



C/40/3

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DATE: October 10, 2006

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL**Fortieth Ordinary Session
Geneva, October 19, 2006****REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2006***prepared by the Office of the Union***I. COMPOSITION OF THE UNION****Members and Future Members**

1. On April 3, 2006, Iceland deposited its instrument of accession to the Convention. The Convention (1991 Act) entered into force in respect of Iceland on May 3, 2006.
2. On September 8, 2006, Morocco deposited its instrument of accession to the Convention. The Convention (1991 Act) entered into force in respect of Morocco on October 8, 2006.
3. As of September 30, 2006, the Union comprised 62 members: Albania, Argentina, Australia, Austria, Azerbaijan, Belgium, Belarus, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Czech Republic, Denmark, Ecuador, Estonia, European Community, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lithuania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom, United States of America, Uruguay and Uzbekistan.

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. By letter of October 25, 2005, Viet Nam had requested the examination of the Intellectual Property Law.

6. At its twenty-third extraordinary session, held in Geneva on April 7, 2006, the Council examined the conformity of the Intellectual Property Law of Viet Nam, in particular its Part Four “Rights for the Plant Variety”, with the 1991 Act of the UPOV Convention.

7. In respect of Viet Nam, the Council decided to:

“(a) take note of the information given in document C(Extr.)/23/2;

“(b) take a positive decision on the conformity of the Intellectual Property Law of Viet Nam with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants. It noted that the Law required some additional provisions and clarifications, as provided in document C(Extr.)/23/2, in order to fully incorporate the provisions of the 1991 Act. However, those missing provisions and clarifications would be remedied by the general principle in Article 5 of the Law and the incorporation of those provisions in the Decree on Plant Variety Rights. Once the Law and the Decree entered into force, Viet Nam might deposit its instrument of accession to the 1991 Act;

“(c) request the Office of the Union to offer its assistance to the Government of Viet Nam to incorporate in the Law the amendments suggested in paragraph 40 of document C(Extr.)/23/2 at the first opportunity so as to avoid recourse to the general principle in Article 5 of the Law;

“(d) authorize the Secretary-General to inform the Government of Viet Nam of that decision.”

Situation in Relation to the Various Acts of the Convention

8. With the accessions of Iceland and Morocco, thirty-five members were bound by the 1991 Act on September 30, 2006.

9. On September 30, 2006, two States were bound by the 1961 Convention as amended by the 1972 Act and 25 States were bound by the 1978 Act.

10. 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 accession.

11. A number of members, whilst not bound by the 1991 Act, have laws that fully conform with the 1991 Act. A number of other members have drawn up draft laws in line with the 1991 Act, while more than ten non-member States are in a position to accede at any time to the said Act. The African Intellectual Property Organization (OAPI - *Organisation africaine de la propriété intellectuelle*) and its member States are in a position to accede to

the 1991 Act since Annex X of the revised Bangui Agreement entered into force on January 1, 2006.

12. Annex I to this report summarizes the situation of the members of the Union with regard to the Convention and its various Acts as of September 30, 2006.

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

13. The Council held its twenty-third extraordinary session on April 7, 2006, under the chairmanship of Miss Enriqueta Molina Macías (Mexico), President of the Council. It examined the Intellectual Property Law of Viet Nam. It took a decision on the Working Capital Fund of UPOV and decided that members of the Union should not adjust downwards their number of units of contribution without considering the implications for UPOV and considering how such a reduction would be compensated by other members of the Union. In particular, members of the Union should not reduce their number of units of contribution during a budget period, approved by the Council, except under exceptional and unavoidable circumstances (the adopted decisions are reproduced in Annexes II and III of document C(Extr.)/23/5).

Consultative Committee

14. The Consultative Committee held its seventy-first session on April 7, 2006, under the chairmanship of Miss Enriqueta Molina Macías (Mexico). It made a preliminary examination for conformity with the 1991 Act of the UPOV Convention of the Intellectual Property Law of Viet Nam. It decided to grant observer status to the European Seed Association (ESA) in the Administrative and Legal Committee (CAJ). It discussed existing activities of UPOV and possible future initiatives in relation to the enforcement of plant breeders' rights, including the seminar on enforcement of plant breeders' rights, organized by the Government of Japan in cooperation with UPOV, scheduled to take place in Tokyo from November 15 to 17, 2006. It agreed that a new document be prepared on the "Overview of existing activities of UPOV and possible future initiatives in relation to the enforcement of plant breeders' rights" for the seventy-second session of the Consultative Committee on October 18, 2006, reflecting its deliberations. It made recommendations to the Council concerning the Working Capital Fund of UPOV and changes in the number of units of contribution during a budget period. It received a performance assessment report for the 2004-2005 biennium and was informed that the third running of the UPOV Distance Learning Course DL-205 would be held in four UPOV languages and was scheduled from September 18 to October 20, 2006. Annex II to this report provides an overview of the number of students by State/organization inscribed in the three sessions of the course, divided into paying and non-paying participants. It received an oral report on the development of the UPOV Assistance Database. It was informed on the meetings and activities concerning biodiversity, plant genetic resources and plant variety protection and on developments in the Council for TRIPS concerning the review of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement").

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

15. For the work of the Administrative and Legal Committee (CAJ) and the Technical Committee (TC), which held its fifty-third session on April 6 and its forty-second session from April 3 to 5, 2006, respectively, reference is made to documents C/40/9 and C/40/10. The Technical Working Party for Vegetables (TWV) held its fortieth session in Guanajuato, Guanajuato State (Mexico) from June 12 to 16, 2006. The twenty-fourth session of the Technical Working Party on Automation and Computer Programs (TWC) was held in Nairobi (Kenya) from June 19 to 22, 2006. The Technical Working Party for Fruit Crops (TWF) held its thirty-seventh session in Salvador, Bahia State (Brazil) from August 21 to 25, 2006. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its thirty-ninth session in Fortaleza, Ceará State (Brazil) from August 28 to September 1, 2006. All of those Technical Working Party sessions were preceded by preparatory workshops.

III. COURSES, SEMINARS, WORKSHOPS, MISSIONS, IMPORTANT CONTACTS

16. On January 12, 2006, during a press conference in Geneva, the Office of the Union (Office) presented the UPOV Report on the Impact of Plant Variety Protection. Free copies were subsequently made available to members and observers of UPOV, to decision-makers of governments and organizations and to other individuals.

17. On January 19, at the headquarters of the Food and Agriculture Organization of the United Nations (FAO) in Rome, the Office organized a briefing session for the staff of the FAO Legal Office and other FAO officials on the UPOV Convention and on the impact of plant variety protection, in particular.

18. On January 30 and 31, the Office attended the fourth meeting of the Ad hoc Open-ended Working Group on Access and Benefit-sharing (WG-ABS), held in Granada, Spain. During this meeting, the WG-ABS discussed, *inter alia*, the international regime on access to genetic resources and benefit-sharing, following decision VII-19 of the seventh meeting of the Conference of the Parties of the Convention on Biological Diversity (COP). During the meeting, the Office organized a lunchtime briefing on "The Benefits of Plant Variety Protection under the UPOV Convention". The briefing was attended by some 20 people. Mr. Evans Sikinyi, Kenya, participated in his capacity as chairman of the UPOV Working Group to study the impacts of breeder's right.

19. On February 9, the Office attended, as a member of the board of examiners, an academic session at the Law Faculty of the University of Geneva during which a doctorate thesis on plant variety protection was successfully defended.

20. On February 16, the Office attended the Fleuroselect Business Unit Breeder Conference, held in Geneva.

21. On February 21, in Berlin, the Office visited the Federal Ministry of Food, Agriculture and consumer Protection of Germany and briefed State Secretary Gert Lindemann on recent developments of the Union.

22. On February 22, the Office attended the CropLife International Conference "Intellectual Property: a hindrance or a boost to innovation", held in Geneva.

23. On February 23, in Hanover, Germany, the Office was represented at the annual meeting of the German Section of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA) which, at the same time, marked the 20th Anniversary of CIOPORA Germany. The Office made a presentation on the impact of plant variety protection.
24. On March 2, at the UPOV/WIPO headquarters, the Office briefed a group of Egyptian diplomats on plant variety protection.
25. On March 10, at Strickhof near Zurich, Switzerland, the Office participated in a Workshop on Farm Management in Switzerland, organized by the *Deutsche Landwirtschaftsgesellschaft* (DLG).
26. On March 15 and 16, in Hanoi, the Office held consultations with a view to assist the Government of the Socialist Republic of Viet Nam in the development of an implementing decree for plant variety protection in conformity with the UPOV Convention. Officials of the Ministry of Agriculture and Rural Development (MARD) and representatives of the Danish International Development Agency (DANIDA) participated.
27. On March 15 and 16, the Office attended a meeting of the Council for TRIPS.
28. On March 16, at the headquarters of EMBRAPA in Brasilia, the Office had a meeting with Mr. Roberto Rodrigues, Minister for Agriculture, Livestock and Supply, and with Mr. Silvio Crestana, President-Director of EMBRAPA. The Minister confirmed his Government's commitment to accede to the 1991 Act of the UPOV Convention. The President-Director stressed the importance of effective protection of plant varieties for EMBRAPA.
29. On March 17, also in Brasilia, at the headquarters of the Ministry of Agriculture, Livestock and Supply, the Office organized a National Seminar on the Impact and Developments of Plant Variety Protection under the UPOV Convention in which some 50 participants from the administration, research and breeding sectors were present.
30. On March 17, in Hanoi, in meetings with officials of MARD, the Office provided information on the procedure for accession of Viet Nam to the UPOV Convention. Representatives of DANIDA and of the STAR Viet Nam project of the United States Agency for International Development (USAID) were also present.
31. On March 18, the Office visited a breeding station of Pioneer Hi-Bred Brazil near Brasilia and was informed about the company's program on soybean. A private pork production farm was also visited on the same day.
32. On March 20 and 21, in Curitiba, Brazil, the Office attended the eighth ordinary meeting of the Conference of the Parties of the Convention on Biological Diversity (COP-8). The Office delivered a statement based on the position adopted by the Council of UPOV on the Access to Genetic Resources and Benefit-Sharing. Lunch-time briefings on the benefits of plant variety protection under the UPOV Convention in English and in Spanish were given with some 25 participants at each session.
33. On March 21, the Office took part in an interview with World Radio Geneva (WRG-FM) radio station in Geneva.

34. On March 31, the Office received Mrs. Gracibel Bu, Counsellor, Permanent Mission of Honduras at Geneva. The procedure of accession to the UPOV Convention was explained.
35. On April 3, H.E. Mr. Kristinn F. Árnason, Ambassador and Permanent Representative of Iceland, Permanent Mission at Geneva, deposited Iceland's instrument of accession to the 1991 Act of the UPOV Convention.
36. On April 6, on the occasion of the fifty-third session of the Administrative and Legal Committee (CAJ), H.E. Mr. Doru Romulus Costea, Ambassador and Permanent Representative of Romania, Permanent Mission at Geneva, unveiled the painting "Pleading for Verticality", created by Mrs. Maria Goia from Romania, and presented it as a gift to the Office.
37. On April 10 and 11, the Office participated in a subgroup meeting of experts to discuss the development of document TGP/14 "Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents", held in Geneva at the UPOV headquarters.
38. On April 19, the Office received the visit of Mr. Jan Hassing, Chairman of the Committee for Novelty Protection, and Mrs. Mia Buma, Secretary of the Committee for Novelty Protection, of the International Association of Horticultural Producers (AIPH). AIPH had recently been granted observer status to the CAJ, and the meeting included a briefing on the working procedures of the CAJ.
39. From April 24 to 28, in Alnarp, Sweden, the Office participated in the second meeting of the Contact Group for the drafting of the Standard Material Transfer Agreement under the International Treaty on Plant Genetic Resources for Food and Agriculture.
40. On May 2, the Office lectured at the UPOV/WIPO headquarters in the frame of a course on intellectual property, organized by the Worldwide Academy of the World Intellectual Property Organization (WIPO).
41. On May 5, the Office paid a visit to the Federal Office for Agriculture in Berne. In a meeting with Mr. Jacques Morel, Assistant Director, and his team, the important role of the Swiss Office in providing practical guidance to delegations from developing countries, in particular on the management of plant variety protection, was highlighted.
42. On May 8, in Bangkok, the Office organized a national workshop on plant variety protection under the UPOV Convention. Some 50 participants from the Department of Agriculture of the Ministry of Agriculture and Cooperation, from the Department of Intellectual Property of the Ministry of Commerce and representatives of law firms and research institutes were present.
43. On May 9 and 10, also in Bangkok, the Office participated in the seventh National Seed Associations Meeting of the Asia and Pacific Seed Association (APSA). The Office made a presentation on the UPOV Report on the Impact of Plant Variety Protection. The participants examined and approved the draft program for the UPOV/APSA Workshop on the Protection of New Plant Varieties, to be held in November 2006.
44. On May 12, in Jakarta, the Office held a meeting with some 20 government officials, among them the Director of the Center for Plant Variety Protection, Mrs. Hindawarti, and

members of her staff. The situation of plant variety protection in Indonesia was assessed and comments on the Law of the Republic of Indonesia No. 29 of 2000, Plant Variety Protection, with regard to its conformity with the 1991 Act of the UPOV Convention were made.

45. From May 15 to 17, at the UPOV/WIPO headquarters, the Office was present at the third session of the WIPO Advisory Committee on Enforcement (ACE). Discussions centered around education, awareness raising and training on matters relevant for enforcement.

46. From May 15 to 19, in Lusaka, the Office participated in the second Southern African Development Community (SADC) Regional Workshop on Plant Breeders' Rights under the UPOV Convention. The purpose of the Workshop in which some 30 representatives from all SADC member countries, the SADC Secretariat, the Iowa State University, the International Crop Research Institute for the Semi-Arid Tropics (ICRISAT) and the African Seed Trade Association (AFSTA) participated, was to develop a draft protocol for plant breeders' rights in the SADC region.

47. From May 29 to 31, in Copenhagen, the Office attended the World Seed Congress 2006 of the International Seed Federation (ISF). During a session of the ISF Breeders' Committee, the Office provided an update on recent developments in UPOV.

48. On May 31, at the UPOV/WIPO headquarters in Geneva, the Office made a presentation at the "Business-oriented overview of intellectual property for law students", organized by WIPO in cooperation with the Law Faculty of the Hebrew University of Jerusalem (Israel), Reinhold Cohn Patent Attorneys (Israel) and the Queen Mary Intellectual Property Research Institute (United Kingdom).

49. On June 1 and 2, in Copenhagen, the Office attended the ISF International Seminar "Patent Protection of Plant-Related Innovations: Facts and Issues".

50. On June 9, at the UPOV/WIPO headquarters, the Office lectured at the WIPO Interregional Intermediate Seminar on Industrial Property. Some 100 participants, most of them from developing countries, were present.

51. From June 12 to 16, in Madrid, the Office attended the first session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture. An important result was the adoption of the Material Transfer Agreement which governs access and benefit-sharing under the Treaty's multilateral system of plant genetic resources.

52. On June 19, the Office received Dr. S. Nagarajan, Chairman, Protection of Plant Varieties and Farmers' Rights Authority of India, and Mr. R.K. Trivedi, Registrar, Protection of Plant Varieties and Farmer's Rights Authority, who were on a study tour on plant variety protection in Europe and North America, coordinated by the Office.

53. On June 20, at the headquarters of WTO, the Office was present at the presentation of a study on seed sector development commissioned by the World Bank. The Office made a presentation on the impact of plant variety protection.

54. On June 27, the Messrs. L. Henrikson, President of CIOPORA, Alain Meilland, Vice-President, and Edgar Krieger, Executive Secretary, visited the UPOV headquarters in

order to discuss matters of mutual interest and working procedures of UPOV bodies, in particular.

55. On June 27, the Office received Mr. Abdallah Bin Ali Zaher Al-Hanai, Director-General, Directorate General of Organizations and Commercial Relations, Ministry of Commerce and Industry of the Sultanate of Oman. Mr. Al-Hanai reported that Oman had enacted a law on the protection of new varieties of plants and asked for UPOV's assistance to the accession of Oman to UPOV.

56. On June 28, the Office received Mr. Zurab Neparidze, Deputy Director General, National Intellectual Property Center (SAKPATENTI) of Georgia. Mr. Neparidze informed that at the end of 2005, Parliament had ratified the 1991 Act of the UPOV Convention and a new draft law for plant variety protection was currently under examination by Parliament.

57. On June 29, the Office received the visit of Mr. Franz-Joseph Feiter, Secretary General of the Committee of Professional Agricultural Organizations in the European Union (COPA) and the General Confederation of Agricultural Co-operatives in the European Union (COGECA). The importance of new varieties of plants for a successful agriculture in Europe was underlined.

58. On July 3, at the UPOV/WIPO headquarters, the Office lectured at the WIPO/WTO Colloquium for Professors in Intellectual Property. Some 30 professors from developing countries and from countries in transition to a market economy were present.

59. On July 4, the Office received Mr. Muhammad Ismail Qureshi, Secretary, Ministry of Food, Agriculture and Livestock of Pakistan, and Mr. Mujeeb Ahmed Khan, First Secretary, Permanent Mission of Pakistan to the WTO. Mr. Qureshi expressed the wish that the Office organize a workshop on plant variety protection in Islamabad.

60. On July 11, the Office received a visit from Ms. Carole Bonneau, Community Plant Variety Office (CPVO), Angers, France, to discuss cooperation in the development of UPOV and CPVO databases.

61. On July 18, the Office had a meeting in Cambridge, United Kingdom, with Professor Wayne Powell, Chief Executive Officer of NIAB.

62. On the morning of July 19, in Cambridge, United Kingdom, the Office had a meeting with Mr. Michael Wray, Controller of Plant Variety Rights, Head of Seeds Division, Plant Variety Rights Office (PVRO) and, later that morning, had a meeting with Ms. Elizabeth Scott, Head, Ornamental Crops, Plant Variety Rights Group, NIAB. On the afternoon of that day, a visit was made to Floranova Limited in Foxley, Norfolk.

63. From July 30 to August 4, in Maputo, Mozambique, the Office participated in the "III. Plant Variety Protection Workshop for the SADC Region" organized by the Southern African Development Community (SADC), in cooperation with UPOV, the Iowa State University and the International Crop Research Institute for the Semi-Arid Tropics (ICRISAT). The meeting was attended by around 30 participants from the SADC Member States. The activity is the last of a series of three workshops: the first one was in November 2005, the second one in May 2006, both in Lusaka, Zambia, with the aim of developing a draft regional protocol for plant breeders' rights in the SADC Region. A text of

a Draft SADC PBR Protocol was agreed which could be presented to the meeting of SADC Permanent Secretaries of Agriculture in September 2006.

64. On August 2, at the UPOV/WIPO headquarters in Geneva, the Office made a presentation to a group of students from the University of Berkeley (United States of America).

65. On August 17, the Office received Mr. Dao Huy Giam, Minister Counsellor, Head of the Trade Representation Office of Viet Nam to the WTO. Mr. Dao was briefed on the procedure of accession to the UPOV Convention. The briefing was continued on August 22.

66. On August 26 and 27, in Fortaleza, Ceará State, Brazil, the Office made a presentation at the Workshop on the Use of Molecular Techniques in Plant Variety Protection for Vegetatively Propagated Perennial Crops, organized by the Secretariat of Rural Development and Cooperativism, Intellectual Property Department, National Service for Plant Variety Protection of the Ministry of Agriculture, Livestock and Supply of Brazil, in conjunction with UPOV.

67. From August 30 to September 1, in Tokyo, the Office lectured at the Japan International Cooperation Agency (JICA) Group Training Course on the Protection of Plant Breeders' Rights. The course was attended by experts from Brazil, China, Malaysia, Mexico, Nepal, Senegal and Thailand

68. On September 14 and 15, in San Remo, Italy, the Office attended the XXII EUCARPIA Symposium - Section Ornamentals. The Office made a presentation on developments in UPOV, with particular focus on developments concerning molecular techniques and essentially derived varieties, and participated in a round table discussion on the "impact of essentially derived varieties (EDV's) on variety development".

69. From September 15 to 18, in Dushanbe, Tajikistan, the Office, in cooperation with the Ministry of Agriculture of the Republic of Tajikistan with the financial assistance of the Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan and the Swedish International Development Cooperation Agency (Sida), organized the Second West and Central Asian Regional Workshop on Plant Variety Protection under the UPOV Convention. 50 experts including experts from nine countries in the region (Afghanistan, Azerbaijan, Islamic Republic of Iran, Jordan, Kyrgyzstan, Mongolia, Pakistan, Turkey, Uzbekistan) participated.

70. On September 21 and 22, in Bishkek, Kyrgyz Republic, the Office, in cooperation with the State Agency of Science and Intellectual Property of the Kyrgyz Republic and the Swedish International Development Cooperation Agency (Sida) with the financial assistance of the Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan, organized a National Workshop on Plant Variety Protection under the UPOV Convention. Some 100 participants, representing professional circles (breeders, farmers) and officials from Kyrgyz Patent and other institutions, were present.

71. On September 27, the Office received the visit of Prof. James Otieno-Odek, Managing Director, Kenya Industrial Property Institute. He was provided with information on the history and impact of plant variety protection.

72. Also on September 27, the Office received the visit of Mr. David Gabunia, Director General, and Mr. Zurab Neparidze, Deputy Director General, SAKPATENTI of Georgia. The Office was provided with the latest draft of the Plant Variety Protection Law of Georgia and explained the procedure of accession to the UPOV Convention.

73. On September 28, the Office received the visit of Mr. Roman Omorov, Director, State Agency on Intellectual Property of the Kyrgyz Republic. As a follow-up to the National Workshop of September 21 and 22 in Bishkek (see paragraph 70), steps to further enhance plant variety protection in Kyrgyzstan were considered.

74. On September 29, the Office received the visit of the following representatives of Caribbean States: Mr. Jan C.A. Douglas, Attorney General and Minister for Legal Affairs and Immigration, Dominica; Mr. Colin V.A. Derrick, Minister for Justice, Antigua and Barbuda; Ms. Heather A. Clarke, Registrar, Corporate Affairs and Intellectual Property Office, Barbados; Mr. Alhaji Tejan-Cole, Deputy Registrar, Intellectual Property Office, Belize; Ms. Annette Henry, Crown Counsel, Ministry of Legal Affairs, Grenada; Mrs. Ellaine French, Registrar of Companies, Registry of Companies and Intellectual Property, Saint Lucia; Ms. Pearletta Lanns, Registrar, Intellectual Property, Registry of the Supreme Court, Saint Kitts and Nevis; Mrs. Andrea Young-Lewis, Registrar, Commerce and Intellectual Property Office, Saint Vincent and the Grenadines; Mr. Richard Aching, Chief Technical Examiner, Intellectual Property Office, Trinidad and Tobago. The benefits of plant variety protection and steps to accede to the UPOV Convention were considered. The visitors expressed the wish to organize a regional seminar on plant variety protection in 2007.

IV. RELATIONS WITH STATES AND ORGANIZATIONS

75. With regard to relations with States and organizations, a major part of the activities of the Office was focused on advice and assistance on plant variety protection legislation and the procedure to accede to the Convention by potential members of the Union, or members of the Union that intended to accede to the 1991 Act of the Convention. The Office provided written or oral comments, paid visits to authorities or received representatives of the respective States and Organizations in order to provide the requested advice. In this respect, the Office had contacts with Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Belize, Cambodia, Costa Rica, Dominica, Dominican Republic, Egypt, El Salvador, Georgia, Grenada, Guatemala, Iceland, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Kuwait, Lao People's Democratic Republic, Malaysia, Mauritius, Mongolia, Myanmar, Oman, Pakistan, Philippines, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Turkey, United Arab Emirates, Viet Nam and Zimbabwe.

76. The Office met with representatives of international organizations to coordinate activities or to explain UPOV's position. The Office participated in meetings of and discussions with CBD, the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA), OAPI, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of WIPO, the Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS (WTO)), ICARDA, the International Plant Genetic Resources Institute (IPGRI) and SADC. The Office maintained close contacts with OECD.

77. The Office provided guidance on the provisions of the Convention to members of the Union and to individuals.

78. The Office met regularly with professional associations in order to follow developments in the practical application of plant variety protection at a global and regional level. Of particular relevance were meetings with ISF and CIOPORA, and with AFSTA, APSA and ESA.

V. PUBLICATIONS

79. The Office of the Union published:

(a) 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;

(b) two updated discs in the series constituting the UPOV central database, "UPOV-ROM Plant Variety Database";

(c) UPOV Distance Learning Course DL-205 [in French, German and Spanish].

80. *The Council is invited to note this report.*

[Annexes follow]

ANNEX I

MEMBERS OF THE UNION

(September 30, 2006)

Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Albania	- - - -	- - - September 15, 2005	- - - October 15, 2005
Argentina	- - - -	- - November 25, 1994 -	- - December 25, 1994 -
Australia	- - - -	- - February 1, 1989 December 20, 1999	- - March 1, 1989 January 20, 2000
Austria	- - - -	- - June 14, 1994 June 1, 2004	- - July 14, 1994 July 1, 2004
Azerbaijan	- - - -	- - - November 9, 2004	- - - December 9, 2004
Belarus	- - - -	- - - December 5, 2002	- - - January 5, 2003
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 -

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, acceptance, approval or accession.

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Bulgaria	- - -	- - March 24, 1998	- - April 24, 1998
Canada	- - October 31, 1979 March 9, 1992	- - February 4, 1991 -	- - March 4, 1991 -
Chile	- - -	- - December 5, 1995 -	- - January 5, 1996 -
China	- - -	- - March 23, 1999 -	- - April 23, 1999 -
Colombia	- - -	- - August 13, 1996 -	- - September 13, 1996 -
Croatia	- - -	- - August 1, 2001	- - September 1, 2001
Czech Republic ^{3/}	- - -	- - October 24, 2002	- - January 1, 1993 November 24, 2002
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
European Community	- - -	- - June 29, 2005	- - July 29, 2005

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

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Finland	- - - -	- - March 16, 1993 June 20, 2001	- - April 16, 1993 July 20, 2001
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 December 1, 2002	- - April 16, 1983 January 1, 2003
Iceland	- - - -	- - - April 3, 2006	- - - May 3, 2006
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
Jordan	- - - -	- - - September 24, 2004	- - - October 24, 2004
Kenya	- - - -	- - April 13, 1999 -	- - May 13, 1999 -
Kyrgyzstan	- - - -	- - - May 26, 2000	- - - June 26, 2000

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Latvia	- - - - July 25, 1979	- - - July 30, 2002	- - - August 30, 2002
Lithuania	- - - -	- - - November 10, 2003	- - - December 10, 2003
Mexico	- - July 25, 1979 -	- - July 9, 1997 -	- - August 9, 1997 -
Morocco	- - - -	- - - September 8, 2006	- - - October 8, 2006
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 -
Nicaragua	- - -	- - August 6, 2001 -	- - September 6, 2001 -
Norway	- - - -	- - August 13, 1993 -	- - September 13, 1993 -
Panama	- - - -	- - April 23, 1999 -	- - May 23, 1999 -
Paraguay	- - - -	- - January 8, 1997 -	- - February 8, 1997 -
Poland	- - - -	- - October 11, 1989 July 15, 2003	- - November 11, 1989 August 15, 2003
Portugal	- - - -	- - September 14, 1995 -	- - October 14, 1995 -

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Annex I, page 5

Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Republic of Korea	- - - -	- - - December 7, 2001	- - - January 7, 2002
Republic of Moldova	- - - -	- - - September 28, 1998	- - - October 28, 1998
Romania	- - - -	- - - February 16, 2001	- - - March 16, 2001
Russian Federation	- - - -	- - - March 24, 1998	- - - April 24, 1998
Singapore	- - - -	- - - June 30, 2004	- - - July 30, 2004
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 -

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

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Trinidad and Tobago	- - - -	- - December 30, 1997 -	- - January 30, 1998 -
Tunisia	- - - -	- - - July 31, 2003	- - - August 31, 2003
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 -
Uzbekistan	- - - -	- - - October 14, 2004	- - - November 14, 2004

Total: 62 members

[Annex II follows]

ANNEX II

STUDENTS REGISTERED FOR THE
UPOV DISTANCE LEARNING COURSE (DL-205)

State/Organization	Session September 2005		Session February 2006		Session September 2006	
	Free of charge	Paying	Free of charge	Paying	Free of charge	Paying
Albania	2					
Argentina	3				1	1
Austria					1	
Belarus	1		2			
Belgium						1
Bolivia	1				11	
Brazil	4				12	
Bulgaria	2		1			
Cambodia	1				2	1
Canada						1
CGIAR					1	
Chile	1				4	
China	4				7	
CIOPORA		1				
Colombia		1			7	
Congo (Republic of the)					1	
Costa Rica					1	
Côte d'Ivoire					1	
Croatia			3			
Cuba					1	
Czech Republic			4			
Denmark					1	
Dominican Republic					1	
Ecuador			1	1	5	1
Egypt			1			
Estonia			3			
European Community	2				2	
FAO						1
France				1	5	1
Georgia					1	
Germany		3			1	4
Greece			1			
Guatemala					1	1
Honduras					1	
Hungary					1	
India		1			2	2
Indonesia	2		1		3	
Iran (Islamic Republic of)					1	
Israel			1			1
Italy		1			1	
Jamaica	1					
Kazakhstan					1	
Kenya	2					

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State/Organization	Session September 2005		Session February 2006		Session September 2006	
	Free of charge	Paying	Free of charge	Paying	Free of charge	Paying
Lao People's Democratic Republic					1	
Malta			1			
Mauritius			1			
Mexico	2	1		1	8	4
Myanmar					2	
Nepal					1	
Netherlands	2	1	2		3	
New Zealand	1					
Nicaragua					3	
Panama			1		2	
Paraguay					2	
Peru					1	
Philippines					2	
Poland	2		2			
Portugal			1			
Republic of Korea			10			
Republic of Moldova					4	
Romania			1		1	
Russian Federation			1			
Saudi Arabia	1					
Serbia and Montenegro	1					
Singapore					2	
Slovenia					1	
South Africa	1	1	4			2
Spain		2	5	1	3	
Sri Lanka					1	
Switzerland				2	1	
Tajikistan					2	
Thailand					5	
Trinidad and Tobago			2		1	
Tunisia					3	
Ukraine	4					
United Kingdom		2	1		6	
United States of America				1		4
Uruguay			1		2	
Uzbekistan	1				2	
Viet Nam					4	
WIPO					1	
TOTAL	41	14	51	7	141	25

[End of Annex II and of document]