

Council**C/55/18.****Fifty-Fifth Ordinary Session
Geneva, October 29, 2021****Original:** English
Date: October 29, 2021**REPORT***adopted by the Council*Opening of the session

1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its fifty-fifth ordinary session via electronic means on October 29, 2021, chaired by Mr. Marien Valstar (Netherlands), President of the Council. The list of participants is reproduced in Annex I to this report.
2. The session was opened by the President who welcomed the participants and the Secretary-General of UPOV, Mr. Daren Tang.
3. Mr. Daren Tang, Secretary-General, welcomed the participants to the second virtual meeting of the Council and thanked the members of the Union and observers for their cooperation and support in the approach taken for the UPOV sessions in 2021, namely virtual meetings combined with consideration of documents by correspondence.

Adoption of the agenda

4. The Council adopted the revised draft agenda, as presented in document C/55/1 Rev.2.

Outcome of the consideration of documents by correspondence

5. The Council considered document C/55/12.
6. The Council noted the approval of the Council by correspondence on September 21, 2021, of the decisions contained in the following documents (see document C/55/12, paragraph 32):

Extension of the appointment of the Vice Secretary-General and procedure for the appointment of a new Vice Secretary-General (document C/55/10)

Adoption of documents (document C/55/3 Rev.)

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| UPOV/INF/6: | Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision) (Annex to document C/55/3 Rev.) |
| UPOV/INF/16: | Exchangeable Software (Revision) (document UPOV/INF/16/10 Draft 2) |
| UPOV/INF/17: | Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction ("BMT Guidelines") (Revision) (document UPOV/INF/17/2 Draft 6) |
| UPOV/INF/22: | Software and Equipment Used by Members of the Union (Revision) (document UPOV/INF/22/8 Draft 2) |
| UPOV/INF/23: | UPOV Code System (document UPOV/INF/23/1 Draft 3) |
| UPOV/INF-EXN: | List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision) (document UPOV/INF-EXN/15 Draft 1) |
| TGP/5: | Experience and Cooperation in DUS Testing, Section 2: UPOV Model Form for the Application for Plant Breeders' Rights (Revision) (document TGP/5: Section 2/4 Draft 1) |
| TGP/0: | List of TGP documents and latest issue dates (Revision) (document TGP/0/13 Draft 1) |

Explanatory Notes on Variety Denominations under the UPOV Convention (document C/55/11)

UPOV/EXN/DEN: Explanatory Notes on Variety Denominations under the UPOV Convention
(document UPOV/EXN/DEN/1 Draft 6)

Financial statements for 2020 (document C/55/5)

Draft Program and Budget for the 2022-2023 Biennium (document C/55/4)

7. The Council noted comments received in response to Circular E-21/125 of August 23, 2021, on document C/55/4 "Draft Program and Budget for the 2022-2023 Biennium" that had not resulted in a revision of document C/55/4 (see document C/55/12, paragraph 33).

8. The Council noted that the responses received to Circular E-21/125 of August 23, 2021, had also included comments on document C/55/6 "Report of the External Auditor" which was not part of the procedure for approval by correspondence, and would be considered at the virtual session of the Council in October 2021.

9. The Council noted that the comments received concerning document C/55/6 were presented in document C/55/12 for information of the Council (see document C/55/12, paragraph 34).

Extension of the appointment of the Vice Secretary-General and procedure for the appointment of a new Vice Secretary-General

10. The Council noted that document C/55/10 had been considered by correspondence.

11. The Council noted that the decision in document C/55/10 had been taken by the Council, as provided in document C/55/12, paragraph 32.

12. The Council noted the report from the Office of the Union that the Council, in the procedure by correspondence, had extended, on September 21, 2021, the appointment of the Vice Secretary-General from December 1, 2022, until October 22, 2023, and had approved the procedure and timetable for the appointment of the new Vice Secretary-General (see document C/55/12 "Outcome of consideration of documents by correspondence", paragraphs 14 and 15 and 32).

Report by the Vice Secretary-General on developments in UPOV

13. The Council noted that a video presentation in English, with subtitles in English, French, German and Spanish, had been made available on the C/55 webpage in advance of the Council session. A copy of the presentation was provided in document C/55/INF/2.

14. The Vice Secretary-General reported that Ms. Nadia Gianoli had started working at UPOV under an agency contract, since September 1, 2021, to provide cover for the maternity leave of Ms. Urska Cerv.

Examination of the conformity of the New Plant Varieties (Rights of Breeders) Bill, 2021, of Jamaica with the 1991 Act of the UPOV Convention

15. The Council considered document C/55/15.

16. The Council decided to:

(a) take note of the analysis in document C/55/15;

(b) take a positive decision on the conformity of the New Plant Varieties (Rights of Breeders) Bill, 2021, of Jamaica ("Draft Law") with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, which allows Jamaica once the Draft Law is adopted with no changes and the Law is in force, to deposit its instrument of accession to the 1991 Act; and

(c) authorize the Secretary-General to inform the Government of Jamaica of the above decision.

17. The Delegation of Jamaica expressed its appreciation for the positive decision of the Council in respect of the examination of the New Plant Varieties (Rights of Breeders) Bill, 2021, of Jamaica for conformity with the 1991 Act of the UPOV Convention. It looked forward to working closely with UPOV for accession to the UPOV Convention and to cooperating with members of the Union.

Report by the President on the work of the ninety-seventh session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee

18. The Council considered document C/55/13.

19. The Council noted that, at its ninety-eighth session, the Consultative Committee had:

(a) noted the developments since the ninety-seventh session of the Consultative Committee on possible guidance concerning smallholder farmers in relation to private and non-commercial use;

(b) decided to establish a Working Group to develop guidance concerning smallholder farmers in relation to private and non-commercial use, to include drafting a revision of the "Explanatory Notes on Exceptions to the Breeder's Right under the 1991 Act of the UPOV Convention" and drafting a revision of the FAQs on exceptions to the breeder's right;

(c) agreed that the terms of reference of the Working Group be approved by the Consultative Committee by correspondence;

(d) agreed that the Working Group be composed of those members of the Union and observers to the Council that reply to a Circular expressing an interest to be part to the Working Group;

(e) agreed that the first meeting of the Working Group be held on March 17, 2022, by electronic means;

(f) agreed to invite the Project Team (Euroseeds, Plantum and Oxfam), in conjunction with the Office of the Union, to prepare an analysis of the contributions in the compendium with the replies to UPOV Circular E-20/246 and present a report with recommendations for consideration by the Working Group at its first meeting;

(g) agreed that a copy of the compendium with the replies to UPOV Circular E-20/246 be provided to the Project Team and the Working Group subject to the agreement of the observer State and observer organizations that contributed to the compendium;

(h) recommended to the Council to agree to the inclusion of an item "Revision of the 'Explanatory Notes on Exceptions to the Breeder's Right under the 1991 Act of the UPOV Convention'", in the agenda of the seventy-ninth session of the CAJ to be held on October 26, 2022; and

(i) agreed to include an item in the agenda of the ninety-ninth session of the Consultative Committee, to be held on October 27, 2022, for a report on the work of the Working Group and recommendations, if appropriate.

20. The Council noted that the documents of the "Working group on guidance concerning smallholder farmers in relation to private and non-commercial use" would be made available in the public area of the UPOV website. The Council further noted that the status of Oxfam in relation to the Working Group would be provided in the terms of reference of the Working Group.

21. Based on the recommendations of the Consultative Committee, reported in document C/54/13, the Council:

(i) supported the proposal of the OECD Seed Schemes for an International Year of Seed, as set out in paragraph 22 of document C/55/13; and

(ii) approved the organization of a seminar in 2022 to explore the role of plant breeding and plant variety protection in enabling agriculture to adapt to, and mitigate, climate change, as set out in paragraphs 31 to 33 of document C/55/13;

22. The Council noted that its decision on the inclusion of an item “Revision of the ‘Explanatory Notes on Exceptions to the Breeder’s Right under the 1991 Act of the UPOV Convention’”, in the agenda of the seventy-ninth session of the CAJ to be held on October 26, 2022, would be taken under agenda item 16 (see paragraph 35(h) of document C/55/13).

23. The Council noted the work of the Consultative Committee at its ninety-eighth session, as reported in document C/55/13.

Adoption of documents

24. The Council noted that document C/55/3 Rev. had been considered by correspondence.

25. The Council noted that the decisions in documents C/55/3 Rev. and C/55/11 had been taken and the following documents had been adopted by the Council on September 21, 2021, in the procedure by correspondence (see document C/55/12 “Outcome of consideration of documents by correspondence”, paragraph 32):

Information Materials

Document UPOV/INF/6:	Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision) (Annex to document C/55/3 Rev.)
Document UPOV/INF/16:	Exchangeable Software (Revision) (document UPOV/INF/16/10 Draft 2)
Document UPOV/INF/17:	Guidelines for DNA Profiling: Molecular Marker Selection and Database Construction (“BMT Guidelines”) (Revision) (document UPOV/INF/17/2 Draft 6)
Document UPOV/INF/22:	Software and Equipment Used by Members of the Union (Revision) (document UPOV/INF/22/8 Draft 2)
Document UPOV/INF/23:	UPOV Code System (document UPOV/INF/23/1 Draft 3)
Document UPOV/INF-EXN:	List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision) (document UPOV/INF-EXN/15 Draft 1)

Explanatory Notes

Document UPOV/EXN/DEN:	Explanatory Notes on Variety Denominations under the UPOV Convention (document UPOV/EXN/DEN/1 Draft 6)
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TGP Documents

Document TGP/5:	Experience and Cooperation in DUS Testing, Section 2: UPOV Model Form for the Application for Plant Breeders’ Rights (Revision) (document TGP/5: Section 2/4 Draft 1)
Document TGP/0:	List of TGP documents and latest issue dates (Revision) (document TGP/0/13 Draft 1)

Financial statements for 2020

26. The Council noted that document C/55/5 had been considered by correspondence.

27. The Council noted that the decision in document C/55/5 had been taken by the Council on September 21, 2021, in the procedure by correspondence, as provided in document C/55/12, paragraph 32.

Performance Report for 2020

28. The Council considered document C/55/2.
29. The Council noted the UPOV Performance Report 2020.

Report of the External Auditor

30. The Council noted the information contained in the Report of the External Auditor, as presented in document C/55/6, in conjunction with an oral report made by Mr. Richard Tebbs, External Auditor, National Audit Office.
31. The Council noted that the responses received to Circular E-21/125 of August 23, 2021, included comments on document C/55/6 "Report of the External Auditor", which was not part of the procedure for approval by correspondence. The comments and the reply provided by the Office of the Union are presented in paragraphs 26 and 27 of document C/55/12 for information of the Council (see paragraph 34 of document C/55/12) and reproduced below:

"Comments from the European Union

'The EU and its Member States take note of the report of the External Auditor and ask the UPOV Office to follow the two recommendations as regards to after-service health insurance and consultation of staff in relation to costs and benefits of alignment with WIPO Staff Regulations and Rules UN common system.'

"Comments from Switzerland

'Thank you for your Circulars E-21/124 and E-21/125, dated August 23, 2021, regarding the procedure for the consideration and approval of the proposed decisions by correspondence.

'We have the following comments on the External Auditor's report (document C/55/6):

'Under point 5, it is mentioned that the employee benefits liability for health insurance has increased by CHF 1 million to a total of CHF 3 million. The amount seems to us to be exorbitant given the size of the Organization. We would like to request more detailed information on the subject. In particular, we would like to know whether the adjustment was a one-off or rather that such increases are likely to be a regular occurrence in the coming years.

'The financial situation of UPOV could take a significant turn for the worse in the absence of measures to make savings or increase the employees' share of the cost of the insurance. Recommendations to that effect have been made in the Report. However, in our view, concrete solutions for implementation are lacking.'

"27. The Office of the Union explained to the European Union and Switzerland that an intervention by the Controller on this point would be reported at the session."

32. The Council noted the information provided by the Controller at the ninety-eighth session of the Consultative Committee in relation to agenda item 9 "Report of the External Auditor (document C/55/6)" and that the Consultative Committee had decided to include an item "Financing of long-term employee benefits" in the agenda for its ninety-ninth session, to provide a report on the WIPO Asset and Liability Management Study (ALM study) and other developments across the UN system with regard to measures to mitigate the growth in the after-service health insurance (ASHI) liability (see document C/55/13 "Report by the President on the work of the ninety-eighth session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee", paragraph 9).
33. The Council expressed its gratitude to the National Audit Office of the United Kingdom for acting as External Auditor of the UPOV accounts.

Arrears in contributions as of September 30, 2021

34. The Council considered document C/55/9.
35. The Council noted the status of payment of contributions as of September 30, 2021, and noted that due to recent payments, Albania, Jordan, Trinidad and Tobago and Uruguay had no arrears.

Draft Program and Budget for the 2022-2023 Biennium

36. The Council noted that document C/55/4 had been considered by correspondence.
37. The Council noted that the decision in document C/55/4 had been taken by the Council on September 21, 2021, in the procedure by correspondence, as provided in document C/55/12, paragraph 32.
38. The Council noted the comments on document C/55/4 "Draft Program and Budget for the 2022-2023 Biennium", received in response to Circular E-21/125 of August 23, 2021, that had not resulted in a revision of document C/55/4. Comments and the reply provided by the Office of the Union were presented in paragraphs 30 and 31 of document C/55/12 for information of the Council (see paragraph 33 of document C/55/12).

Program for the use of the Chinese language in UPOV

39. The Council considered document C/55/16.
40. The Council noted that the Consultative Committee had approved the draft program for the use of the Chinese language in UPOV, by correspondence, on September 21, 2021.
41. The Council noted that, at its ninety-eighth session, the Consultative Committee had agreed to retain items on the agenda of the Consultative Committee on the programs in UPOV for the Russian and Chinese languages to analyze the impact on resources and benefits of the programs and report to the Consultative Committee in 2023.
42. The Council approved the program for the use of the Chinese language in UPOV and proposed resourcing, on the basis of the Annex to document C/55/16.

Policy on translation

43. The Council considered document C/55/17.
44. The Council adopted the UPOV Policy on Translation, on the basis of Annex I to document C/55/17.

Program of meetings

Approval of work programs for the Administrative and Legal Committee, the Technical Committee and the Technical Working Parties

45. The Council considered document C/55/7 and received an oral presentation by the Vice Chair of the CAJ, on the work of the seventy-eighth session of the CAJ, based on document CAJ/78/13 "Report".
46. The Council approved the work program for the seventy-ninth session of the CAJ, as presented in the report of the seventy-eighth session of the CAJ (see document CAJ/78/13 "Report", paragraph 45).
47. In accordance with the recommendation by the CAJ at its seventy-eighth session, the Council agreed that a draft of document UPOV/EXN/EDV/3, as approved by the CAJ, be circulated for approval by the Consultative Committee and adoption by the Council by correspondence (see document CAJ/78/13 "Report, paragraph 21).
48. The Council approved the inclusion of an item "Revision of the 'Explanatory Notes on Exceptions to the Breeder's Right under the 1991 Act of the UPOV Convention'", in the agenda of the seventy-ninth session of the CAJ, to be held on October 26, 2022 (see document C/55/13, paragraphs 3 and 35(h)).
49. The Council noted the work of the Technical Committee (TC) and of the Technical Working Parties (TWPs) and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), and the oral presentation made by the Chair of the TC on the work of the fifty-seventh session of the TC, based on document TC/57/25 "Report".

50. The Council approved the work of the TC and the work programs of the TWPs and BMT reported to the Council, as provided in document TC/57/25 "Report".

Calendar of meetings in 2022

51. The Council considered document C/55/8 and the recommendation by the Consultative Committee at its ninety-eighth session, as reported in document C/55/13.

52. The Council approved the calendar of meetings in 2021, and the tentative dates for meetings in 2022 and 2023, as set out in document C/55/8, with the following changes:

Administrative and Legal Committee

CAJ/79 October 26

Working group on harvested material and unauthorized use of propagating material (WG-HRV)
WG-HRV/1 ~~(date to be decided)~~ March 15, 2022

Working group on guidance concerning smallholder farmers in relation to private and non-commercial use

WG-SHF/1 March 17, 2022

Consultative Committee

CC/99 October 27

Ad hoc Sub-Committee of the Consultative Committee (date to be decided)

Seminar to explore the role of plant breeding and plant variety protection in enabling agriculture to adapt to, and mitigate, climate change (date to be decided)

Matters for information:

53. The Council noted the following documents under item 17 "Matters for information", which had been posted for information on the C/55 webpage:

- (a) Report on activities during the first nine months of 2021 (document C/55/INF/3)
- (b) Situation in the legislative, administrative and technical fields:
 - (i) Reports by representatives of members and observers (document C/55/INF/4)
 - (ii) Cooperation in examination (document C/55/INF/5); List of the taxa protected by the members of the Union (document C/55/INF/6); Plant variety protection statistics for the period 2016-2020 (document C/55/INF/7)

54. The Council noted the oral presentation made by the Office of the Union concerning information contained in documents C/55/INF/5 "Cooperation in examination" and C/55/INF/6 "List of Taxa protected and PVP statistics" (see Annex II).

Press release

55. The Council considered the draft press release, as contained in document C/55/14.

56. The Council approved the draft press release, as reproduced in Annex III to this report.

57. *This report was adopted by the Council at the close of its session, on October 29, 2021.*

[Annexes follow]

ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(dans l'ordre alphabétique des noms français des membres /
in the alphabetical order of the French names of the Members /
in alphabetischer Reihenfolge der französischen Namen der Mitglieder /
por orden alfabético de los nombres en francés de los miembros)

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[L'annexe II suit /
Annex II follows /
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Sigue el Anexo II]

PRESENTATION MADE BY THE OFFICE OF THE UNION CONCERNING INFORMATION
CONTAINED IN DOCUMENTS C/55/INF/5 “COOPERATION IN EXAMINATION”
AND C/55/INF/6 “LIST OF TAXA PROTECTED AND PVP STATISTICS”

Council Fifty-Fifth Ordinary Session

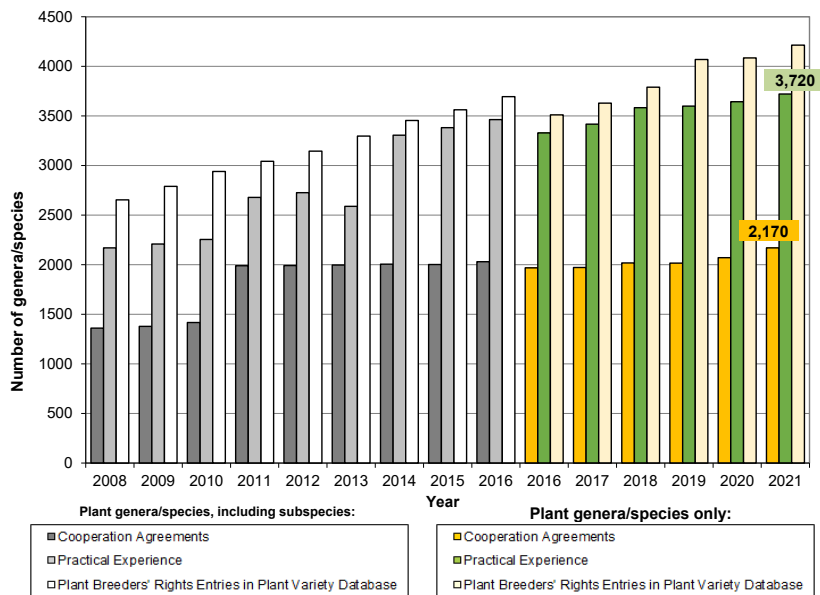
Cooperation in examination (document C/55/INF/5)
List of the taxa protected by the members of the union (document C/55/INF/6)
Plant variety protection statistics For the period 2016 – 2020 (document C/55/INF/7)

Geneva
October 29, 2021

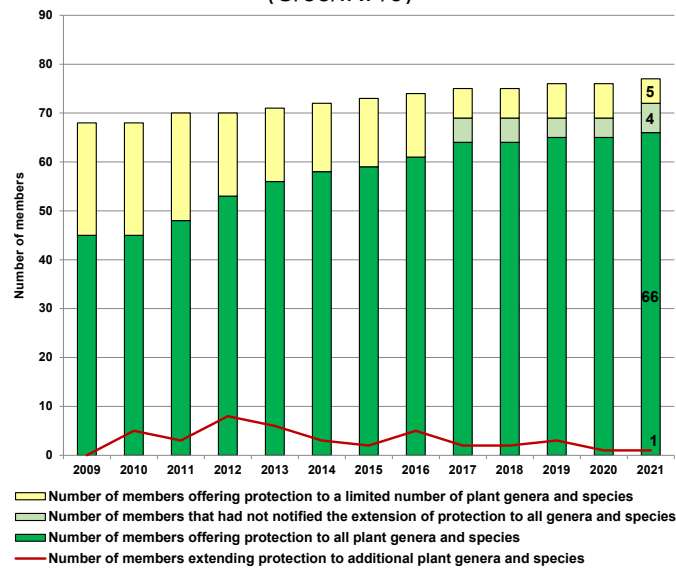


International Union for the Protection of New Varieties of Plants

Cooperation in Examination (C/55/INF/5)



Protection of plant genera and species by members (C/55/INF/6)

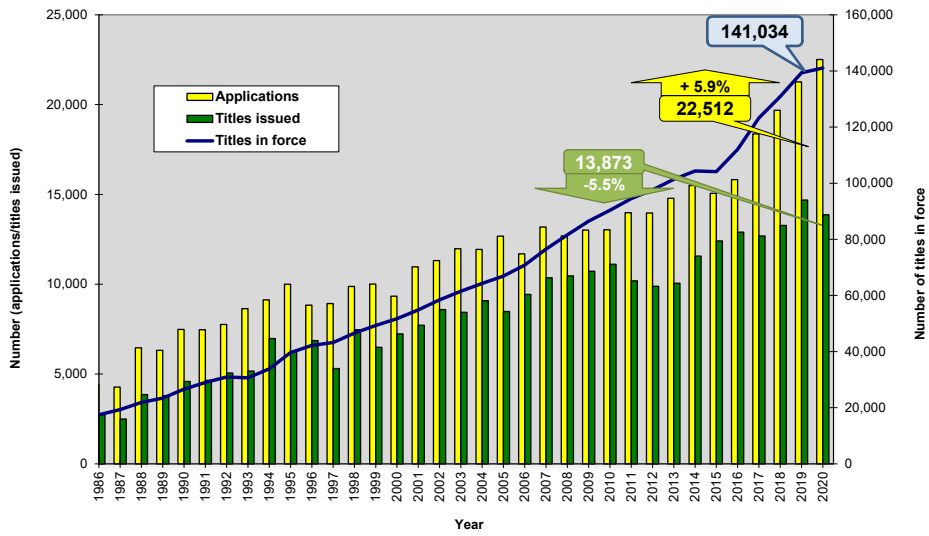


Plant variety protection statistics For the period 2016 – 2020 (document C/55/INF/7)

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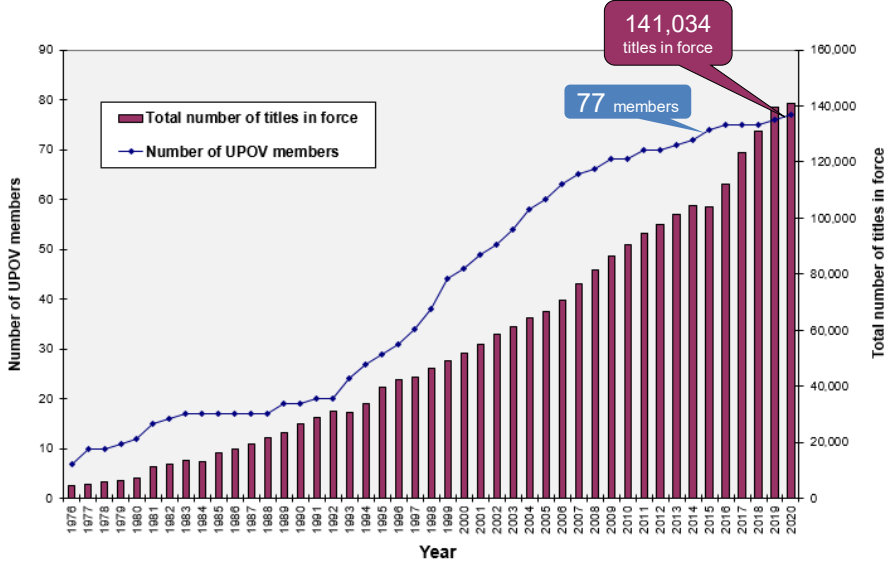
International Union for the Protection of New Varieties of Plants

Total Applications filed and Titles issued



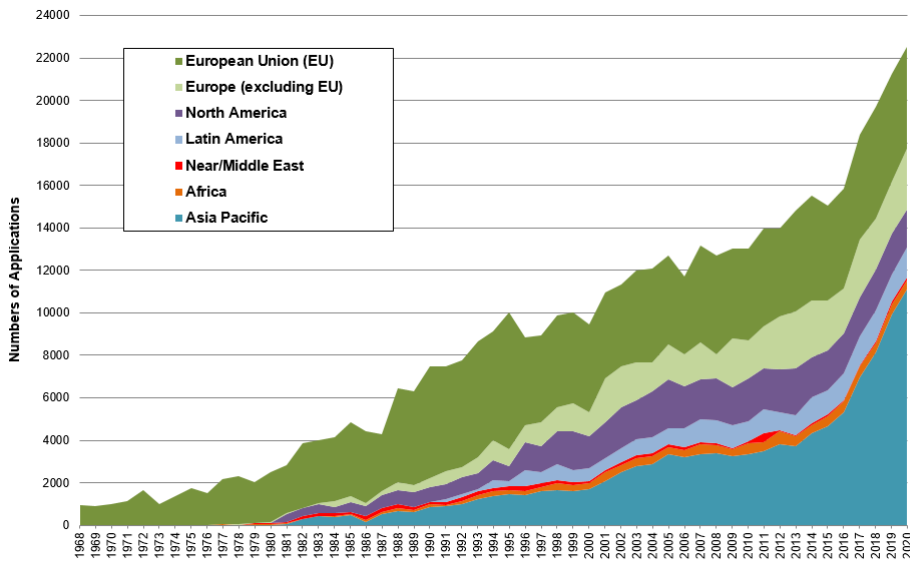
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Titles in force / Number of UPOV members



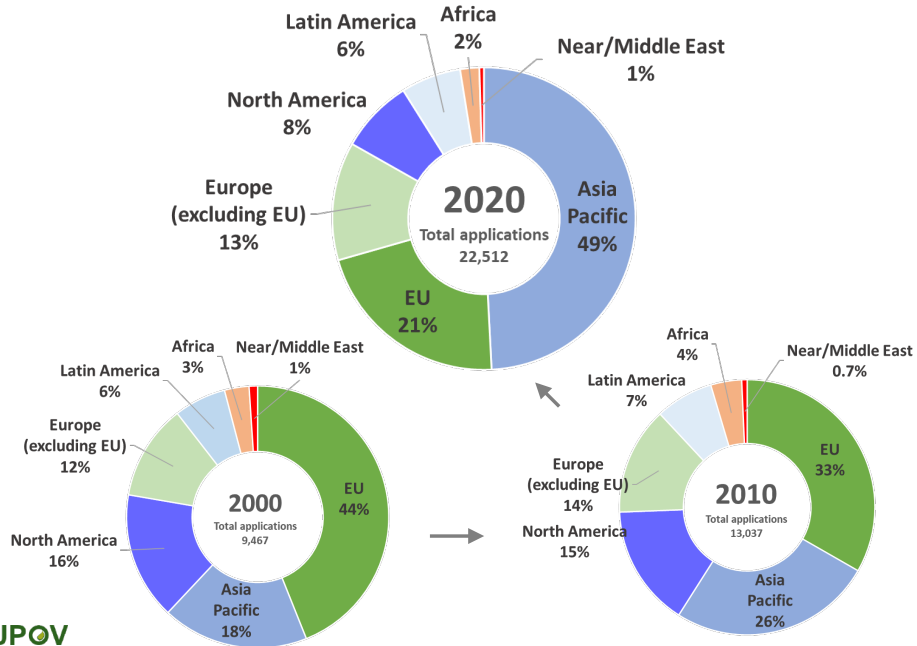
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Applications received by Region



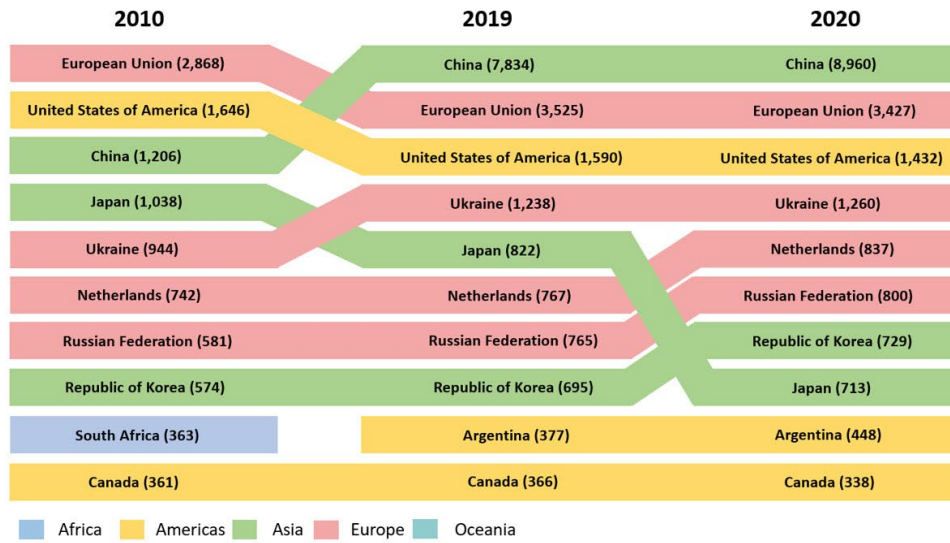
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Applications received by Region – 2000 to 2020



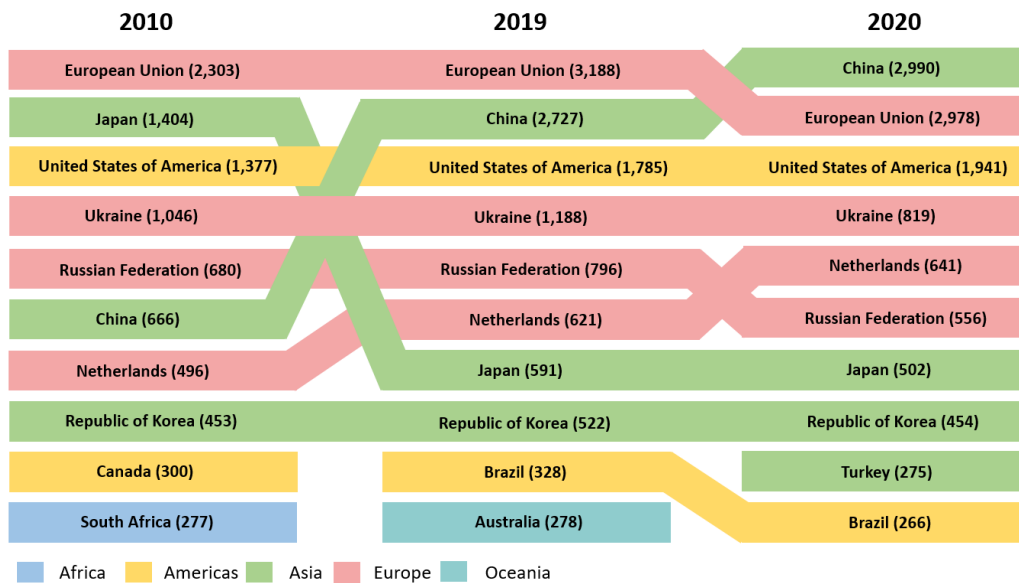
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Top 10: UPOV members by number of plant variety protection applications received



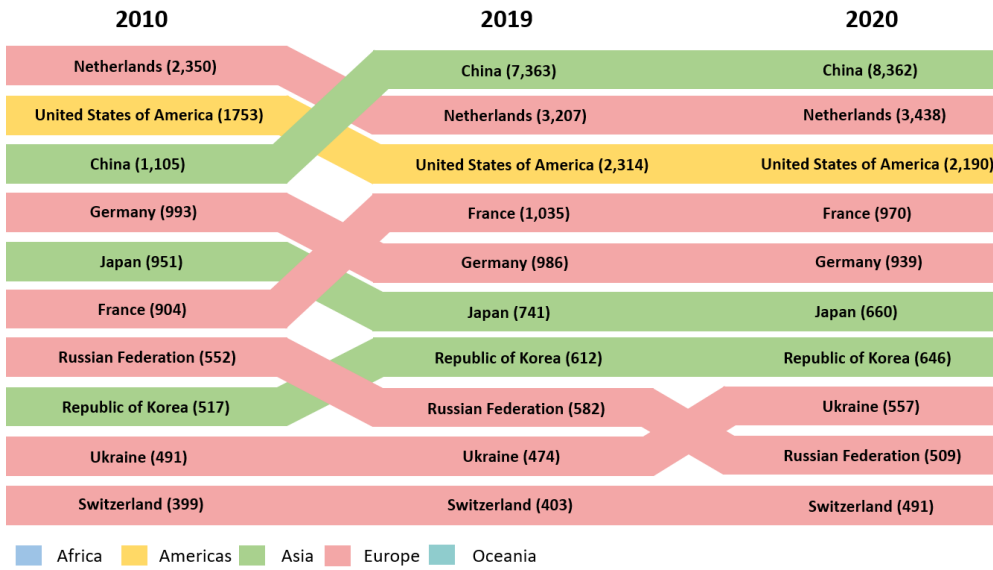
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Top 10 UPOV members by number of plant variety protection titles issued



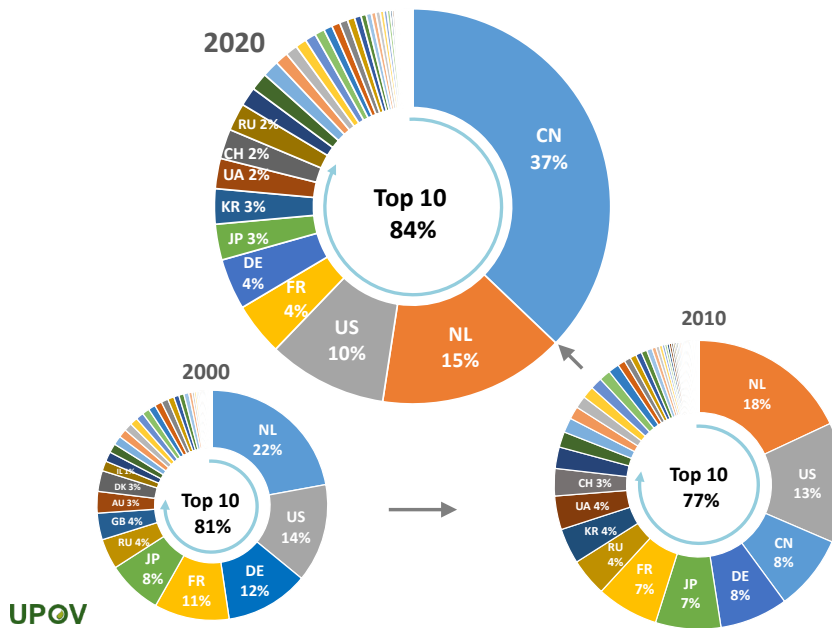
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Top 10: Country of residence of applicants (2020)

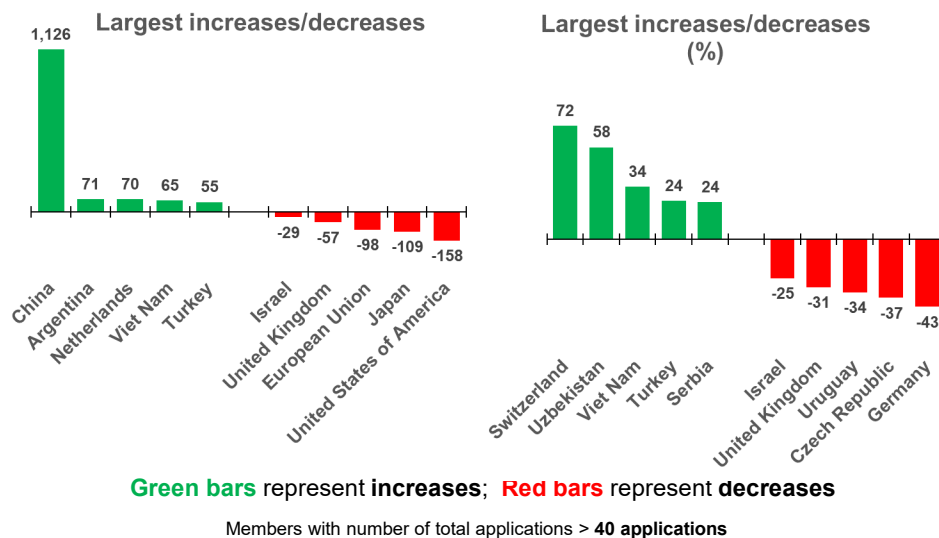


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Country of residence of applicants: proportion by top 10 countries



Total applications in 2020 (compared with 2019)

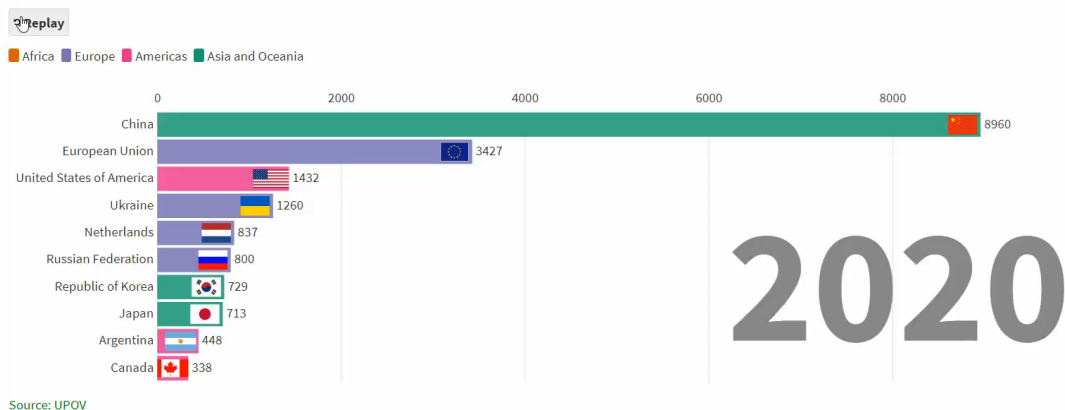


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Plant Variety Protection Data and Statistics

Animated graphics

Graphic 1: Top 10 UPOV members by number of PBR applications received (1999–2020)



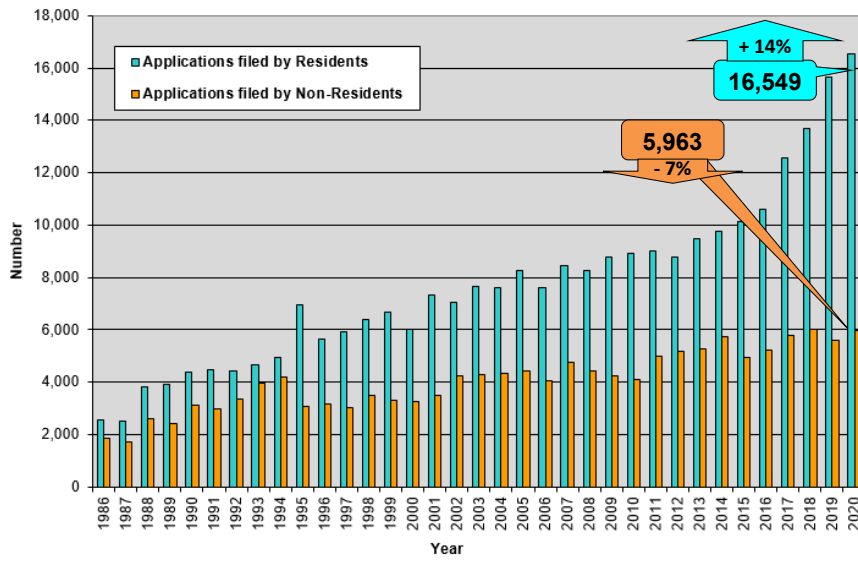
The screenshot shows the UPOV website interface. At the top, there is a navigation bar with the UPOV logo and language options (Deutsch, Español, Français, Other). Below this is a secondary navigation bar with links for ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, PVP DATA & STATISTICS (highlighted with a yellow arrow), MEETINGS, and NEWS. The main content area is titled 'PVP DATA & STATISTICS' and features a large image of red bell peppers. Below the image, the text reads 'Plant Variety Protection Data and Statistics' and 'Animated graphics'. There are three bar charts showing data for 2020. A list of 8 graphs is provided below the charts, detailing various statistics such as applications received, titles issued, and titles in force. The UPOV logo is visible at the bottom left of the screenshot.

Up to the end of 2020:

- **141,034** titles of protection are **in force** in UPOV members at the end of 2020
- **316,065** titles of protection had been **issued** by UPOV members;
- **180,218** titles of protection had **ceased** to be in force in UPOV members;

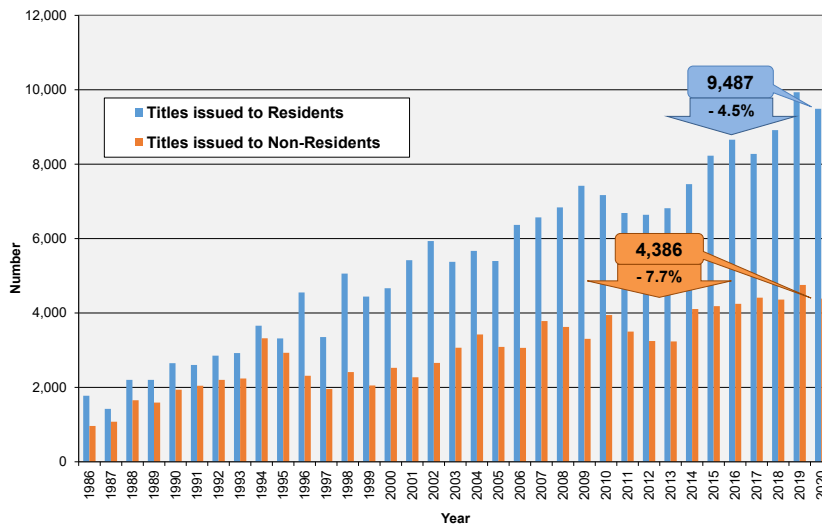
* These numbers includes titles granted before UPOV membership.

Applications filed by Residents/Non-Residents



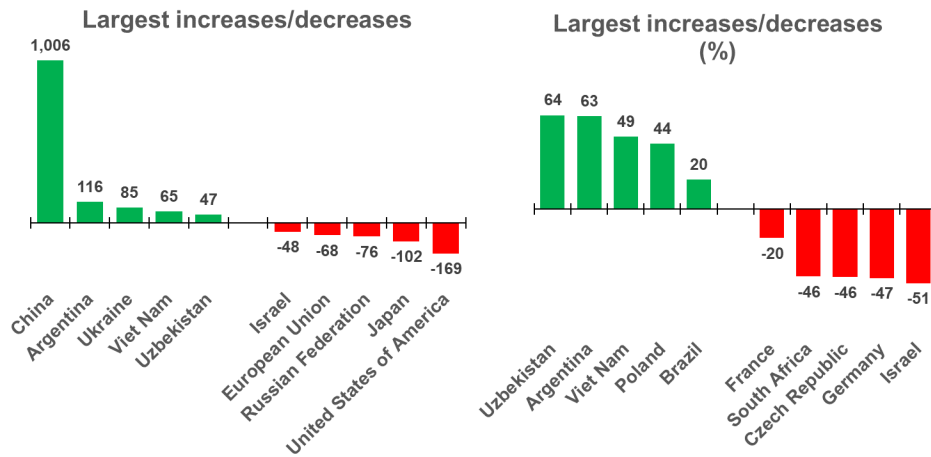
UPOV

Titles issued to Residents/Non-Residents



UPOV

Applications filed by residents in 2020 (compared with 2019)

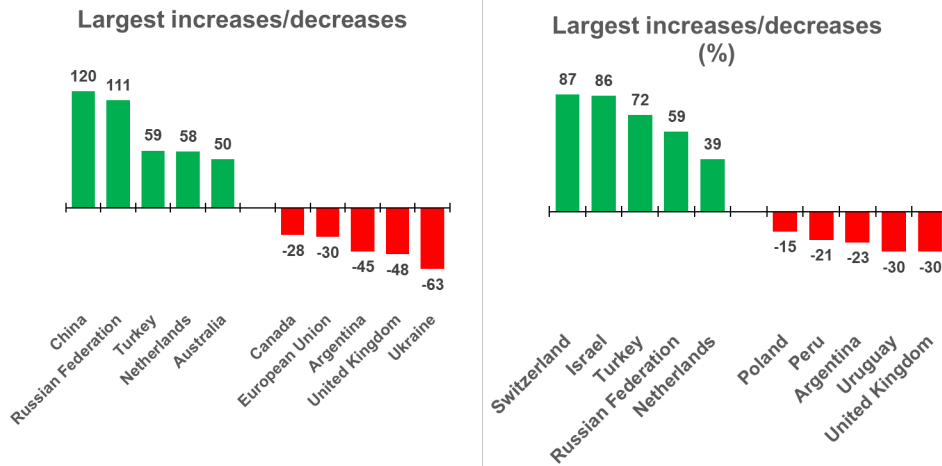


Green bars represent increases; Red bars represent decreases

Members with number of applications filed by residents > 40 applications

UPOV

Applications filed by non-residents in 2020 (compared with 2019)



Green bars represent increases; Red bars represent decreases

Members with number of applications filed by non-residents > 20 applications

UPOV

[Annex III follows]

UPOV Press Release 133

Geneva, October 29, 2021

UPOV Council Holds its Annual Session

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its fifty-fifth ordinary session by virtual means on October 29, 2021. The Council took decisions on the following matters at the session or by correspondence in advance of the session. The report of the session, with information on decisions taken by correspondence, is provided in documents C/55/18 and C/55/12 (see https://www.upov.int/meetings/en/details.jsp?meeting_id=60600)

Round-up of key developments:

Draft Law of Jamaica

The Council took a positive decision on the conformity of the New Plant Varieties (Rights of Breeders) Bill, 2021, of Jamaica (“Draft Law”) with the provisions of the 1991 Act of the UPOV Convention, which allows Jamaica once the Draft Law is adopted with no changes and the Law is in force, to deposit its instrument of accession to the 1991 Act.

Vice Secretary-General

The Council extended the appointment of Mr. Peter Button as Vice Secretary-General from December 1, 2022, until his retirement in October 2023. The Council further approved the procedure and timetable for the appointment of a new Vice Secretary-General.

Developments in UPOV

A video presentation by the Vice Secretary-General on “Report on developments in UPOV”, made for the fifty-fifth ordinary session of the Council, is available at the [C/55](https://www.upov.int) webpage, in English, with subtitles in English, French, German and Spanish.

Events

Seminar on strategies that address policies involving plant breeding and plant variety protection

On October 20, 2021, UPOV organized a seminar on strategies that address policies involving plant breeding and plant variety protection (Seminar), held by electronic means. The Seminar was attended by 132 participants from 45 members of the Union and 13 observers. A video of the seminar is available at https://www.upov.int/meetings/en/details.jsp?meeting_id=64550. A video recording of the Seminar is available on the UPOV website in English and will also be made available in the other languages available during the Seminar: French, German, Spanish and Russian.

The proceedings of the Seminar will be published on the UPOV Website in all UPOV languages.

Mr. Daren Tang, Secretary-General, provided the welcome and opening remarks, a copy of which are reproduced in Appendix I.

Mr. Marien Valstar, President of the Council, provided concluding remarks as reproduced in Appendix II. In his concluding remarks, the President observed a need for a further opportunity to explore the role of plant breeding and plant variety protection in relation to the need for agriculture to adapt to, and mitigate, climate change and proposed that consideration be given to organizing a seminar in 2022, dedicated to this theme.

The Council agreed to the organization of a seminar in 2022 to explore the role of plant breeding and plant variety protection in enabling agriculture to adapt to, and mitigate, climate change.

Program and Budget for the 2022-2023 Biennium

The Council approved the Program and Budget of the Union for the 2022-2023 Biennium, including:

- (i) the amount of contributions from members of the Union;
- (ii) the proposed maximum ceiling of expenditure in the regular budget being 7,634,500 Swiss francs or the income received in the biennium, whichever is the lower; and
- (iii) the total number of posts.

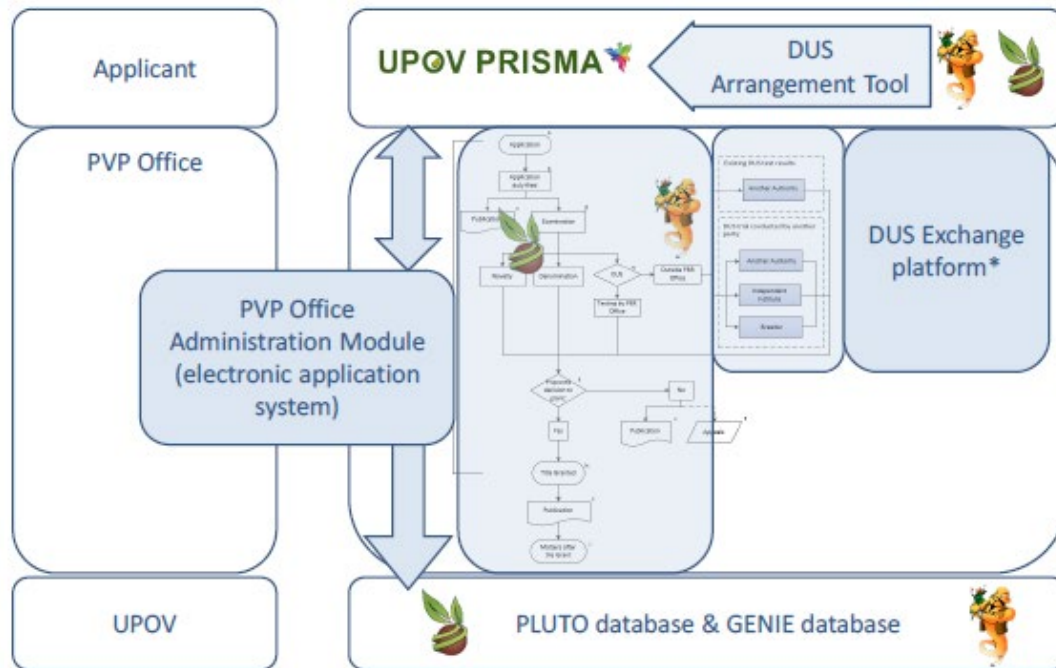
Digitalization

The Program and Budget looks to build on the opportunities for digitalization to transform the level of support that UPOV can provide in the implementation of the UPOV system of plant variety protection.

It is planned that the following package of compatible tools (e-PVP) will be further developed in the 2022-2023 biennium. These tools will provide coherent and comprehensive assistance in the implementation of the UPOV system of plant variety protection, some or all of which can be used by members of the Union, as considered appropriate:

- 1) Applying for PVP
 - (a) Extending coverage of UPOV PRISMA to more members of the Union and more crops/species
 - (b) UPOV member cooperation platforms (e.g. regional) to cooperate in the administration and examination of applications
- 2) Administration of PVP applications
 - (a) Electronic PVP administration module for members of the Union to manage and publish PVP applications
 - (b) UPOV similarity search tool for variety denomination purposes based on UPOV agreed algorithm running on data in the PLUTO database
 - (c) Enhancement of PLUTO database by increasing quantity and quality of data included
- 3) Facilitating cooperation in DUS examination
 - (a) Platform for exchange of existing DUS reports
 - (b) Tool to provide information on cooperation in DUS examination between members of the Union to PVP applicants in a user-friendly form
 - (c) Platform for members of the Union to make their documented DUS procedures and information on their quality management systems available to other members of the Union
 - (d) Module for members of the Union to use the web-based TG Template and database of characteristics to develop individual authorities' test guidelines (IATG) in their language
 - (e) Platform/portal for UPOV member databases containing variety description information

The following figure provides a graphic overview of how the e-PVP components could be integrated in relation to the "Functions and structure of a PBR Office" as identified in document UPOV/INF/15 "Guidance for Members of UPOV".



Rapid advances in machine translation technology have also provided new opportunities, which will be pursued as a matter of priority to reduce translation costs for UPOV documents in UPOV languages and to make UPOV materials available in a wider range of languages.

International UPOV qualification

In order to provide more impact in training and assistance from available resources, resources will be increasingly channeled to virtual training programs and re-usable materials, additional distance learning courses, video demonstrations, webinars and virtual practical guides, in order to reduce the need for *in situ* training and to increase outreach. Furthermore, in conjunction with relevant partners, it is proposed to develop an international curriculum leading to UPOV-recognized qualifications.

Use of the Chinese language in UPOV

The Council approved the program for the use of the Chinese language in UPOV and proposed resourcing, including the provision of interpretation services in the Chinese language at UPOV sessions in Geneva.

Adoption of documents

The Council adopted revised versions of the following documents:

- UPOV/INF/6: Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention
- UPOV/INF/16: Exchangeable Software
- UPOV/INF/17: Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction (“BMT Guidelines”)
- UPOV/INF/22: Software and Equipment Used by Members of the Union
- UPOV/INF/23: UPOV Code System
- TGP/5: Experience and Cooperation in DUS Testing, Section 2: UPOV Model Form for the Application for Plant Breeders’ Rights
- UPOV/EXN/DEN: Explanatory Notes on Variety Denominations under the UPOV Convention

All adopted documents will be published in the UPOV Collection (see http://www.upov.int/upov_collection/en/).

Plant Variety Protection Statistics

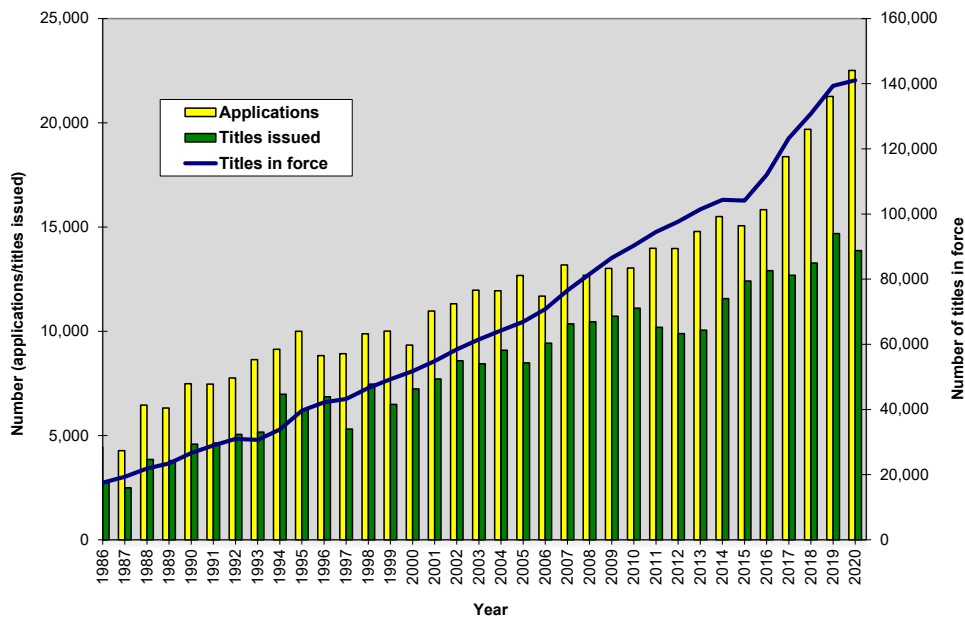
The number of applications for plant variety protection increased from 21,265 in 2019 to 22,512 in 2020 (5.9 percent increase).

The number of titles issued decreased from 14,688 in 2019 to 13,873 in 2020 (5.5 percent decrease), resulting from a 4.5 percent decrease in the number of titles issued to residents (9,487 in 2020; 9,935 in 2019) and a 7.7 percent decrease in the number of titles issued to non-residents (4,386 in 2020; 9,753 in 2019).

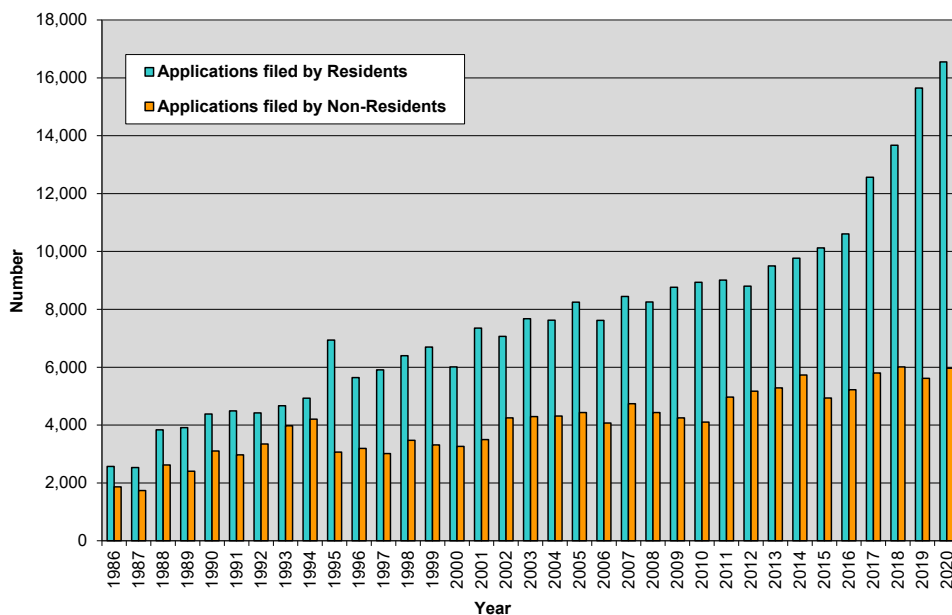
The total of 141,034 titles in force in 2020 represented a 1.2 percent increase on figures for 2019 (139,360).

The following graphs indicate trends in applications filed and titles issued since 1986. Information is also provided on the 10 members of the Union receiving the largest number of applications in 2010, 2019 and 2020 and an analysis of applications by residence of breeders for the same years.

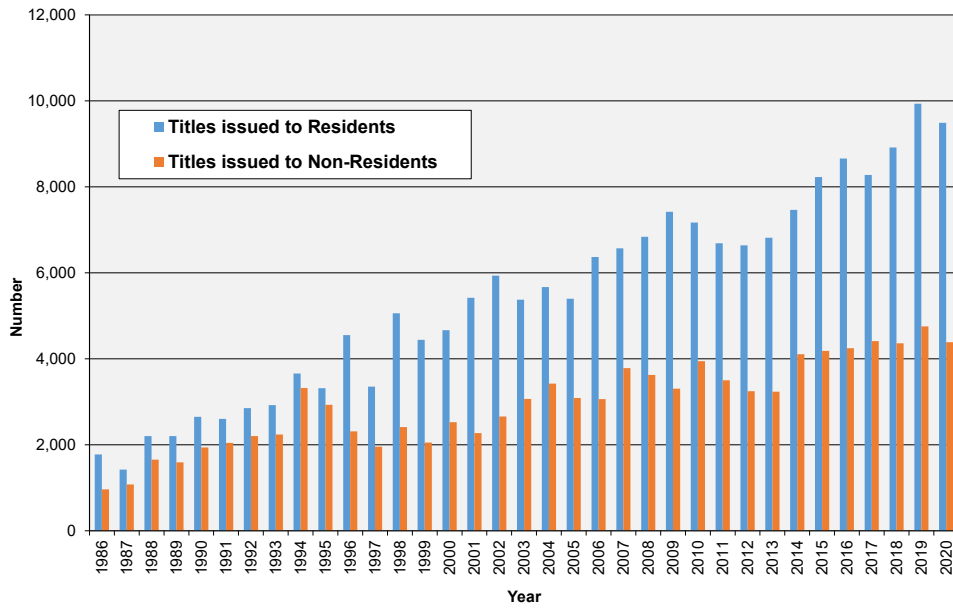
Total Applications filed and Titles issued



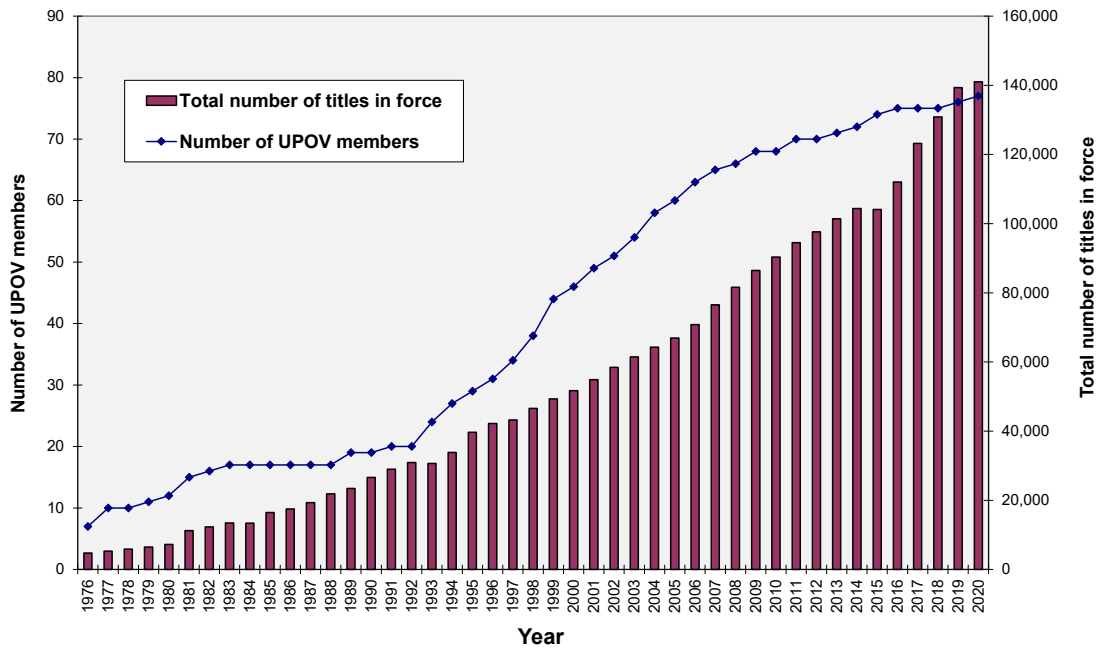
Applications filed by Residents/Non-Residents



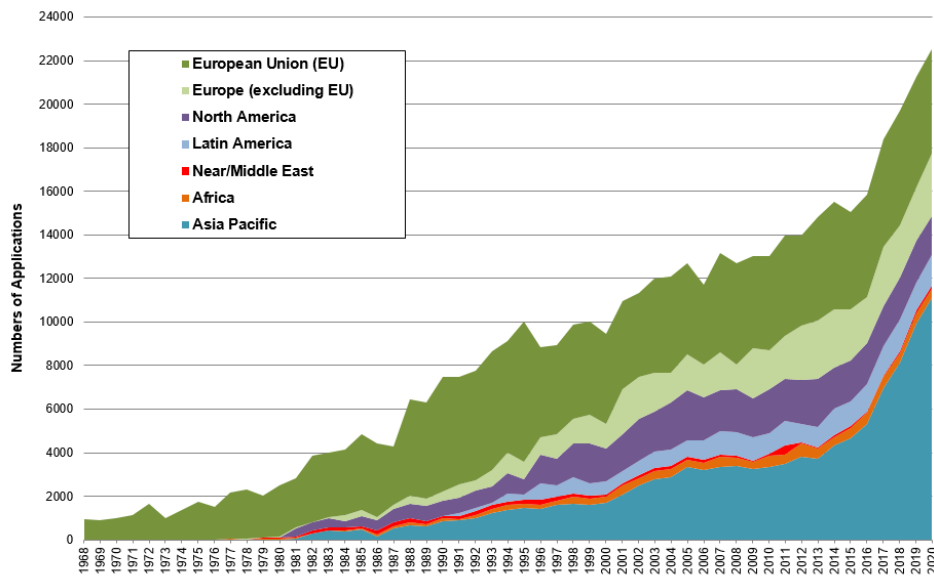
Titles issued to Residents/Non-Residents



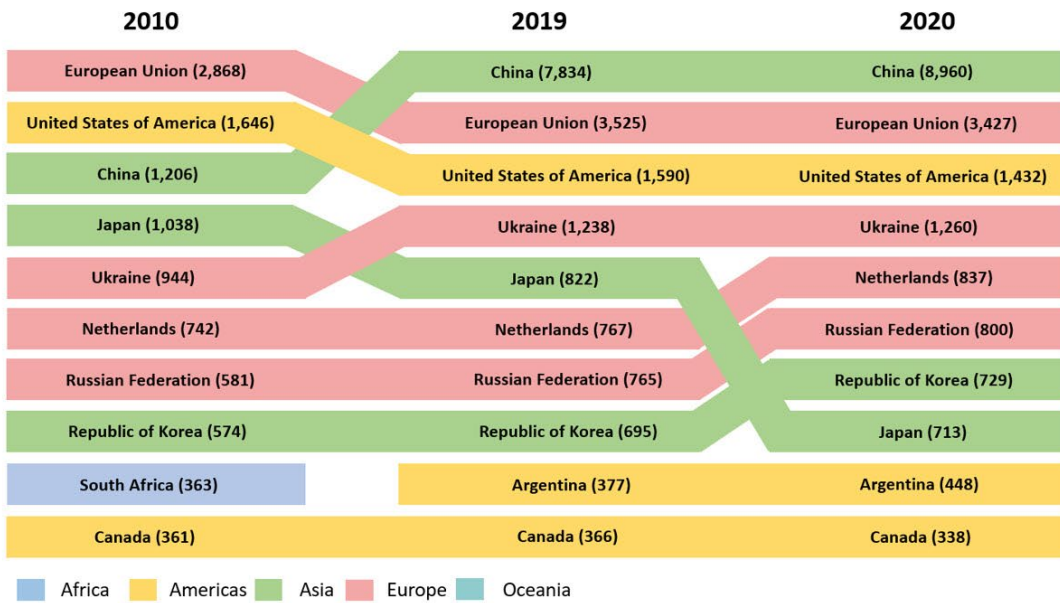
Titles in force / Number of UPOV members



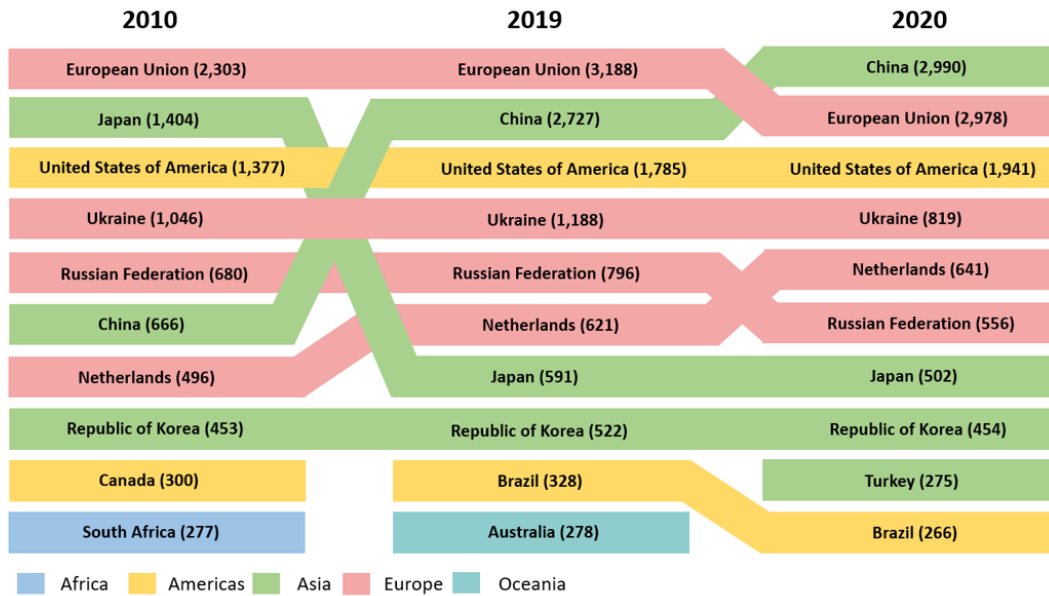
Applications received by Region



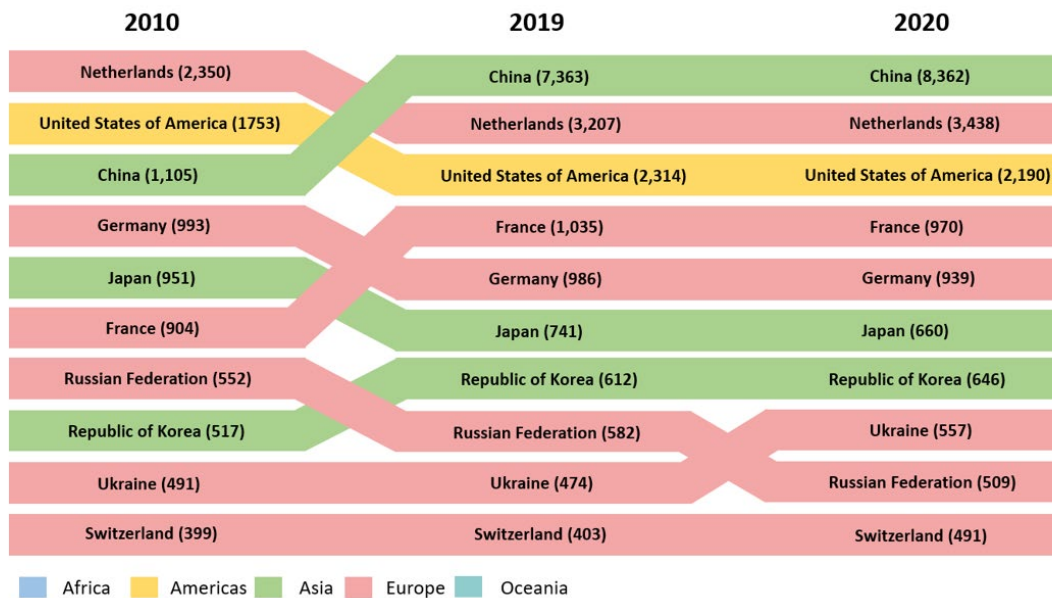
Top 10: UPOV members by number of plant variety protection applications received



Top 10 UPOV members by number of plant variety protection titles issued



Top 10: Country of residence of applicants (2020)



NOTES TO EDITORS

UPOV is an intergovernmental organization based in Geneva.

The purpose of UPOV is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.

UPOV has 77 members covering 96 States. The members of UPOV are:

African Intellectual Property Organization, Albania, Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, European Union, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lithuania, Mexico, Montenegro, Morocco, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Oman, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan and Viet Nam.

For further information about UPOV, please contact the UPOV Secretariat:

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Website: <https://www.upov.int>

Social media



Twitter account: @UPOVint



LinkedIn account: <https://www.linkedin.com/company/upov-official>

[Appendices follow]

ANNEX III, APPENDIX I

SEMINAR ON STRATEGIES THAT ADDRESS POLICIES
INVOLVING PLANT BREEDING AND PLANT VARIETY PROTECTION

Geneva, October 20, 2021 (by electronic means)

Opening Remarks, Mr. Daren Tang, Secretary-General, UPOV

Mr. Marien Valstar, President of the UPOV Council,

Dear Participants, Dear Colleagues, Dear Friends,

It is a pleasure to be with you today and to open this seminar.

This year marks the 60th anniversary of UPOV's foundation. Back in 1961, UPOV was created to recognize the importance of the protection of new plant varieties and to uphold the interests of plant breeders around the world.

Six decades on, I would like to highlight three policy pillars which capture the impact of UPOV's work:

- First, transforming food production in a time of climate change.
- Second, spurring economic development through plant breeding and UPOV's system of plant protection.
- And, third, bringing innovation and technology transfer to farmers.

It is important to remember that at the time UPOV was formed the only way to produce more food was to use more land. However, this link has now been superseded thanks to innovation. Since the 1960s, food production has increased nearly four-fold, while land use has expanded by only around 10 percent. This means we can feed more by using less.

It has been estimated that plant breeding and new plant varieties are currently responsible for around 90 per cent of cereal land productivity gains in Europe. And if plant breeding has delivered in the past, then it will be even more important to ensuring food security in the future. This is well understood by the agricultural sector. A recent survey from the World Farmers Organization found that over 70 per cent of farmers are utilizing improved plant varieties. Moreover, eight in ten farmers who use new plant varieties identified them as important factors in ensuring the sustainability of food systems and in combatting climate change.

This aligns with UPOV's broader desire to accelerate progress towards the UN's Sustainable Development Goals. UPOV has identified six SDGs to which plant breeding and the UPOV system directly contributes towards. From ending hunger, achieving food security and improved nutrition, to protecting terrestrial ecosystems and halting biodiversity loss – transforming food production is helping to deliver a fairer, greener and more sustainable world.

This brings me to the second pillar: economic development.

In my address to the UPOV Council following my appointment as Secretary-General last year, I referenced the impressive economic benefits of plant breeding and UPOV's system of plant variety protection. Today, I want to discuss another important aspect of UPOV's work – the support we provide to people and communities around the world.

I have three examples that I would like to share.

First, in Kenya, UPOV membership has ensured access to much sought after varieties of cut flower roses. Thanks to their growing popularity, Kenya has developed a \$500 million cut-flower industry which, in turn, brings secure employment to around half a million Kenyans.

Second, in Viet Nam, thanks to plant breeding activities, the annual income of farmers has increased by over 24% since it joined UPOV in 2006. It is estimated that plant breeding has resulted in significant annual productivity increases for Viet Nam's main staple crops such as rice and maize, with the increased productivity associated with plant breeding being equivalent to more than 2.5 per cent of Viet Nam's GDP.

And finally, this year marks the tenth anniversary of Peru's membership of UPOV. In that time, more than eighty new varieties of grapes and more than sixty new varieties of blueberries have been protected.

This has helped to turbo-charge Peru's exports. For example, trade in fresh grapes is up almost ten-fold over the last decade, with blueberry exports up by a multiple of thirteen in the last five years alone.

This is how UPOV's helps to lift up people and communities around the world – supporting job creation, business investment and economic growth. And in the context of a pandemic that continues to take a terrible toll – including on many livelihoods around the world – this work is as important today as ever.

The third pillar concerns innovation and technology transfer to farmers.

Through an effective Plant Variety Protection (PVP) system, UPOV stimulates the development of new plant varieties. And these new varieties represent one of the most effective ways of delivering new technology to farmers. It is a symbiotic relationship: UPOV enables plant breeders to protect their varieties and to obtain a return on their investment; with this income predicated on farmers choosing to grow more suitable varieties that match local and export needs.

Equally, the UPOV system continues to support the delivery of public goods. Take the UC Davis Public Strawberry Breeding Program. Over six decades, the program has developed more than 30 protected varieties, made strawberries a year-round crop in California, and boosted strawberry yield from just 6 tons per acre in the 1950s to 30 tons per acre today.

Thanks to the UC Davis program, Californian growers pay lower rates than others for their strawberries and get access to new varieties before growers elsewhere.

Not only do UC Davis varieties benefit domestic growers but they have been instrumental in the development of the strawberry industry in several UPOV members– for instance 70-90% of strawberries in Spain have been bred by UC Davis, which transferred the varieties and knowledge as a part of the PBR license process.

Dear Participants, Dear Colleagues, Dear Friends,

As you can see, the legal framework of protection offered by the UPOV system is as important today as it was 60 years ago. But while protection remains the cornerstone of UPOV's work, its broader impact continues to be felt around the world.

From progressing sustainable solutions at a time when humanity faces a code red from climate change.

- To providing jobs and economic growth in developing and the least developed countries.
- To supporting agricultural innovation and technology transfer.
- Plant breeding and plant variety protection is making a real difference to people and communities on the ground.

Today, you will hear from speakers representing countries right around the world. While their experiences differ, in all cases UPOV's work has an important role to play in realizing their future ambitions. On behalf of UPOV, I would like to thank all our speakers for their time today and I would like to thank everyone in the audience for your participation.

Please accept my best wishes for a lively, engaging and thought provoking seminar.
Thank you.

[Appendix II follows]

ANNEX III, APPENDIX II

SEMINAR ON STRATEGIES THAT ADDRESS POLICIES
INVOLVING PLANT BREEDING AND PLANT VARIETY PROTECTION

Geneva, October 20, 2021 (by electronic means)

Concluding Remarks, Mr. Marien Valstar, President of the UPOV Council

Dear Participants,

We have heard today the following key messages:

Canada: PBR creates level playing field where private, public and or Public Private Partnerships (PPS) can operate in the marketplace.

China: showed the successful development of PVP in China, including a roadmap to implement UPOV91.

The EU: showed the many challenges we face globally (SDG's) and the strategies that are being implemented to face these challenges, showing that plant breeding is a key element in reaching the goals.

Japan: highlighted improvements in its PVP and Seed Act and showed the initiative to establish e-PVP Asia, leading to more collaboration in the region.

Kenya: gave an overview of PVP in Kenya and showed the positive impact on food security, employment and farmers livelihood.

Mexico: gave insight into their plans to enhance agricultural productivity by promoting plant breeding and quality seeds, thereby including subsistence farmers in the process.

Norway: highlighted the importance of plant breeding for sustainable food systems, indicating that we need to consider farmers rights and plant breeders rights.

Peru: gave an overview of its national system, showing the result of a study that PVP contributed 6% to its Gross Domestic Product, and showed a program to encourage more development and research in Peru through PVP.

Sweden: indicated that plant breeding is a part of the solution to the global challenges we face, and asked how the UPOV community could assist in making plant breeding more accessible for 'small breeders'.

The USA: gave an overview of recent improvements in the Farm Bill, initiatives that foster urban agriculture and an initiative to invest more in agricultural research and development.

All contributors highlighted that plant breeding and improved varieties are an important part of the solution to key policy challenges. A solution that can help us to achieve important goals in food security, sustainable agriculture, economic development and improving livelihood of farmers, including smallholder farmers.

All contributors also gave insight in developments and initiatives in their countries or regions, indicating that a lot of work is done at national and regional levels to improve their systems and to promote plant breeding.

However, that does not mean that we now can rest. The speakers also indicated that there are improvements needed at the international level, including the need to ensure that improved varieties are reaching those farmers that have the most to gain from improved varieties.

Like all farmers, smallholder farmers worldwide need access to better varieties. There are different strategies to work towards that goal. I sincerely hope that our efforts to develop guidance concerning smallholder farmers in relation to private and non-commercial use will be helpful in clarifying that the UPOV system can bring benefits to smallholder farmers. Next week during we will discuss the way forward.

Another topic, that was mentioned frequently, was the impact of climate change and the need for agriculture to adapt and to mitigate climate change. It is clear that plant breeding and, therefore, UPOV has an important role to play here. We have had many presentations today that referred to this theme but there has been very limited time to learn about this in any depth. It seems to me that we need a further opportunity to explore this crucial topic and I would like to propose that consideration be given by UPOV to organizing a seminar next year, dedicated to this theme.

[End of Annex III and of document]