



C/32/2

ORIGINAL: French

DATE: September 16, 1998

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS  
GENEVA

COUNCIL

Thirty-Second Ordinary Session  
Geneva, October 28, 1998

ANNUAL REPORT OF THE SECRETARY-GENERAL FOR 1997

*(Twenty-ninth year)*

I. COMPOSITION OF THE UNION

1. On January 8, 1997, Paraguay deposited its instrument of accession to the 1978 Act of the Convention. That Act entered into force with respect to Paraguay on February 8, 1997.
2. On July 8, 1997, Ecuador deposited its instrument of accession to the 1978 Act of the Convention. That Act entered into force with respect to Ecuador on August 8, 1997.
3. On July 9, 1997, Mexico deposited its instrument of ratification of the 1978 Act of the Convention. That Act entered into force with respect to Mexico on August 9, 1997.
4. On December 30, 1997, Trinidad and Tobago deposited its instrument of accession to the 1978 Act of the Convention. That Act entered into force with respect to Trinidad and Tobago on January 30, 1998.
5. As of December 31, 1997, the Union comprised 34 member States: Argentina, Australia, Austria, Belgium, Canada, Chile, Colombia, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Slovakia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States of America, Uruguay.

[Translation not checked]

6. Under Article 32(3) of the 1978 Act, "Any State which is not a member of the Union and which has not signed this Act 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 Act." A similar provision is contained in Article 34(3) of the 1991 Act.

7. In 1997, the following four requests were made:

- (a) the Republic of Moldova, by letter of March 18, on the basis of the 1991 Act;
- (b) the European Community, by letter of April 1, on the basis of the 1991 Act;
- (c) China, by letter of April 25, on the basis of the 1978 Act;
- (d) Morocco, by letter of April 25, on the basis of the 1991 Act.

8. At its fourteenth extraordinary session, held on April 29, the Council examined the legislative texts of the above-mentioned States and organizations and took a positive decision in each case.

#### Situation in Relation to the Various Acts of the Convention

9. All member States are bound by the 1978 Act, with the exception of Belgium and Spain that are bound by the 1961 Act as amended by the additional Act of 1972.

10. On December 18, 1997, Sweden deposited its instrument of ratification of the 1991 Act. On December 31, 1997, the number of instruments of ratification or acceptance of this Act amounted to four (from Denmark, Israel, the Netherlands and Sweden). Five are required for this Act to enter into force.

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

12. In 1997, according to the information of the Office of the Union, Germany and Sweden passed laws to adapt their system of protection to the 1991 Act, thus bringing up to 11 the number of present member States having laws in full conformity with the 1991 Act, whereas six non-member States (and the European Community) were in a position to accede at any time to that Act. Most of the other States had adopted amendments that were aligned on that Act or had prepared draft laws.

13. The table annexed to this report summarizes the situation of the various States with regard to the various Acts of the Convention as at December 31, 1997.

## II. SECRETARY-GENERAL (OFFICE OF THE UNION)

14. At its thirty-first ordinary session, held on October 29, 1997, the Council unanimously decided to appoint Dr. Kamil Idris, national of Sudan, who had totaled more than 16 years of specialized experience in the field of intellectual property, as Secretary-General of UPOV for a term of six years up to December 31, 2003. Dr. Idris took up his functions on November 1,

1997, thus succeeding to Dr. Arpad Bogsch who had held the post of Secretary-General for 24 years.

15. On October 28, the President of the Council, Mr. Bill Whitmore (New Zealand) gave a dinner, at which some 80 participants attended, in honor of Dr. Arpad Bogsch. On November 25, a tree was planted as a gift from UPOV to the City of Geneva in the gardens of the Ariana Museum to mark the links between the City and UPOV and to pay tribute to Dr. Bogsch.

### III. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

#### Council

16. The Council held its fourteenth extraordinary session on April 29, under the Chairmanship of Mr. Bill Whitmore, in response to requests for advice submitted by China, Morocco, Republic of Moldova and the European Community under Article 32(3) of the 1978 Act or Article 34(3) of the 1991 Act.

17. On the basis of preparatory work by the Consultative Committee, it also adopted, without taking a vote, a formal decision to the effect that certain States will be able to deposit an instrument of accession to the 1978 Act within a period of one year from the date of entry into force of the 1991 Act, notwithstanding that entry into force.

18. The Council held its thirty-first ordinary session on October 29, again under the Chairmanship of Mr. Bill Whitmore. The session was attended by observers from 18 non-member States<sup>1</sup> and nine international organizations<sup>2</sup>.

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

(a) It unanimously decided to appoint Dr. Kamil Idris as Secretary-General of UPOV for a term of six years to end on December 1, 2003; it noted with satisfaction that Dr. Idris did not wish to receive an indemnity from UPOV; and it decided, in accordance with the wish expressed by Dr. Idris, that the funds corresponding to the indemnity should be allocated to the funding of activities more particularly concerning the developing countries.

(b) It paid tribute to the contribution of Dr. Arpad Bogsch to the setting-up, working and development of the Union over the last 24 years.

---

<sup>1</sup> Brazil, Bulgaria, Burkina Faso, Costa Rica, Côte d'Ivoire, Croatia, Egypt, Estonia, Greece, Panama, Republic of Korea, Republic of Moldova, Romania, Slovenia, Sudan, Thailand.

<sup>2</sup> World Trade Organization (WTO), European Community (EC), Organization for Economic Cooperation and Development (OECD), International Seed Testing Association (ISTA), International Association for the Protection of Industrial Property (AIPPI), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Community of Breeders of Asexually Reproduced Ornamental and Fruit Tree Varieties (CIOFORA), Association of Plant Breeders of the European Economic Community (COMASSO), International Seed Trade Federation (FIS).

(c) It approved the report by the Secretary-General on the activities of the Union in 1966 and noted the report on activities during the first nine months of 1997.

(d) It adopted the program and budget of the Union for the 1998-1999 biennium and the scale for contributions of member States; it took note, with satisfaction, of the plan for the medium term from 2000 to 2003; and renewed the designation of Switzerland as auditor for the accounts of UPOV for the years 1998 and 1999.

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

(f) It unanimously elected for a three-year term in each case that will expire at the close of the thirty-fourth ordinary session of the Council in 2000:

(i) Mr. Ryusuke Yoshimura (Japan) as President of the Council;

(ii) Mr. Karl Olov Öster (Sweden) as Vice-President of the Council.

(g) It extended the Chairmanship of the Working Group on Biochemical and Molecular Techniques, and DNA profiling in particular, of Mr. Joël Guiard (France), for a further year.

#### Consultative Committee

20. The Consultative Committee held its fifth-third session on April 29, under the Chairmanship of Mr. Bill Whitmore. It heard reports by the representatives of the member States on developments with respect to application of the 1991 Act and examined the question of the closing of the 1978 Act to further accessions after the entry into force of the 1991 Act, eventually proposing the decision set out in paragraph 17 above.

21. The Consultative Committee held its fifty-fourth session on October 28, under the Chairmanship of Mr. Bill Whitmore. The work of the Committee was essentially devoted to preparing the thirty-first session of the Council.

#### Administrative and Legal Committee

22. The Administrative and Legal Committee held its thirty-seventh session on October 27 under the Chairmanship of Mr. H. Dieter Hoinkes (United States of America). The session was attended by observers from seven non-member States<sup>3</sup>, from the European Community, from ASSINSEL and from CIOPORA.

23. The Committee proceeded with an exchange of views on the review, in 1999, of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and on the interpretation of the words “expression of the characteristics resulting from a given genotype or combination of genotypes” in Articles 1(vi) and 14(5)(b) of the 1991 Act. With respect to variety denominations, it concluded, on the basis of the legal

---

<sup>3</sup> Brazil, Burkina Faso, India, Kenya, Republic of Korea, Romania, Venezuela.

rationale of Article 20 of the 1991 Act that plurilingual States should also ensure that each variety was designated by a single denomination on their territory.

#### Technical Committee

24. The Technical Committee did not meet in 1997 as a result of the decision to convene it henceforth each year in the Spring of the Northern hemisphere.

#### Technical Working Parties

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

(a) The Technical Working Party on Automation and Computer Programs (TWC) held its fifteenth session from June 3 to 5 in Budapest, Hungary, under the Chairmanship of Mr. J. Law (United Kingdom).

(b) The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its thirtieth session from September 1 to 5 in Svendborg, Denmark, under the Chairmanship of Mr. J. Barendrecht (Netherlands).

(c) The Technical Working Party for Food Crops (TWF) held its twenty-eighth session from September 8 to 12 in Wageningen, Netherlands, under the Chairmanship of Mr. C. Barnaby (New Zealand).

(d) The Technical Working Party for Agricultural Crops (TWA) held its twenty-sixth session from November 10 to 14 in Montevideo, Uruguay, under the Chairmanship of Mr. A. Bold (United Kingdom).

(e) The Technical Working Party for Vegetables held its thirty-first session from November 24 to 28 in Valencia, Spain, under the Chairmanship of Mr. B. Bar-Tel (Israel).

26. A sub-group of the Technical Working Party for Agricultural Crops to examine the revision of the test guidelines for sunflower met on July 16 and 17 in Surgères, France.

27. The basic task of four of these Working Parties is to draw up test guidelines. Drafts were submitted to the Technical Committee for the following taxa: soya bean (revision) (TWA); Japanese apricot, loquat (TWF); *Bouvardia* (TWO); Welsh onion/bunching onion, cornsalad (revision), onion (revision) and shallot, rhubarb (revision) (TWV). Drafts for submission to the professional organizations for comments were drawn up for the following taxa: rye (revision), subterranean clover, sunflower (revision) (TWA); walnut (revision), pear rootstock, apple rootstock, vine (revision) (TWF); *Cymbidium*, *Limonium*, *Ficus benjamina* (TWO); garlic, dill, okra, poppy, leek (revision) black radish (revision), radish (revision) (TWV).

28. The Technical Working Party on Automation and Computer Programs noted the development of an improved version of the DUST program (permitting statistical processing of data collected during variety examination), written in FORTRAN and of a prototype of this program operating under Windows.

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

29. The Working Group held its fourth session in Cambridge, United Kingdom, from March 11 to 13, under the Chairmanship of Mr. Joël Guiard (France).

30. At that session, presentations were made on the results of research into the following species: azalea, rape, maize, carnation, peach, potato, ryegrass, tomato. Discussions essentially concerned the possibilities and consequences of using DNA analysis methods in the examination of varieties for the purposes of protection. The hesitation shown with regard to the new methods, both by official services and by breeders, derives particularly from the fact that there is very little correlation between morphological characteristics and molecular markers and the fact that these new methods would considerably increase requirements for homogeneity.

#### IV. SEMINARS

31. From March 3 to 6, UPOV organized in Prague, Czech Republic, a regional seminar on the protection of plant varieties under the UPOV Convention, in cooperation with the Ministry of Agriculture of the Czech Republic, mainly for the countries of Central and Eastern Europe. The participants came from the following countries: Austria, Bosnia and Herzegovina, Croatia, Estonia, Greece, Hungary, Iceland, Latvia, Netherlands, Norway, Poland, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia, Ukraine, Yugoslavia. The Czech Republic, France, Germany, Hungary, the Netherlands, Poland and the European Community each provided a speaker; three further speakers had been drawn from the private sector.

32. On September 22, UPOV organized in Brisbane, Australia, a workshop on the exercise of plant variety protection rights by holders of the rights, with the support of the Ministry of Agriculture, Forestry and Fisheries of Japan and in cooperation with the Plant Breeders' Rights Office of Australia, the Asian and Pacific Seed Association (APSA) and the Seed Industry Association of Australia. The participants came from the following countries: Argentina, Australia, Bangladesh, China (Special Administrative Region of Hong Kong), Denmark, Fiji, India, Indonesia, Japan, Netherlands, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Sri Lanka, Thailand, Tonga, United Kingdom, United States of America, Vietnam. The speakers were from Argentina, Australia, France, Japan and Switzerland.

33. From December 17 to 19, UPOV organized in Ouagadougou, Burkina Faso, a regional seminar on the nature of and rationale for the protection of plant varieties under the UPOV Convention, in cooperation with the Government of Burkina Faso and the African Intellectual Property Organization (OAPI) and with the financial support of the Ministry of Agriculture and Fisheries of France. The participants came from the following States, all members of the African Intellectual Property Organization: Benin, Burkina Faso, Cameroon, Chad, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Senegal, Togo. The speakers came from France and Morocco and from the OAPI. It is to be noted that OAPI has put in hand work on the revision of the Bangui Agreement, a convention which sets out the legal norms applicable to industrial, literary and artistic property in a uniform manner for the territories of 14 States and establishes a common office with headquarters in Yaoundé, and that it is proposed to add to that Agreement an annex concerning the protection of new plant varieties.

34. On November 5, the National Seed Program of the Ministry of Agriculture, Livestock and Rural Development of Bolivia organized, in collaboration with UPOV, a course on the protection of new plant varieties in La Paz. An official of the Office of the Union made three presentations at the course.

#### IV. RELATIONS WITH MEMBER STATES

35. South Africa.—On July 14, the Office of the Union received a visit from the following members of the Intellectual Property Committee of the South African Parliament: Mr. Don M. Gumede, Chairman of the Committee on Trade and Industry, Mr. Ahmed Ally, Mr. Con Botha and Mr. T.E. Ntaopane.

36. Chile.—On May 16, the Office of the Union received a visit from Mr. Raul Pellicer Navarro, Industrial Property Tribunal of Chile, which in future will hear appeals from decisions of the Agriculture and Livestock Service (SAG) responsible for plant variety protection in Chile.

37. Ecuador.—On July 8, Mr. Luis Gallegos Chiriboya, Ambassador and Permanent Representative of Ecuador in Geneva, called upon the Secretary-General to deposit the instrument of accession of Ecuador to the 1978 Act of the UPOV Convention.

38. On April 21, the Office of the Union received the visit of Mr. Enrique Ponce Aray, a lawyer participating in the drafting of a new intellectual property code that was also to concern the protection of new plant varieties.

39. On November 20, the Office of the Union received the visit of Mrs. Alba Cabrera, in charge of the Variety Register at the Ministry of Agriculture and Livestock of Ecuador. Discussions were held, in particular, on the training needs of Ecuador.

40. Spain.—On December 12, the Vice Secretary-General sent observations on the draft for a revised plant variety protection law to Mr. Martín Fernández de Gorostiza, Assistant Director General for Seed and Seedlings at the Ministry of Agriculture, Fishery and Forestry of Spain.

41. United States of America.—On June 9, the Vice Secretary-General visited the United States Department of Agriculture and met: Mr. Lon Hatamiya, Administrator, Agricultural Marketing Service, Mr. Kenneth C. Clayton, Deputy Administrator, Mr. Bill Franks, Director, Science and Technology Division, Agricultural Marketing Service, and Dr. Marsha Stanton, Commissioner, Plant Variety Protection Office. They discussed likely future developments in UPOV and the requirement to provide technical assistance to developing countries. The Vice Secretary-General subsequently met officials of the Foreign Agricultural Service involved in international cooperation for development and in research and scientific exchanges.

42. On June 10, the Vice Secretary-General visited the US Patent and Trademark Office and met with Mr. H. Dieter Hoinkes, Senior Counsel, and Mrs. Mary C. Lee, Deputy Director,

Biotechnology and Chemical Matrix, together with examiners involved in the examination of applications for plant patents and for utility patents concerning plants.

43. On October 15, the Vice Secretary-General received the visit of Mrs. Soching Tsai, First Secretary, International Economic Affairs, Permanent Mission of the United States of America in Geneva, and provided her with information on UPOV and its activities.

44. France.—On January 21, the Vice Secretary-General participated in a meeting with Mr. Alain Perrin, Director, Plant Breeding and Seed Office, and Mr. Alby Schmitt, Head of the African and Mediterranean Bureau of the International Relations Service of the Ministry of Agriculture in France. Also present were Miss Nicole Bustin, Secretary-General of the Plant Variety Protection Committee, and Mr. François Burgaud, in charge of international relations within the National Professional Seed and Seedlings Grouping (GNIS). They discussed possible cooperation in providing technical assistance to the French-speaking countries of Africa in relation to plant variety protection.

45. On August 18, the Vice Secretary-General wrote to Mr. Alain Perrin confirming the arrangements whereby his Ministry will provide a financial contribution towards the organization of an international seminar that was subsequently held in Ouagadougou, Burkina Faso.

46. On October 1, the Vice Secretary-General wrote to Mr. François Burgaud to describe to him the general context of the above seminar,

47. Japan.—On August 15, the Vice Secretary-General visited the Ministry of Agriculture, Forestry and Fisheries of Japan, where he met Mr. Takashi Kato, Deputy Director General, Agricultural Production Bureau, Mr. Ryusuke Yoshimura, Advisor to the Minister and Vice-President of the UPOV Council, and Mr. Shigemasa Kuromoto, Director, Seeds and Seedlings Division of the Ministry, together with staff of the division. In the evening, the Vice Secretary-General was a guest at a dinner hosted by Mr. Heisan Koshibe, President, Mikado Seed Growers, and President for International Relations of the Japan Seed Trade Association.

48. On December 9, the Office of the Union received the visit of Mr. Makoto Tabata, former official of UPOV, now in charge of biotechnology policies development within the Ministry of Agriculture, Forestry and Fisheries of Japan.

49. Mexico.—On July 9, the Secretary-General received a letter from Mr. Antonio de Icaza, Ambassador and Permanent Representative of Mexico in Geneva, who announced the contribution of Mexico to the expenses of UPOV and the list of species to be protected in Mexico, so as to complete the deposit of Mexico's instrument of ratification of the 1978 Act of the UPOV Convention.

50. On November 11 and 12, an official of the Office of the Union participated in Mexico at a seminar on industrial property and biotechnology protection organized by WIPO in collaboration with the Mexican Institute of Industrial Property (IMPI), and supported by several Mexican institutions in the environmental field, at which he gave a presentation.



51. Paraguay.—On January 8, Mr. Eladio Loizago Caballero, Ambassador and Permanent Representative of Paraguay in Geneva, deposited with the Secretary-General the instrument of accession of Paraguay to the 1978 Act of the UPOV Convention.

52. On February 18, an official of the office of the Union made a presentation on plant variety protection and UPOV to a delegation from Paraguay, comprising Mr. Miguel Abdón Saguier, President of the Senate and the National Congress, Mr. Victor Hugo Sánchez, Senator, Mr. Dario Peralta, Vice-Minister for Commerce, Mr. Eladio Loizago Caballero, Ambassador and Permanent Representative in Geneva, and Mr. Rigoberto Gauto, Minister at the Permanent Mission, on the occasion of their visit to WIPO.

53. United Kingdom.—On February 11, the Vice Secretary-General visited the National Institute of Agricultural Botany at Cambridge, United Kingdom, where he discussed the possible organization of a plant variety protection course lasting two weeks and which would be held in that Institute in May 1998.

54. On May 14, UPOV received a visit from Dr. Simon Draper, Deputy Director, National Institute of Agricultural Botany, and discussed with him the organization of the above course.

55. Sweden.—On December 18, Mrs. Kristin Lindqvist, Assistant to Mr. Jan Söderberg, Deputy Permanent Representative of Sweden in Geneva and Minister (Economic Affairs, WTO), deposited the instrument of ratification of the 1991 Act of Sweden.

56. Ukraine (and Russian Federation).—On April 30, a Working Group comprising representatives of the Russian Federation and Ukraine met in Geneva to prepare a revised Russian language text of the 1991 Act of the Convention.

## VI. RELATIONS WITH NON-MEMBER STATES

### States of North Africa and Western Asia

57. Algeria.—On April 4, the Vice Secretary-General wrote to Mr. Djenidi Bendaoud, Director General, Algerian Institute for Industrial Property, giving information on UPOV.

58. On August 28, the Vice Secretary-General wrote to Mr. Omar Ait Ameur, Director, Agricultural Production, Ministry of Agriculture, Algeria, providing information on plant variety protection.

59. On September 30, the Vice Secretary-General received a visit from Mr. Amar Bouhnik, Director of Industrial Property, Algerian Institute for Industrial Property, and from Mr. Slimane Barouk, Counsellor, Ministry for Industry and Restructuring of Algeria. They expressed interest in the organization of a national seminar on plant variety protection in Algeria in 1988 and in the preparation of a national plant variety protection law.

60. Egypt.—On June 2, the Vice Secretary-General received a visit from Dr. Jussein Al Badrawy, Director, Legislation Department, Ministry of Justice of Egypt, Mr. Ahmed Abdel Aziz Ezzat, Counsellor, Office of the Assistant Minister for Foreign Affairs, and Mr. Alaa Youssef, Third Secretary at the Permanent Mission in Geneva, with whom he discussed the UPOV Convention and the availability of advice from the Office of the Union on proposed legislation.

61. On September 10, the Office of the Union sent a draft translation into Arabic of the UPOV Model Law on the Protection of New Varieties of Plants to Mr. Salah Abdel Wanis, Under-Secretary, Ministry of Agriculture, Head of the Central Administration for Seed Testing and Certification, Egypt, seeking his comments on the use of technical expressions in the Arabic translation.

62. On October 30, the Office of the Union received the visit of Mr. Salah Abdel Wanis who brought with him a draft for articles on plant variety protection to be inserted in an implementing decree to the Seed Law.

63. United Arab Emirates.—On July 29, the Vice Secretary-General wrote to Mr. Jaafar Al-Fardan, Assistant Under-Secretary for Industrial Affairs, Ministry of Finance and Industry, United Arab Emirates, providing information on UPOV and plant variety protection.

64. Morocco.—On March 24 and 25, the Vice Secretary-General participated in a plant variety protection colloquium sponsored by USAID, the *Domaine agricole* and the Directorate for Plant Protection, Technical Control and the Repression of Frauds (DPVCTRF) of the Ministry of Agriculture and Agricultural Development of Morocco and coorganized by the DPVCTRF and the agricultural biotechnology for sustainable productivity project (ABSP) of Michigan State University in the United States of America. He gave a keynote address on UPOV and plant variety protection and a second lecture on international developments in plant variety protection.

65. On September 10, the Office of the Union sent a draft translation into Arabic of the UPOV Model Law on the protection of new varieties of plants to Mr. Mohamed Tourkmani, Head of Service, Seeds and Plants Control, Ministry of Agriculture, Equipment and Environment of Morocco, seeking his comments on the use of technical expressions in the Arabic translation.

#### States of Sub-Saharan Africa and OAPI

66. Burkina Faso.—On April 11 and 12, the Vice Secretary-General visited Burkina Faso at the invitation of Mr. Ablassé Ouedraogo, Minister for Foreign Affairs of Burkina Faso. While there, he met officials from the Ministry of Foreign Affairs and the Ministry of Secondary and Higher Education and Scientific Research. He visited the National Center for Scientific and Technological Research, the Ministry for Environment and Water, and he gave several presentations on the role of plant variety protection and the functions of UPOV.

67. On October 27, the Office of the Union received the visit of Mr. Der Kogda, Head, United Nations and Specialized Agencies Service, Ministry of Foreign Affairs of Burkina

Faso, and discussed with him in detail the organization of a seminar that was subsequently held at Ouagadougou.

68. Burundi.—On October 17, the Secretary-General wrote to Mr. Damase Ntiranyihagira, Minister for Agriculture and Livestock of Burundi, giving him information on plant variety protection and UPOV.

69. Ethiopia.—On January 27, the Vice Secretary-General wrote to Mr. Getachew Mengiste, Head, Patent, Technology Transfer and Development Department, Ethiopian Science and Technology Commission, with information on the UPOV Convention.

70. Ghana.—From April 7 to 9, the Vice Secretary-General visited Accra where he met Mrs. Elizabeth Owiredu-Gyampoh, Acting Registrar General, Professor W.W. Alhassan, Director, Council for Scientific and Industrial Research, Professor J.C. Norman, Deputy Director General, responsible for agriculture, forestry and fisheries research in that Council, Dr. O.B. Hemang, Agricultural Director, Crops Research Institute, Kumasi, Dr. V. K. Ocran, Head, National Seeds Service, Department of Crop Services, Ministry of Food and Agriculture, Dr. B. Asafo-Adjei, legume breeder, Crops Research Institute, Kumasi, Mr. Badu-Apraku, corn breeder, Crops Research Institute, Kumasi. The Vice Secretary-General visited the Institute at Kumasi. During the visit, he also met Mr. Tony van Gastel, team leader and seed coordinator of the Seed Production and Marketing Project for West Africa, which is based in Ghana and which aims to assist meeting the needs of both English-speaking and French-speaking countries of West Africa for seed industry development.

71. Kenya.—On May 22, the Vice Secretary-General wrote to the Government of Kenya to inform it of the decision of the Council of UPOV in relation to States which had received an advice of the Council prior to the closing of the 1978 Act.

72. Madagascar.—On January 28, the Vice Secretary-General wrote to Mr. Felix Rajaomazava, Secretary-General, Ministry of Development Research of Madagascar, giving information on plant variety protection.

73. Malawi.—On September 2, the Vice Secretary-General wrote to the Secretary for Agriculture and Irrigation, Malawi, in response to a request for information on UPOV and the UPOV Convention.

74. Mauritius.—On August 18, the Vice Secretary-General received the visit of Mrs. Usha Dwarka-Canabady, Minister-Counsellor and Deputy Permanent Representative of Mauritius in Geneva, who sought information on UPOV.

75. African Intellectual Property Organization (OAPI).—On April 18, the Director General of WIPO sent to Mr. Albert Makita Mbama, delegate administrator, OAPI, draft texts for the

revision of the Bangui Agreement which included a draft annex relating to plant variety protection drawn up by the Office of the Union.

76. On September 30, the Vice Secretary-General received the visit of Mr. Anthioumane N'Diaye, Director General, and Mr. Faouly Bangoura, Intellectual Property Director, African Intellectual Property Organization (OAPI). They discussed a possible extension of the Bangui Agreement so as to include plant variety protection and the participation of representatives from OAPI in the seminar subsequently held in Ouagadougou.

77. Uganda.—On October 29, the Vice Secretary-General wrote to Mr. Alfonse Oseku, Ambassador and Permanent Representative of Uganda in Geneva, providing him with information on UPOV.

#### States of Latin America and the Caribbean

78. Relations with several States.—On May 22, the Secretary-General wrote to the Governments of Bolivia, Ecuador, Panama, and Trinidad and Tobago, informing them of the decision of the Council of UPOV in relation to States which had received an advice of the Council prior to the closing of the 1978 Act.

79. Bolivia.—On September 17, the Secretary-General informed the Permanent Mission of Bolivia in Geneva that Secretarial Resolution No. 064/96 of August 9, 1996, implementing Decision No. 345 of the Junta of the Cartagena Agreement was in full conformity with the 1978 and 1991 Acts of the Convention and that Bolivia was in a position to accede to UPOV on the basis of those acts.

80. From November 5 to 7, an official of the Office of the Union participated in La Paz at the eleventh national round table on seed.

81. Brazil.—On June 27, the Office of the Union received a visit from a Brazilian team responsible for drawing up a national plant variety protection law: Dr. Maria José Amstalden Sampaio; Mrs. Elza Angela Battaglia Brito da Cunha, lawyer and Executive Director, Mr. José Rozalvo Andrigueto, Director General, Seed Production, all from the Brazilian Agricultural Research Corporation (EMBRAPA), Mr. Manoel Olímpio de Vasconcelos Neto, Coordinator, Ministry of Agriculture and Food, and Mr. José Neumar Francelino, Project Director, of the same ministry.

82. Costa Rica.—On September 5, the Office of the Union received a visit from Mr. Luis Antonio Martinez Ramirez, President of the Environmental Commission, and Mr. Orlando Gonzalez Villalobos, member of the Agriculture and Livestock Development Commission, of the Legislative Assembly of Costa Rica.

83. On October 13, the Secretary-General wrote to Mrs. Ana Lorena Guevara, Executive Director, National Seed Office of Costa Rica, to give UPOV's agreement to the holding of a regional seminar on plant variety protection for the Spanish-speaking countries of Central America and the Caribbean.

84. Dominican Republic.—On May 29, the Office of the Union received the visit of Mrs. Zoila Gonzalez de Gutiérrez, Director of the Department for Environmental Planning, Technical Secretariat of the Presidency of the Dominican Republic, and Mrs. Jocasta Valenzuela, Legal Advisor in that Department, and provided them with information on UPOV and plant variety protection.

85. Trinidad and Tobago.—On March 21, the Vice Secretary-General wrote to Ms Mazina Kadir, Deputy Registrar General, Trinidad and Tobago, suggesting dates in December 1997 for the organization of a workshop on plant variety protection in Port of Spain.

86. On October 1, the Vice Secretary-General received the visit of Ms. Mazina Kadir and discussed with her the detailed organization of the above workshop.

87. On November 13, the Office of the Union received call from Mr. Malcolm Spence, Principal Technical Examiner, Intellectual Property Office, with regard to the formalities to be completed by Trinidad and Tobago in order to accede to UPOV.

88. On December 30, Mr. Trevor Spencer, Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Trinidad and Tobago in Geneva, deposited the instrument of accession of Trinidad and Tobago to the 1978 Act of the Convention.

#### States of Asia and the Pacific

89. Bangladesh.—On September 23 and 24, on the occasion of the Annual Conference of the Asia and Pacific Seed Association (APSA) in Brisbane, Australia, the Vice Secretary-General had discussions with Mr. M. Nurul Islam, Director General (Seeds), Ministry of Agriculture, Bangladesh.

90. China.—On March 14, the Vice Secretary-General received the visit of Mr. Duan Ruichup, Director General, Office of the State Council, Intellectual Property Working Conference, and Mr. Jia Mingru, Director General, Department of Education, Science, Culture and Public Health, Legislative Affairs Bureau of the State Council, with whom he discussed the draft Regulations of the People's Republic of China on the protection of new varieties of plants and the procedure for seeking the advice of the Council of UPOV on the conformity of the Regulations with the UPOV Convention.

91. On March 27, the Vice Secretary-General wrote to Mr. Jia Mingru, enclosing a copy of a translation into English of the draft Regulations of the People's Republic of China on the protection of new varieties of plants and a draft of the document that was subsequently submitted to the Council at its session on April 29.

92. On April 1, the Office of the Union learnt from Mrs. Hang Sanba, Division Chief, Department of Rural Science and Technology, the State Science and Technology Commission of China, that the Regulations had been signed by Mr. Li Peng, the Prime Minister, and promulgated.

93. From August 10 to 13, the Vice Secretary-General and Mr. Henning Kunhardt, *Leitender Regierungsdirektor*, Federal Office of Plant Varieties of Germany, visited China at

the invitation of the Chinese Government to discuss the Implementing Rules to be made under the Regulation on the Protection of New Varieties of Plants. They met Mr. Zhou Kaizhong, Deputy Director, Department of Science, Technology and Quality Standards, Ministry of Agriculture, together with the members of a working team established to begin the implementation of the Regulation, which came into force on October 1, 1997. They also met, in the offices of the State Science and Technology Commission of China, Mr. Duan Ruichan, Mr. Jia Mingru and Mrs. Hang Sanba. They reviewed progress since the consultation meeting with officials of the Legislative Affairs Bureau of the State Council in June 1996 and also the procedure for the accession of China and the Chinese Special Administrative Region of Hong Kong to the 1978 Act of the Convention.

94. India.—On March 20, the Office of the Union sent to Mr. Dilip Sinha, Counsellor in the Permanent Mission of India in Geneva, at his request, the comments of the Office of UPOV on an outline of a proposed Indian plant variety protection bill.

95. On May 2, the Vice Secretary-General received the visit of Mr. Hemant Krishan Singh, Deputy Permanent Representative of India in China, and Mr. Dilip Sinha to whom he gave a copy of the decision of the Council of UPOV concerning the deposit of instruments of accession to the 1978 Act by States which had received an advice from the Council on the conformity of their laws with that Act.

96. Indonesia.—On March 21, the Vice Secretary-General wrote to Mr. Bambang Kesowo, Vice-Cabinet Secretary, the President's Office of Indonesia, concerning the procedure for seeking the advice of the UPOV Council on the conformity of the country's laws with the UPOV Convention.

97. On September 23 and 24, on the occasion of the Annual Conference of the Asian and Pacific Seed Association (APSA) in Brisbane, Australia, the Vice Secretary-General had discussions with Mr. M. Munawir, Director for Seed Development, Directorate General of Food Crops and Horticulture, Ministry of Agriculture of Indonesia.

98. Philippines.—On September 23 and 24, on the occasion of the Annual Conference of the Asia and Pacific Seed Association (ASPA) in Brisbane, Australia, the Vice Secretary-General had discussions with Dr. Nerius I. Roperus, Director, Bureau of Plant Industry, Philippines.

99. Republic of Korea.—On September 12, the Vice Secretary-General wrote to Mr. Keun Jim Choi of the National Seed Production and Distribution Office of the Republic of Korea, giving the comments of the Office of the Union on the conformity of the Seed Industry Law of his country with the 1991 Act of the UPOV Convention.

100. On October 30, the Vice Secretary-General received the visit of Mr. Chong Seo Park, Assistant Director of the Vegetables Division of the Ministry of Agriculture and Forestry, who reported on the intentions of the Government of the Republic of Korea with regard to amendment of the Seed Industry Law and the Patent Law.

101. Vietnam.—On June 27, the Vice Secretary-General wrote to Dr. Pham Dong Quang, Deputy Director, National Center for Variety Evaluation and Seed Certification of Vietnam, answering questions on plant variety protection.

States and Organizations of Europe and Central Asia

*States in transition to market economy.*

102. Azerbaijan.—On February 14, on the occasion of a session of the WIPO Academy organized for the countries of the Commonwealth of Independent States, the Vice Secretary-General learnt that Azerbaijan had recently enacted a plant variety protection law.

103. Bulgaria.—On October 10, the Vice Secretary-General wrote to Mr. Zhivko Kunovsky, Director of the State Commission for Variety Examination of Bulgaria with regard to the procedure for accession of Bulgaria to UPOV.

104. Russian Federation.—On February 18, the Vice Secretary-General discussed the accession of the Russian Federation to the UPOV Convention with Mr. Alexander E. Baykin, Deputy Director, Legal Department, Ministry of Foreign Affairs of the Russian Federation.

105. On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an Official of the Union had an exchange of views with Mr. Vitali N. Alexashov, Chairman, State Commission of the Russian Federation for the testing and protection of selection achievements, with regard to the protection of plant varieties and also the relationship between UPOV, its Convention and the Russian Federation.

106. On April 30, a Working Group comprising representatives of the Russian Federation and of Ukraine met in Geneva to prepare a revised text, in the Russian language, of the 1991 Act of the Convention.

107. Kyrgyz Republic.—On July 15, the Vice Secretary-General received the visit of Mr. Roman Omorov, Director, State Agency of Intellectual Property of the Kyrgyz Republic, who announced that the Plant Variety Protection Law was now before his country's legislature.

108. Republic of Moldova.—On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an official of the Union held an exchange of views with Mr. Dimitri Brynzila, President, State Commission for Crop Variety Testing and registration of the Republic of Moldova, on protection of plant varieties and the relationship between UPOV, its Convention and the Republic of Moldova.

109. On October 1, the Vice Secretary-General received the visit of Mr. Eugen M. Stashkov, Director General of the State Office for Industrial Property Protection of the Republic of Moldova, and Mr. Daniliuk, First Deputy Director General, and discussed with them the procedure for accession of the Republic of Moldova to UPOV.

110. On October 30, the Vice Secretary-General received the visit of Mr. Dimitry Brynzila, who reported on progress in the accession of the Republic of Moldova to UPOV.

*Other States and Organizations*

111. Cyprus.—On February 18, the Vice Secretary-General wrote to Mr. Sotirios Zackheos, Ambassador and Permanent Representative of Cyprus in Geneva, giving information on the UPOV Convention.

112. European Community (EC).—On September 23 and 24, an official of the Office of the Union participated in the evaluation meeting of the EC comparative trials for tomato in Roelofarendsveen, Netherlands.

113. On October 9, the Vice Secretary-General participated in a meeting of the Administrative Council of the Community Plant Variety Office (CPVO) in Angers, France.

114. On October 16 and 17, an official of the Office of the Union participated in the evaluation meeting of the EC comparative trials for maize in Vienna, Austria.

115. On October 23, the Vice Secretary-General participated in the evaluation meeting of the EC comparative trials for rose in Antibes, France.

116. On December 17 and 18, an official of the Office of the Union participated in a meeting of the Administrative Council of CPVO in Angers.

117. Croatia.—On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an official of the Union held an exchange of views with Mr. Ivan Durkić, Head of the Seed Department, Agricultural Institute of Osijek, and Mr. Vinko Kozumplik, Professor, Faculty of Agriculture, University of Zagreb, on the protection of plant varieties and the relationship between UPOV, its Convention and Croatia.

118. On October 29, on the occasion of the thirty-first ordinary session of the Council, the Office of the Union had talks with the representatives of Croatia (Mrs. Kruna Eermak-Horbec, Counsellor, Ministry of Agriculture, and Secretary of the Plant Varieties Commission, and Mr. Ivan Durkić) concerning accession of Croatia to UPOV. The representatives handed over a revised version of the draft Plant Variety Protection Law.

119. Estonia.—On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an official of the Union held an exchange of views with Mrs. Pille Ardel, Head of Department, Estonian Seed and Variety Testing Inspectorate, with regard to the protection of plant varieties and the relationship between UPOV, its Convention and Estonia.

120. On October 29, on the occasion of the thirty-first ordinary session of the Council, the Office of the Union had talks with Mrs. Pille Ardel concerning the accession of Estonia to UPOV.



121. Greece.—On March 26, the Office of the Union received the visit of Mrs. Marina Hondropolou, First Secretary at the Permanent Mission of Greece in Geneva, and provided her with information on the situation of Greece with respect to UPOV.

122. Latvia.—On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an official of the Union held an exchange of views with Mrs. Iveta Ozolina, Senior Officer, National Plant Variety Board of Latvia, on the protection of plant varieties and the relationship between UPOV, its Convention and Latvia.

123. On July 10, the Office of the Union wrote to Mrs. Iveta Ozolina on the procedure for acceding to UPOV.

124. Slovenia.—On October 29, on the occasion of the thirty-first ordinary session of the Council, the Office of the Union had discussions with Mr. Jože Ileršič, Secretary of the Slovenian Plant Variety Commission, with regard to the accession of Slovenia to UPOV.

125. Turkey.—On February 20 and 21, the Vice Secretary-General participated in Kusadasi in a conference entitled *Seed World and Turkey in the 2000's*, organized by the Turkish Seed Industry Association. He spoke on the organization of UPOV and its role in the world seed sector. The meeting provided an opportunity for discussions with Dr. Tugrul Balikcioglu, Agricultural Director of the Turkish Ministry of Agriculture, and with Mr. Bahattin Bozkurt, Director of the Seed Registration and Certification Center of Turkey who passed information concerning progress in preparing a plant variety protection law conforming with the 1991 Act.

126. Yugoslavia.—On the occasion of the seminar held in Prague from March 3 to 5, the Vice Secretary-General and an official of the Union held an exchange of views with Professor Jan Kišgeci, Director, Federal Institute for Plant and Animal Genetic Resources of Yugoslavia, concerning the protection of plant varieties and the relationship between UPOV, its Convention and Yugoslavia.

## VII. RELATIONS WITH INTERNATIONAL ORGANIZATIONS

### *Governmental and semi-governmental organizations*

127. World Intellectual Property Organization (WIPO).—On February 14, the Vice Secretary-General gave a lecture on plant variety protection to the WIPO Academy organized for the countries of the Commonwealth of Independent States.

128. On June 2, the Vice Secretary-General gave a lecture on UPOV and the UPOV Convention to the WIPO Academy for African, Arab and Caribbean countries.

129. On June 30, an official of the Union gave a lecture on UPOV and the protection of plant varieties to a session of the WIPO Academy for French-speaking countries.

130. On November 19, the Vice Secretary-General gave a lecture on UPOV and the UPOV Convention to the WIPO Academy for Arab countries.

131. United Nations Food and Agricultural Organization (FAO).—From May 19 to 25, an official of the Union participated in the seventh session of the FAO Commission on Genetic Resources for Food and Agriculture, in Rome.

132. On November 5, the Vice Secretary-General wrote to Mr. Henri Carsalade, Assistant Director General of FAO, with regard to the assistance that FAO had been requested to provide to the Secretariat of the Biological Diversity Convention with regard to the information to be provided to the Conference of Parties through the subsidiary body responsible for supplying scientific, technical and technological opinions.

133. From December 1 to 5, the Vice Secretary-General attended the fourth extraordinary session of the FAO Commission on Genetic Resources for Food and Agriculture, in Rome.

134. World Trade Organization (WTO).—On September 8, the Office of the Union sent to Ambassador Carmen Luz Guarda, Chair of the Council for TRIPS (of WTO), a document listing the programs of technical and financial cooperation of UPOV in the field of intellectual property.

135. On September 19, an official of the Union attended a session of the Council for TRIPS.

136. Organisation for Economic Co-operation and Development (OECD).—On January 20, the Vice Secretary-General participated in a meeting of a Working Party of the Trade Committee of OECD in Paris, France, which discussed a draft questionnaire on intellectual property practices in the field of biotechnology.

137. On February 13, the Office of the Union received a visit from Mrs. Carliene Brenner, researcher with the OECD Development Centre, who sought information on the impact of intellectual property protection on the transfer of agricultural technology to developing countries.

138. On June 18 and 19, an official of the Union participated, in Paris, in the annual meeting of the representatives of the national designated authorities responsible for the implementation of the OECD Schemes for the varietal certification of seed moving in international trade.

139. Commonwealth Secretariat.—On February 7, the Vice Secretary-General visited the Commonwealth Secretariat in London, United Kingdom, where he met Mr. Peter de Groot of the Science and Technology Division and Mr. Rodney Harris of the Legal and Constitutional Affairs Division and discussed possible cooperation in relation to technical assistance for the implementation of plant variety legislation.

140. On November 12, the Vice Secretary-General received the visit of Mr. Kosi Latu, Assistant Director of the Legal and Constitutional Affairs Division of the Commonwealth Secretariat, and Mr. Rodney Harris.

141. International Seed Trade Association (ISTA).—On March 13, the Vice Secretary-General met at the National Institute of Agricultural Botany in Cambridge, United Kingdom, with Dr. Simon Draper, Deputy Director of the Institute, Mr. Bernard Le Buanec, Secretary General of FIS and ASSINSEL, and Mr. Heinz Schmid, Secretary-General of ISTA. They discussed the World Seed Conference that is proposed to be held in Cambridge in 1999 to mark the seventy-fifth anniversary of the founding of ISTA.

142. On May 13, UPOV was host for the first meeting of the organizing committee for the World Seed Conference.

143. On September 15, the Vice Secretary-General participated in Cambridge, United Kingdom, in a meeting of the organizing committee for the World Seed Conference.

144. On December 12, UPOV hosted a meeting of the organizing committee for the World Seed Conference.

*Non-governmental organizations*

145. International Association for the Protection of Industrial Property (AIPPI).—From April 20 to 24, the Vice Secretary-General participated in the centennial celebrations in Vienna of the AIPPI. He also participated in sessions of the Executive Committee of the Association.

146. Asia and Pacific Seed Association (APSA).—On September 23 and 24, the Vice Secretary-General participated in *Asian Seed '97*, the Annual Conference of the Asian and Pacific Seed Association (APSA) in Brisbane. He read out a message from UPOV at the inaugural session.

147. International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) and Fleuroselect.—On February 14, the Vice Secretary-General met with Mr. Bernard Le Buanec, Secretary-General of ASSINSEL, and Mr. Marcel Bartels, Director of Fleuroselect, an organization of breeders and distributors of flower seed. They discussed the interest of the breeders of ornamental varieties reproduced by seed in plant variety protection and how that interest might be effectively serviced in the future.

148. ASSINSEL and the International Federation of the Seed Trade (FIS).—From May 25 to 30, the Vice Secretary-General participated in the World Congresses of ASSINSEL and FIS in Stockholm.

149. International Community of Breeders of Asexually Reproduced Ornamental Fruit Tree Varieties (CIOPORA).—On October 30, the Office of the Union received the visit of a Delegation from CIOPORA comprised of Mr. Omer Schneider, President, Mr. René Royon, Secretary-General, Mr. Peter Ilsink, Mr. Wilhelm Kordes, Mrs. Frédérique Royon and Mr. Hans Wicki.

150. Fleuroselect.—On July 7 and 8, the Vice Secretary-General participated in the Annual Convention of Fleuroselect in Naples, Italy. He gave a presentation on plant variety protection in relation to ornamental plants reproduced by seed.

#### VIII. OTHER EXTERNAL RELATIONS

151. On April 1 and 2, an official of the Office of the Union gave lectures, at Wageningen, Netherlands, in an international course on plant variety protection organized by the Center for Plant Breeding and Reproductive Research (CPRO-DLO) from April 1 to 11.

152. From June 4 to 6, the Vice Secretary-General participated in a workshop entitled “Intellectual Property Rights III” on access and property rights in global genetic resources, organized by the Crop Science Society of America, the American Society of Agronomy and the American Society for Horticultural Science, in Washington, United States of America.

153. On June 10, the Vice Secretary-General called on Mr. Dean Urmston, Executive Vice President of the American Seed Trade Association (ASTA), and Mr. Leslie C. Cahill, Vice-Presidents in charge of Government affairs.

154. On June 12, the Vice Secretary-General visited the headquarters of Winrock International in Morrilton, United States of America, where he met its Director, Mr. Robert L. Thomsom, and Mr. Avtar K. Kaul, Director, Forestry and National Resources Division.

155. On June 13, an official of the Office of the Union lectured in a post-graduate course on intellectual property held by the Federal Institute of Technology, Zurich, Switzerland.

156. On July 10, the Vice Secretary-General received a visit from Dr. Tony McRae, Senior Research Scientist, Bureau of Sugar Experiment Station, Mackay, Australia, with whom he discussed the protection of sugar cane varieties.

157. On August 8, the Vice Secretary-General received a visit from Dr. Don Loch, Principal Scientist (Seed Production), Department of Primary Industries of Queensland, Australia, who was conducting a study on the practical impact of plant variety protection on the seed industry.

158. On September 3, the Office of the Union received the visit of Mr. Nobuto Iwata, Associate Professor at Aoyama Gakuin University School of Business Administration, Japan, and Mr. Tamotsu Takase, Professor at the School of Law of Tokay University and a member of the Environment Committee of the Environment Agency, placed under the Prime Minister’s office.

159. On September 12, the Vice Secretary-General received a request from Mr. Joe Cortes, Coordinator, International Seed Program, Iowa State University, United States of America, for UPOV assistance in providing speakers and documentation in relation to a workshop proposed to be organized for the countries of Central America on plant variety protection.

160. On September 20, the Vice Secretary-General spoke in Brisbane, Australia, on the international protection of new varieties of plants in a session dealing with intellectual property of *Seed Business '97*, a Congress of the Seed Industry Association of Australia.

161. On October 1, the Office of the Union received the visit of Mr. Carlos Correa, Director, Advanced Research Center, University of Buenos Aires, Argentina.

162. On November 4, the Vice Secretary-General received the visit of Mr. Anatole Krattiger, Executive Director, International Service for the Acquisition of Agri-Biotech Applications (ISAAA), an institution with headquarters in Ithaca, United States of America, and whose objective is to facilitate technology transfer towards the developing countries.

## IX. PUBLICATIONS

163. The Office of the Union published:

- (a) a revised version of the Russian language translation of the 1991 Act;
- (b) updated editions, each time there was an event affecting the composition of the Union, of the information leaflet on UPOV and plant variety protection in English, French, German and Spanish;
- (c) three issues of the periodical *Plant Variety Protection*;
- (d) one supplement to Part I of the collection of important texts and documents in English, French, German and Spanish, and one trilingual supplement to Part II (Test Guidelines);
- (e) six discs in the series constituting the UPOV central database (*UPOV-ROM Plant Variety Database*);
- (f) the report, in English, on the Technical Seminar on Variety Testing for Tropical and Sub-tropical Crops under the UPOV Convention held at Medan, Indonesia, from December 5 to 7, 1995.

164. The UPOV site on the Internet became operational on December 5.

*165. The Council is invited to approve this report.*

[Annex follows]

## ANNEX

MEMBER STATES OF THE UNION  
(as of December 32, 1997)

| State                       | Date of Signature <sup>1</sup>  | Date of Deposit of Instrument <sup>4, 5</sup>  | Date Upon Which State Became Bound <sup>1</sup> |
|-----------------------------|---|--|---|
| Argentina                   | -<br>-<br>-   | -<br>-<br>November 25, 1994<br>-               | -<br>-<br>December 25, 1994<br>-                |
| Australia                   | -<br>-<br>-   | -<br>-<br>February 1, 1989<br>-                | -<br>-<br>March 1, 1989<br>-                    |
| Austria                     | -<br>-<br>-   | -<br>-<br>June 14, 1994<br>-                   | -<br>-<br>July 14, 1994<br>-                    |
| Belgium                     | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | November 5, 1976<br>November 5, 1976<br>-<br>- | December 5, 1976<br>February 11, 1977<br>-<br>- |
| Canada                      | -<br>-<br>October 31, 1979<br>March 9, 1992                                 | -<br>-<br>February 4, 1991<br>-                | -<br>-<br>March 4, 1991<br>-                    |
| Chile                       | -<br>-<br>-   | -<br>-<br>December 5, 1995<br>-                | -<br>-<br>January 5, 1996<br>-                  |
| Colombia                    | -<br>-<br>-   | -<br>-<br>August 13, 1996<br>-                 | -<br>-<br>September 13, 1996<br>-               |
| Czech Republic <sup>6</sup> | -<br>-<br>-   | -<br>-<br>-                                    | -<br>-<br>January 1, 1993<br>-                  |

<sup>4</sup> *First line:* International Convention for the Protection of New Varieties of Plants of December 2, 1961  
*Second line:* Additional Act of November 10, 1972  
*Third line:* Act of October 23, 1978  
*Fourth line:* Act of March 19, 1991.

<sup>5</sup> of ratification where the State has signed the 1961 Act or the Additional Act, as the case may be; of ratification, acceptance or accession if the State has signed the 1978 Act or the 1991 Act, as the case may be; of accession where it has not signed the text concerned.

<sup>6</sup> Continuation of the membership of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

C/32/2  
Annex, page 2

| State       | Date of Signature <sup>1</sup>   | Date of Deposit of Instrument <sup>4, 5</sup>                              | Date Upon Which State Became Bound <sup>1</sup>                |
|-------------|--|--|--|
| Denmark     | November 26, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | September 6, 1968<br>February 8, 1974<br>October 8, 1981<br>April 26, 1996 | October 6, 1968<br>February 11, 1977<br>November 8, 1981<br>-  |
| Ecuador     | -<br>-<br>-  | -<br>July 8, 1997<br>-   | -<br>August 8, 1997<br>-                                       |
| Finland     | -<br>-<br>-  | -<br>March 16, 1993<br>-   | -<br>April 16, 1993<br>-                                       |
| France      | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991  | September 3, 1971<br>January 22, 1975<br>February 17, 1983<br>-            | October 3, 1971<br>February 11, 1977<br>March 17, 1983<br>-    |
| Germany     | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991  | July 11, 1968<br>July 23, 1976<br>March 12, 1986<br>-                      | August 10, 1968<br>February 11, 1977<br>April 12, 1986<br>-    |
| Hungary     | -<br>-<br>-  | -<br>March 16, 1983<br>-   | -<br>April 16, 1983<br>-                                       |
| Ireland     | -<br>September 27, 1979<br>February 21, 1992                                 | -<br>May 19, 1981<br>-   | -<br>November 8, 1981<br>-                                     |
| Israel      | -<br>October 23, 1991  | November 12, 1979<br>November 12, 1979<br>April 12, 1984<br>June 3, 1996   | December 12, 1979<br>December 12, 1979<br>May 12, 1984<br>-    |
| Italy       | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991  | June 1, 1977<br>June 1, 1977<br>April 28, 1986<br>-                        | July 1, 1977<br>July 1, 1977<br>May 28, 1986<br>-              |
| Japan       | -<br>October 17, 1979<br>-   | -<br>August 3, 1982<br>-   | -<br>September 3, 1982<br>-                                    |
| Mexico      | -<br>July 25, 1979<br>-  | -<br>July 9, 1997<br>-   | -<br>August 9, 1997<br>-                                       |
| Netherlands | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991  | August 8, 1967<br>January 12, 1977<br>August 2, 1984<br>October 14, 1996   | August 10, 1968<br>February 11, 1977<br>September 2, 1984<br>- |

C/32/2  
Annex, page 3

| State                 | Date of Signature <sup>1</sup>   | Date of Deposit of Instrument <sup>4, 5</sup>                                  | Date Upon Which State Became Bound <sup>1</sup>                |
|-----------------------|--|--|--|
| New Zealand           | -<br>-<br>July 25, 1979<br>December 19, 1991                                 | -<br>-<br>November 3, 1980<br>-  | -<br>-<br>November 8, 1981<br>-                                |
| Norway                | -<br>-<br>-  | -<br>-<br>August 13, 1993<br>-   | -<br>-<br>September 13, 1993<br>-                              |
| Paraguay              | -<br>-<br>-  | -<br>-<br>January 8, 1997<br>-   | -<br>-<br>February 8, 1997<br>-                                |
| Poland                | -<br>-<br>-  | -<br>-<br>October 11, 1989<br>-  | -<br>-<br>November 11, 1989<br>-                               |
| Portugal              | -<br>-<br>-  | -<br>-<br>September 14, 1995<br>-  | -<br>-<br>October 14, 1995<br>-                                |
| Slovakia <sup>3</sup> | -<br>-<br>-  | -<br>-<br>-  | -<br>-<br>January 1, 1993<br>-                                 |
| South Africa          | -<br>-<br>October 23, 1978<br>March 19, 1991                                 | October 7, 1977<br>October 7, 1977<br>July 21, 1981<br>-                       | November 6, 1977<br>November 6, 1977<br>November 8, 1981<br>-  |
| Spain                 | -<br>-<br>-<br>March 19, 1991  | April 18, 1980<br>April 18, 1980<br>-<br>-                                     | May 18, 1980<br>May 18, 1980<br>-<br>-                         |
| Sweden                | -<br>January 11, 1973<br>December 6, 1978<br>December 17, 1991               | November 17, 1971<br>January 11, 1973<br>December 1, 1982<br>December 18, 1997 | December 17, 1971<br>February 11, 1977<br>January 1, 1983<br>- |
| Switzerland           | November 30, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | June 10, 1977<br>June 10, 1977<br>June 17, 1981<br>-                           | July 10, 1977<br>July 10, 1977<br>November 8, 1981<br>-        |
| Trinidad and Tobago   | -<br>-<br>-  | -<br>-<br>December 30, 1997<br>-   | -<br>-<br>January 30, 1998<br>-                                |

<sup>3</sup> Continuation of the membership of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).



C/32/2  
Annex, page 4

| State                    | Date of Signature <sup>1</sup>   | Date of Deposit of Instrument <sup>4, 5</sup>              | Date Upon Which State Became Bound <sup>1</sup>             |
|--------------------------|--|--|---|
| Ukraine                  | -<br>-<br>-<br>-   | -<br>-<br>October 3, 1995<br>-                             | -<br>-<br>November 3, 1995<br>-                             |
| United Kingdom           | November 26, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | September 17, 1965<br>July 1, 1980<br>August 24, 1983<br>- | August 10, 1968<br>July 31, 1980<br>September 24, 1983<br>- |
| United States of America | -<br>-<br>October 23, 1978<br>October 25, 1991                               | -<br>-<br>November 12, 1980<br>-                           | -<br>-<br>November 8, 1981<br>-                             |
| Uruguay                  | -<br>-<br>-<br>-   | -<br>-<br>October 13, 1994<br>-                            | -<br>-<br>November 13, 1994<br>-                            |

Total: 34 member States as at December 31, 1998; 35 as at January 30, 1998.

[End of document]