

Working Group on DUS Support**UPOV/WG-DUS/3/3****Third Meeting
Geneva, March 20, 2023****Original: English
Date: May 15, 2023**

REPORT*Adopted by the Working Group on DUS Support**Disclaimer: this document does not represent UPOV policies or guidance***OPENING OF THE MEETING**

1. The Working Group on DUS Support (WG-DUS) held its third meeting in Geneva on March 20, 2023, as a hybrid meeting. In the absence of the Vice Secretary-General, the meeting was chaired by Mr. Leontino Taveira, Head of Technical Affairs and Regional Development (Latin America, Caribbean) of UPOV. The Terms of Reference of the WG-DUS are presented in Annex I to this report.

2. The meeting was opened by the Chair, who welcomed the participants.

3. The list of participants is reproduced in Annex II to this report.

AGENDA

4. The WG-DUS adopted the draft agenda as proposed in document UPOV/WG-DUS/3/1.

DRAFT RECOMMENDATIONS ON THE PROPOSALS PRESENTED IN DOCUMENT TC/58/18 "SURVEY ON THE NEEDS OF MEMBERS AND OBSERVERS IN RELATION TO TWPS"

5. The WG-DUS considered document UPOV/WG-DUS/3/2.

6. The WG-DUS noted that the proposals presented in document TC/58/18 were reproduced in document WG-DUS/3/2 as text boxes. The WG-DUS agreed that the WG-DUS recommendations should be complete without references to document TC/58/18, to avoid confusion.

List of objectives

7. The WG-DUS considered its Terms of Reference and agreed that the following deliverables agreed at its first meeting¹ correlated to the objectives in the Terms of Reference of the WG-DUS (see document WG-DUS/1/1 "Report", paragraph 6):

- (a) Harmonized procedures;
- (b) Information on developments;
- (c) Interaction between experts and integration of new experts in UPOV's work;
- (d) Training.

8. The WG-DUS agreed that the following issues to improve the technical support provided by UPOV, agreed at its second meeting², also correlated to objectives in the Terms of Reference, on the basis of amending issues (2), (7) and (8) to read as follows:

¹ Held as a hybrid meeting on November 25, 2022

² See document WG-DUS/2/3 "Report", paragraphs 7 to 16

- (1) avoid unnecessary repetition of content across meetings;
- (2) increasing interaction among TWM experts and those at other TWPs and the TC, including DUS examiners;
- (3) time for members' presentations on DUS procedures;
- (4) visits to field trials with sufficient time for engagement (e.g. ring-tests);
- (5) providing opportunities for experts to meet and exchange views;
- (6) facilitating training;
- (7) to ensure that the work of the TWPs is most effective;
- (8) TGs discussions as hybrid meetings during TWPs or as online meetings to increase the involvement of crop experts and members;
- (9) facilitate drafting national test guidelines through access to other members' test guidelines and experts who can assist drafting;
- (10) other cross-cutting matters historically considered by Technical Working Parties (TWP) (e.g. TGP documents, UPOV Codes etc.).

Annual Technical Conference / Technical Working Parties

9. The WG-DUS noted that the proposal to replace the Technical Working Party meetings by a single Annual Technical Conference had not been supported and agreed that the recommendations for improving support for DUS examination were provided on the basis of the current arrangements for TWPs (one year of physical meeting in hybrid format alternating with a fully virtual meeting the following year). In this regard, the WG-DUS agreed that the role of the Office of the Union was also considered on the basis of its current tasks supporting the organization of TWP meetings and discussion on Test Guidelines (TGs).

Technical Visits

10. The WG-DUS considered the recommendation on the duration of technical visits in document WG-DUS/3/2, paragraph 9, and agreed that guidance provided to TWP hosts should propose one full day of technical visits.

11. The WG-DUS noted that the section on technical visits encompassed different types of activities, as presented in document WG-DUS/3/2, paragraph 10, and agreed that the section should be renamed to read "Discussion on DUS Procedures".

12. The WG-DUS considered the recommendation on virtual participation at technical visits presented in document WG-DUS/3/2, paragraph 12, and agreed to recommend that hosts enable virtual participation at technical visits whenever possible.

Periodicity and duration of TWP meetings

13. The WG-DUS agreed that the expression "physical (hybrid)" [meetings] should be replaced by "hybrid meetings (in-person and remote participants)".

Presence of the Office of the Union

14. The WG-DUS agreed that the wording in document WG-DUS/3/2, paragraph 15, should be amended to read as follows:

"It is **recommended** that the presence of the Office of the Union is provided at TWP meetings preferably on-site. It is **recommended** to acknowledge that the staff of the Office of the Union would not be involved in organizing the technical visits and their presence on-site for the visits would be agreed with the chair and the host of the TWP."

Technical Working Party on Testing Methods and Techniques

15. The WG-DUS agreed to recommend that the TWM have the same meeting arrangement possibilities as other TWPs for further promoting the interaction among TWM and DUS experts.

Technical Committee

16. The WG-DUS agreed to recommend organizing hybrid seminars and exhibitions of research with poster sessions in conjunction with meetings of the Technical Committee. The WG-DUS agreed to recommend exploring possibilities for providing access to the information from the poster sessions to experts not physically present at the TC sessions.

UPOV Test Guidelines

Commissioning the drafting and revision of Test Guidelines

17. The WG-DUS agreed that the procedures established in document TGP/7 "Development of Test Guidelines" continued to be appropriate for commissioning the drafting of TGs, including that the TWPs would nominate leading experts in charge of each draft TG.

Procedure for the development of Test Guidelines

Web-based TG Template

18. The WG-DUS agreed with the recommendation to provide flexibility for leading experts to decide on the use of the web-based TG template, while noting that the draft for adoption by the TC would need to be prepared in the web-based TG template format.

Subgroup meetings

19. The WG-DUS agreed to recommend that leading experts should enhance exchange among crop experts including by meetings outside of TWP sessions. The WG-DUS agreed that leading experts should have flexibility to agree the frequency and duration of TG subgroup meetings, while reporting back discussions at the respective TWP prior to submission of draft TGs for approval at the TC.

Role of the Office of the Union

20. The WG-DUS noted that the role of the Office of the Union had not been clarified and agreed to recommend the involvement of the Office of the Union for administrative support of the TG subgroup meetings as follows:

- For meetings arranged during TWP meetings, the involvement of the Office of the Union would be agreed between the leading expert and the Office of the Union (e.g. facilitating discussions and/or reporting).
- For meetings arranged outside TWP meetings, administrative support would not be provided (leading experts to facilitate discussions and reporting)

UPOV members test guidelines

21. The WG-DUS agreed that the recommendation in document WG-DUS/3/2, paragraph 23, should be amended to read as follows:

"It is **recommended** that options for enabling UPOV members to make their national test guidelines available to other UPOV members be investigated, including through the web-based TG Template or other options."

22. The WG-DUS agreed to recommend exploring alternatives to provide information on the crops which members have practical experience in DUS examination.

TGP documents

23. The WG-DUS agreed to recommend that matters that would require amending or developing guidance in TGP documents be dealt with by subgroups established by the TC, on the basis that the subgroups could also meet in hybrid format in conjunction with other UPOV meetings. A leading expert would chair discussions and present to the TC any findings and proposals of the subgroup.

24. The WG-DUS agreed to recommend the involvement of the Office of the Union for administrative support for TGP subgroup meetings as follows:

- For meetings arranged during the TWPs, the involvement of the Office of the Union would be agreed between the leading expert and the Office of the Union.
- For meetings arranged outside the TWPs, administrative support would not be provided. The leading experts would facilitate the meetings and record any decisions.

Training

25. The WG-DUS agreed to recommend as follows:

- to conduct training webinars to address topics of particular relevance as defined by the TC in response to requests from members and/or observers, using a similar structure as the preparatory webinars held prior to TWP meetings.
- To further investigate the development of a new course on using UPOV guidance on DUS examination (e.g. development of test guidelines), including the format in which the content would be offered (e.g. workshop; videos).
- to provide further information on the UPOV website on possibilities for training provided by members and to use the training website to promote requests and offers for training and related cooperation, as proposed by members and relevant organizations.

DUS report exchange platform (UPOV e-PVP)

26. The WG-DUS considered the approach proposed for the “DUS report exchange platform” (UPOV e-PVP) and agreed to recommend it as a platform for exchanging DUS reports and information on documented DUS procedures. The WG-DUS noted that the DUS Report Exchange Platform would enable exchange of existing DUS reports for:

- (1) UPOV members to make existing DUS reports available for download
- (2) UPOV members to request existing or pending DUS reports

Performance indicators

27. The WG-DUS considered performance indicators to assess the impact of the proposed measures and agreed that the following could be used:

(a) Harmonized procedures

- Number of UPOV members using UPOV Technical Questionnaires
- Percentage of PVP applications in UPOV members covered by Test Guidelines
- Use of UPOV member test guidelines by other UPOV members to develop national test guidelines where there are no UPOV Test Guidelines
- Number of DUS reports produced by UPOV members that are used by other members

(b) Training

- Number of DUS examiners and administrators that have UPOV certification

28. The WG-DUS agreed that further performance indicators could be developed and considered at its subsequent meeting.

Next steps

29. The WG-DUS requested the Office of the Union to prepare a document for its fourth meeting revising the recommendations provided in document WG-DUS/3/2, on the basis of the above conclusions.

30. The WG-DUS noted that the draft recommendations would be presented at the Technical Working Parties at their meetings in 2023.

DATE OF THE NEXT MEETING

31. The WG-DUS agreed to hold its fourth meeting via electronic means on September 5, 2023.

32. *The Working Group on DUS Support adopted this report by correspondence on May 15, 2023.*

[Annexes follow]

TERMS OF REFERENCE OF THE
WORKING GROUP ON DUS SUPPORT (WG-DUS)

PURPOSE

The purpose of the WG-DUS is to make recommendations to the Technical Committee at its fifty-ninth session on the proposals presented in TC/58/18 "Survey on the needs of members and observers in relation to TWPs".

COMPOSITION

- (a) the following members of the Union and observers that expressed an interest to be part of the WG-DUS: Argentina, Australia, Belarus, Brazil, Canada, Chile, China, the Czech Republic, the European Union, France, Germany, Ghana, Hungary, Japan, Kenya, Morocco, the Netherlands, New Zealand, the Republic of Korea, Romania, Slovakia, South Africa, Spain, the United Kingdom, the United Republic of Tanzania, the United States of America, CIOFORA, CropLife International, ISF and SAA;
- (b) other members of the Union would be free to participate at any meeting of the WG-DUS; and
- (c) meetings to be chaired by the Vice Secretary-General.

MODUS OPERANDI

- (a) The WG-DUS to:
 - (i) draft recommendations on the proposals presented in TC/58/18 "Survey on the needs of members and observers in relation to TWPs", including the possibility to present new proposals that would address the issues identified by participants in the interviews;
 - (ii) specify the objectives of each of the recommended proposals and identify performance indicators that would enable an objective measurement of the success of those proposals;
 - (iii) clarify the role of the Office of the Union, as appropriate, in each of the proposals;
 - (iv) present draft recommendations at the Technical Working Parties at their meetings in 2023; and
 - (v) present recommendations to the Technical Committee at its fifty-ninth session.
- (b) the WG-DUS to meet at a time and frequency to address its mandate, by physical and/or virtual means, as agreed by the WG-DUS; and
- (c) the documents of the WG-DUS to be made available to the TC.

[Annex II follows]

ANNEX II

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[End of Annex II and of document]