

Council**C(Extr.)/35/4****Thirty-Fifth Extraordinary Session
Geneva, March 23, 2023****Original:** English
Date: March 23, 2023

REPORT*adopted by the Council**Disclaimer: this document does not represent UPOV policies or guidance*Opening of the session

1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its thirty-fifth extraordinary session in Geneva on March 23, 2023, chaired by Mr. Yehan Cui (China), President of the Council.
2. The list of participants is reproduced in Annex I to this report.
3. The session was opened by the President, who welcomed the participants.

Adoption of the agenda

4. The Council adopted the draft agenda, as presented in document C(Extr.)/35/1.

Appointment of the new Vice Secretary-General

5. The Council considered documents C(Extr.)/35/2 and C(Extr.)/35/2 Add.
6. The Council decided the following:
 - (a) the appointment of Ms. Yolanda HUERTA CASADO (Spain) as the new Vice Secretary-General of UPOV;
 - (b) the promotion of Mr. Leontino REZENDE TAVEIRA (Brazil) to a newly created position of Director of Global Development and Technical Affairs at the D1 level;
 - (c) the appointment of Mr. Martin Ake EKVAD (Sweden) as Director of Legal Affairs on the D1 level post vacated through the appointment under (a) above;
 - (d) to appoint the new Vice Secretary-General of UPOV at the Assistant Secretary-General (ASG) level of the United Nations common system; and
 - (e) to contract the new Vice Secretary-General for the period from October 15, 2023 to October 14, 2025, and towards the end of that period to decide whether to renew the contract, and if so for how long.
7. Noting that the Office of the Union provides services of a highly specialized nature and its headcount is extremely small, the proposal would ensure the requisite business continuity and the retention of vital institutional and technical knowledge.
8. In this context, with respect to the proposal under paragraph 6(b) above, it is recalled that the responsibilities for Director of Global Development and Technical Affairs will include the expansion of the portfolio previously performed by Mr. Rezende Taveira to encompass the development and expansion of the UPOV system internationally, a key senior post that will demand the selection of an appropriately specialized candidate.

9. With respect to the proposal under paragraph 6(c) above, it is recalled that the position of Legal Counsel will be vacated with the appointment of Ms. Huerta Casado as Vice Secretary-General. Mr. Ekvad is uniquely placed to immediately assume those vacated functions, given his specialized knowledge and experience in the domain of plant variety protection. The position of Director of Legal Affairs for an Office concerned with the highly specialized subject matter related to plant variety protection and responsible for guidance on the UPOV Convention is a key senior post that demands the selection of an appropriately specialized candidate.

10. The fact that all three candidates reached the final stage of the selection process was a reflection of their caliber, and that their competence, skills and expertise are of the highest standards. It is essential that the totality of their expertise be retained, justifying this exceptional proposal in light of the unique circumstances.

11. Pursuant to Article 7(2) of the WIPO/UPOV Agreement of 1982, the Vice Secretary-General will implement subparagraphs (b) and (c) of the proposal outlined in paragraph 6 above, as an exceptional measure, following the requisite prior consultation with the President of the Council.

12. With the aim of achieving consensus within UPOV, the Council adopted the proposal as set out in paragraph 6 above. The persons concerned will be informed of the decision as soon as possible after the thirty-fifth extraordinary session of the Council and will, at that time, be informed that their contracts would start on October 15, 2023.

Press release

13. The Council approved the press release, as contained in document C(Extr.)/35/3.

14. This report was adopted by the Council at the close of its session, on March 23, 2023.

[Annex follows]

ANNEXE / ANNEX / ANLAGE / ANEXO

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

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

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