

**Council****C(Extr.)/35/2****Thirty-Fifth Extraordinary Session  
Geneva, March 23, 2023****Original:** English  
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**APPOINTMENT OF THE NEW VICE SECRETARY-GENERAL***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to inform the Council of the developments and next steps of the procedure for the appointment of a new Vice Secretary-General and to invite the Council to consider a decision concerning the appointment of the new Vice Secretary-General of UPOV.
2. With the agreement of the Secretary-General of UPOV, the Council is invited to appoint the new Vice Secretary-General of UPOV at the Assistant Secretary-General (ASG) level of the United Nations common system and to contract the new Vice Secretary-General for the period from October 15, 2023 to October 14, 2025.

**PROCEDURE FOR THE APPOINTMENT OF A NEW VICE SECRETARY-GENERAL**

3. The current extension of the appointment of the Vice Secretary-General will end on October 22, 2023. The post of Vice Secretary-General will thus become vacant on October 23, 2023.
4. The Council approved the procedure and timetable for the appointment of the new Vice Secretary-General, including (see document C/55/12, paragraphs 13 to 15):
  - (a) the circular announcing the vacancy and the general description of the post and an outline of the conditions of employment of the post, as provided in the Annex to this document;
  - (b) announcing the appointment of the Vice Secretary-General at the Assistant Secretary-General (ASG) level of the United Nations common system, thereby avoiding the need for a consideration of a promotion after the Vice Secretary-General has been in post for one year; and
  - (c) the following course of action and timetable
    - (i) to approve a circular, announcing the vacancy and the general description of the post and an outline of the conditions of employment of the post, as provided in the Annex to document C/55/10;
    - (ii) to request the Secretary-General to announce the vacancy by the end of May 2022;
    - (iii) to establish a deadline for the receipt of applications by August 31, 2022;
    - (iv) to send to each member of the Union, as soon as possible after August 31, 2022, a copy of the applications received;
    - (v) to add an agenda item for the ninety-ninth session of the Consultative Committee, to be held on October 27, 2022, to consider applications received for the post of Vice Secretary-General, to establish an *Ad hoc* Sub-Committee based on previous practice on the appointment of Vice Secretary-Generals, charged with interviewing the selected candidates at the beginning of 2023 and to decide on the topic for a presentation to be made by the candidates selected for interview;
    - (vi) by end of January/beginning of February 2023, to arrange an informal meeting of members of the Union to listen to 10 to 15 minute presentations by the candidates selected for interview in the

morning and to arrange for the selected candidates to meet with the *Ad hoc* Sub Committee in the afternoon;

(vii) by the end of February 2023, to send a report of the meeting of the *Ad hoc* Sub Committee to the members of the Union;

(viii) to convene the one hundredth session of the Consultative Committee and an extraordinary session of the Council on March 23, 2023, and after seeking the agreement of the Secretary-General, to make a recommendation on the appointment of the new Vice Secretary-General to the Council.

#### Interviews of candidates

5. The Consultative Committee, at its ninety-ninth session, held in Geneva on October 27, 2022, selected the following candidates, listed in alphabetical order, to be interviewed by the *Ad hoc* Sub-Committee concerning the appointment of a new Vice Secretary-General (SC-VSG):

Mr. Martin Ake EKVAD (Sweden)

Ms. Yolanda HUERTA CASADO (Spain)

Mr. Leontino REZENDE TAVEIRA (Brazil)

6. The Consultative Committee agreed to request the candidates selected for interview to make a 15-minute presentation on "What are the main challenges for UPOV and how should they be addressed?" at an informal meeting of the Consultative Committee to be held in hybrid format in Geneva on January 31, 2023.

7. The Consultative Committee agreed to invite the candidates to be interviewed by the interview panel at the second meeting of the SC-VSG, on February 1, 2023, and to request the Office of the Union to make the necessary arrangements for those interviews in hybrid format.

8. The videos, transcriptions and copies of the presentations made by the three candidates for the post of Vice Secretary-General of UPOV, at the "Informal meeting for members of the Union concerning the procedure for the appointment of a new Vice Secretary-General" on January 31, 2023, were made available to the Consultative Committee.

9. The three candidates were interviewed by the *Ad hoc* Sub-Committee concerning the appointment of a new Vice Secretary-General (SC-VSG) on February 1, 2023. The transcription of the interviews were included in the report of the second meeting of the SC-VSG, which was made available to the Consultative Committee.

#### RECOMMENDATION FOR THE APPOINTMENT OF THE NEW VICE SECRETARY-GENERAL

10. The Consultative Committee, at its ninety-ninth session, held in Geneva on October 27, 2022 noted that in the absence of a consensus, a vote would be required at the thirty-fifth extraordinary session of the UPOV Council, on March 23, 2023. On the basis that a vote by secret ballot<sup>1</sup> would not be possible in a hybrid or virtual meeting, the Council decided that provision should be made for an exclusively physical meeting of the thirty-fifth extraordinary session of the UPOV Council, on March 23, 2023, in case a secret ballot is required.

11. The UPOV Convention (Article 26(5)(iii) of the 1991 Act and Article 21(b) of the 1978 Act) states that the Council of UPOV shall appoint the Vice Secretary-General of UPOV and determine the terms of appointment.

12. The Agreement between the World Intellectual Property Organization (WIPO) and the International Union for the Protection of New Varieties of Plants (WIPO/UPOV Agreement, document UPOV/INF/8), signed on November 26, 1982, Article 7(1) provides as follows:

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<sup>1</sup> See document [UPOV/INF/7](#) "Rules of Procedure of the Council", Rule 24:

"Rule 24: Voting by Secret Ballot"

"(1) All elections and decisions concerning States or individuals shall be voted on by secret ballot if at least two delegations so request.

"(2) Voting by secret ballot is governed by special regulations, which form the annex to the present Rules of Procedure and are an integral part thereof."

“Article 7

Appointment and Dismissal of the Staff of the Office of UPOV

“(1) Appointment of the Vice Secretary-General of UPOV and the possible termination of his appointment for disciplinary reasons or reasons of incapacity to fulfill his duties shall take place after the Council of UPOV has sought the agreement of the Secretary-General of UPOV to the said appointment or dismissal.

[...]”

13. It is recalled that the Council approved the appointment of the Vice Secretary-General at the Assistant Secretary-General (ASG) level of the United Nations common system, thereby avoiding the need for a consideration of a promotion after the Vice Secretary-General has been in post for one year (see document C/55/12, paragraphs 13 to 15).

14. The UPOV circular announcing the vacancy (E-22/063) stated that the initial appointment would be for a period of two years and that towards the end of that period, the Council of UPOV would decide whether the contract is to be renewed, and if so for how long.

15. The current appointment of the Vice Secretary-General will end on October 22, 2023. The post of Vice Secretary-General will thus become vacant on October 23, 2023. In order to provide the new Vice Secretary-General with a hand-over period before taking up the role and to prepare for the UPOV sessions, which will commence on October 23, 2023, it is proposed to start the contract for the new Vice Secretary-General on October 15, 2023.

16. Any recommendation by the Consultative Committee of a candidate for appointment as the new Vice Secretary-General of UPOV will be presented in an addendum to this document.

*17. With the agreement of the Secretary-General of UPOV, the Council is invited to appoint the new Vice Secretary-General of UPOV at the Assistant Secretary-General (ASG) level of the United Nations common system and to contract the new Vice Secretary-General for the period from October 15, 2023 to October 14, 2025.*

[Annex follows]

ANNEX

Circular E-22/063

The Secretary-General of the International Union for the Protection of New Varieties of Plants (UPOV) presents his compliments and has the honor to communicate the following:

1. The current extension of the appointment of the Vice Secretary-General of UPOV will end on October 22, 2023.
2. The post of Vice Secretary-General will thus become vacant on October 23, 2023. The appointment of a new Vice Secretary-General is the prerogative of the Council of UPOV, which, before making the appointment, must seek the agreement of the Secretary-General (see the Agreement between WIPO and UPOV (Article 7(1)).
3. The members of the Union and the representatives of those members to the Council of UPOV are hereby invited, if they so desire, to present one or more candidates for the post of Vice Secretary-General of UPOV.
4. The conditions applicable are set forth in the Appendix to this Circular. Among those conditions, it should be borne in mind that any candidature has to reach the Secretary-General of UPOV by August 31, 2022.
5. A document containing full information on the candidate or candidatures that have been validly received will be distributed to the representatives of members to the Council of UPOV as soon as possible after August 31, 2022.
6. The Consultative Committee, at its ninety-ninth session to be held on October 27, 2022, will consider applications received for the post of Vice Secretary-General with the assistance of an *Ad hoc* Sub-Committee, charged with interviewing the selected candidates at the beginning of 2023.
7. Upon instruction by and in the name of the President of the Council of UPOV, the Council of UPOV is hereby convened to meet in extraordinary session at the headquarters of UPOV on March 23, 2023, to appoint the new Vice Secretary-General of UPOV. No observers will be invited to that agenda item.

May 2, 2022

Distribution: Ministers for Foreign Affairs of members / Executive Heads of member organizations

Copy for information: – Ministers for Agriculture of members  
– Permanent Missions of members  
– Representatives of members to the Council

Appendix to Circular E-22/063

Post of Vice Secretary-General of the  
International Union for the Protection of New Varieties of Plants

Principal Duties and Responsibilities

The incumbent of the post of Vice Secretary-General of UPOV:

- (1) takes part in all meetings of the Council and of the Consultative Committee of UPOV;
- (2) takes part according to need in any other meeting convened by UPOV;
- (3) subject to the directives of the Council of UPOV and the responsibilities of the Secretary-General of UPOV:
  - (i) prepares reports, working documents, meetings, programs and publications on matters within the competence of UPOV;
  - (ii) supervises the execution of the program and budget of UPOV;
  - (iii) maintains contacts with administrations of members of the Union and governmental and non-governmental organizations;
  - (iv) cooperates with the departments of the International Bureau of the World Intellectual Property Organization (WIPO) in matters concerning the services rendered to UPOV by that Bureau.

Qualifications, Experience, Nationality, etc.

Any candidate to the post of Vice Secretary-General of UPOV:

- (1) should be the holder of a university degree in law or agricultural science;
- (2) must have wide experience in the application of laws on the protection of new varieties of plants, and also in the application of the UPOV Convention;
- (3) should be held in high regard at the national and international levels as a specialist in matters within the competence of UPOV and as an administrator;
- (4) must have a mastery of at least one of the four official languages of UPOV (English, French, German and Spanish) and at least a sound knowledge of one of the other three; some knowledge of either one of the other languages would also be desirable;
- (5) must be a national of a member of UPOV.

Date of Commencement of Duties

The candidate selected would be expected to take up the post on October 23, 2023.

Conditions of Employment

The conditions governing employment are defined in the Administrative Regulations of UPOV.

The appointment will be made by a decision of the Council of UPOV and with the agreement of the Secretary-General of UPOV, subject to a satisfactory medical examination.

The initial appointment will be for a period of two years. Towards the end of that period, the Council of UPOV will decide whether the contract is to be renewed, and if so for how long.

The appointment will be made at the Assistant Secretary-General (ASG) grade of the United Nations common system.

Based on the United Nations common salary scale in force on January 1, 2022, at the grade of Assistant Secretary-General, this position carries a net base annual salary of US\$ 139.747. In addition, the incumbent will receive a post adjustment which is subject to change without notice in the amount equivalent to US\$ 114.174 per annum. The incumbent is eligible for 30 days of annual leave per year on a full-time basis (or the pro-rata equivalent) and is covered by the United Nations Joint Staff Pension Scheme as well as by worldwide medical and dental insurance. Other benefits, subject to eligibility, include amongst others: dependency allowance; education grant for schools and first-level university education; home leave for staff member and dependents; travel, removal and shipment expenses, and a settling-in grant on appointment; rental subsidy; representation allowance; etc.

Further information is also obtainable from the Human Resources Management Department of the International Bureau of WIPO on possible education grants, possible installation grants, annual leave, sick leave, home leave, medical insurance and the pension fund ([vsg2022@upov.int](mailto:vsg2022@upov.int)).

#### Submission of Candidature

Every candidature must be endorsed by the government of the country of which the candidate is a national, or by the respective representative to the Council of UPOV.

#### Form

Every candidate must complete an online application form on a dedicated recruitment platform at the following link: [https://wipo.taleo.net/careersection/wp\\_5/jobsearch.ftl?lang=en](https://wipo.taleo.net/careersection/wp_5/jobsearch.ftl?lang=en).

#### Closing Date

All candidatures must reach the Secretary-General of UPOV by August 31, 2022, at the latest. The vacancy on the dedicated recruitment platform will close on the same day at midnight, Geneva time.

#### Address

The postal address of the Secretary-General of UPOV is 34, chemin des Colombettes, 1211 Geneva 20 (Switzerland).

[End of Annex and document]