



Disclaimer: unless otherwise agreed by the Council of UPOV, only documents that have been adopted by the Council of UPOV and that have not been superseded can represent UPOV policies or guidance.

This document has been scanned from a paper copy and may have some discrepancies from the original document.

---

Avertissement: sauf si le Conseil de l'UPOV en décide autrement, seuls les documents adoptés par le Conseil de l'UPOV n'ayant pas été remplacés peuvent représenter les principes ou les orientations de l'UPOV.

Ce document a été numérisé à partir d'une copie papier et peut contenir des différences avec le document original.

---

Allgemeiner Haftungsausschluß: Sofern nicht anders vom Rat der UPOV vereinbart, geben nur Dokumente, die vom Rat der UPOV angenommen und nicht ersetzt wurden, Grundsätze oder eine Anleitung der UPOV wieder.

Dieses Dokument wurde von einer Papierkopie gescannt und könnte Abweichungen vom Originaldokument aufweisen.

---

Descargo de responsabilidad: salvo que el Consejo de la UPOV decida de otro modo, solo se considerarán documentos de políticas u orientaciones de la UPOV los que hayan sido aprobados por el Consejo de la UPOV y no hayan sido reemplazados.

Este documento ha sido escaneado a partir de una copia en papel y puede que existan divergencias en relación con el documento original.

**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

GENEVA

**DIPLOMATIC CONFERENCE  
FOR THE REVISION OF THE INTERNATIONAL CONVENTION  
FOR THE PROTECTION OF NEW VARIETIES OF PLANTS****Geneva, March 4 to 19, 1991****REPORT OF THE CREDENTIALS COMMITTEE**prepared by the Secretariat

1. The Credentials Committee (hereinafter referred to as "the Committee"), established on March 4, 1991, by the Diplomatic Conference for the Revision of the International Convention for the Protection of New Varieties of Plants (hereinafter referred to as "the Conference"), met on March 4, 1991, and on March 14, 1991.
2. The delegations of the following States members of the Committee attended the meetings: France, Germany, Italy, South Africa and United States of America.
3. The Committee unanimously elected Mr. Marco G. Fortini (Italy) as Chairman and Mr. Jean-François Prevel (France) and Mr. Tobias-Kampmann (Germany) as Vice-Chairmen.

4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on March 4, 1991 (hereinafter referred to as "the Rules of Procedure"), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by delegations of States members of the International Union for the Protection of New Varieties of Plants (UPOV), participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure (hereinafter referred to as "Member Delegations"), by delegations of States other than those members of UPOV, participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (hereinafter referred to as "Observer Delegations"), and by the representatives of intergovernmental and international non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iii) of the Rules of Procedure (hereinafter referred to as "representatives of Observer Organizations").

5. On the basis of the information provided by the Secretariat as to the practice prevailing in other diplomatic conferences and in particular in diplomatic conferences convened by the World Intellectual Property Organization (WIPO), the Committee decided to recommend to the Conference, meeting in Plenary, that the following criteria should be applied by the Committee in its examination of, and should govern the decision of the Conference on, the credentials, full powers, letters or other documents presented for the purposes of Rules 6 and 7 of the Rules of Procedure:

(i) as far as any State is concerned, its delegation's credentials and full powers should be accepted if they were signed by that State's Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a note verbale or letter of that State's Permanent Representative in Geneva or in a note verbale of that State's Permanent Mission in Geneva, and should not otherwise be accepted, in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs or from an official other than the Permanent Representative or Chargé d'affaires a.i. of a Permanent Mission in Geneva should not be treated as credentials;

(ii) as far as any Organization is concerned, its representative's letter or other document of appointment should be accepted if it is signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;

(iii) facsimile and telex communications should be accepted if, as to their source the requirements stated in points (i) and (ii) were fulfilled.

6. Pending a final decision by the Conference, meeting in Plenary, on the said criteria, the Committee decided to apply those criteria to the documents received by it.

7. Accordingly, the Committee found in order

(a) as far as Member Delegations are concerned,

(i) the credentials and full powers (that is, credentials for participating in the Conference and full powers to sign a revised text of the International Convention for the Protection of New Varieties of Plants)

of the delegations of the following 7 States:

Denmark  
Israel  
Italy  
Netherlands  
Spain  
Switzerland  
United States of America

(ii) the credentials (without full powers) of the delegations of the following 13 States:

Australia  
Belgium  
Canada  
France  
Germany  
Hungary  
Ireland  
Japan  
New Zealand  
Poland  
South Africa  
Sweden  
United Kingdom

(b) as far as Observer Delegations are concerned, the credentials of the delegations of the following 24 States:

Argentina  
Austria  
Benin  
Bolivia  
Brazil  
Burundi  
Chile  
Colombia  
Côte d'Ivoire  
Czechoslovakia  
Ecuador  
Finland  
Ghana  
Indonesia  
Kenya  
Luxembourg  
Malawi  
Morocco  
Norway  
Republic of Korea  
Samoa  
Thailand  
Turkey  
Ukrainian SSR

(c) as far as the representatives of Observer Delegations are concerned, the letters or documents of appointment of representatives of the following Observer Organizations listed in the order given in the French version of Annex II to document DC/91/2):

World Intellectual Property Organization (WIPO)

United Nations Food and Agricultural Organization (FAO)

General Agreement on Tariffs and Trade (GATT)

Organization for Economic Cooperation and Development (OECD)

International Board for Plant Genetic Resources (IBPGR)

International Seed Testing Association (ISTA)

International Association of Horticultural Producers (AIPH)

International Association for the Protection of Industrial Property (AIPPI)

International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL)

International Chamber of Commerce (ICC)

International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA)

General Committee for Agricultural Cooperation in the European Economic Community (COGECA)

Association of Plant Breeders of the European Economic Community (COMASSO)

Committee of Agricultural Organisations in the European Economic Community (COPA)

Seed-Committee of the Common Market (COSEMCO)

European Federation of Pharmaceutical Industries' Associations (EFPIA)

International Federation of Industrial Property Attorneys (FICPI)

International Federation of Agricultural Producers (IFAP)

International Federation of the Seed Trade (FIS)

International Group of National Associations of Manufacturers of Agrochemical Products (GIFAP)

Union of Industrial and Employers' Confederations of Europe (UNICE)

Union of European Practitioners in Industrial Property (UEPIP)

8. The Committee noted that a letter of appointment of representatives of the Commission of the European Communities had been received from the Commission of the European Communities and that a letter of appointment of representatives of the European Patent Office had been received from the European Patent Office.

9. The Committee noted that, in accordance with established practices, a designation of representation implied, in principle, in the absence of any express reservation, the right of signature, and that it should be left to each delegation to interpret the scope of its credentials.

10. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the delegations mentioned in paragraph 7(a), above, the credentials of the delegations mentioned in paragraph 7(b), above, and the letters or documents of appointment of the representatives of the Organizations mentioned in paragraph 7(c), above.

11. The Committee expressed the wish that the Secretariat should bring Rules 6 ("Credentials and Full Powers"), 7 ("Letters of Appointment") and 10 ("Provisional Participation") of the Rules of Procedure to the attention of Member Delegations or Observer Delegations not having presented credentials or full powers and of the representatives of Observer Organizations not having presented letters or other documents of appointment.

12. The Committee decided that a report on its meeting should be prepared by the Secretariat and issued as its report, to be presented by the Chairman of the Committee to the Conference, meeting in Plenary.

13. The Committee authorized its Chairman to examine any further communications concerning Member Delegations, Observer Delegations or Observer Organizations which might be received by the Secretariat and to report thereon to the Conference, meeting in Plenary, unless the Chairman deemed it necessary to convene the Committee to examine and report on those communications.

[End of document]