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to be considered by correspondence

DRAFT PROGRAM AND BUDGET FOR THE 2022-2023 BIENNIUM*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance***EXECUTIVE SUMMARY**

1. In accordance with the UPOV Convention (Article 23(2) of the 1961 Convention and of the 1978 Act, and Article 27(2) of the 1991 Act) and the Financial Regulations and Rules of UPOV (document UPOV/INF/4/6), the Draft Program and Budget for the 2022-2023 Biennium is hereby presented for approval by the Council.

2. The Draft Program and Budget for the 2022-2023 Biennium is presented in the Annex to this document.

3. *The Council is invited to approve the Draft Program and Budget of the Union for the 2022-2023 Biennium, as presented in the Annex to this document, 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.

[Annex follows]

Draft Program and Budget 2022-2023

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I. INTRODUCTION

Overall context

UPOV's mission 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. There is growing awareness of the relevance of UPOV's mission and how this benefits society in the context of global developments. UPOV's recently adopted FAQ¹ "What are the benefits of new varieties of plants for society?" provides a summary in that regard:

Feeding the World

New, improved varieties of plants are an important and sustainable means of achieving food security in the context of population growth and climate change. New varieties that are adapted to the environment in which they are grown increase the choice of healthy, tasty and nutritious food while generating a viable income for farmers.

Improving lives in rural and urban areas and providing economic development

Innovation in agriculture and horticulture is important for economic development. Production of diverse, high quality varieties of fruit, vegetables, ornamentals and agricultural crops provides increased income for farmers and employment for millions of people around the world. New varieties can be the key to accessing global markets and improving international trade for developing countries. At the same time, new varieties can support the development of urban agriculture and the growing of ornamental plants, shrubs and trees that contribute to improving the lives of people in the expanding urban environment.

Respecting the natural environment

Increasing productivity whilst respecting the natural environment is a key challenge in the context of population growth and climate change. Breeding plant varieties with improved yield, more efficient use of nutrients, resistance to plant pests and diseases, salt and drought tolerance and better adaptation to climatic stress can sustainably increase productivity and product quality in agriculture, horticulture and forestry, whilst minimizing the pressure on the natural environment.

The UPOV system of plant variety protection supports long-term investment in breeding and provides a framework for investment in the delivery of seed and other propagating material of varieties suited to farmers' needs. UPOV was created in 1961 for the development of agriculture and, since that time, has proven to be an effective system for supporting various types of breeders: individuals, farmers, SMEs and larger breeding institutes/enterprises, in the private and public sectors. From the outset, the UPOV system was conceived to deliver greatest progress in plant breeding and, therefore, to sustain greatest advances in agriculture for the benefit of farmers and society as a whole. This concept is enshrined in the "breeder's exemption", a key feature of the UPOV system since its creation. This exemption enables protected plant varieties to be available for further breeding by all types of breeders, thus recognizing that access to genetic resources is a prerequisite for any type of breeding (see FAQ² "How does the UPOV system support sustainable development?").

The decision of the Council to organize a seminar in 2021 to exchange information and experiences on strategies involving plant breeding and plant variety protection that address broad policy issues is a demonstration of increased awareness of UPOV's role.

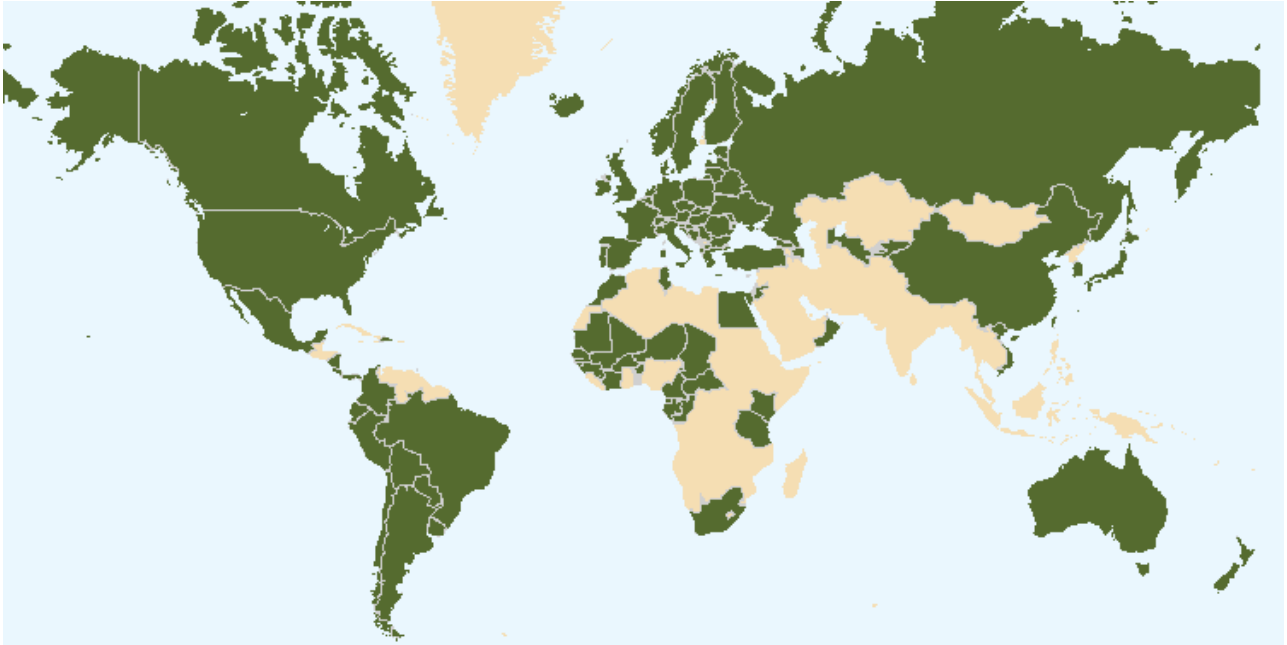
¹ UPOV FAQs: <https://www.upov.int/about/en/faq.html#QG31>.

² UPOV FAQs: <https://www.upov.int/about/en/faq.html#QS11>.

Developments in UPOV

At the end of 2020, UPOV comprised 76 members covering 95 States (see Figure 1 “UPOV membership at December 31, 2020”).

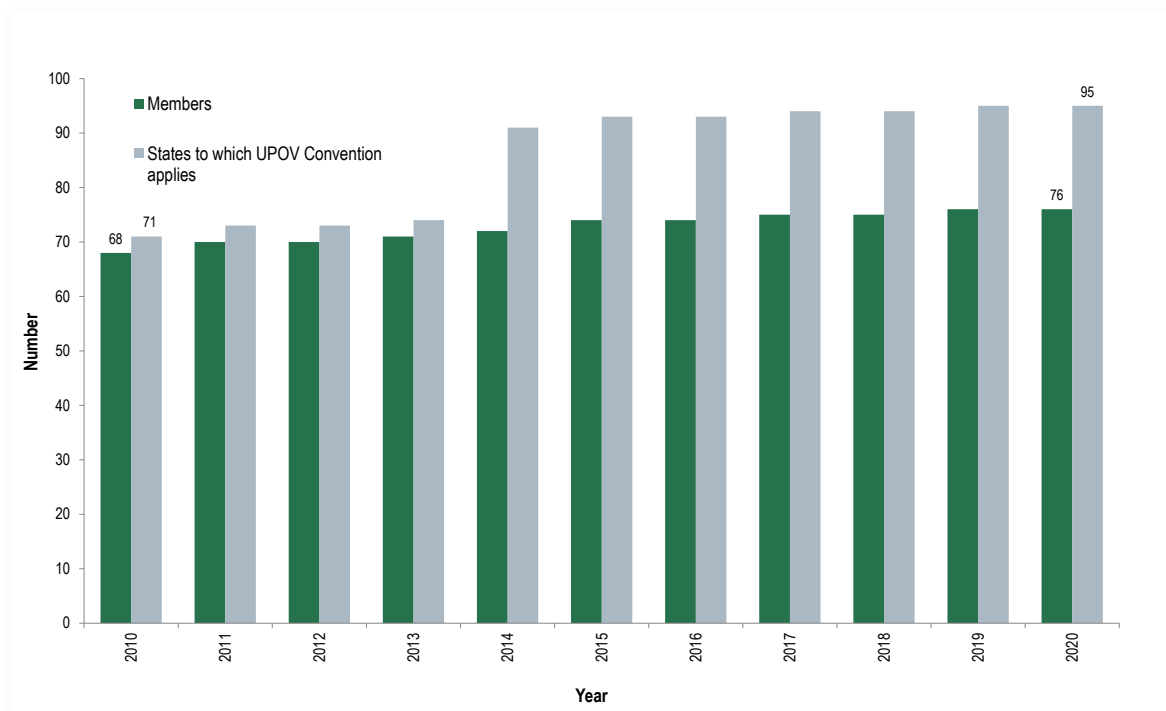
Figure 1. UPOV membership at December 31, 2020 [territories of UPOV members shown in green]



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.

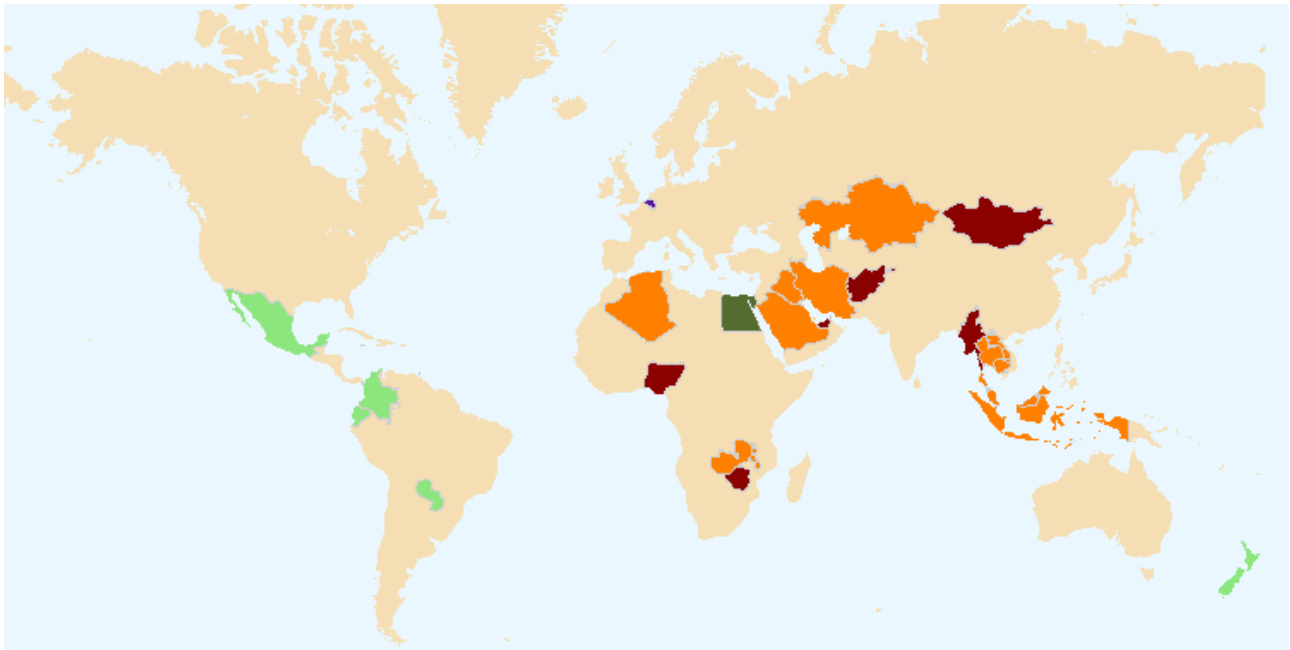
The evolution of UPOV membership is illustrated in Figure 2.

Figure 2. Development of UPOV membership



The following map (figure 3) provides a graphic overview of developments concerning the status in relation to UPOV during the three-year period 2018-2020.

Figure 3. Changes of status in relation to UPOV during the period 2018-2020

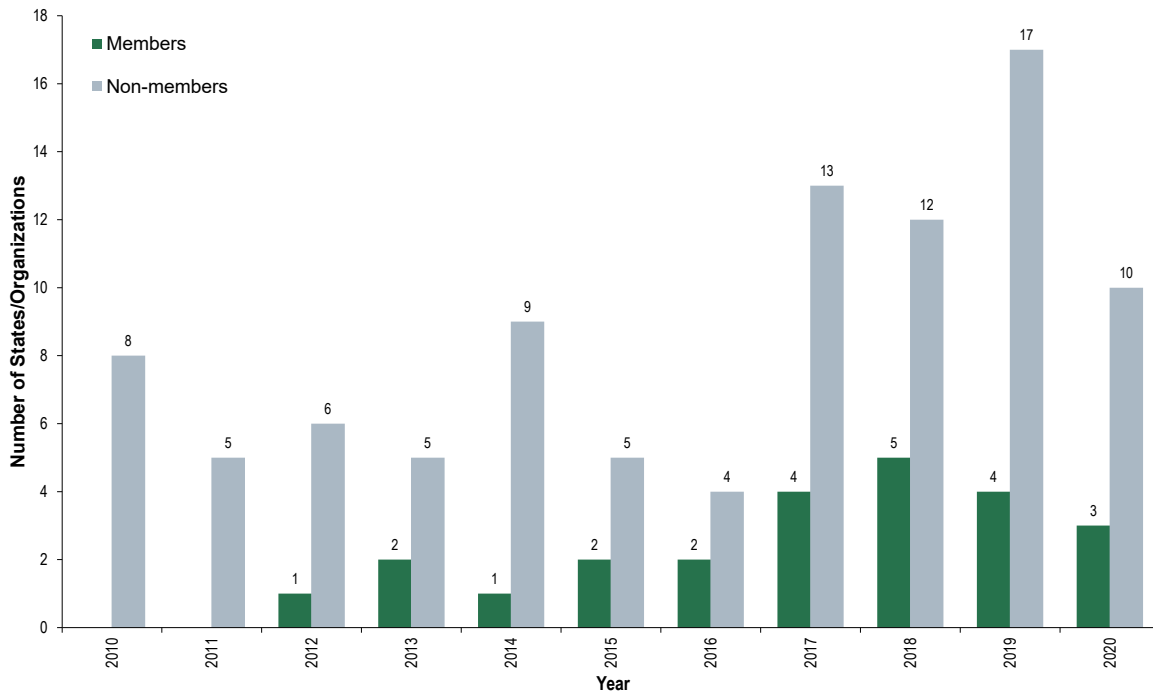


The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.

- States and organizations that became members of the Union during 2018-2020 (Egypt)
- States and organizations that acceded or ratified the 1991 Act of the UPOV Convention during 2018-2020 (Belgium)
- Members that contacted the Office of the Union for assistance in the development of legislation according to the 1991 Act of the UPOV Convention during 2018-2020 (Colombia, Ecuador, Mexico, New Zealand, Paraguay, Trinidad and Tobago)
- States and organizations that initiated with the Council of UPOV the procedure for becoming members of the Union during 2018-2020 (Afghanistan, Egypt, Mongolia, Myanmar, Nigeria, Saint Vincent and the Grenadines, United Arab Emirates and Zimbabwe)
- States and organizations that contacted the Office of the Union for assistance in the development of legislation according to the 1991 Act of the UPOV Convention during 2018-2020 (Afghanistan, Algeria, Antigua and Barbuda, Cambodia, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kazakhstan, Lao People's Democratic Republic, Liechtenstein, Malawi, Malaysia, Mauritius, Mongolia, Myanmar, Nigeria, Saint Vincent and the Grenadines, Saudi Arabia, Thailand, United Arab Emirates, Zambia and Zimbabwe)

The following chart demonstrates increasing interest in UPOV membership in recent years, with the reduction in 2020 possibly reflecting the challenges for progress during the COVID-19 pandemic.

Figure 4. States/organizations provided with comments on laws



Developments in UPOV in relation to the following (see Figures 5-7):

- (a) Expansion in terms of applications, titles granted and titles in force (see Figure 5);
- (b) Evolution of offering protection to plant genera and species (see Figure 6); and
- (c) Increase in number of plant genera and species for which protection has been sought within the members of the Union (see Figure 7).

Figure 5. Number of applications, titles granted and titles in force in members of the Union

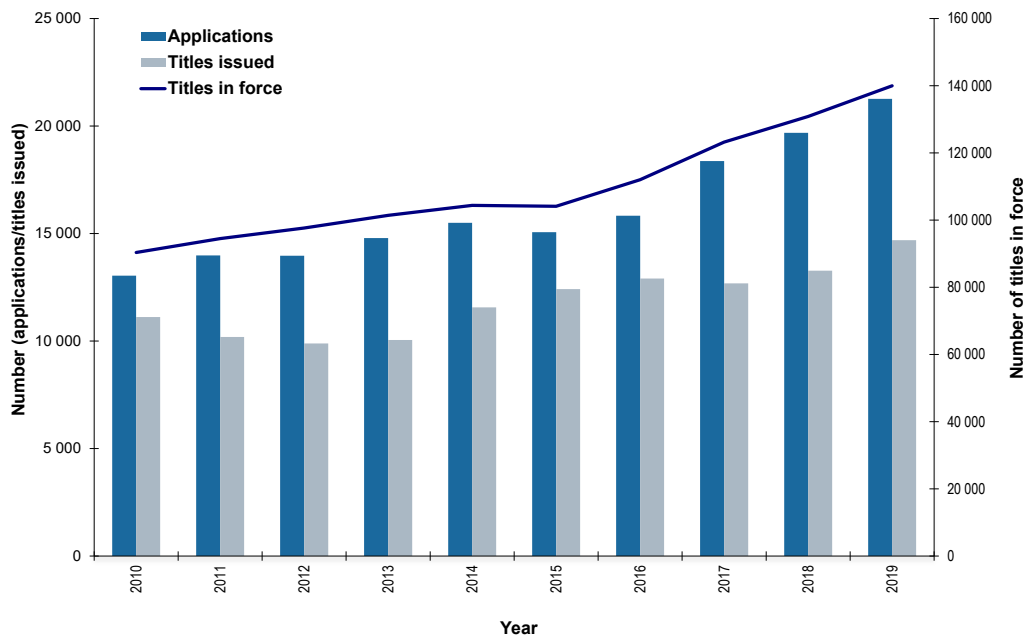


Figure 6. Evolution of offering protection to plant genera and species

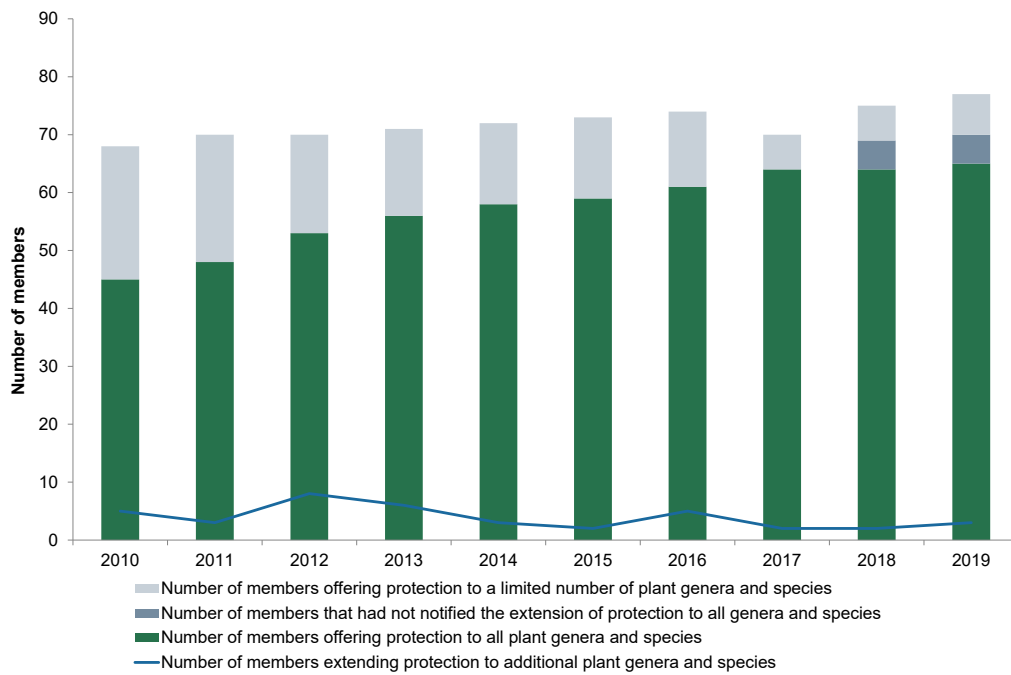
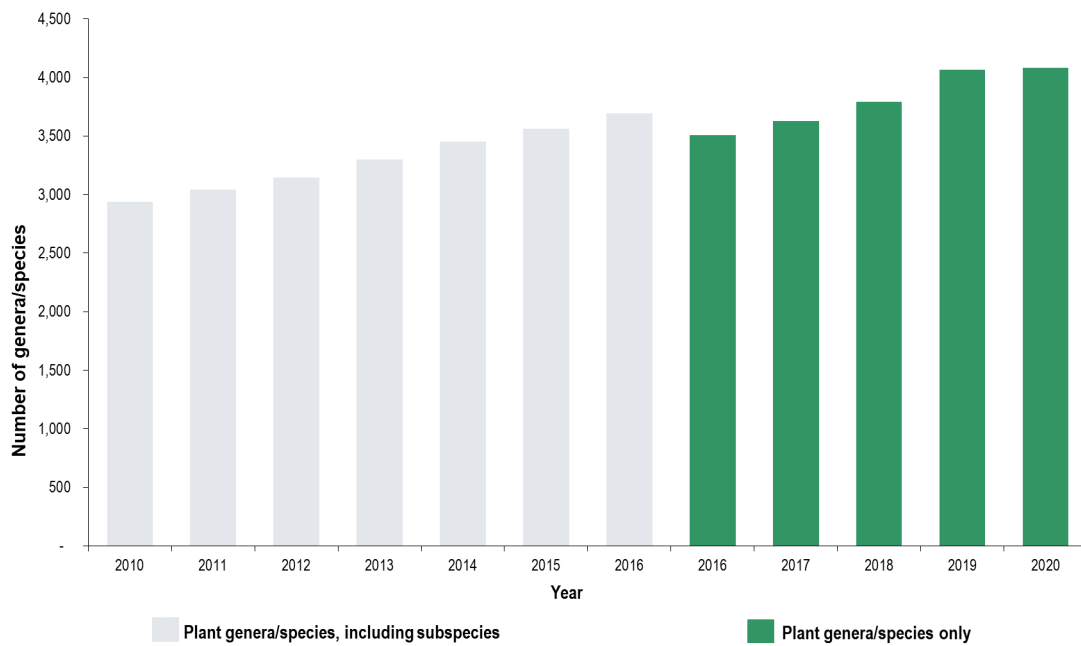


Figure 7. Plant Breeders' Rights Entries in PLUTO Plant Variety Database



Direction for the 2022-2023 Biennium

Introduction

This Draft Program and Budget for the 2022-2023 Biennium has been prepared in the context of the Strategic Business Plan 2021-2025 approved by the Consultative Committee by correspondence, in accordance with the procedure adopted by the Council in 2020³.

UPOV's Strategic Business Plan 2021-2025 identifies the following in relation to UPOV's direction, philosophy, and purpose:

- "7. In terms of providing an effective system of plant variety protection, UPOV has consistently emphasized that its priority is service to members of the Union. Assistance to States and organizations that are not members of the Union is focused on the development of legislation in line with the 1991 Act of the UPOV Convention in order to enable them to become members of the Union. This approach received endorsement from stakeholders in the WIPO Internal Oversight Division (IOD) "Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)" ("IOD Evaluation of UPOV"), conducted in 2016.
- "8. The importance of promoting the UPOV system was highlighted in the UPOV Report on the Impact of Plant Variety Protection, which demonstrated that the expansion of UPOV benefitted both existing and new members of the Union (see "Expansion of UPOV: a benefit for new and old UPOV members").
- "9. Increasing information on the benefits of plant variety protection and UPOV membership in recent years has led to increasing interest in UPOV membership. At the same time, there is growing awareness of the fundamental importance of plant breeding to enable agriculture to provide food security for a growing global population while conserving the planet's resources and adapting to climate change. Substantial improvements in the effectiveness of the UPOV system would be expected to further increase interest in UPOV membership. In order to deliver these improvements and support a growing UPOV membership, UPOV needs to continuously review its program of activities and the resources required."

While continuing proven and successful forms of support, the Program and Budget for the 2022-2023 Biennium will deliver a new level of support for members of the Union and increased outreach. In particular, developments in information technology (IT), combined with the establishment of the post of a UPOV IT Officer in the biennium 2020-2021, present new opportunities to enhance assistance for members of the Union in the implementation of the UPOV system of plant variety protection and increase outreach in a wider range of languages as outlined below.

Providing an effective system of plant variety protection

Assistance by the Office of the Union will continue to be prioritized as follows:

- (i) assistance to existing members of the Union;
- (ii) assistance to States and certain organizations that are not members of the Union, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in line with the 1991 Act of the UPOV Convention and their accession to the UPOV Convention; and
- (iii) assistance to States and certain organizations that are not members of the Union, in the implementation of legislation that has received a positive decision of the Council, according to their commitment to accede to the UPOV Convention.

The main objectives of UPOV in relation to providing an effective system of plant variety protection are⁴:

- provide and develop the legal, administrative and technical basis for international cooperation in plant variety protection; and
- assist States and organizations in the development of legislation and the implementation of an effective plant variety protection system.





³ The procedure for consideration of documents by correspondence is provided in Circular E-20/094 of July 23, 2020 (available at the TC/56, CAJ/77 and C/54 webpages).

⁴ See FAQ "What does UPOV do?": <https://www.upov.int/about/en/faq.html#QG10>.

The means by which UPOV has sought to support an effective system of plant variety protection are summarized as follows (see Figure 8):

- (a) provision of guidance and information for harmonization in the implementation of the UPOV system of plant variety protection;
- (b) resources for implementation of the UPOV system (UPOV Lex, PLUTO and GENIE databases, TG Template and more recently UPOV PRISMA); and
- (c) training and assistance in the form of distance-learning training courses, events and activities and UPOV staff missions, in conjunction with programs supported by members of the Union through extrabudgetary funds.

Figure 8. Harmonization, Resources, Training and Assistance

	Harmonization	Resources	Training & assistance
PVP Law	<ul style="list-style-type: none"> • UPOV Convention • Explanatory Notes 	 UPOV Lex	<ul style="list-style-type: none"> • Distance learning courses • UPOV events & activities • Assistance by individual UPOV members
PVP Office	<ul style="list-style-type: none"> • Guidance for Members of UPOV (INF/15) 		
➤ Application	<ul style="list-style-type: none"> • Model Application Form (TGP/5/Section/2) 	 UPOV PRISMA	
➤ Variety Denomination	<ul style="list-style-type: none"> • Explanatory Notes on Variety Denominations (INF/12) • UPOV Code 	 PLUTO database	
➤ Novelty	<ul style="list-style-type: none"> • Explanatory Notes on Novelty (EXN/NOV) 		
➤ DUS	<ul style="list-style-type: none"> • General Introduction • TGP Documents • Test Guidelines • Model Agreement (cooperation) 	TG Template GENIE Database Exchangeable software	
➤ Publication	<ul style="list-style-type: none"> • UPOV Model Plant Breeders' Rights Publication (INF/5) 	 PLUTO database	

The above approach has been effective in assisting States and certain organizations that are not members of the Union in the development of legislation in line with the 1991 Act of the UPOV Convention and their accession to the UPOV Convention.

In relation to supporting members of the Union in the implementation of the UPOV system, in recognition of limited resources, the approach has focused on centralized support for all members of the Union; particularly, guidance and information materials, databases and distance learning courses. Assistance to individual members of the Union was focused on events and activities supported by UPOV staff missions, which were largely possible thanks to extrabudgetary funds for non UPOV staff costs. Such an approach was effective in the early stages of UPOV's development when members of the Union tended to have systems already in place, even at the time of joining UPOV. However, many newer members of the Union would benefit from practical resources for implementing the UPOV system. The following section identifies opportunities for UPOV to provide such practical resources in the 2022-2023 biennium.

The introduction of UPOV PRISMA was an important step towards providing practical assistance for individual members of the Union, by providing an online application system.

Developments in IT, combined with the establishment of the post of a UPOV IT Officer, present further opportunities to provide assistance for individual members of the Union in the implementation of the UPOV system of plant variety protection, enabling UPOV to move to another level of assistance, subject to availability of the human and financial resources.

Restriction in mobility as a result of the COVID-19 pandemic has revealed opportunities to reduce travel costs while increasing access and assistance to members of the Union and stakeholders. One aim in the 2022-2023 biennium will be to divert financial resources from travel costs to enable investment in new forms of assistance.

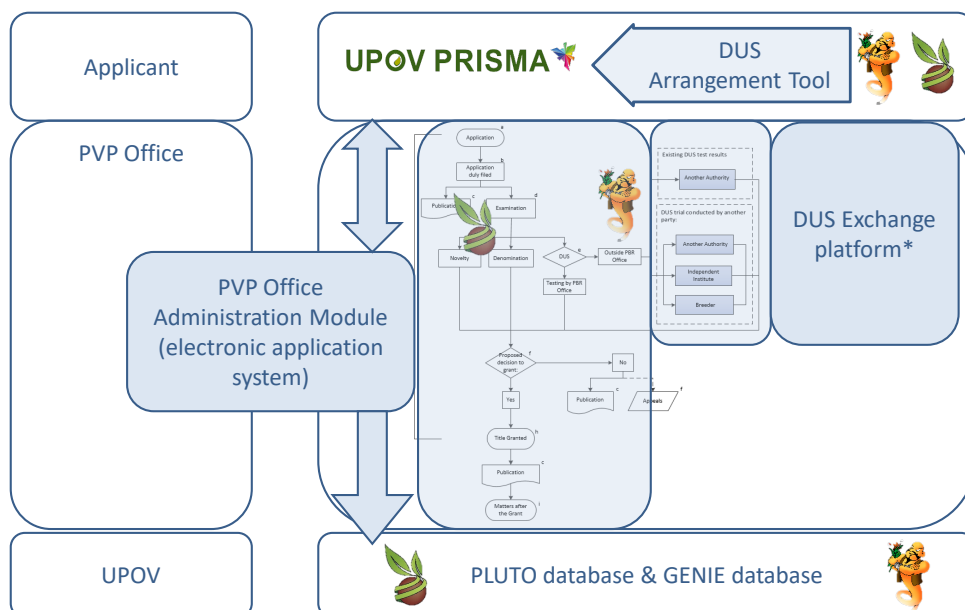
IT Tools for implementation of the UPOV system

In accordance with the Strategic Business Plan 2021-2025 (see document CC/97/3, Annex II), it is planned that the following package of compatible tools 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 could 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

Figure 9 provides a graphic overview of how the tools could be integrated in relation to the “Functions and structure of a PBR Office” as identified in document UPOV/INF/15⁵ “Guidance for Members of UPOV”.

Figure 9. UPOV planned resources



⁵ https://www.upov.int/edocs/infdocs/en/upov_inf_15.pdf.

Training and assistance programs

Satisfying the demand for training and assistance in the introduction and implementation of the UPOV system within the regular program and budget is focused on the use of distance-learning courses. Customized training and assistance for particular members of the Union relies on prioritization of assistance by the Office of the Union, support by members of the Union and partnerships with other providers of assistance. In order to utilize the available resources in the most effective way, the Office of the Union will continue to prioritize its activities and to explore synergies in its activities with members of the Union and other partners.

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.

Languages

UPOV materials and resources are made available in English, French, German and Spanish. However, as UPOV expands and interest in UPOV membership increases, there are important benefits in making UPOV material and resources available in a wider range of languages. Providing translations of materials and making resources available in a range of languages has substantial resource implications and success in this objective will require a range of measures involving cooperation with interested members of the Union. However, rapid advances in machine translation technology provide 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.

Promoting an effective system of plant variety protection

The aim of UPOV's communication strategy is to improve awareness and understanding of the UPOV system in order to support the development of plant variety protection for the benefit of society.

In order to achieve that aim, the objectives of the communication strategy are to:

- (a) raise awareness of UPOV and the benefits of the UPOV system of plant variety protection;
- (b) provide improved information for members of the Union on the operation of the UPOV system; and
- (c) enhance the understanding of the UPOV system by stakeholders.

Successful delivery of the communication strategy relies on the development and use of appropriate information, combined with effective communication channels.

In terms of content, UPOV has a considerable amount of information concerning the impact of plant variety protection and UPOV membership. Where such information is available in the form of a video or published document, this is made available on the UPOV website, as appropriate (see https://www.upov.int/about/en/benefits_upov_system.html). Information on the UPOV website and other relevant information, which has not been developed into videos or publications, is also communicated via events and activities, training courses and social media.

In the 2022-2023 biennium, the focus will be on the development of new information concerning the benefits of plant variety protection and UPOV membership in close conjunction with members of the Union. To elicit information from members of the Union, the Office of the Union will seek to increase engagement with members of the Union, for example in conjunction with members' anniversaries and events, or by eliciting information on specific themes, particularly in the context of UPOV's social media program.

In addition to working with members of the Union, it is intended to enhance work with organizations representing stakeholders, particularly breeders and farmers, and other intergovernmental organizations to improve the targeting and outreach of communications.

II. OBJECTIVES AND EXPECTED RESULTS BY SUB-PROGRAM

Sub-program UV.1: Overall Policy on Plant Variety Protection

Objectives

- (a) Policy direction and executive management.
- (b) Planning, implementation and evaluation of program and budget.

Narrative

This sub-program covers policy making, management and coordination of the activities within UPOV's overall program, as established by the Council with the guidance of the Consultative Committee.

The Strategic Business Plan provides a framework for the objectives under this sub-program. In particular, the Strategic Business Plan:

- (a) serves as a roadmap to implement the strategic goals and objectives of the Union;
- (b) identifies financial resources needed to achieve the strategic goals and objectives of the Union;
- (c) outlines the human resource needs in line with the strategic priorities of the organization; and
- (d) defines long-term steps and key milestones of outreach activities with a view to improving organizational visibility and enhancing revenue generation efforts.

The Consultative Committee approved the draft Strategic Business Plan 2021-2025, as presented in Annex II to document CC/97/3. The Consultative Committee requested that the Strategic Business Plan be updated on a biennial basis in order to set the direction for the subsequent two biennia and to coincide with the preparation of the draft program and budget for the subsequent biennium. Consideration of the Strategic Business Plan 2023-2027 will be a key objective in the 2022-2023 biennium.

Policy on communication strategy will continue to be a focus for the 2022-2023 biennium, with the aim of broadening and enhancing the understanding of the UPOV system amongst stakeholders and working with other intergovernmental organizations with a view to promoting mutual supportiveness.

There will be a need to monitor and review the training and assistance strategy in relation to evolving requests for assistance by members of the Union and States and organizations wishing to become members of the Union. In order to provide more impact in training and assistance, consideration will need to be given to the use of virtual training programs based on re-usable resources, additional distance learning courses, video demonstrations, webinars and practical guides, in order to reduce the need for *in situ* training and to increase outreach. Furthermore, in conjunction with relevant partners, proposals are anticipated for an international curriculum leading to UPOV-recognized qualifications.

In relation to meetings of UPOV bodies, consideration will need to be given to policy on virtual participation with a view to increasing participation and effectiveness of meetings.

An area for further consideration will be policy on translation, including the use of machine translation technology to reduce translation costs and increase language coverage.

Activities

- (i) Two sessions of the Council and two sessions of the Consultative Committee
- (ii) Coordination, monitoring and performance assessment of the Program and Budget for the 2022-2023 Biennium
- (iii) Review of the Strategic Business Plan, including diversification of UPOV's revenue portfolio
- (iv) Preparation and adoption of the Program and Budget for the 2024-2025 Biennium
- (v) Review of the communication strategy
- (vi) Review of the training and assistance strategy

- (vii) Policy on virtual participation in UPOV meetings
- (viii) Policy on translation and language coverage

Expected Results and Performance Indicators

Expected Results	Performance Indicators
1. Governance by the UPOV Council and Consultative Committee, including monitoring of the work of UPOV Committees	<ul style="list-style-type: none"> (a) Approval and monitoring of the work programs of the CAJ, TC, TWPs and ad hoc working groups; (b) Approval of Program and Budget; (c) Approval of the financial statements; (d) Approval of the UPOV Performance Report (UPR).
2. Examination of the conformity of laws, or draft laws, with the 1991 Act of the UPOV Convention	<ul style="list-style-type: none"> (a) Recommendations by the Consultative Committee; (b) Decisions by the Council.
3. Review of developments concerning applications and grants of plant breeders' rights	<ul style="list-style-type: none"> (a) Number of applications; (b) Number of titles granted; (c) Number of titles in force; (d) Number of genera/species protected by members of the Union; (e) Number of genera/species for which varieties have been protected; (f) Analysis by crop type.
4. Policies to diversify UPOV's revenue portfolio	<ul style="list-style-type: none"> (a) Income from sources other than UPOV member contributions.

Sub-program UV.2: Services to the Union for Enhancing the Effectiveness of the UPOV System

Objectives

- (a) To maintain and improve the effectiveness of the UPOV system.
- (b) To provide and develop the legal, administrative and technical basis for international cooperation in plant variety protection according to the UPOV Convention.

Narrative

Introduction

This sub-program covers the provision of guidance, information and resources for the operation of the UPOV system of plant variety protection, support for cooperation between members of the Union and the work of the relevant UPOV bodies involved in developing guidance and cooperation.

Guidance and information materials

The effectiveness of the UPOV system is enhanced by the provision of guidance and information materials such as Explanatory Notes (“UPOV/EXN” series), Information Documents (“UPOV/INF” series), the “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants”, with its associated TGP documents, and Test Guidelines. Such materials provide the basis for harmonization and, thereby, facilitate cooperation between members of the Union. The identification of relevant matters for guidance and the development of appropriate materials is a key objective of the work of the Administrative and Legal Committee (CAJ), the Technical Committee (TC) and the Technical Working Parties (TWPs). In that respect, the involvement of organizations representing stakeholders is an important means of ensuring that guidance and information is as effective as possible.

An extensive set of guidance and information materials has been established and work in the 2022-2023 biennium will focus on the updating of existing material and the development of new guidance in specific areas.

Cooperation between members of the Union

Cooperation between members of the Union is a key feature of the UPOV system and is the basis for an efficient system. Work in UPOV bodies will continue to identify measures and tools that can facilitate cooperation on a voluntary basis.

Plans for the development of tools to facilitate cooperation are explained in the section “Tools for implementation of the UPOV system”.

DUS examination

Cooperation in the examination of DUS within UPOV is based on the input of members of the Union. In particular, experts from members of the Union develop Test Guidelines through the work of the TWPs and TC and share their practical experience with particular plant genera and species, for example in the form of the GENIE database. These measures facilitate cooperation in the examination of DUS and the use of existing DUS reports, which is the basis for an efficient system covering all plant genera and species that is accessible and affordable for all types of breeders. Arrangements for cooperation between members of the Union in the examination of DUS are included in the GENIE database.

Variety denominations and novelty

Contribution of data by members of the Union to the PLUTO database provides essential support for the examination of variety denominations and provides an opportunity for members of the Union to share information on novelty. Those contributions are further enhanced by the contribution of data by the Organisation for Economic Co-operation and Development (OECD) and by the cooperation agreements between UPOV and the Community Plant Variety Office of the European Union (CPVO).

In order to facilitate and harmonize the examination of variety denominations by members of the Union, work will continue on the development of proposals for a UPOV similarity search tool for variety denomination purposes, according to the guidance adopted in document UPOV/INF/12.

Facilitating PBR applications

Work will continue on expanding the coverage of UPOV PRISMA in terms of participating members of the Union and the number of crops/species covered. Coverage of all crops/species can be provided for all members of the Union that utilize the Technical Questionnaire in the UPOV Test Guidelines. The work of the TC and TWPs on the development of Test Guidelines will be harnessed to support UPOV PRISMA, for example by extending the coverage of adopted Test Guidelines for Technical Questionnaire purposes. In addition, initiatives will be taken to develop Technical Questionnaires agreed between relevant members of the Union where no UPOV Test Guidelines exist.

Languages

UPOV materials and resources are made available in English, French, German and Spanish. However, as UPOV expands and interest in UPOV membership increases, there are important benefits in making UPOV material and resources available in a wider range of languages. Providing translations of materials and making material available in a range of languages has substantial resource implications and success in this objective will require a range of measures involving cooperation with interested members of the Union. However, rapid advances in machine translation technology provide 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 in a wider range of languages. Successful measures that have already been taken include the program for use of the Russian language in UPOV and the support of navigation and output form languages in UPOV PRISMA by members of the Union, including by resources in the form of fellowships. Support is also provided by extrabudgetary funds, such as the Japan Funds-in-Trust for translation of selected material into relevant Asian languages.

Tools for implementation of the UPOV system

The following package of compatible tools will be introduced or further developed in the 2022-2023 biennium, as follows:

- 1) Applying for PVP
 - (a) UPOV PRISMA:
 - i) coverage will be extended to more members of the Union and more crops/species
 - ii) DUS Arrangement Recommendation Tool (DART) providing information on cooperation in DUS examination between members of the Union
 - (b) UPOV member cooperation platforms (e.g. regional) for cooperation in the administration and examination of applications
- 2) Administration of PVP applications
 - (a) Electronic PVP administration module (e-PVP) for members of the Union to manage and publish PVP applications
- 3) Examination of PVP applications
 - (a) PLUTO database to be enhanced by increasing quantity and quality of data included
 - (b) UPOV similarity search tool for variety denomination purposes running on data in the PLUTO database
 - (c) GENIE database: UPOV Code System to be adapted to provide additional information to assist in DUS examination
 - (d) Web-based TG Template to provide module for members of the Union to develop individual authorities' test guidelines (IATG) in their desired language
- 4) Facilitating cooperation in DUS examination
 - (a) Platform for exchange of existing DUS reports (part of e-PVP)
 - (b) 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
 - (c) Platform/portal for UPOV member databases containing variety description information

These tools will provide coherent and comprehensive assistance in the implementation of the UPOV system of plant variety protection, some or all of which could be used by members of the Union, as considered appropriate.

Activities

- (i) Two sessions of the Administrative and Legal Committee, two sessions of the Technical Committee, two sessions of each of the Technical Working Parties, including two sessions of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT)
- (ii) Development of guidance and information materials, including Explanatory Notes and Information Documents, concerning the UPOV Convention
- (iii) Development of guidance documents on the examination of Distinctness, Uniformity and Stability (“DUS”), including the “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants” (General Introduction) and the associated Test Guidelines’ Procedures (TGP) documents
- (iv) Development of Test Guidelines
- (v) Updating of the UPOV Collection
- (vi) Maintenance of the UPOV Lex database of legislation and relevant notifications
- (vii) Further development of UPOV PRISMA
- (viii) Development of electronic PVP administration module (e-PVP)
- (ix) Development of UPOV member cooperation platforms (e.g. regional) for cooperation in the administration and examination of applications
- (x) Updating and further development of the PLUTO Database
- (xi) Development of UPOV similarity search tool for variety denomination purposes
- (xii) Updating and further development of the GENIE database and UPOV Code System
- (xiii) Web-based TG Template to provide module for members of the Union to develop individual authorities’ test guidelines (IATG) in their language
- (xiv) Development of platform for exchange of existing DUS reports (part of e-PVP)
- (xv) Development of 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
- (xvi) Development of platform/portal for UPOV member databases containing variety description information

Expected Results and Performance Indicators

Expected Results	Performance Indicators
5. Guidance on the UPOV Convention and its implementation and information on its application	<ul style="list-style-type: none"> (a) Adoption of new or revised guidance and information materials concerning the UPOV Convention; (b) Adoption of new or revised Test Guidelines; (c) Proportion of PBR applications covered by adopted Test Guidelines; (d) Number of Test Guidelines under development in the TWPs.
6. Enhanced cooperation in DUS examination	<ul style="list-style-type: none"> (a) Plant genera and species for which members of the Union have practical experience included in GENIE database; (b) Plant genera and species for which members of the Union cooperate in DUS examination included in GENIE database; (c) New initiatives to facilitate or enhance voluntary cooperation between members of the Union.
7. Enhanced cooperation in examination of variety denominations and novelty	<ul style="list-style-type: none"> (a) Quantity and quality of data in PLUTO database: <ul style="list-style-type: none"> (i) number of contributors; (ii) number of new submissions; (iii) number of records; (iv) number of mandatory items provided; (v) number of non-mandatory items provided; (b) Number of PLUTO users and frequency of use; (c) New initiatives to facilitate or enhance voluntary cooperation between members of the Union.
8. Improved administration of PVP applications	<ul style="list-style-type: none"> (a) Number of members of the Union participating in UPOV PRISMA; (b) Number of crops/species covered by UPOV PRISMA; (c) Number of applications made via UPOV PRISMA; (d) Number of registered UPOV PRISMA users; (e) Number of members of the Union receiving applications via UPOV PRISMA; (f) Use of electronic PVP administration module (e-PVP) by members of the Union to manage and publish PVP applications

Sub-program UV.3: Raising Awareness and Assistance in the Introduction and Implementation of the UPOV System

Objectives

- (a) To raise awareness of the role of plant variety protection according to the UPOV Convention.
- (b) To assist States and organizations, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in accordance with the 1991 Act of the UPOV Convention.
- (c) To assist States and organizations in their accession to the 1991 Act of the UPOV Convention.
- (d) To assist States and organizations in implementing an effective plant variety protection system in accordance with the UPOV Convention.

Narrative

Introduction

This sub-program covers activities to raise awareness of the benefits of plant variety protection according to the UPOV Convention and UPOV membership for States and intergovernmental organizations that are not members of the Union. It also covers the assistance provided in response to requests by members of the Union and potential members of the Union. Services and systems developed by UPOV for all members of the Union are covered by Sub-program UV.2 "Services to the Union for Enhancing the Effectiveness of the UPOV System". However, this sub-program covers implementation of the UPOV system of plant variety protection by individual members of the Union, where requested, for example where assistance is required to implement UPOV PRISMA or the electronic PVP administration module (e-PVP) for individual PVP offices.

In order to provide more impact from available resources in the 2022-2023 biennium, resources will be increasingly channeled to virtual activities and re-usable materials, including distance learning courses, video demonstrations, webinars and virtual practical guides.

Raising awareness

UPOV activities for raising awareness of the role of the UPOV system are largely based on participation by the Office of the Union in meetings, seminars and other activities, particularly in the territory concerned, while also recognizing the value of study tours as a particularly effective means of demonstrating the benefits of the UPOV system. In addition, the UPOV communication strategy reflects the importance of studies and case-study videos as a means of conveying information about the benefits of UPOV in an effective way. UPOV now has a significant collection of such information, including an increasing number of videos provided by members of the Union. In accordance with the communication strategy, a greater use of social media will be deployed to enable this information to be conveyed to a much wider audience.

The introduction and development of modules on plant variety protection within degree and post-graduate programs are an important means of raising awareness and understanding of the UPOV system. The Office of the Union will explore possibilities to increase the number of academic and training institutions that incorporate information on the UPOV system in relevant courses and how their effectiveness can be further enhanced, including by participation of students in the UPOV distance learning courses.

Assistance

Priority

Satisfying the demand for assistance in the introduction and implementation of the UPOV system within available resources relies on the use of distance-learning courses, the prioritization of assistance by the Office of the Union, support by members of the Union and partnerships with other providers of assistance. This sub-program is supported by the regular budget, but extrabudgetary funds and support in kind provide a substantial proportion of the resources deployed for assistance. In order to utilize the available resources in the most effective way, the Office of the Union will continue to prioritize its activities and to explore synergies in its activities with members of the Union and other partners.

The priority for providing assistance by the Office of the Union is as follows:

- (i) assistance to existing members of the Union;
- (ii) assistance to States and certain organizations that are not members of the Union, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in line with the 1991 Act of the UPOV Convention and their accession to the UPOV Convention; and
- (iii) assistance to States and certain organizations that are not members of the Union, in the implementation of legislation that has received a positive decision of the Council, according to their commitment to accede to the UPOV Convention.

Distance learning

The UPOV distance learning courses are a particularly effective means of providing high quality training to large numbers of participants and will continue to be a cornerstone of UPOV's training and assistance strategy. The incorporation of UPOV distance learning courses into UPOV activities and activities organized by others will also be an important part of the strategy.

Materials

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.

Training and assistance resources

A major feature of this sub-program is to provide a framework within which the Office of the Union can efficiently supplement its resources with financial resources and support in kind made available by members of the Union and other bodies. In general, the support can be categorized as follows:

Extrabudgetary financial resources

UPOV greatly benefits from additional financial resources provided, for example, in the form of Funds-in-Trust or Memoranda of Understanding. Such voluntary financial donations are provided to UPOV by a member of the Union to finance a specific program of activities mutually agreed between the Office of the Union and the donor member of the Union. In recognition that such programs involve UPOV staff or other resources, the Office of the Union and the member of the Union concerned jointly develop a program of activities in accordance with the policy and priorities set by the UPOV Council.

Examples⁶:

- The Funds-in-Trust provided by the Japanese Government for activities in the Asian region
 - Memorandum of Understanding between the United States Patent and Trademark Office (USPTO) and UPOV
 - The Funds-in-Trust provided by the Government of Canada
-

Support from members of the Union

The Office of the Union has also received financial support for UPOV activities from the Ministry of Agriculture, Nature and Food Quality (MANFQ), Netherlands via the PVP Development Program (Toolbox) and also has the opportunity to inform MANFQ of UPOV's priorities in relation to the Toolbox program.

An essential resource for the work of UPOV is the support in kind provided by many members of the Union in the form of experts acting as lecturers in UPOV activities, tutors in distance learning courses and virtual material (e.g. videos). Support in the form of suitably qualified officials, fully funded by members of the Union

⁶ These examples of the situation in 2020 should not be construed as constituting any specific financial commitment or approval beyond 2020.

through Fellowships or the Junior Professional Officer (JPO) program, are also a source of support that will be considered, as appropriate.

A further important means of support is by members of the Union arranging for plant variety protection to be included in programs for development and assistance. For example, inclusion of plant variety protection in the European Union IPKey programs has enhanced awareness and support at a global level.

Cooperation with other organizations and bodies

UPOV's cooperation with WIPO is an important means of providing assistance to States and relevant organizations in an effective way.

The EAPVP Forum works to facilitate the improvement of the implementation and the harmonization of the plant variety protection system in the Asian region and the Office of the Union will continue to work with the Forum in accordance with UPOV's priorities for providing assistance.

UPOV member authorities play an important role in helping to identify funding prospects from other government sectors in order to increase extrabudgetary funds. An example of such an approach is the project on "Reinforcement and Promotion of the OAPI Plant Variety Protection System in the OAPI Member States", submitted for financing under the "TradeCom II", the African, Caribbean and Pacific Group of States (ACP) Trade Capacity Building Programme funded by the European Union.

Training courses on plant variety protection

A number of members of the Union provide training courses in plant variety protection according to the UPOV Convention (e.g. the "Training Course on the Protection of Plant Breeders' Rights", organized by the Japan International Cooperation Agency (JICA) (Japan); the "Plant breeders' rights for food security and economic development training course", organized by Naktuinbouw (Netherlands); and the "Training Course on Plant Variety Protection", organized by the Korean Seed & Variety Service (KSVS) and the Korean International Cooperation Agency (KOICA) (Republic of Korea)).

In the 2022-2023 biennium, in conjunction with relevant partners, it is proposed to develop an international curriculum leading to UPOV-recognized qualifications.

Academic courses

Modules on plant variety protection in intellectual property courses within degree and post-graduate programs are an important means of increasing understanding of the UPOV system. The Office of the Union will explore possibilities to increase the number of academic institutes and training institutions that incorporate information on the UPOV system in relevant courses.

Languages

As with Sub-Program UV.2, success in this sub-program will be increased by making UPOV material and resources available in a wider range of languages.

Activities

- (i) Awareness-raising events
- (ii) Assistance in drafting legislation
- (iii) Development and operation of distance learning courses
- (iv) Development of materials (videos, practical guides)
- (v) Virtual training and assistance activities
- (vi) *In situ* training and assistance activities
- (vii) Development of an international curriculum leading to UPOV-recognized qualifications
- (viii) Support for projects to introduce and implement the UPOV system

Expected Results and Performance Indicators

Expected Results	Performance Indicators
9. Enhanced awareness of the role of plant variety protection in accordance with the UPOV Convention	<ul style="list-style-type: none"> (a) States and organizations that become members of the Union; (b) States that accede to or ratify the 1991 Act of the UPOV Convention; (c) States and organizations that initiate with the Council of UPOV the procedure for becoming members of the Union; (d) States and organizations that contact the Office of the Union for assistance in the development of legislation on plant variety protection; (e) States and organizations provided with information at UPOV activities; (f) Participation in distance learning courses; (g) Participation in UPOV training/assistance activities; (h) Participation in training/assistance activities involving UPOV staff or UPOV trainers on behalf of UPOV staff; (i) Academic institutions that include information on the UPOV system and which invite UPOV to contribute.
10. Development of legislation on plant variety protection in accordance with the 1991 Act of the UPOV Convention	<ul style="list-style-type: none"> (a) States and organizations receiving a positive advice from the Council; (b) States and organizations provided with comments on laws.
11. Implementation of plant variety protection system in accordance with the UPOV Convention	<ul style="list-style-type: none"> (a) Number of applications; (b) Number of titles granted; (c) Number of titles in force; (d) Number of genera/species protected by members of the Union; (e) Number of genera/species for which varieties have been protected; (f) Development of an international curriculum leading to UPOV-recognized qualifications.

Sub-program UV.4: External Relations

Objectives

- (a) To broaden and enhance the understanding of the UPOV system of plant variety protection.
- (b) To provide information on the UPOV Convention to other intergovernmental organizations, with the aim of achieving mutual supportiveness with other international treaties.

Narrative

Introduction

UPOV's mission 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. The aim of this Sub-program is to explain how the UPOV system encourages the development of new varieties of plants, how new varieties benefit society and the role of the UPOV system in relation to agriculture and economic development in the rural sector.

There is growing awareness of the relevance of UPOV's mission and how this benefits society in the context of global developments. In that context, increased efforts will be made to exchange information and experiences, including with other intergovernmental organizations, on strategies involving plant breeding and plant variety protection that address broad policy issues, particularly concerning sustainable development.

Cooperation

UPOV will contribute to the work of relevant international intergovernmental organizations in order to explain the UPOV system of plant variety protection, with the aim of securing mutual supportiveness. In particular, UPOV will maintain contacts with WIPO; WTO and, in particular, its Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS); the Conference of the Parties to the Convention on Biological Diversity (CBD) including, in particular, its various committees and working groups concerning the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity; and the Food and Agriculture Organization of the United Nations (FAO) including, in particular, the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA).

UPOV will seek to enhance communications with non-governmental organizations representing stakeholders, including breeders, farmers and civil society, in order to improve mutual understanding with a view to achieving UPOV's goal of providing and promoting an effective system of plant variety protection.

The World Seed Partnership's (WSP) mission to enhance cooperation between the partner organizations (OECD, UPOV, ISTA, ISF and WFO) and to provide a focal point for information on the role of internationally harmonized seed systems in supporting sustainable agriculture (see <http://www.worldseedpartnership.org/>) will continue to play an important role in the 2022-2023 biennium. At the same time, UPOV will continue to cooperate with the Organisation for Economic Co-operation and Development (OECD), in respect of the OECD's Seed Schemes, and with the International Seed Testing Association (ISTA), in relation to technical matters, e.g. DUS examination, variety denominations and the role of molecular markers in variety examination and identification. In relation to variety denominations, cooperation with the International Commission for the Nomenclature of Cultivated Plants of the International Union for Biological Sciences (IUBS) (ICNCP) is also of relevance.

Communication

Success in this sub-program relies on the development and use of appropriate information, combined with effective communication channels.

In terms of content, UPOV has a considerable collection of information concerning the impact of plant variety protection and UPOV membership. Information in the form of videos and published documents are made available on the UPOV website, as appropriate (see https://www.upov.int/about/en/benefits_upov_system.html). Other relevant information that has not been developed into videos or publications, is communicated via events/activities, training courses and, increasingly, social media.

In the 2022-2023 biennium, the focus will be on the development of new information concerning the benefits of plant variety protection and UPOV membership in close conjunction with members of the Union. In particular, the Office of the Union will seek to increase engagement with members of the Union, for example in conjunction with members' anniversaries and events or by eliciting information on specific themes.

Activities

- (i) Participation in meetings with intergovernmental and non-governmental organizations
- (ii) Provision of comments and information to other organizations
- (iii) Development of information material for stakeholders, including FAQs
- (iv) Maintenance and further development of the UPOV website
- (v) Use of social media
- (vi) Seminars or symposia on relevant topics

Expected Results and Performance Indicators

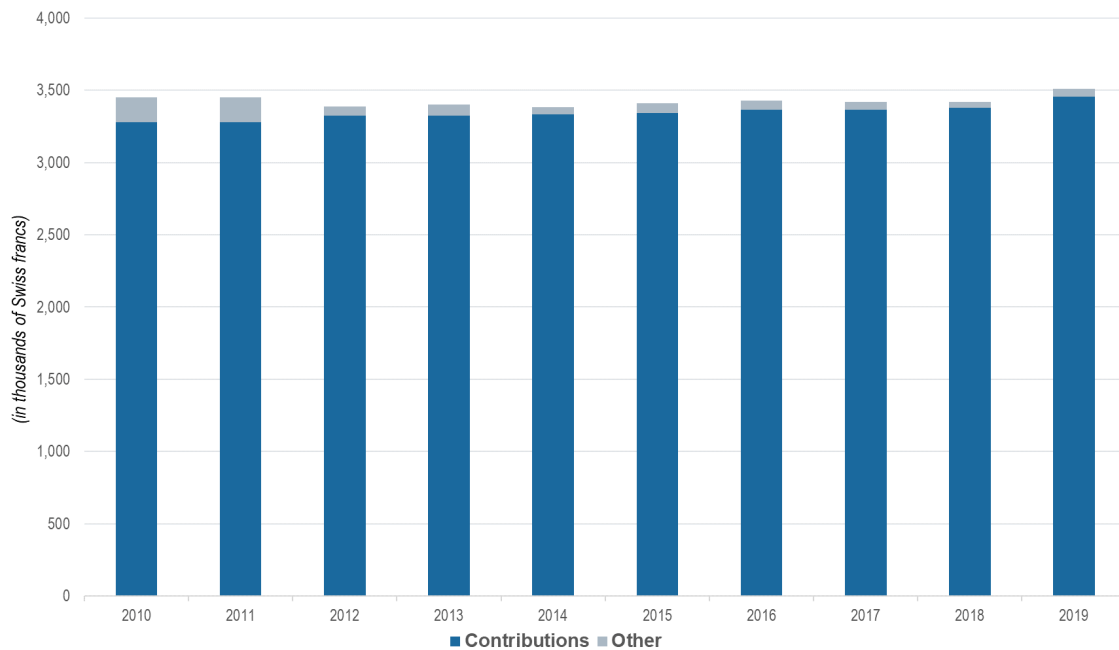
Expected Results	Performance Indicators
12. Broaden understanding of UPOV's role and activities	<ul style="list-style-type: none"> (a) Number of new visitors to UPOV website; (b) Number of visits to general public features on UPOV website; (c) Number of social media posts; (d) Number of followers on social media; (e) Number of studies published on UPOV website; (f) Number of videos published on UPOV website; (g) Number of visits to benefits page on UPOV website; (h) Number of relevant languages in which studies and videos are available; (i) Participation at meetings of, and with, relevant stakeholders; (j) Participation by stakeholders in events, seminars and symposia; (k) Initiatives of the World Seed Partnership.

III. PROPOSED BUDGET

Financial context

The evolution of the regular budget income (on a budgetary basis), divided into income from contribution units and other sources is shown in Figure 10.

Figure 10. Regular budget income



In the 2018-2019 biennium, 98.6 per cent of the total income originated from contributions of members of the Union. Those contributions will continue to provide the major source of income in the foreseeable future.

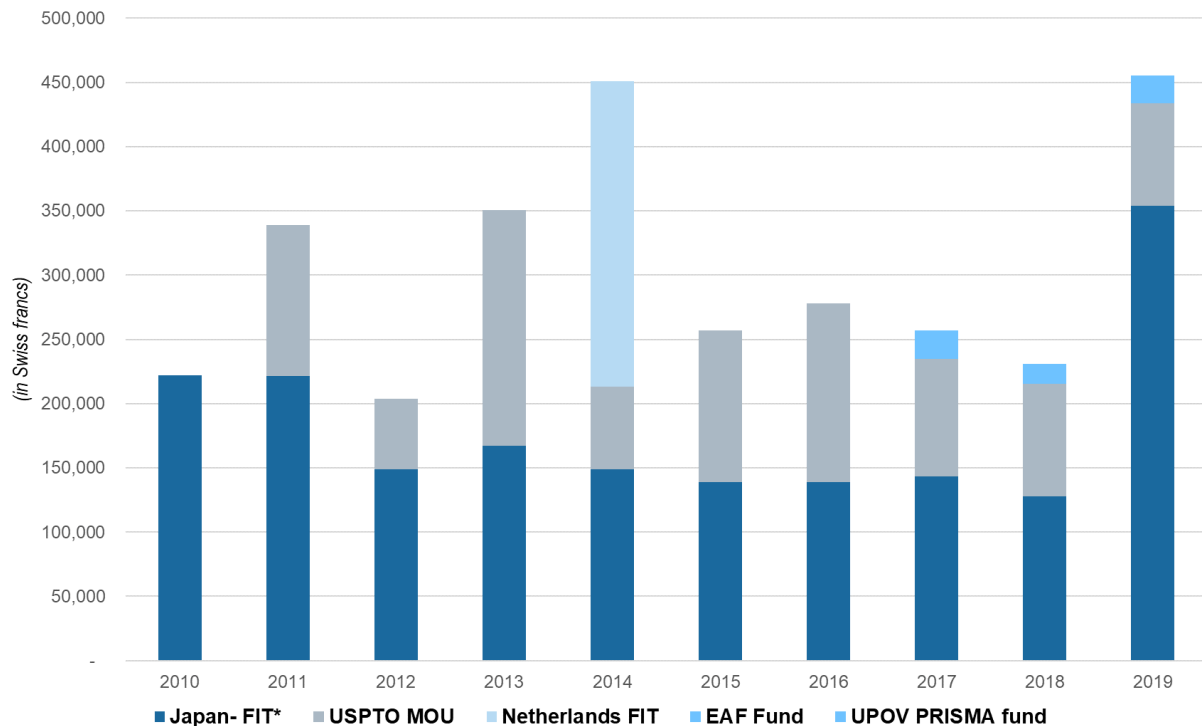
An increase in the value of a contribution unit is not foreseen in the Program and Budget for the 2022-2023 Biennium. However, the national economic or PVP situation and/or future enhanced UPOV services may encourage some members of the Union to increase their number of contribution units.

The IOD Evaluation recommended that the UPOV Strategic Business Plan address how to “diversify its revenue portfolio to maintain and enhance the sustainability of existing activities and services”. In that context, Figure 10 demonstrates that the proportion of income other than from contributions of members of the Union declined from constituting 4.9 per cent of total income in the 2010-2011 biennium to constituting 1.4 per cent of total income in the 2018-2019 biennium.

In the Program and Budget for the 2022-2023 Biennium, diversification of UPOV’s revenue portfolio will be based on income from UPOV PRISMA, the PLUTO database and distance learning courses. The level of fees for UPOV PRISMA (90 Swiss francs per submission), PLUTO database (750 Swiss francs per annum) and distance learning courses (1,000 Swiss francs per student), where applicable, are anticipated to be the same as for 2021.

UPOV has greatly benefited from extrabudgetary funds provided by members of the Union, for example in the form of Funds-in-Trust. Figure 11 shows the evolution of extrabudgetary funds since 2010. In recognition of the costs to the Office of the Union related to the administration of such Funds-in-Trust, a charge is included for administrative support costs, which is treated as income. Income from extrabudgetary funds in 2020-2021 will be substantially affected by the COVID-19 situation because the majority of such funds cover travel and daily subsistence allowance (DSA). The Program and Budget for the 2022-2023 Biennium anticipates that extrabudgetary funds will be at a similar level as budgeted for 2020-2021.

Figure 11. Evolution of extrabudgetary funds



*The Japan FIT funds for 2015 and 2016 were both received in 2016 but have been split between 2015 and 2016 for the purposes of this graph.

Proposed budget 2022-2023

The proposed budget⁷ for the 2022-2023 biennium anticipates an income of 7,634,500 Swiss francs compared to the 2020-2021 budget of 7,347,285 Swiss francs. Expenditure is estimated at the same level as the expected income (see Table 1).

Table 1: Income and Expenditure 2018-2019, 2020-2021 and 2022-2023
(in thousands of Swiss francs)

	2018-2019	2020-2021	Variation		2022-2023
	Actual A	Budget B	C	C/B	Proposed D=B+C
1. Income	6,931	7,347	287	3.9%	7,635
2. Expenditure	6,854	7,347	287	3.9%	7,635
<i>Difference</i>	76	-	-	-	-
3. Working Capital Fund	561	566	13	2.3%	578

⁷The figures in tables 1 to 8 may not add up due to rounding.

With regard to the reserve fund, it is recalled that document UPOV/INF/4/6 “Financial Regulations and Rules of UPOV”, Regulation 4.6, states that “[...] If after the closure of the financial period, the amount of the reserve fund exceeds 15 percent of the total income for the financial period, the Council shall decide on the use of the income in excess of the expenditure for the financial period.” The necessary arrangements would be made for consideration by the Consultative Committee and the Council if that situation is applicable at the closure of the 2022-2023 biennium.

Income

Total income under the regular budget in the 2022-2023 biennium is estimated at 7,634,500 Swiss francs, i.e. 287,215 Swiss francs, or 3.9 per cent, higher than the estimated income for the 2020-2021 biennium (7,347,285 Swiss francs) (see Table 2). The income estimation for 2022-2023 is based on 66.35 contribution units in 2022 and 66.55 contribution units in 2023 with no change to the value of the contribution unit, which is proposed to remain at 53,641 Swiss francs in the 2022-2023 biennium.

Income from contributions is estimated on the assumption of one new member of the Union per year, each contributing 0.2 contribution unit to the budget (and 1,667 Swiss francs to the Working Capital Fund). At its twenty-third extraordinary session, held in Geneva on April 7, 2006, the Council decided that “members of the Union should not adjust downwards their number of units of contribution without considering the implications for UPOV and considering how such a reduction would be compensated by other members of the Union. In particular, members of the Union should not reduce their number of units of contribution during a budget period approved by the Council, except under exceptional and unavoidable circumstances” (see Annex III of document C(Extr.)/23/5). On that basis, no reduction in the number of units of contribution by members of the Union is anticipated in the 2022-2023 biennium.

In addition to contributions from members of the Union, income is anticipated from the UPOV IT Tools and Services Fees (331,200 Swiss francs) and Miscellaneous Income is estimated at 174,432 Swiss francs, including: (i) administrative support costs from Funds-in-Trust (125,482 Swiss francs); and (ii) fees from the distance learning program (48,950 Swiss francs). Income sources other than contributions constitute 6.6 per cent of the estimated total income in 2022-2023.

Table 2: Income 2020-2021 and 2022-2023
(in thousands of Swiss francs)

Source	2018-2019	2020-2021	Variation		2022-2023
	Actual ¹	Approved	C	C/B(%)	Proposed
	A	B			D=B+C
Contributions	6,834	6,946	182	2.6%	7,129
UPOV IT Tools and Services Fees	0	250	81	32.5%	331
Miscellaneous Income	97	151	24	15.7%	174
<i>Administrative Support Costs – FITS</i>	58	121	5	3.9%	125
<i>Distance Learning Program</i>	40	30	19	63.2%	49
<i>Other</i>	-1	-	-	-	-
Total	6,931	7,347	287	3.9%	7,635

¹ In the 2018-2019 biennium, Other income primarily included actual income from credit notes and exchange rate gains.

The budgeted income for UPOV IT Tools and Services Fees is based on the following assumptions:

	Submission / Subscription fee	Submissions / Subscribers projections			Submissions / Subscribers Income		
		2022	2023	Total	2022	2023	Total
UPOV PRISMA	90	1,180	1,250	2,430	106,200	112,500	218,700
PLUTO	750	70	80	150	52,500	60,000	112,500
Total UPOV PRISMA and PLUTO					158,700	172,500	331,200

A substantial increase in UPOV PRISMA income is expected from January 2021 as a result of increased coverage and introduction of a bulk upload feature. The impact of these changes can be seen in the number of applications made via UPOV PRISMA since January 2021 [Note: the very high number of applications in June 2021 was a result of a transitional arrangement in the United Kingdom. For varieties with an undecided European Union Plant Variety Rights application on December 31, 2020 and for a subsequent United Kingdom application by June 30, 2021, novelty was retained if first commercialization in the EU or the United Kingdom was no more than one year before the date of application for EU rights or the date of priority if earlier.].

	2017	2018	2019	2020	2021
January	1		7	18	109
February		3	9	5	106
March	2	3	6	21	67
April		3	22	11	105
May	1	1	33	11	65
June		7	10	18	824
July		7	3	9	
August		1	7	11	
September	3	8	16	29	
October	1	19	29	16	
November	3	16	26	41	
December	3	9	51	32	
Total	14	77	219	222	1,276

Resource Plan

The total resources for the program of activities to be conducted by UPOV in the 2022-2023 biennium amounts to 8,599,748 Swiss francs (see Table 3). This amount includes 7,634,500 Swiss francs within the regular budget (see Table 1), and an estimated 965,248 Swiss francs, financed under Funds-in-Trust arrangements.

For the 2022-2023 biennium, income and regular budget expenditure are expected to be balanced.

Funds-in-Trust are voluntary financial funds provided to UPOV, usually by a member of the Union for a specific program of activities mutually agreed between the Office of the Union and the member of the Union concerned. Without prejudging sovereign decisions from the fund providers, it is expected that the overall amounts of such funds for the 2022-2023 biennium will be at a level of 965,248 Swiss francs. It should be noted that financial support (e.g. Funds-in-Trust) and non-financial support (support in kind), particularly for technical assistance and training activities, are not recorded in UPOV's budget.

Table 3: Resource Plan 2020-2021 and 2022-2023
(in thousands of Swiss francs)

Budget and resource availability	Regular Budget A	Funds-in-Trust * B	Total resources C = A+B
Resource availability 2020-2021			
1 Income	6,931	929	7,860
2 +/-Transfer from/to reserves	-	-	-
3 Total, resources	6,931	929	7,860
Resource availability 2022-2023			
4 Income	7,635	965	8,600
5 +/-Transfer from/to reserves	-	-	-
6 Total, resources	7,635	965	8,600
<i>Variation</i>	<i>10.2%</i>		<i>9.4%</i>

* Excluding administrative support costs of 13% under the Funds-in-Trust (FITs).

Expenditure

The proposed budget for 2022-2023 amounts to 7,634,500 Swiss francs, representing an increase of 287,215 Swiss francs, or 3.9 per cent compared to the 2020-2021 budget (see Table 4).

Restriction in mobility as a result of the COVID-19 pandemic has revealed opportunities to reduce travel costs while increasing access and assistance to members of the Union and stakeholders. One aim in the 2022-2023 biennium will be to divert financial resources from travel costs to enable investment in new forms of assistance.

In accordance with the Strategic Business Plan 2021-2025 (see document CC/97/3, Annex II), it is planned that a package of compatible tools 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 could be used by members of the Union, as considered appropriate (see "Direction for the 2022 2023 Biennium": "Providing an effective system of plant variety protection" and "IT Tools for implementation of the UPOV system").

In order to provide more impact in training and assistance, 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.

Rapid advances in machine translation technology provide 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, within the existing envelope of Operating Expenses.

UPOV's Swiss franc cash balances have in 2020 avoided the impact from charges related to negative interest rates. The recent deterioration in the economic situation, however, has resulted in worsening financial conditions which is expected to negatively impact the current banking arrangements in place to protect UPOV's Swiss franc cash balances. The negative interest rates which are currently applied to all Swiss franc cash balances are expected to prevail during 2022-2023 resulting in an estimated operating cost of 45,000 Swiss francs.

Table 4: Proposed Budget 2022-2023: Budget by Cost Category
(in thousands of Swiss francs)

	2018-2019 Actual	2020-2021 Budget	Variation		2022-2023 Proposed
			Amount	%	
	A	B	C	C/B	D=B+C
A. Personnel Resources					
<i>Posts</i>	4,281	4,688	104	2%	4,792
<i>Temporary Staff</i>	88	251	275	109%	526
<i>Other Staff costs</i>	2	-	-	-	-
Total, A	4,370	4,939	379	8%	5,319
B. Non-Personnel Resources					
Internships and Fellowships					
<i>Internships</i>	70	5	0	7%	5
<i>Fellowships</i>	0	65	0	1%	65
Sub-total	70	69	1	1%	70
Travel, Training and Grants					
<i>Staff missions</i>	441	500	(151)	-30%	349
<i>Third Party Travel</i>	4	25	(13)	-52%	12
Sub-total	446	525	(164)	-31%	361
Contractual Services					
<i>Conferences</i>	139	160	20	13%	180
<i>Publishing</i>	1	-	-	-	0
<i>Individual Contractual Services</i>	6	20	(15)	-75%	5
<i>Other Contractual Services</i>	580	385	20	5%	405
Sub-total	726	565	25	4%	590
Operating Expenses					
Sub-total	1,239	1,239	46	4%	1,285
Equipment and Supplies					
<i>Furniture and Equipment</i>	1	5	-	0%	5
<i>Supplies and Materials</i>	2	5	-	0%	5
Sub-total	3	10	-	0%	10
Total, B	2,484	2,408	(92)	-4%	2,316
TOTAL, A+B	6,854	7,347	287	4%	7,635

Staff resourcing

The increase in number of members of the Union and States covered by the UPOV Convention has continued to increase (see Figure 2), also accompanied in recent years by a significant increase in the number of States and organizations seeking advice on laws (see Figure 3).

UPOV has continuously used agency workers since 2014 to provide administrative assistance. Since 2017, three agency workers have been present in the UPOV Office to provide legal administrative assistance for UPOV activities support and administrative assistance related to IT developments. The discontinuation of the

UPOV-WIPO arrangement for the PLUTO database necessitated the recruitment of an IT Support Officer in the 2020-2021 biennium.

The tasks currently being performed by the three agency workers indicated above have become a core part of UPOV's work and are planned to be transformed into posts during the period of the Strategic Business Plan 2021-2025 in order to ensure continuity and stability in UPOV's work, subject to sufficient and reliable income.

Any additional administrative work arising, for example, from expansion of UPOV PRISMA, enhancements to the PLUTO database and increased activity from additional extrabudgetary funds should be financially self-sustaining and would be covered by agency workers or outsourcing.

UPOV has received valuable support from the fellowship program in the form of experienced experts being seconded from members of the Union, notably in relation to UPOV PRISMA, PLUTO database, GENIE database and maintenance of the UPOV Codes. Provision in the Program and Budget for the 2022-2023 Biennium will be made for two fellows.

An area where it is hoped that members of the Union will be able to provide further support for UPOV's work would be to arrange for Junior Professional Officers (JPOs) to be assigned to UPOV. One JPO has been foreseen in the Program and Budget for the 2022-2023 Biennium.

The Program and Budget for the 2022-2023 Biennium anticipates an additional post in the professional category (see Table 5) This corresponds to one post in the general service category being reclassified to the professional category to reflect additional responsibilities concerning financial administration and a new post in the general service category to provide legal administrative assistance (provided by an agency worker since 2017). The post of the Secretary-General is included within this count, but at no cost, because the current Director General of WIPO has declined any salary or allowance from his functions as Secretary-General of UPOV.

Table 5: Budget 2022-2023: Posts by Category

Post Category	2018-2019	2020-2021	Variation	2022-2023
	Actual	Budget		Proposed
	A	B	C-B	C
Directors	3	3	-	3
Professionals	4	5	1	6
General Service	5	4	-	4
Total	12	12	1	13

The table below provides an indication of the human resources, other than staff occupying posts, i.e. temporary staff, agency workers, JPOs, interns and fellows, which may be utilized in the 2022-2023 biennium, subject to the availability of resources from the regular budget, extrabudgetary funds and provision of personnel resources by members of the Union.

	2018-2019	2020-2021	2022-2023
	A	Proposed	Proposed
	A	B	C
Temporary Staff	2	1	2
Agency Workers	3	2	1
Fellows	1	2	2
Junior Professional Officers	0	2	1
Interns	1	2	1

Allocation of Expenditure by Sub-program

The proposed Program and Budget for the 2020-2021 Biennium is split into four sub-programs (see Table 6):

- UV.1: Overall Policy on Plant Variety Protection
- UV.2: Services to the Union for Enhancing the Effectiveness of the UPOV System
- UV.3: Raising Awareness and Assistance in the Introduction and Implementation of the UPOV System
- UV.4: External Relations

Personnel resources have been allocated to each sub-program as a proportion of the staff time that is anticipated to be spent on each sub-program. Non-personnel expenditures have been distributed to the sub-programs in anticipation of their respective activities. It should be noted that the expenditure related to the administrative services rendered by WIPO to UPOV appear under Sub-program UV.2. The costs of the services rendered and potential cost efficiency measures will be reviewed in 2022. The results of this analysis will be reflected in the Program and Budget for the 2024-2025 Biennium.

Table 6: Proposed Budget 2022-2023: Allocation by Cost Category
(in thousands of Swiss francs)

	Sub-program				Total
	UV.1	UV.2	UV.3	UV.4	
A. Personnel Resources	771	2,686	1,330	532	5,319
<i>Posts</i>	719	2,396	1,198	479	4,792
<i>Temporary Staff</i>	53	290	132	53	526
B. Non-Personnel Resources	45	1,801	343	128	2,316
Internships and Fellowships					
<i>Internships</i>	-	5	-	-	5
<i>Fellowships</i>	-	33	33	-	65
Travel, Training and Grants					
<i>Staff Missions</i>	-	70	192	87	349
<i>Third Party Travel</i>	-	-	12	-	12
Contractual Services					
<i>Conferences</i>	45	135	-	-	180
<i>Publishing</i>	-	-	-	-	-
<i>Individual Contractual Services</i>	-	-	5	-	5
<i>Other Contractual Services</i>	-	263	101	41	405
Operating Expenses	-	1,285	-	-	1,285
Equipment and Supplies					
<i>Furniture and Equipment</i>	-	5	-	-	5
<i>Supplies and Materials</i>	-	5	-	-	5
TOTAL	816	4,486	1,672	660	7,635

Table 7 provides the budget variations by sub-program between the budget 2020-2021 and the proposed budget 2022-2023.

Table 7: Budget Variation by Sub-program
(in thousands of Swiss francs)

Sub-program	2020-2021	Variation		2022-2023
	Budget A	Amount B	% B/A	Proposed C=A+B
UV.1	798	18	2.3%	816
UV.2	4,268	218	5.1%	4,486
UV.3	1,633	39	2.4%	1,672
UV.4	648	12	1.8%	660
TOTAL	7,347	287	3.9%	7,635

IV. FINANCIAL INDICATORS 2016-2025

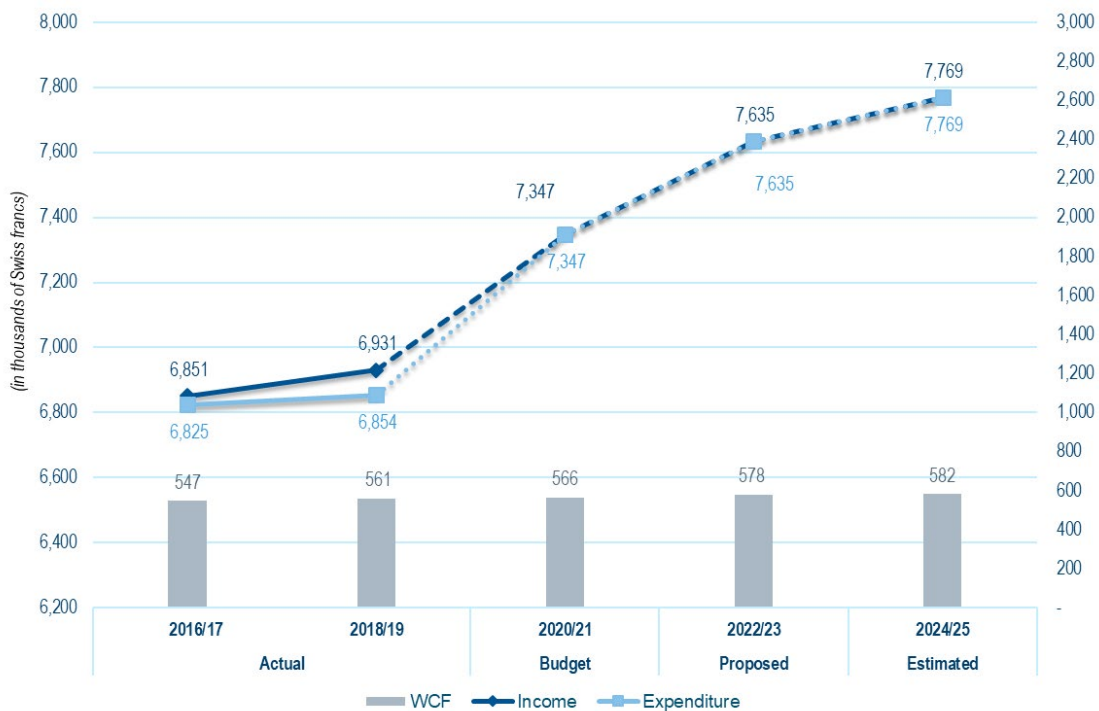
The Program and Budget for the 2022-2023 Biennium includes a presentation of financial indicators covering a 10-year period, including two years beyond the new biennium and information from the recent past. The presentation of the financial indicators is intended to put the proposed budget for the 2022-2023 biennium into context by indicating trends and assessing future financial sustainability. This information is provided to facilitate members' review and decision on the proposed Program and Budget, and it should not be construed as constituting any specific financial commitment or approval beyond 2023.

The anticipated evolution of the regular budget, as far as income, expenditures and reserve and working capital fund levels are concerned, is shown in Table 8 and Figure 12.

Table 8: Income, Expenditure and Reserves for 2016-2025
(in thousands of Swiss francs)

	Actual		Budget	Proposed	Estimated
	2016-2017	2018-2019	2020-2021	2022-2023	2024-2025
Income	6,851	6,931	7,347	7,635	7,769
Expenditure	6,825	6,854	7,347	7,635	7,769
<i>Difference</i>	26	76	-	-	-

Figure 12. Evolution of Income, Expenditure and Reserves for 2016-2024



[Appendices follow]

V. APPENDICES

APPENDIX I Status in relation to the International Union for the Protection of New Varieties of Plants (UPOV) as of March 31, 2021

A. Members of UPOV

African Intellectual Property Organization ^{2,4}	Colombia ¹	Ireland ²	North Macedonia ²	Slovakia ²
Albania ²	Costa Rica ²	Israel ²	Norway ¹	Slovenia ²
Argentina ¹	Croatia ²	Italy ¹	Oman ²	South Africa ¹
Australia ²	Czech Republic ²	Japan ²	Panama ²	Spain ²
Austria ²	Denmark ²	Jordan ²	Paraguay ¹	Sweden ²
Azerbaijan ²	Dominican Republic ²	Kenya ²	Peru ²	Switzerland ²
Belarus ²	Ecuador ¹	Kyrgyzstan ²	Poland ²	Trinidad and Tobago ¹
Belgium ²	Egypt ²	Latvia ²	Portugal ¹	Tunisia ²
Bolivia (Plurinational State of) ¹	Estonia ²	Lithuania ²	Republic of Korea ²	Turkey ²
Bosnia and Herzegovina ²	European Union ^{2,3}	Mexico ¹	Republic of Moldova ²	Ukraine ²
Brazil ¹	Finland ²	Montenegro ²	Romania ²	United Kingdom ²
Bulgaria ²	France ²	Morocco ²	Russian Federation ²	United Republic of Tanzania ²
Canada ²	Georgia ²	Netherlands ²	Saint Vincent and the Grenadines ²	United States of America ²
Chile ¹	Germany ²	New Zealand ¹	Serbia ²	Uruguay ¹
China ¹	Hungary ²	Nicaragua ¹	Singapore ²	Uzbekistan ²
	Iceland ²			Viet Nam ²

(Total 77)

¹ 1978 Act is the latest Act by which 17 States are bound.

² 1991 Act is the latest Act by which 58 States and 2 organizations are bound.

³ Operates a plant breeders' rights system which covers the territory of its 27 member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden).

⁴ Operates a plant breeders' rights system which covers the territory of its 17 member States (*Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal, Togo*).

B. States and intergovernmental organizations which have initiated the procedure for acceding to the UPOV Convention

States (19):

Afghanistan, Armenia, Brunei Darussalam, Ghana, Guatemala, Honduras, India, Iran (Islamic Republic of), Kazakhstan, Malaysia, Mauritius, Mongolia, Myanmar, Nigeria, Philippines, Tajikistan, United Arab Emirates, Venezuela (Bolivarian Republic of) and Zimbabwe

Organization (1):

African Regional Intellectual Property Organization (ARIPO)

(member States of ARIPO (20): *Botswana, Eswatini, Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia, Sudan, Uganda, United Republic of Tanzania, Zambia, Zimbabwe*)

C. States and intergovernmental organizations which have been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention

States (23):

Algeria, Bahrain, Barbados, Cambodia, Cuba, Cyprus, El Salvador, Indonesia, Iraq, Jamaica, Lao People's Democratic Republic, Libya, Liechtenstein, Malawi, Mozambique, Namibia, Pakistan, Saudi Arabia, Sudan, Thailand, Tonga, Turkmenistan and Zambia

Organization (1):

Southern African Development Community (SADC)

(member States of SADC (15): *Angola, Botswana, Democratic Republic of the Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia, Zimbabwe*)

[Appendix II follows]

APPENDIX II Contributions of members as of March 31, 2021

(in Swiss Francs)

2020 Invoiced	2021 Invoiced	Members	Number of Units	2022 Estimated for invoicing	2023 Estimated for invoicing
10,728	10,728	African Intellectual Property Organization (OAPI)	0.20	10,728	10,728
10,728	10,728	Albania	0.20	10,728	10,728
26,820	26,820	Argentina	0.50	26,820	26,820
53,641	53,641	Australia	1.00	53,641	53,641
40,231	40,231	Austria	0.75	40,231	40,231
10,728	10,728	Azerbaijan	0.20	10,728	10,728
10,728	10,728	Belarus	0.20	10,728	10,728
80,462	80,462	Belgium	1.50	80,462	80,462
10,728	10,728	Bolivia (Plurinational State of)	0.20	10,728	10,728
10,728	10,728	Bosnia and Herzegovina	0.20	10,728	10,728
13,410	13,410	Brazil	0.25	13,410	13,410
10,728	10,728	Bulgaria	0.20	10,728	10,728
53,641	53,641	Canada	1.00	53,641	53,641
10,728	10,728	Chile	0.20	10,728	10,728
107,282	107,282	China	2.00	107,282	107,282
10,728	10,728	Colombia	0.20	10,728	10,728
10,728	10,728	Costa Rica	0.20	10,728	10,728
10,728	10,728	Croatia	0.20	10,728	10,728
26,820	26,820	Czech Republic	0.50	26,820	26,820
26,820	26,820	Denmark	0.50	26,820	26,820
10,728	10,728	Dominican Republic	0.20	10,728	10,728
10,728	10,728	Ecuador	0.20	10,728	10,728
10,728	10,728	Egypt	0.20	10,728	10,728
10,728	10,728	Estonia	0.20	10,728	10,728
268,205	268,205	European Union	5.00	268,205	268,205
53,641	53,641	Finland	1.00	53,641	53,641
268,205	268,205	France	5.00	268,205	268,205
10,728	10,728	Georgia	0.20	10,728	10,728
268,205	268,205	Germany	5.00	268,205	268,205
26,820	26,820	Hungary	0.50	26,820	26,820
10,728	10,728	Iceland	0.20	10,728	10,728
53,641	53,641	Ireland	1.00	53,641	53,641
26,820	26,820	Israel	0.50	26,820	26,820
107,282	107,282	Italy	2.00	107,282	107,282
268,205	268,205	Japan	5.00	268,205	268,205
10,728	10,728	Jordan	0.20	10,728	10,728
10,728	10,728	Kenya	0.20	10,728	10,728
10,728	10,728	Kyrgyzstan	0.20	10,728	10,728
10,728	10,728	Latvia	0.20	10,728	10,728
10,728	10,728	Lithuania	0.20	10,728	10,728
40,231	40,231	Mexico	0.75	40,231	40,231
10,728	10,728	Montenegro	0.20	10,728	10,728
10,728	10,728	Morocco	0.20	10,728	10,728
160,923	160,923	Netherlands	3.00	160,923	160,923
53,641	53,641	New Zealand	1.00	53,641	53,641
10,728	10,728	Nicaragua	0.20	10,728	10,728

2020 Invoiced	2021 Invoiced	Members	Number of Units	2022 Estimated for invoicing	2023 Estimated for invoicing
10,728	10,728	North Macedonia	0.20	10,728	10,728
53,641	53,641	Norway	1.00	53,641	53,641
53,641	53,641	Oman	1.00	53,641	53,641
10,728	10,728	Panama	0.20	10,728	10,728
10,728	10,728	Paraguay	0.20	10,728	10,728
10,728	10,728	Peru	0.20	10,728	10,728
26,820	26,820	Poland	0.50	26,820	26,820
10,728	10,728	Portugal	0.20	10,728	10,728
80,462	80,462	Republic of Korea	1.50	80,462	80,462
10,728	10,728	Republic of Moldova	0.20	10,728	10,728
10,728	10,728	Romania	0.20	10,728	10,728
107,282	107,282	Russian Federation	2.00	107,282	107,282
0	0	Saint Vincent and the Grenadines	0.20	10,728	10,728
10,728	10,728	Serbia	0.20	10,728	10,728
10,728	10,728	Singapore	0.20	10,728	10,728
26,820	26,820	Slovakia	0.50	26,820	26,820
10,728	10,728	Slovenia	0.20	10,728	10,728
53,641	53,641	South Africa	1.00	53,641	53,641
107,282	107,282	Spain	2.00	107,282	107,282
80,462	80,462	Sweden	1.50	80,462	80,462
80,462	80,462	Switzerland	1.50	80,462	80,462
10,728	10,728	Trinidad and Tobago	0.20	10,728	10,728
10,728	10,728	Tunisia	0.20	10,728	10,728
26,820	26,820	Turkey	0.50	26,820	26,820
10,728	10,728	Ukraine	0.20	10,728	10,728
107,282	107,282	United Kingdom	2.00	107,282	107,282
10,728	10,728	United Republic of Tanzania	0.20	10,728	10,728
268,205	268,205	United States of America	5.00	268,205	268,205
10,728	10,728	Uruguay	0.20	10,728	10,728
10,728	10,728	Uzbekistan	0.20	10,728	10,728
10,728	10,728	Viet Nam	0.20	10,728	10,728
3,548,342	3,548,342		66.35	3,559,070	3,559,070

[Appendix III follows]

APPENDIX III Definition of sources of income and cost categories

Sources of income

Contributions: contributions of members of the Union under the UPOV Convention (Article 29 of the 1991 Act and Article 26 of the 1978 Act).

UPOV IT Tools and Services Fees: fees from UPOV databases, IT tools and services

Miscellaneous Income: accounting adjustments (credits) in respect of prior years, currency adjustments, support charges in respect of extra-budgetary activities executed by UPOV and financed by trust funds and fees from distance learning programs.

Cost categories

Personnel Resources

Posts: remuneration received by staff members, in particular salaries, post adjustment, dependency allowances, language allowances and overtime, non-resident allowances, assignment grant and representation allowances.

Temporary Staff: remuneration and allowances paid to professional and general service employees on short-term contracts.

Non-Personnel Resources

Internships and Fellowships

Internships: remuneration and allowances paid to interns.

Fellowships: expenses related to a training activity that provides a monetary grant to qualified individuals for the purpose of fulfilling special learning objectives.

Travel, Training and Grants

Staff missions: travel expenses and daily subsistence allowances for all staff on official travel.

Third party travel: travel expenses and daily subsistence allowances for all third parties, including the travel costs of Government officials, participants and lecturers attending UPOV sponsored meetings.

Training and related travel grants: travel expenses, daily subsistence allowances and training and other fees in connection with trainees attending courses, seminars, fellowships.

Contractual Services

Conferences: remuneration, travel expenses and daily subsistence allowances for interpreters; renting of conference facilities, and interpretation equipment and platforms; refreshments and receptions.

Publishing: outside printing and binding; reviews; paper and printing; other printing: reprints of articles published in reviews; brochures; treaties; collections of texts; manuals; working forms and other miscellaneous printed material; videos, and other forms of electronic publishing.

Individual Contractual Services: remuneration paid in respect of individual contractual services.

Other Contractual Services: includes all other contractual services with both commercial and non-commercial service providers.

Operating Expenses

All expenses arising from the acquisition, rental, improvement and maintenance of office space and rental or maintenance of equipment and furniture. Communication expenses such as telephone, internet, facsimile, and mail; other expenses such as medical assistance, housing service, Administrative Tribunal, Staff Association, hospitality; bank charges; interest on bank and other loans (except building loans); currency adjustments (debits); audit expenses; unforeseen expenses and accounting adjustments (debits) in respect of prior years; contributions to joint administrative activities within the United Nations system. Additionally, all common expenses related to either joint activities with WIPO or services actually rendered by WIPO.

Equipment and Supplies

Furniture and equipment: purchase of office furniture, office machines, computer equipment (desktop, laptops, printers, servers, etc.), conference servicing equipment, reproduction equipment and transportation equipment.

Supplies and materials: stationery and office supplies; internal reproduction supplies (offset, microfilms, etc.); library books and subscriptions to reviews and periodicals; uniforms; computer supplies, software and licenses.

[End of Appendix III and of document]