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| Technical CommitteeFifty-Eighth SessionGeneva, October 24 and 25, 2022 | TC/58/5.Original: EnglishDate: October 5, 2022 |

Development of guidance and information materials - Possible future revisions

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

EXECUTIVE SUMMARY

 The purpose of this document is to provide an overview of the development of guidance and information materials.

 Matters previously agreed by the Technical Committee (TC), which will be put forward for adoption by the Council in 2022, are reported in document TC/58/4 “Development of guidance and information materials – Matters for adoption by the Council in 2022.”

Matters for adoption by the Council in 2022

 The TC is invited to note that matters concerning documents UPOV/INF/16; UPOV/INF/22; UPOV/EXN/DEN; TGP/5, Section 6; TGP/8, Section 9; and TGP/12 to be proposed for adoption by the Council at its fifty-sixth ordinary session, are reported in document TC/58/4 “Development of guidance and information materials – Matters for adoption by the Council in 2022.”

Possible future revisions of guidance and information materials

*Document UPOV/INF/23 “UPOV Code System”*

 The TC is invited to consider the proposal to revise document UPOV/INF/23 “Guide to the UPOV Code System” as set out in paragraph 21 of this document.

*Document TGP/7 “Development of Test Guidelines”*

Example varieties for asterisked quantitative characteristics when illustrations are provided

 The TC is invited to consider whether to invite the TWPs, at their sessions in 2023, to consider the situations described by the TWO as the basis to develop guidance on possible exceptions to the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided, as set out in paragraph 27 of this document.

Indication of grouping characteristics in UPOV Test Guidelines (Table of characteristics and TQ 5)

 The TC is invited to consider whether to continue discussions on the proposal to revise document TGP/7 “Development of Test Guidelines” to indicate characteristics in the table of characteristics and technical questionnaire used as grouping characteristics.

Converting standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (ASW).

 The TC is invited to consider amending document TGP/7 “Development of Test Guidelines” to convert the standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (optional), as set out in paragraph 39 of this document.

Disease resistance characteristics: Addition of state of expression and placement of non-asterisked disease resistance characteristics in Section 5 of the Technical Questionnaire

 The TC is invited to consider inviting the Office of the Union to present a proposal to the TWPs, at their sessions in 2023, to amend document TGP/7 GN 13 “Characteristics with specific functions” to clarify that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires (TQ) with the addition of a state of expression “not tested”.

*Document TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability*

Section 9 “The Combined-Over-Years Uniformity Criterion (COYU)”

 The TC is invited to note that matters concerning a possible future revision of document TGP/8 Section 9 “The Combined-Over-Years Uniformity Criterion (COYU)” are considered in document TC/58/6 “The Combined-Over-Years Uniformity Criterion (COYU)”.

*Document TGP/12 ‘Guidance on certain physiological characteristics’*

 The TC is invited to note discussions at the TWV on disease resistance characteristics that could require special treatment in relation to general UPOV guidance, as presented in paragraphs 52 to 56 of this document.

New proposal for revision of guidance and information materials

 The TC is invited to consider whether to invite the TWPs, at their sessions in 2023, to consider the proposal from the TWF to amend document TGP/9 “Examining Distinctness” to clarify the possibility to include in trials a lower number of plants for varieties of common knowledge than the candidate variety, under certain circumstances, as set out in paragraphs 60 of this document.

Program for the development of relevant guidance and information materials

 The TC is invited to:

 (a) consider the program for the development of TGP documents, as set out in Annex VII to this document;

 (b) consider the program for the development of relevant information materials, as set out in Annex VIII to this document; and

 (c) note that the program for the development of TGP documents and information materials will be considered by the Administrative and Legal Committee, at its seventy-ninth session, to be held in Geneva on October 26, 2022, in conjunction with the conclusions of the TC at its fifty-eight session.

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ANNEX II: Requirement to provide example varieties for asterisked quantitative characteristics

ANNEX III: Indication of grouping characteristics in UPOV Test Guidelines

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ANNEX VII: Program for the development of TGP documents

ANNEX VIII: Program for the development of information materials

 The following abbreviations are used in this document:

BMT: Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular

CAJ: Administrative and Legal Committee

TC: Technical Committee

TC-EDC: Enlarged Editorial Committee

TWA: Technical Working Party for Agricultural Crops

TWC: Technical Working Party on Automation and Computer Programs

TWF: Technical Working Party for Fruit Crops

TWM: Technical Working Party on Testing Methods and Techniques

TWO: Technical Working Party for Ornamental Plants and Forest Trees

TWV: Technical Working Party for Vegetables

TWPs: Technical Working Parties

# Background

 The TC, at its fifty-seventh session[[1]](#footnote-2), and the CAJ, at its seventy-eight session[[2]](#footnote-3), approved the program for the development of TGP documents, as set out in the Annexes to documents TC/56/14 and CAJ/77/3 Rev., respectively, subject to the conclusions at their sessions (see documents TC/57/25 “Report”, paragraphs 46 and 47, and CAJ/78/12 “Outcome of consideration of document by correspondence”, paragraph 28).

 The approved guidance and information materials are published on the UPOV website at

<http://www.upov.int/upov_collection/en/>.

# MATTERS FOR ADOPTION BY THE COUNCIL IN 2022

 The following documents were agreed to be proposed for adoption by the Council at its fifty‑sixth ordinary session, to be held in Geneva on October 28, 2022, subject to approval by the CAJ, at its seventy‑ninth session, to be held in Geneva on October 26, 2022:

## Information materials:

1. Revision of document UPOV/INF/16 “Exchangeable Software” (document UPOV/INF/16/11 Draft 1)
2. Revision of document UPOV/INF/22 “Software and Equipment Used by Members of the Union”
(document UPOV/INF/22/9 Draft 1)
3. Explanatory Notes on Variety Denominations under the UPOV Convention (document UPOV/EXN/DEN)

## TGP documents

1. TGP/5:  Experience and Cooperation in DUS Testing, Section 6: UPOV Report on Technical Examination and UPOV Variety Description (Revision) (document TGP/5: Section 6/4 Draft 1)
2. TGP/8:  Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision) (Annex II)
3. TGP/12:  Guidance on Certain Physiological Characteristics (Revision) (Annex III)

 The revisions of guidance and information materials agreed to be proposed for adoption by the Council in 2022 are presented in document TC/58/4 “Development of guidance and information materials – Matters for adoption by the Council in 2022”.

 *The TC is invited to note that matters concerning documents UPOV/INF/16; UPOV/INF/22; UPOV/EXN/DEN; TGP/5, Section 6; TGP/8, Section 9; and TGP/12 to be proposed for adoption by the Council at its fifty-sixth ordinary session, are reported in document TC/58/4 “Development of guidance and information materials – Matters for adoption by the Council in 2022.”*

POSSIBLE FUTURE REVISIONS OF GUIDANCE AND INFORMATION MATERIALS

Document UPOV/INF/23 “UPOV Code System”

*Maximum number of characters in the appended element to UPOV codes*

 The background to this matter is provided in Annex I to this document.

 The TWV[[3]](#footnote-4), TWA[[4]](#footnote-5), TWO[[5]](#footnote-6), TWF[[6]](#footnote-7) and TWM[[7]](#footnote-8), at their sessions in 2022, agreed to revise document UPOV/INF/23 “Guide to the UPOV Code System” to clarify the maximum number of characters to be used in the appended element to UPOV codes, as follows (deletions indicated with highlighting and ~~strikethrough~~; additions indicated with highlighting and underline) (see documents TWV/56/22 “Report”, paragraph 7, TWA/51/11 “Report”, paragraph 23, TWO/54/6 “Report”, paragraph 22, TWF/53/14 “Report”, paragraphs 7 and 8; and TWM/1/26 “Report”, paragraph 7):

“5 UPOV CODE: APPENDED INFORMATION

“5.1 Appended element construction

“5.1.1. Where required, an element may be appended to a UPOV code to provide information on the variety group, variety type and/or denomination class.

“The appended element to UPOV codes is identifiable though the following naming convention:

* “A digit (number from 1 to 9) prefix identifies the new appended element.
* “Different digits or letters could, if appropriate, indicate different categories of information.
* “The appended element should contain a maximum of six digits or letters in total (e.g. ‘1AC2TG’)

“This element may be appended to any UPOV code, regardless of plant taxa (genera, species or subspecies levels). Examples:

“UPOV code for genus *Abies*: ABIES

“UPOV code with appended element: ABIES\_~~1234~~ 1AC2TG

“UPOV code for species *Abies sibirica*: ABIES\_SIB

“UPOV code with appended element: ABIES\_SIB\_~~1234~~ 1AC2TG

“UPOV code for sub-species *Abies sibirica* subsp. *semenovii*: ABIES\_SIB\_SEM

“UPOV code with appended element: ABIES\_SIB\_SEM\_~~1234~~ 1AC2TG”

 It is proposed to amend document UPOV/INF/23 “UPOV Code System” to clarify the maximum number of characters to be used in the appended element to UPOV codes, as presented in paragraph 21 of this document.

 *The TC is invited to consider the proposal to revise document UPOV/INF/23 “Guide to the UPOV Code System” as set out in paragraph 21 of this document.*

Document TGP/7 “Development of Test Guidelines”

*Example varieties for asterisked quantitative characteristics when illustrations are provided*

Proposal to amend document TGP/7 on requirement to provide example varieties

 The background to this matter is provided in Annex II to this document.

 The TWO, at its fifty-third session[[8]](#footnote-9), agreed that most quantitative and pseudo-qualitative characteristics in ornamental Test Guidelines could be illustrated by drawings or photographs and only a few required example varieties, such as height, length, width and diameter.

 The TC, at its fifty-seventh session, agreed to request the TWPs, at their sessions in 2022, to consider the proposal to amend document TGP/7 to remove the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided and to clarify the situations when example varieties would still be required (see document TC/57/25 “Report”, paragraphs 40 and 41).

 The TWO, at its fifty-fourth session[[9]](#footnote-10), noted that Test Guidelines for ornamental plants included many quantitative and pseudo‑qualitative floral characteristics, which were not measured and only visually observed (VG). The TWO agreed that the use of illustrations would be suitable to replace example varieties for such characteristics and further facilitate international harmonization (see document TWO/54/6 “Report”, paragraph 24). The TWO agreed characteristics that could be used as examples of the approach to replace example varieties when illustrations, as reproduced in Annex II to this document.

 The TWPs, at their sessions in 2022, did not reach a consensus on the proposal to remove the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided. The full report on discussions is provided in Annex II to this document.

 The TC is invited to consider whether to invite the TWPs, at their sessions in 2023, to consider the situations described by the TWO as the basis to develop guidance on possible exceptions to the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided, as set out in paragraph 27 of this document.

 *The TC is invited to consider whether to invite the TWPs, at their sessions in 2023, to consider the situations described by the TWO as the basis to develop guidance on possible exceptions to the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided, as set out in paragraph 27 of this document.*

*Indication of grouping characteristics in UPOV Test Guidelines (Table of characteristics and TQ 5)*

 The background to this matter is provided in Annex III to this document.

 The TC, at its fifty-seventh session, considered the proposal from the TWV to add the indication of grouping characteristics in the Table of Characteristics and Technical Questionnaire of UPOV Test Guidelines (see document TC/57/25 “Report”, paragraphs 38 and 39).

 The TC agreed to request the Office of the Union to develop a proposal for the TWPs and the TC, at their sessions in 2022, to indicate characteristics in the Table of Characteristics and Technical Questionnaire when used as grouping characteristics. The proposal should consider the introduction of such functionality in the Web-based TG Template and the required revision of document TGP/7 “Development of Test Guidelines”.

 A proposal was presented to the TWPs, at their sessions in 2022, to indicate characteristics in the Table of Characteristics and Technical Questionnaire when used as grouping characteristics, as provided in Annex III to this document.

 The TWV agreed with the proposal while the TWA and TWO agreed that a revision of document TGP/7 would not be appropriate because information on grouping characteristics was not relevant in the Technical Questionnaire and it would not be necessary to repeat information from Section 5 in the Table of Characteristics. The TWF noted that there were different views on the proposal and that it was not possible to come to an agreed conclusion at this stage.

 The TC is invited to consider whether to discontinue discussions on the proposal should be continued.

 *The TC is invited to consider whether to continue discussions on the proposal to revise document TGP/7 “Development of Test Guidelines” to indicate characteristics in the Table of Characteristics and Technical Questionnaire used as grouping characteristics.*

*Converting standard wording in Test Guidelines into optional wording*

 The background to this matter is provided in Annex IV to this document.

 The TC, at its fifty-seventh session, agreed to request the TWPs, at their sessions in 2022, to consider the proposal to convert the following standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (optional) (see document TC/57/25 “Report”, paragraphs 42 and 43):

“4.2.2 These Test Guidelines have been developed for the examination of [type or types of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 “Guidance for new types and species”, Section 4.5: “Testing Uniformity” should be followed.”

 The TWPs, at their sessions in 2022, agreed to convert the standard wording in the “Uniformity” chapter of Test Guidelines into additional standard wording, as set out in document TWP/6/1, paragraphs 21 and 22 (see documents TWV/56/22 “Report”, paragraph 11; TWA/51/11 “Report”, paragraph 29; TWO/54/6 “Report”, paragraph 28; TWF/53/14 “Report”, paragraph 13).

 *The TC is invited to consider amending document TGP/7 “Development of Test Guidelines” to convert the standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (optional), as set out in paragraph 39 of this document.*

### Disease resistance characteristics: Addition of state of expression and placement of non-asterisked disease resistance characteristics in Section 5 of the Technical Questionnaire

 The TC, at its fifty-seventh session, considered a proposal to revise document TGP/7, GN 13 “Characteristics with specific functions” to clarify that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires with the addition of a state of expression “not tested”, when a characteristic was not indicated with an asterisk at the table of characteristics (see document TC/57/25 “Report”, paragraphs 36 and 37).

 The TC, at its fifty-seventh session, noted that there were ongoing discussions at the TWPs on the relationship between asterisks in the Test Guidelines and TQ characteristics. The TC agreed to postpone considering the placement of non‑asterisked disease resistance characteristics in the TQ until its fifty-eighth session, to be considered in conjunction with any proposals from the TWPs on the relationship between asterisks in the Test Guidelines and TQ characteristics.

 Further information on the background to this matter is provided in Annex V to this document.

#### Consideration by the Technical Working Parties at their sessions in 2022

 The TWPs, at their sessions in 2022, noted that no proposals had been received to revise document TGP/7 “Development of Test Guidelines” to clarify the relationship between compulsory characteristics in the table of characteristics (indicated with an asterisk) and characteristics in the technical questionnaires (see documents TWV/56/22 “Report”, paragraph 101; TWA/51/11 “Report”, paragraph 64; TWO/54/6 “Report”, paragraph 80; TWF/53/14 “Report”, paragraph 112).

#### Proposal

 It is proposed that the TC invite the Office of the Union to present a proposal to the TWPs, at their sessions in 2023, to amend document TGP/7 GN 13 “Characteristics with specific functions” to clarify that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires (TQ) with the addition of a state of expression “not tested”.

 *The TC is invited to consider inviting the Office of the Union to present a proposal to the TWPs, at their sessions in 2023, to amend document TGP/7 GN 13 “Characteristics with specific functions” to clarify that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires (TQ) with the addition of a state of expression “not tested”.*

## Document TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability

### Section 9 “The Combined-Over-Years Uniformity Criterion (COYU)”

 Matters concerning a possible future revision of document TGP/8 Section 9 “The Combined-Over-Years Uniformity Criterion (COYU)” are considered in document TC/58/6 “The Combined-Over-Years Uniformity Criterion (COYU)”.

 *The TC is invited to note that matters concerning a possible future revision of document TGP/8 Section 9 “The Combined-Over-Years Uniformity Criterion (COYU)” are considered in document TC/58/6 “The Combined-Over-Years Uniformity Criterion (COYU)”.*

Document TGP/12 ‘Guidance on certain physiological characteristics’

*Word “highly” in only one state of expression*

 The background to this matter is provided in Annex VI to this document.

 The TC, at its fifty-seventh session, considered the example disease resistance characteristic in document TGP/12 (below) and noted that the word “highly” was only used for the resistant state of expression. The TC agreed to invite the TWV to consider the example further (see document TC/57/25 “Report”, paragraphs 44 and 45):

“Example with “1–3” scale: Resistance to *Sphaerotheca fuliginea* (*Podosphaera xanthii*) “(Powdery mildew) in Melon (UPOV Test Guidelines: TG/104/5)

|  |  | English |  |  | Example Varieties | Note |
| --- | --- | --- | --- | --- | --- | --- |
| **70.(+)** | **VG** | **Resistance to Sphaerotheca fuliginea (Podosphaera xanthii) (Powdery mildew)** |  |  |  |  |
| **70.1** |  | **Race 1** |  |  |  |  |
| QN |  | susceptible |  |  | […] | 1 |
|  |  | ~~moderately~~ intermediate resistant  |  | […] | 2 |
|  |  | highly resistant |  |  | […] | 3 |

*Consideration by the Technical Working Party for Vegetables*

 The TWV, at its fifty-sixth session[[10]](#footnote-11), considered whether to revise the states of expression in the example characteristic in document TGP/12/2, Section 2.3.2, to address the use of the word “highly” in only one state of expression (see document TWV/56/22 “Report”, paragraphs 16 to 20).

 The TWV noted that the scale “susceptible; intermediately resistant; and highly resistant” had been previously used in the Test Guidelines for Cucumber, Lettuce and Melon and was commonly used in the vegetable sector.

 The TWV noted the explanation from France that state of expression “susceptible” covered a range of expressions, including “highly susceptible”. The TWV discussed how to apply general UPOV guidance for drafting disease resistance characteristics and agreed there was no consensus to amend guidance in document TGP/12 to delete the word “highly” from state of expression “highly resistant”.

 The TWV agreed to invite the experts from France and the Netherlands to propose draft guidance explaining the particular features of disease resistance characteristics that require special treatment in relation to general UPOV guidance, to be presented to the TWV, at its fifty‑seventh session. The draft guidance should address matters such as establishing distinctness for quantitative disease resistance characteristics on the basis of a difference of one note between varieties; and explore possibilities for correlating the scales of UPOV characteristics with those used by phytopathologists for variety descriptions.

 The TWV agreed that state “intermediate” in the example provided in document TWP/6/1, paragraph 28, should read “intermediate resistant”.

 *The TC is invited to note discussions at the TWV on disease resistance characteristics that could require special treatment in relation to general UPOV guidance, as presented in paragraphs 52 to 56 of this document.*

new proposal for revision of GUIDANCE AND INFORMATION MATERIALS

## Document TGP/9 “Examining Distinctness”

 The TWF, at its fifty-third session, considered document TWF/53/7 and a proposal prepared by experts from Brazil and the European Union to amend guidance in document TGP/9 “Examining Distinctness” to clarify the possibility to include in trials a lower number of plants for varieties of common knowledge under certain circumstances.

 The TWF agreed there were practical difficulties in implementing DUS trials of fruit crops with the same number of plants indicated in the Test Guidelines for both the candidate variety and a very similar variety of common knowledge. The TWF agreed that it should be possible to use a lower number of plants of the similar variety of common knowledge if uniformity does not need to be assessed.

 The TWF agreed to propose amending document TGP/9 to read as follows:

“5.5.5 The required precision of records depends on the size of the difference between the candidate variety and the varieties of common knowledge. If two varieties are very similar it is important to ensure the same precision of the records for both varieties. The number of plants indicated in the Test Guidelines generally applies to both the candidate variety and the similar variety of common knowledge. ~~In other cases,~~ However, it may be possible to include in the trial a lower number of plants for the variety of common knowledge, provided that uniformity does not need to be assessed for that variety~~, i.e. varieties in the variety collection~~.”

 The TC may wish to invite the TWPs, at their sessions in 2023, to consider the proposal from the TWF to amend document TGP/9 to clarify the possibility to include in trials a lower number of plants for varieties of common knowledge than the candidate variety, under certain circumstances.

 *The TC is invited to consider whether to invite the TWPs, at their sessions in 2023, to consider the proposal from the TWF to amend document TGP/9 “Examining Distinctness” to clarify the possibility to include in trials a lower number of plants for varieties of common knowledge than the candidate variety, under certain circumstances, as set out in paragraph 60 of this document.*

# Program for the development of relevant information materials

 The TC, at its fifty-seventh session, and the CAJ, at its seventy-eighth session, agreed the program for the development of TGP documents (see documents TC/57/25 “Report”, paragraphs 46 and 47, and CAJ/78/12 “Outcome of consideration of documents by correspondence”, paragraph 28).

 Annex VII to this document presents the program for the development of TGP documents, as amended on the basis of the comments by the TWPs, at their sessions in 2022. New proposals for the revision of TGP documents would be include after consideration by the TC, at its fifty-eight session.

 Annex VIII to this document presents the program for the development of relevant information materials.

 The CAJ, at its seventy-ninth session, will be invited to consider the program for the development of TGP documents and relevant information materials, in conjunction with the conclusions of the TC at its fifty‑eight session.

 The TC is invited to:

 (a) consider the program for the development of TGP documents, as set out in Annex VII to this document;

 (b) consider the program for the development of relevant information materials, as set out in Annex VIII to this document; and

 (c) note that the program for the development of TGP documents and information materials will be considered by the Administrative and Legal Committee, at its seventy-ninth session, to be held in Geneva on October 26, 2022, in conjunction with the conclusions of the TC at its fifty-eight session.

 [Annexes follow]

Document UPOV/INF/23 “UPOV Code System”

Maximum number of characters in the appended element to UPOV codes

1. The TC, at its fifty-seventh session, considered a proposal to clarify the maximum number of characters to be used in the appended element to UPOV codes, as set out in document UPOV/INF/23 “UPOV Code System”. The TC agreed to request the Office of the Union to develop a proposal for consideration by the TWPs and the TC, at their sessions in 2022 (see document TC/57/25 “Report”, paragraph 35).
2. It is proposed to amend document UPOV/INF/23 “UPOV Code System” to clarify the maximum number of characters to be used in the appended element to UPOV codes as follows (deletions indicated with highlighting and ~~strikethrough~~; additions indicated with highlighting and underline):

“5 UPOV CODE: APPENDED INFORMATION

“5.1 Appended element construction

“5.1.1. Where required, an element may be appended to a UPOV code to provide information on the variety group, variety type and/or denomination class.

“The appended element to UPOV codes is identifiable though the following naming convention:

* “A digit prefix identifies the new appended element (e.g. any natural number from 1 to 9).
* “Different ~~digits~~ letters or numbers could, if appropriate, indicate different categories of information.
* “The appended element should contain up to six characters in total (e.g. ‘1AC2TG’)

“This element may be appended to any UPOV code, regardless of plant taxa (genera, species or subspecies levels). Examples:

“UPOV code for genus *Abies*: ABIES

“UPOV code with appended element: ABIES\_~~1234~~ 1AC2TG

“UPOV code for species *Abies sibirica*: ABIES\_SIB

“UPOV code with appended element: ABIES\_SIB\_~~1234~~ 1AC2TG

“UPOV code for sub-species *Abies sibirica* subsp. *semenovii*: ABIES\_SIB\_SEM

“UPOV code with appended element: ABIES\_SIB\_SEM\_~~1234~~ 1AC2TG”

Correction of cross-references to document UPOV/EXN/DEN

1. Cross-references to document UPOV/INF/12 “Explanatory Notes to Variety Denominations under the UPOV Convention” should be corrected to be replaced by UPOV/EXN/DEN in paragraph 4.3 of document UPOV/INF/23, as follows:

“4.3 Introduction of New UPOV Codes / Amendments to UPOV Codes

“(d) In general, amendments to UPOV codes will not be made as a result of taxonomic developments unless these result in a change to the genus classification of a species. The “Explanatory notes on variety denominations under the UPOV Convention” (document ~~UPOV/INF/12~~ UPOV/EXN/DEN) contain UPOV variety denomination classes; for genera and species not covered by the List of Classes in Annex I to document ~~UPOV/INF/12~~ UPOV/EXN/DEN, the general rule (“one genus / one class”) is that a genus is considered to be a class (see document ~~UPOV/INF/12~~ UPOV/EXN/DEN, Section 2.5.2 and its Annex I). […]”

[Annex II follows]

Document TGP/7 “Development of Test Guidelines”

Example varieties for asterisked quantitative characteristics when illustrations are provided

*Background*

1. The TWO, at its fifty-third session[[11]](#footnote-12), considered document TWO/53/5 (see document TWO/50/10 “Report”, paragraphs 76 to 82).
2. The TWO noted that current guidance in document TGP/7 GN28 paragraph 1.3 (iii) and paragraph 1.4 reads as follows:

"(iii) If a characteristic is important for the international harmonization of variety descriptions (asterisked characteristics) and is influenced by the environment (most quantitative and pseudo-qualitative characteristics) or example varieties are necessary for illustration of the characteristic (see Section 3.1) it is necessary to provide example varieties."

[…]

"1.4 The process for deciding if example varieties need to be provided for a characteristic is illustrated in the following Flow Diagram 1. […]"



1. The TWO recalled that the flow diagram established that example varieties were not required for quantitative characteristics which were observed in a controlled environment and where an illustration was provided.
2. The TWO recalled that guidance in document TGP/7 GN 28 paragraph 4.1 established the following:

"Although example varieties have the benefit of enabling examiners to see a characteristic in "real life", in many cases the illustration of a characteristic by photographs or drawings (to be provided in chapter 8 of the Test Guidelines) may provide a clearer illustration of the characteristic. Furthermore, the difficulty in selecting suitable example varieties, which satisfy all the requirements in Section 4.2 below, means that photographs or drawings are an important alternative or addition to example varieties as a means of illustrating characteristics."

1. The TWO agreed that most quantitative and pseudo-qualitative characteristics in ornamental Test Guidelines could be illustrated by drawings or photographs and only a few required example varieties, such as height, length, width and diameter.
2. The TWO, at its fifty-third session, agreed to propose amending document TGP/7 GN 28, paragraph 1.3 (iii) to read as follows:

"(iii) If a characteristic is important for the international harmonization of variety descriptions (asterisked characteristics) ~~and~~ , is influenced by the environment and cannot be illustrated by photographs or drawings in a meaningful way ~~(most quantitative and pseudo-qualitative characteristics)~~ ~~or example varieties are necessary for illustration of the characteristic (see Section 3.1)~~ it is necessary to provide example varieties."

1. The TWO agreed that Flow Diagram 1 should be amended as follows



Can the characteristic be illustrated by a drawing / photo?

1. The TC, at its fifty-seventh session[[12]](#footnote-13), considered the proposal to amend document TGP/7 GN 28, paragraph 1.3 (iii) and Flow Diagram 1. The TC agreed to request the TWPs, at their sessions in 2022, to consider the proposal to amend document TGP/7 to remove the requirement to provide example varieties for asterisked quantitative characteristics when illustrations were provided and to clarify the situations when example varieties would still be required (see document TC/57/25 “Report”, paragraphs 40 and 41).

*Consideration by the Technical Working Parties at their sessions in 2022*

1. The TWPs, at their sessions in 2022, considered the proposal to amend document TGP/7 to remove the requirement to provide example varieties for asterisked quantitative characteristics if illustrations are provided, as set out in document TWP/6/1, paragraphs 18 and 19 (see documents TWV/56/22 “Report”, paragraph 8; TWA/51/11 “Report”, paragraph 24; TWO/54/6 “Report”, paragraphs 23 to 25; TWF/53/14 “Report”, paragraphs 9 and 10).
2. The TWV agreed that example varieties should continue to be provided for asterisked quantitative characteristics for vegetable crops. The TWV agreed that example varieties could be easily provided for vegetable crops and were useful for harmonizing DUS examination and producing variety descriptions. The TWV recalled that guidance in document TGP/7 required example varieties for three or two states of expression, according to the scale of notes used (see document TWV/56/22 “Report”, paragraph 9).
3. The TWA agreed example varieties should continue to be required for asterisked quantitative characteristics. The TWA agreed that illustrations were useful and that characteristics should be illustrated as much as possible, in addition to having example varieties. The TWA agreed that example varieties for asterisked quantitative characteristics could be replaced by illustrations under exceptional circumstances when it was not possible to provide example varieties (see document TWA/51/11 “Report”, paragraphs 25 and 26).
4. The TWA considered the Flow Diagram 2 “*Deciding if example varieties are needed: Regional sets of example varieties*”, provided in document TGP/7, GN 28. The TWA agreed that the procedure to decide whether example varieties were needed for regional sets of example varieties was the same as for the Test Guidelines. The TWA agreed to propose deleting the “Flow Diagram 2” and amending Flow Diagram 1 to remove the mention to regional sets of example varieties.
5. The TWO agreed to propose amending document TGP/7 to remove the requirement to provide example varieties for asterisked quantitative and pseudo‑qualitative characteristics if illustrations are provided, to read as follows (see document TWO/54/6 “Report”, paragraphs 23 to 25):

“(iii) If a characteristic is important for the international harmonization of variety descriptions (asterisked characteristics) ~~and~~ , is influenced by the environment and cannot be illustrated by photographs or drawings in a meaningful way ~~(most quantitative and pseudo-qualitative characteristics)~~ ~~or example varieties are necessary for illustration of the characteristic (see Section 3.1)~~ it is necessary to provide example varieties.

“In species where the range of expression is high at the variety level for a quantitative characteristic (which cannot be measured), it would not be appropriate to illustrate the states of expression exclusively with a drawing or photograph. In these cases, example varieties would be required.”

1. The TWO noted that Test Guidelines for ornamental plants included many quantitative and pseudo‑qualitative floral characteristics, which were not measured and only visually observed (VG). The TWO agreed that the use of illustrations would be suitable to replace example varieties for such characteristics and further facilitate international harmonization. The TWO agreed that the following characteristics could be used as examples of the approach to replace example varieties when illustrations were provided:
* Document TG/336/1 “Coreopsis”:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Ad. 24: Ray floret: attitude of basal part (QN)

|  |  |  |  |
| --- | --- | --- | --- |
| 106 | 107 | 108 | 109 |
| 1 | 2 | 3 | 4 |
| strongly ascending | moderately ascending | weakly ascending | horizontal |

|  |  |  |
| --- | --- | --- |
| 110 | 111 | 112 |
| 5 | 6 | 7 |
| weakly descending | moderately descending | strongly descending |

 |

 |

Ad. 29: Ray floret: distribution of main color (PQ)



* Document TG/168/3 “Statice”: Ad. 24: Inflorescence: type (PQ)



1. The TWO noted that the term “controlled environment” in Flow Diagram 1 of document TGP/7, GN 28, was not explained in the text of GN 28. The TWO agreed that the environment could not be fully controlled even under greenhouse conditions. The TWO agreed to propose that Flow Diagram 1 be amended to replace the question “is the environment controlled” by “is the characteristic observed visually only?”, as follows:



1. The TWF, at its fifty-third session[[13]](#footnote-14), considered the proposal to amend document TGP/7 to remove the requirement to provide example varieties for asterisked quantitative characteristics if illustrations are provided, as set out in document TWP/6/1, paragraphs 18 and 19 (see document TWF/53/14 “Report”, (paragraphs 9 and 10).
2. The TWF agreed with the examples provided by the TWO where illustrations would be suitable to replace example varieties for quantitative and pseudo‑qualitative floral characteristics which were not measured and only visually observed (VG). Nonetheless, the TWF agreed that example varieties were important for international harmonization of variety descriptions, explaining the expression of characteristics and guiding the constitution or maintenance of variety collections.

[Annex III follows]

Document TGP/7 “Development of Test Guidelines”

Indication of grouping characteristics in UPOV Test Guidelines (Table of characteristics and TQ 5)

*Background*

1. The TWV, at its fifty-fifth session[[14]](#footnote-15), received a presentation on “Grouping characteristics - Addition of the grouping information (G) in the table of characteristic and the technical questionnaire” by an expert from the European Union. A copy of the presentation is provided in document TWV/55/5 (see document TWV55/16 “Report”, paragraphs 35 and 36).
2. The TWV agreed that the proposal to add the indication of grouping characteristics in Test Guidelines (Table of characteristics and Technical Questionnaire) should be proposed to the Technical Committee for a possible future revision of document TGP/7 and inclusion in the Web based TG template.

*Consideration by the Technical Committee*

1. The TC, at its fifty-seventh session, considered the proposal to add the indication of grouping characteristics in the Table of Characteristics and Technical Questionnaire of UPOV Test Guidelines (see document TC/57/25 “Report”, paragraphs 38 and 39).
2. The TC agreed to request the Office of the Union to develop a proposal for the TWPs and the TC, at their sessions in 2022, to indicate characteristics in the Table of Characteristics and Technical Questionnaire when used as grouping characteristics. The proposal should consider the introduction of such functionality in the Web-based TG Template and the required revision of document TGP/7 “Development of Test Guidelines”.

*Proposal considered by the TWPs at their sessions in 2022*

1. The TWPs, at their sessions in 2022, considered the following proposal to amend document TGP/7 “Development of Test Guidelines”, Annex 1 “TG Structure and Universal Standard Wording”, Sections 6.5, 7 and 10 to indicate characteristics used as grouping characteristics, as follows (additions indicated with highlighting and underline):

*Table of Characteristics: Sections 6.5 and 7*

*“6.5 Legend*

|  | English | français | deutsch | español | Example VarietiesExemplesBeispielssortenVariedades ejemplo | Note/Nota |
| --- | --- | --- | --- | --- | --- | --- |
| **1** | **2** | **3**  | **4** | **5** | **6** | **7** | **8** |  |  |  |
|  | **Name of characteristics in English** | **Nom du caractère en français** | **Name des Merkmals auf Deutsch** | **Nombre del carácter en español** |  |  |

[…]

“8 (G) Characteristic used for grouping of varieties and organizing trials

"7. Table of Characteristics/Tableau des caractères/Merkmalstabelle/Tabla de caracteres

[…]

|  | English | français | deutsch | español | Example VarietiesExemplesBeispielssortenVariedades ejemplo | Note/Nota |
| --- | --- | --- | --- | --- | --- | --- |
| **1** | **2** | **3**  | **4** | **5** | **6** | **7** | **8** |  |  |  |
|  | **Name of characteristics in English**[…] | **Nom du caractère en français** | **Name des Merkmals auf Deutsch** | **Nombre del carácter en español** |  |  |

[…]

“8 { GN 13 Grouping characteristics}”

*Technical Questionnaire: Section 10, Item 5*

1. The standard wording in the Technical Questionnaire, item 5, reads as follows:

“5. Characteristics of the variety to be indicated (the number in brackets refers to the corresponding characteristic in Test Guidelines; please mark the note which best corresponds).”

1. As a consequential change, the standard wording would be amended to read as follows:

“5. Characteristics of the variety to be indicated: please mark the note which best corresponds

(the number in brackets refers to the corresponding characteristic in Test Guidelines; characteristics used for grouping of varieties and organizing the growing trial are indicated with ‘G’).”

1. Once approved, changes to the standard wording of Test Guidelines would be introduced in the Web‑based TG Template in due course, subject to availability of resources.

*Consideration by the Technical Working Parties at their sessions in 2022*

1. The TWPs, at their sessions in 2022, considered the proposal to amend document TGP/7 to indicate characteristics used as grouping characteristics, as set out in document TWP/6/1, paragraphs 21 and 22 (see documents TWV/56/22 “Report”, paragraph 10; TWA/51/11 “Report”, paragraph 28; TWO/54/6 “Report”, paragraph 27; TWF/53/14 “Report”, paragraph 12).
2. The TWV, at its fifty-sixth session, agreed to revise document TGP/7 “Development of Test Guidelines” to indicate characteristics in the table of characteristics and technical questionnaire used as grouping characteristics, as set out in document TWP/6/1, paragraph 22.
3. The TWA, at its fifty-first session, agreed that no revision of document TGP/7 would be required as information on grouping characteristics was not relevant in the technical questionnaire and it would not be necessary to repeat information from Section 5 in the table of characteristics.
4. The TWO, at its fifty-fourth session, agreed with the TWA, at its fifty-first session, that no revision of document TGP/7 would be required as information on grouping characteristics was not relevant in the technical questionnaire and it would not be necessary to repeat information from Section 5 in the table of characteristics.
5. The TWF, at its fifty-third session, noted that there were different views on the proposal and it was not possible to come to an agreed conclusion at this stage.

[Annex IV follows]

Document TGP/7 “Development of Test Guidelines”

Converting standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (ASW).

*Background*

1. The TWA, at its fiftieth session[[15]](#footnote-16), considered the Test Guidelines for Rape Seed and Sunflower and noted that only seed‑propagated varieties existed for these crops. The TWA agreed that the following standard wording in the “Uniformity” chapter of Test Guidelines was not appropriate in such cases (see document TWA/50/9 “Report”, paragraphs 31 and 32):

“4.2.2 These Test Guidelines have been developed for the examination of [type or types of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 “Guidance for new types and species”, Section 4.5: “Testing Uniformity” should be followed.”

1. The TWA proposed deleting the standard wording in paragraph 4.2.2 from the Test Guidelines for Rape Seed and Sunflower. The TWA proposed converting the standard wording in paragraph 4.2.2 into additional standard wording (ASW) in document TGP/7 “Development of Test Guidelines”.

*Consideration by the Technical Committee*

1. The TC, at its fifty-seventh session, considered a proposal to convert the following standard wording in the “Uniformity” chapter of Test Guidelines into additional standard wording (see document TC/57/25 “Report”, paragraphs 42 and 43):

“4.2.2 These Test Guidelines have been developed for the examination of [type or types of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 “Guidance for new types and species”, Section 4.5: “Testing Uniformity” should be followed.”

1. The TC agreed to request the TWPs, at their sessions in 2022, to consider the proposal to amend document TGP/7 “Development of Test Guidelines” to convert the standard wording in the Test Guidelines template, paragraph 4.2.2, into additional standard wording (ASW).

*Consideration by the Technical Working Parties at their sessions in 2022*

1. The TWPs, at their sessions in 2022, considered the proposal and agreed to convert the following standard wording in the “Uniformity” chapter of Test Guidelines into additional standard wording, as set out in document TWP/6/1, paragraphs 21 and 22 (see documents TWV/56/22 “Report”, paragraph 11; TWA/51/11 “Report”, paragraph 29; TWO/54/6 “Report”, paragraph 28; TWF/53/14 “Report”, paragraph 13).

[Annex V follows]

Document TGP/7 “Development of Test Guidelines”

Disease resistance characteristics: Addition of state of expression and placement of non-asterisked disease resistance characteristics in Section 5 of the Technical Questionnaire

*Background*

1. The TWV, at its fifty-fifth session[[16]](#footnote-17), agreed to propose that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires (TQ) with the addition of a state of expression “not tested”, when a characteristic was not indicated with an asterisk at the table of characteristics (see document TWV55/16 “Report”, paragraph 37 to 39).

*Current guidance in document TGP/7*

1. Current guidance in document TGP/7 reads as follows:

*“GN 13 Characteristics with specific functions*

*[…]*

*“3. Technical Questionnaire (TQ) characteristics (Chapter 10: TQ 5)*

*[…]*

*“3.6 GN 13(4)(b) explains that “TQ characteristics selected from the Table of Characteristics should, in general, receive an asterisk in the Table of Characteristics”. Certain characteristics, particularly disease resistance characteristics, which are potentially useful as grouping characteristics might not be indicated with an asterisk in the Table of Characteristics. In the case of disease resistance characteristics, for example, there may be obstacles to the use of the characteristic for a number of members of the Union because of technical or quarantine requirements. Those same obstacles might also make it difficult for applicants to provide information on those characteristics if they were included in the Technical Questionnaire, Section 5 “Characteristics of the variety to be indicated”. Therefore, for such characteristics, information should be sought in Section 7 “Additional information which may help in the examination of the variety” of the Technical Questionnaire. The guidance on the presentation of the characteristics for Section 5 (see GN 13.3 & 13.4 above) would also apply for the presentation of characteristics in Section 7.”*

1. Discussions on a possible revision of document TGP/7 “Development of Test Guidelines” concerning the relationship between asterisks in the Test Guidelines and TQ characteristics is ongoing at the TWPs and reported in document TWP/6/10 “Revision of Test Guidelines”.

*Consideration by the Technical Committee*

1. The TC, at its fifty-seventh session, considered a proposal to revise document TGP/7, GN 13 “Characteristics with specific functions” to clarify that disease resistance characteristics should be presented in Section 5 of Technical Questionnaires with the addition of a state of expression “not tested”, when a characteristic was not indicated with an asterisk at the table of characteristics (see document TC/57/25 “Report”, paragraphs 36 and 37).
2. The TC noted that there were ongoing discussions at the TWPs on the relationship between asterisks in the Test Guidelines and TQ characteristics. The TC agreed to postpone considering the placement of non‑asterisked disease resistance characteristics in the TQ until its fifty-eighth session, to be considered in conjunction with any proposals from the TWPs on the relationship between asterisks in the Test Guidelines and TQ characteristics.

[Annex VI follows]

Document TGP/12 ‘Guidance on certain physiological characteristics’

Use of disease resistance characteristics

*Background*

1. The TWV, at its fifty-fifth session[[17]](#footnote-18), recalled discussions at its fifty-fourth session on the naming of the intermediate state of expression in disease resistance characteristics (document TWV/54/9, paragraphs 81 to 83) and the conclusion from the group, as reproduced below (see document TWV55/16 “Report”, paragraph 37 to 39):

*“[…] The TWV noted that guidance in document TGP/12 ‘Guidance on certain physiological characteristics’ provided an example of quantitative disease resistance characteristic with intermediate state of expression ‘moderately’.*

*“The TWV agreed that the term ‘intermediate’ was commonly used among experts and agreed to propose amending the example for quantitative disease resistance characteristics with ‘1–3’ scale in document TGP/12 to replace state of expression ‘moderately’ by ‘intermediate’. The TWV agreed that, in general, this should be the term used in Test Guidelines for disease resistance characteristics. […]”*

*Consideration by the Technical Committee at its fifty-seventh session*

1. The TC, at its fifty-seventh session, agreed to amend document TGP/12/2, Section 2.3.2, to replace state of expression “moderately resistant” by “intermediate”’ in the example of disease resistance characteristic with ‘1-3’ scale, to read as follows (see document TC/57/25 “Report”, paragraphs 44 and 45)

“Example with “1–3” scale: Resistance to *Sphaerotheca fuliginea* (*Podosphaera xanthii*) “(Powdery mildew) in Melon (UPOV Test Guidelines: TG/104/5)

|  |  | English |  |  | Example Varieties | Note |
| --- | --- | --- | --- | --- | --- | --- |
| **70.(+)** | **VG** | **Resistance to Sphaerotheca fuliginea (Podosphaera xanthii) (Powdery mildew)** |  |  |  |  |
| **70.1** |  | **Race 1** |  |  |  |  |
| QN |  | susceptible |  |  | […] | 1 |
|  |  | ~~moderately resistant~~ intermediate |  | […] | 2 |
|  |  | highly resistant |  |  | […] | 3 |

1. The TC noted that the word “highly” was only used for the resistant state of expression and agreed to invite the TWV to consider the example further.

*Consideration by the Technical Working Party for Vegetables*

1. The TWV, at its fifty-sixth session[[18]](#footnote-19), considered whether to revise the states of expression in the example characteristic in document TGP/12/2, Section 2.3.2, to address the use of the word “highly” in only one state of expression (see document TWV/56/22 “Report”, paragraphs 16 to 20).
2. The TWV noted that the scale “susceptible; intermediately resistant; and highly resistant” had been previously used in the Test Guidelines for Cucumber, Lettuce and Melon and was commonly used in the vegetable sector.
3. The TWV noted the explanation from France that state of expression “susceptible” covered a range of expressions, including “highly susceptible”. The TWV discussed how to apply general UPOV guidance for drafting disease resistance characteristics and agreed there was no consensus to amend guidance in document TGP/12 to delete the word “highly” from state of expression “highly resistant”.
4. The TWV agreed to invite the experts from France and the Netherlands to propose draft guidance explaining the particular features of disease resistance characteristics that require special treatment in relation to general UPOV guidance, to be presented to the TWV, at its fifty‑seventh session. The draft guidance should address matters such as establishing clear distinctness for quantitative disease resistance characteristics on the basis of a difference of one note between varieties; and explore possibilities for correlating the scales of UPOV characteristics with those used by phytopathologists for variety descriptions (e.g.: UPOV “Resistant” = phytopathology “Highly Resistant”).
5. The TWV agreed that state “intermediate” in the example provided in document TWP/6/1, paragraph 28, should read “intermediate resistant”.

[Annex VII follows]

PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS



[Annex VIII follows]

PROGRAM FOR THE DEVELOPMENT OF INFORMATION MATERIALS



[End of Annex VIII and of document]

1. held via electronic means on October 25 and 26, 2021 [↑](#footnote-ref-2)
2. held in Geneva on October 27, 2021 [↑](#footnote-ref-3)
3. At its fifty-sixth session, organized by electronic means, from April 18 to 22, 2022 [↑](#footnote-ref-4)
4. At its fifty-first session, held in Cambridge, United Kingdom, from May 23 to 27, 2022 [↑](#footnote-ref-5)
5. At fifty-fourth session, hosted by Germany and organized by electronic means, from June 13 to 17, 2022 [↑](#footnote-ref-6)
6. At its fifty-third session, held electronically, from July 11 to 15, 2022 [↑](#footnote-ref-7)
7. At its first session, held electronically, from September 19 to 23, 2022 [↑](#footnote-ref-8)
8. Hosted by the Netherlands and held via electronic means, from June 7 to 11, 2021 [↑](#footnote-ref-9)
9. Hosted by Germany and held via electronic means, from June 13 to 17, 2022 [↑](#footnote-ref-10)
10. Held via virtual means, from April 18 to 22, 2022 [↑](#footnote-ref-11)
11. hosted by the Netherlands and held via electronic means, from June 7 to 11, 2021 [↑](#footnote-ref-12)
12. Held via electronic means on October 25 and 26, 2022 [↑](#footnote-ref-13)
13. Held via virtual means, from July 11 to 15, 2022 [↑](#footnote-ref-14)
14. hosted by Turkey and held via electronic means, from May 3 to 7, 2021 [↑](#footnote-ref-15)
15. hosted by the United Republic of Tanzania and held via electronic means, from June 21 to 25, 2021 [↑](#footnote-ref-16)
16. hosted by Turkey and held via electronic means, from May 3 to 7, 2021 [↑](#footnote-ref-17)
17. hosted by Turkey and held via electronic means, from May 3 to 7, 2021 [↑](#footnote-ref-18)
18. Held via virtual means, from April 18 to 22, 2022 [↑](#footnote-ref-19)