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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

Twenty-Ninth Extraordinary Session Geneva, March 30, 2012

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 twenty-ninth extraordinary session in Geneva on March 30, 2012, chaired by Mr. Choi Keun-Jin (Republic of Korea), President of the Council.
- *2. The list of participants is reproduced in Annex I to this document.
- *3. The session was opened by the President, who welcomed the participants.
- *4. The President informed the Council that Ireland, which had been a member of the Union since November 8, 1981, had deposited its instrument of ratification of the 1991 Act of the UPOV Convention on December 8, 2011, and had become bound by the 1991 Act on January 8, 2012.

Adoption of the agenda

- *5. The Council adopted the revised draft agenda, as proposed in document C(Extr.)/29/1 Rev.

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

- *6. The Council considered document C(Extr.)/29/4.
- *7. The Council noted that the Consultative Committee had held its eighty-third session in Geneva on the morning of March 30, 2012. In addition to the provision of advice to the Council on the "Adoption of documents" (see document C(Extr.)/29/2), the "Extension of the appointment of the Vice Secretary-General" (see document C(Extr.)/29/3), and the "Press Release" (see document C(Extr.)/29/5), the work of the Consultative Committee included the following.

* An asterisk next to the paragraph number indicates that the text has been reproduced from the Report on the Decisions (document C(Extr.)/29/6).

*8. The Council noted that:

Observers in UPOV bodies

- (a) The Consultative Committee had noted the report of the third meeting of the Working Group on Rules Concerning Observers (Working Group), which had taken place on March 29, 2012.
- (b) The Consultative Committee had recommended to the Council, at its forty-sixth ordinary session to be held in Geneva on November 1, 2012, to adopt the revision of the "Rules Governing the Granting of Observer Status to States, Intergovernmental Organizations and International Non-Governmental Organizations in UPOV Bodies".
- (c) The Consultative Committee had recommended to the Council, at its forty-sixth ordinary session to be held in Geneva on November 1, 2012, to adopt the revision of the Rules Governing Access to UPOV Documents.
- (d) The Consultative Committee had granted observer status to the African Seed Trade Association (AFSTA) for the Council, the Administrative and Legal Committee (CAJ), the Technical Committee (TC) and the Technical Working Parties (TWPs).

Access to UPOV documents and publication of information

- (e) The Consultative Committee had noted the developments on access to UPOV documents and publication of information and had further noted that:
 - (i) the scanning and posting on the UPOV website of important documents that are only available in paper format would be planned according to available resources;
 - (ii) relevant members of the Union had been invited, in December 2011, to provide a consolidated list of genera and species in order to include notifications by members of the Union on plant genera and species in UPOV Lex later in 2012;
 - (iii) the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies would be planned according to available resources;
 - (iv) the publishing on the UPOV website of the information concerning the President and Vice-President of the Council and the Chairs and Vice-Chairs of the UPOV bodies, with the appropriate contact information, and the publishing on the UPOV website of the photographs of the Secretary-General and of the Vice Secretary-General would be arranged as soon as possible;
 - (v) the establishment of a UPOV channel on YouTube for hosting of UPOV videos would be done in conjunction with the development of a coherent image for UPOV publication and presentation materials, for consistency with the redesigned UPOV website.
- (f) The Consultative Committee had agreed that consideration of the use of electronic communication of meetings should be considered at its eighty-fourth session, on the basis of a document to be prepared by the Office of the Union.
- (g) The Consultative Committee had agreed that the "Symposium on the benefits of plant variety protection for farmers and growers", to be held in Geneva on November 2, 2012, be open for attendance to the public, subject to room capacity, with priority being given to participants from members of the Union, observer States and observer organizations.
- (h) The Consultative Committee had approved the webcasting of the Symposium.
- (i) The Consultative Committee had agreed the explanation of the aim of the Symposium, as follows:

"The aim of the 'Symposium on the benefits of plant variety protection for farmers and growers' (Symposium) is to provide illustrations of how plant variety protection can improve incomes for farmers and growers by supporting the development and supply of new, improved varieties that are suited to their needs. The Symposium will also provide examples of how farmers and growers can use plant variety protection as breeders."

(j) The Consultative Committee had endorsed the plans for the draft program of the Symposium and agreed to the inclusion of one speaker from those recommended by the Association for Plant Breeding for the Benefit of Society (APBREBES) to give a presentation in accordance with the aim of the Symposium, as set out above.

(k) The Consultative Committee had noted that the Republic of Korea proposed to change the venue for the forty-fifth session of the TWO, to be held from August 6 to 10, 2012, and the preparatory workshop on August 5, 2012, from Seoul to Jeju, and agreed to recommend the change of location to the Council for the revision of the document "Calendar of Meetings in 2012" (document C/45/8 Rev.2).

UPOV policy for financing speakers and participants

(l) The Consultative Committee had requested the Office of the Union to prepare a document on the UPOV policy for financing speakers and participants, for consideration at its eighty-fourth session, to be held in Geneva, on October 31, 2012.

Developments of relevance to UPOV in other international fora

(m) The Consultative Committee had noted the developments concerning the East Asia Plant Variety Protection Forum (EAPVP Forum), the Organisation for Economic Co-operation and Development (OECD), the Convention on Biological Diversity (CBD), the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the World Trade Organization (WTO).

(n) The Consultative Committee had noted that the Office of Union had provided the OECD Secretariat with a brief description of the role and responsibilities of UPOV for inclusion in the OECD document "Different Regulatory Aspects Affecting World Seed Trade" on March 1, 2012.

(o) The Consultative Committee had approved the participation of the Office of the Union in the World Intellectual Property Organization (WIPO) Framework for Designing National Intellectual Property Strategies for Development.

(p) The Consultative Committee had approved the contribution of the Office of the Union in the development of the WIPO Questionnaire "A tool to assess the current status of the national intellectual property system, strategic objectives and needs in line with national development priorities".

(q) The Consultative Committee had noted the developments in relation to WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

9. The representative of APBREBES congratulated UPOV for the improvements made regarding public access to documents. He remarked that the new website was a step forward; it was user-friendly and gave access to a lot of information which was not accessible before. He also acknowledged, as an improvement, the availability for the first time of a document with the report by the President on the work of the Consultative Committee at the start of the Council. He was of the opinion that more transparency had not had a negative impact and, if that approach was valid for access to documents, it would be valid for facilitating the participation of observers. He could not yet congratulate UPOV on the matter of observers as he did not know the outcome of the negotiations and noted that it was hard to play a constructive role without knowing the details of the discussion and the specific results. APBREBES would analyze the new rules when they became available and would give its input at the next Council when the new rules would be adopted. He noted that, at that time, it would be hard to include substantial changes. He expressed APBREBES's gratitude with regard to the developments concerning the Symposium in November. He said it was a step forward that the Symposium would be public and that a speaker would be selected from the list provided by APBREBES. However, APBREBES would have preferred that the Symposium include a discussion on possible negative impact of plant variety protection on farmers, and a more balanced representation where farmers play a more central role.

*10. The Council noted the intervention made by APBREBES.

Venue of the Technical Working Party for Ornamental Plants and Forest Trees (TWO)

*11. The Council approved the change of venue for the forty-fifth session of the TWO, to be held from August 6 to 10, 2012, and the preparatory workshop on August 5, 2012, from Seoul to Jeju, and noted that the corresponding revision would be made to the "Calendar of Meetings in 2012" (document C/45/8 Rev.2).

Adoption of documents

*12. The Council considered document C(Extr.)/29/2.

UPOV/INF/4/2: Financial Regulations and Rules of UPOV (Revision) (document C(Extr.)/29/2, Annex)

*13. The Council adopted the revision of document UPOV/INF/4 "Financial Regulations and Rules of UPOV" (document UPOV/INF/4/2), on the basis of the amendments to document UPOV/INF/4/1, as presented in the Annex to document C(Extr.)/29/2.

UPOV/INF-EXN/2: List of INF-EXN Documents and Latest Issue Dates (Revision) (document UPOV/INF-EXN/2 Draft 1)

*14. The Council adopted the revision of document UPOV/INF-EXN "List of INF-EXN Documents and Latest Issue Dates" (document UPOV/INF-EXN/2) on the basis of document UPOV/INF-EXN/2 Draft 1.

Extension of the appointment of the Vice Secretary-General

*15. The Council considered document C(Extr.)/29/3.

*16. The Council extended the appointment of the Vice Secretary-General from December 1, 2012, until November 30, 2015, and expressed its appreciation for his excellent performance.

Press release

*17. The Council considered document C(Extr.)/29/5.

*18. The Council approved the draft press release contained in the Annex to document C(Extr.)/29/5 with the addition of the name of the Vice Secretary-General under "Extension of the appointment of the Vice Secretary-General". The press release approved by the Council is reproduced in Annex II to this document.

19. *This report was adopted by correspondence.*

[Annex I follows]

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 names in French 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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Fuminori AIHARA, Counsellor

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INTERNATIONALER
VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

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UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS
VÉGÉTALES

GENÈVE, SUISSE

UNIÓN INTERNACIONAL
PARA LA PROTECCIÓN
DE LAS OBTENCIONES
VEGETALES

GINEBRA, SUIZA

INTERNATIONAL UNION
FOR THE PROTECTION
OF NEW VARIETIES
OF PLANTS

GENEVA, SWITZERLAND

PRESS RELEASE

UPOV Press Release No. 89

Geneva, March 30, 2012

UPOV Council Holds Extraordinary Session

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its twenty-ninth extraordinary session on March 30, 2012.

Round-up of key developments:

Ratification of the 1991 Act

The Council was informed that Ireland, which had been a member of the Union since November 8, 1981, had deposited its instrument of ratification of the 1991 Act of the UPOV Convention on December 8, 2011, and had become bound by the 1991 Act on January 8, 2012. A full list of the members of the Union can be consulted at <http://www.upov.int/members/en/>.

Observers

Observer status was granted to the African Seed Trade Association (AFSTA) for the Council, the Administrative and Legal Committee (CAJ), the Technical Committee (TC) and the Technical Working Parties (TWPs). A list of observers in UPOV Bodies can be consulted at <http://www.upov.int/members/en/observers.html>

Extension of the appointment of the Vice Secretary-General

The Council extended the appointment of Mr. Peter John Button, Vice Secretary-General, from December 1, 2012, until November 30, 2015, and expressed its appreciation for his excellent performance.

Symposium on the benefits of plant variety protection for farmers and growers on November 2, 2012

The Council endorsed the plans for the "Symposium on the benefits of plant variety protection for farmers and growers" (Symposium), to be held in Geneva on November 2, 2012.

The aim of the Symposium is to provide illustrations of how plant variety protection can improve incomes for farmers and growers by supporting the development and supply of new, improved varieties that are suited to their needs. The Symposium will also provide examples of how farmers and growers can use plant variety protection as breeders.

The Symposium will be webcast.

Test Guidelines

The Council welcomed the adoption by the Technical Committee of eight new UPOV Guidelines for the Conduct of Tests for Distinctness, Uniformity and Stability (Test Guidelines) and eight revised Test Guidelines. The new Test Guidelines were for Blue Honeysuckle, Buckwheat, Canna, Echinacea, Hemp, Heuchera & Heucherella, Oncidium and Shiitake. The Test Guidelines revisions were for Durum Wheat, French Bean, Kalanchoe, Kiwifruit, New Guinea Impatiens, Parsnip, Radish and Strawberry.

Experience of members of the Union in the Examination of New Plant Varieties

The Council noted that the number of genera and species for which members of the Union had practical experience in the examination of distinctness, uniformity and stability (DUS) had increased from 2,679 in 2011 to 2,726 in 2012 (+1.75%). The Council also noted that information on members of the Union with practical experience in DUS examination was freely accessible via the GENIE database.

The reports of the Council and of the Technical Committee can be consulted at:
http://www.upov.int/meetings/en/details.jsp?meeting_id=25504
http://www.upov.int/meetings/en/details.jsp?meeting_id=25503

Distance Learning Course DL-205

On-line registration for the UPOV Distance Learning Program "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" is now open.

The timetable for the session is as follows:

Study period: May 7 to June 10, 2012
Final exam: June 4 to 10, 2012

On-line registration is available between March 26 and April 29, 2012. After April 29, registration will not be possible. For Category 1 and 2 participants, all endorsements must be provided by April 29, 2012.

The categories of participants are as follows:

Category 1:

Government officials of members of the Union endorsed by the relevant representative to the UPOV Council
No fee

Category 2:

Officials of observer States / intergovernmental organizations endorsed by the relevant representative to the UPOV Council
*(One non-fee paying student per State / intergovernmental organization;
Additional students: CHF1,000 per student)*

Category 3:

Others
Fee: CHF1,000

Please note that registration of participants in categories 1 and 2 must be accompanied by an endorsement from the representative to the UPOV Council of the UPOV member or observer, as appropriate, formally nominating the participant.

More detailed information concerning the course content and on-line registration is available on the UPOV website: http://www.upov.int/resource/en/dl205_training.html.

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