Chairperson of the Committee on Trade and Environment (CTE) of the World Trade Organization (WTO), requesting that UPOV be granted observer status in the CTE.

170. On December 12, the Secretary-General wrote a letter to Mr. Anthioumane N'Diaye, Director General, *Organisation africaine de la propriété intellectuelle* (OAPI), Yaoundé, Cameroon, concerning technical support to be given to member states of OAPI in cooperation with the French Government.

171. On December 12, the Vice Secretary-General wrote a letter to Mr. Geoffrey Hawtin, Director General, International Plant Genetic Resources Institute (IPGRI), suggesting holding a meeting on mutual cooperation in 2001.

172. On December 13, the Office of the Union wrote a letter to Mrs. Rushi Tripathi, Food Trade Research Officer, ActionAid, London, in which it commented on a study commissioned by ActionAid, "Intellectual Property Rights and Agriculture—Analysis of the Economic Impact of Plant Breeders Rights."

173. On December 19, the Vice Secretary-General wrote a letter to Mrs. Ambrosia Lezama Zelaya, *Directora, Registro de la Propiedad Industrial, Ministerio de Economía y Desarrollo* (MEDE), Managua, Nicaragua, informing her about the procedure to accede to the UPOV Convention.

174. On December 19, the Vice Secretary-General wrote a letter to Ambassador Lawrence Agubuzu, Assistant Secretary General, Community Affairs Department, Organization of African Unity (OAU), Addis Ababa, referring to the Inter-Secretariat Meeting of UPOV, WIPO and OAU on December 14, 2000, in Addis Ababa, in which he confirmed the intention to have another Inter-Secretariat Meeting in May 2001 in Addis Ababa.

175. On December 19, the Vice Secretary-General wrote a letter to Mr. Bruno Nilsson, Secretary General, Managing Director, Royal Swedish Academy of Forestry and Agriculture, Stockholm, in which he confirmed his participation to attend the Royal Swedish Academy of Forestry and Agriculture's Annual Commemorative Meeting as a newly-elected foreign member.

176. On December 21, the Vice Secretary-General sent letters to Mr. Nheune Sisavad, Director General, Department of Intellectual Property, Standardization and Meteorology, Science, Technology and Environment Agency, Prime Minister's Office of Lao People's Democratic Republic, and to Mr. Nguyen Van Bo, Director, Department of Science and Technology and Product Quality, Ministry of Agriculture and Rural Development of Viet Nam, concerning an advisory mission to these countries.

177. On December 22, the Vice Secretary-General wrote a letter to Dr. Nelson Velasco Izquierdo, *Presidente, Instituto Ecuatoriano de la Propiedad Intelectual* (IEPI), Quito, concerning a seminar to be organized in Quito during the year 2001.

178. On December 22, the Vice Secretary-General wrote a letter to Mrs. Verica Demirovska, Director, Ministry of Agriculture, Forestry and Water Economy, Skopje, The former Yugoslav Republic of Macedonia, in which he commented on the Macedonian Law on Seeding Material, Planting Material for Multiplication, Variety Recognition, Approval and Protection, with regard to its conformity with the 1991 Act of the Convention.

V. PERSONNEL

179. 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. Sumito Yasuoka joined UPOV in a consultant capacity for one year from June 1, 2000. Mr. Rolf Jördens took up his duties as Vice Secretary-General of UPOV on July 1, 2000. Mr. Peter Button was appointed as Technical Director of UPOV on September 1, 2000.

VI. PUBLICATIONS

180. The Office of the Union published:

- (a) four 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) six 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.

[Annex follows]

MEMBER STATES OF THE UNION
(December 31, 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.

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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).

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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 -

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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).

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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 Annex and of document]