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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE**Ninety-Second Session
Geneva, October 27, 2016**

ORGANIZATION OF THE UPOV SESSIONS

*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The Consultative Committee, at its ninetieth session held in Geneva on October 28 and 29, 2015, requested the Office of the Union to prepare a document with options and possible impacts of holding the sessions of the bodies that meet in Geneva consecutively, only once a year (see document CC/90/20 "Report on the Conclusions", paragraph 116).

EXECUTIVE SUMMARY

2. On the basis of the information presented in this document, the Consultative Committee may wish to consider the following proposal:

(a) after 2017 (see paragraph 22), to hold a single set of sessions of UPOV bodies in the period mid- to late November, with a more specific proposal for timing being developed after taking into account the views of the Technical Committee, which would be invited to consider the matter at its fifty-third session, to be held in Geneva from April 3 to 5, 2017;

(b) an arrangement for the scheduling of the UPOV bodies, on the basis of paragraph 9, with a final proposal being developed after taking into account the views of the Technical Committee, which would be invited to consider the matter at its fifty-third session;

(c) at its ninety-third session, to be held in Geneva on April 7, 2017, to make a recommendation for adoption by the Council at its thirty-fourth extraordinary session, to be held in Geneva on April 7, 2017;

(d) subject to agreement by the Council to organize a single set of sessions from 2018, to consider measures that:

(i) would increase opportunities for members of the Union to meet and exchange information in conjunction with the UPOV sessions, as set out in paragraph 12; and

(ii) the UPOV bodies may take in relation to the nature and content of session documents in order to make the sessions as efficient as possible, as set out in paragraph 36.

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POSSIBLE SCHEDULE

Timing of the Sessions

Background

3. The information provided in Annex I to this document indicates that the number of members of the Union participating in the March/April and October sessions of the Council, Consultative Committee and CAJ are similar, but with a slightly higher number of participants attending the October sessions in normal circumstances.

Financial planning

4. The timetable for preparing the Program and Budget, including the importance of having the financial management report for the preceding financial period available at the time of consideration of the draft Program and Budget, means that it would not be feasible to arrange the Council session in March/April. In particular, the Financial Regulations and Rules of UPOV (document UPOV/INF/4/4) states as follows:

“Regulation 2.6

“The Secretary-General shall submit the proposed program and budget for the following financial period to the Consultative Committee for discussion, comments and recommendations, including possible amendments, by the first of September of the year preceding the financial period.

“Regulation 2.7

“The Consultative Committee shall review the program and budget proposed by the Secretary-General and transmit it to the Council with its recommendations.

“Regulation 2.8

The Council shall adopt the program and budget for the following financial period after consideration of the proposed program and budget and the recommendations of the Consultative Committee thereon. If the program and budget is not adopted before the beginning of the following financial period, the authorization to the Secretary-General to incur obligations and make payments would remain at the level of appropriations of the previous financial period.”

[...]

“Financial reporting**“Regulation 6.5**

(1) The annual financial statements for each calendar year of the financial period shall be submitted by the Secretary-General to the External Auditor no later than March 31 following the end of the calendar year to which they relate.

(2) Within eight months after the end of each calendar year the Secretary-General shall submit the annual financial statements and the audit report of the External Auditor to the Council.

[...]

“Regulation 6.6

(1) Within six months after the end of each financial period, the Secretary-General shall prepare the financial management report for that financial period. [...]

“Rule 106.12

(a) The Controller of WIPO shall prepare the financial management report in accordance with Regulation 6.6.

(b) Within eight months after the end of each financial period, the Secretary-General shall submit to the Council the financial management report prepared in accordance with Regulation 6.6.”

5. In recognition of the administrative efficiency of any UPOV financial procedures being consistent with WIPO financial procedures, it would not be appropriate to consider a change to the current financial period.

6. For the purposes of approving the Program and Budget sufficiently in advance of the start of the financial period, the Consultative Committee and Council sessions would need to be held before the end of November. The preparation of the draft Program and Budget is considered further in the section “Impact and possible measures to minimize negative impact” (see paragraphs 21 and 22).

Preparation of documents

7. A single set of sessions would need to be sufficiently after the WIPO Assemblies to avoid a clash for translation services. The WIPO Assemblies are now scheduled during the first two weeks of October, meaning that the UPOV sessions should not be scheduled before the end of October.

8. The Technical Committee should be scheduled sufficiently after the Technical Working Party sessions to allow for Technical Committee documents, including Test Guidelines, to be prepared and translated. This aspect is considered further in the section “Impact and possible measures to minimize negative impact” (see paragraphs 29 to 35).

Organization of the Sessions

9. It is anticipated that the sessions would need to be organized in a single week in order to be acceptable for UPOV members in terms of cost and duration of absence from their workplace. On that basis, the following schedule might be considered:

Friday	Working Group (if appropriate)
Saturday	Working Group (if appropriate) / Enlarged Editorial Committee
Sunday	Working Group (if appropriate) / Enlarged Editorial Committee
Monday	Technical Committee
Tuesday	Technical Committee
Wednesday	Administrative and Legal Committee
Thursday	Consultative Committee
Friday	Council
Saturday	Symposium /Seminar/Working Group (if appropriate)

POSSIBLE IMPACTS

10. This section anticipates possible impacts of moving to a single set of sessions and considers possible measures to address any negative impacts.

Members of the Union

11. It is anticipated that the main incentive for changing to a single set of sessions would be to deliver significant time and cost savings for members of the Union.

12. Organizing a single set of sessions would reduce the number of opportunities for members of the Union to meet. Therefore, if a decision is taken by the Council to change to a single set of sessions, the Consultative Committee may wish to consider measures that would increase opportunities for members of the Union to meet and exchange information in conjunction with the UPOV sessions.

UPOV bodies*Council*

13. The following section allocates the matters for which the Council took decisions at its extraordinary sessions held between 2012 and 2016, inclusive, into: (a) matters that it is proposed could be considered at the ordinary sessions of the Council without significant adverse effects; and (b) matters that it is proposed for the Consultative Committee to consider whether an extraordinary session of the Council should be scheduled.

(a) Matters that it is proposed could be considered at the ordinary sessions of the Council without significant, adverse effects

14. The following matters on which the Council took decisions at its extraordinary sessions held between 2012 and 2016, inclusive, are suggested to be matters that could be considered at the ordinary sessions of the Council, with suitable planning, without significant adverse effects:

- (i) revision of the calendar of meetings;
- (ii) adoption of information materials;
- (ii) extension to the appointment of the Vice Secretary-General;
- (iv) approval of the organization and program of a seminar on essentially derived varieties (EDVs);
- (v) adoption of answers to frequently asked questions;
- (vi) creation of a special UPOV account to finance extra-budgetary projects agreed by the Council;
- (vii) creation of an exception, in relation to Staff Regulation 4.16 (a), to provide for a maximum additional two-year extension of a temporary appointment; and
- (viii) establishing a separate UPOV bank account to hold funds allocated for financing UPOV's After-Service Health Insurance (ASHI) liability.

15. In the case of item (i) “revision of the calendar of meetings”, the need for such revisions would be significantly reduced by the organization of a single set of sessions. In cases where a revision was needed with regard to a Technical Working Party (e.g. the change of date or venue within the same UPOV member), such changes could be considered by correspondence and the calendar of meetings revised accordingly. However, if appropriate, an extraordinary session of the Council could be convened.

(b) Matters that it is proposed for the Consultative Committee to consider whether an extraordinary session of the Council should be scheduled

16. The following matters on which the Council took decisions at its extraordinary sessions between 2012 and 2016, inclusive, are suggested to be matters that the Consultative Committee consider in relation to the need for an extraordinary session of the Council:

- (i) examination of the conformity of the legislation or proposed legislation of any State or organization having submitted a request under Article 34(3) of the 1991 Act of the UPOV Convention;

17. In the five extraordinary sessions of the Council held between 2012 and 2016, the Council examined the conformity with the 1991 Act of the UPOV Convention of the following three pieces of legislation:

- Plant Breeders’ Rights Bill for Zanzibar (2013)
- Draft ARIPO Protocol for the Protection of New Varieties of Plants (2014)
- Draft provisions of Book Four ‘Plant Varieties’ of Law No. 82 of 2002 Pertaining to the Protection of Intellectual Property Rights of Egypt (2015)

- (ii) approval for the organization of a “Symposium on possible interrelations between the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the International Convention for the Protection of New Varieties of Plants (UPOV Convention)”.

18. In relation to the above matters, the Consultative Committee may wish to consider whether substantial problems would arise if States and organizations were informed that the UPOV Council would only meet on an annual basis, bearing in mind that the Council would continue to have the possibility to convene an extraordinary session in accordance with the procedures set out in document UPOV/INF/7 “Rules of Procedure of the Council”.

Consultative Committee

19. The following section allocates the matters for which the Consultative Committee agreed particular actions at its March/April sessions between 2012 and 2016, inclusive, into: (a) matters that it is proposed could be considered at the October/November sessions of the Consultative Committee without significant adverse effects; (b) matters that could be considered by the Consultative Committee by correspondence in accordance with the Incident Management Procedure of the Communication Strategy, as set out in document CC/89/8, Annex, an extract of which is reproduced in Annex II to this document; and (c) matters that it is proposed for the Consultative Committee to consider whether a session of the Consultative Committee should be scheduled in March/April.

20. Matters on which the action of the Consultative Committee was a recommendation to the Council are not included, because those matters will have been considered in the Council section above. Matters that were only noted by the Consultative Committee are also excluded from this section.

(a) Matters that it is proposed could be considered at the October/November sessions of the Consultative Committee without significant adverse effects

- (i) Preparation of reports to the Council (approval for matters to be presented in the annual report of the Secretary-General and the performance report for the Biennium and for the presentation of information on activities for the promotion of plant variety protection);
- (ii) Approval of the revised disclaimer text on the meeting section of the UPOV website, and the addition of a disclaimer to each UPOV session document;
- (iii) Communication strategy;
- (iv) Agreement to the procedure for the checking of translations before posting on the UPOV website;

- (v) Matters raised by the International Seed Federation (ISF): agreement to invite the International Seed Federation (ISF), the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA) and CropLife International to elaborate the problems faced with the current situation and possible solutions offered by an international filing system, a UPOV quality assurance program and a central examination system for variety denominations, for consideration by the Consultative Committee at its eighty-eighth session in October 2014; agreement to invite ISF, CIOPORA and CropLife International to be present, at the relevant part of the eighty-eighth session, in order to provide further information in response to questions from the Consultative Committee; and request for the Office of the Union to provide relevant information on the international filing systems of the World Intellectual Property Organization (WIPO) at its eighty-eighth session;
 - (vi) Agreement to the separation of the DL-305 course into two separate courses, DL-305-A "Administration of Plant Breeders' Rights" and DL-305-B "DUS Examination", and approval of the program for distance learning courses in 2014 to 2015;
 - (vi) Internal Audit and Reports of the WIPO Independent Advisory Oversight Committee: agreement to invite the WIPO Internal Oversight Division (IOD) to give a presentation on its work at the ninetieth session and to consider plans for an internal audit of UPOV in 2016-2017;
 - (v) Approval for the planned use of the Special Project Fund for training purposes in the context of the UPOV training and assistance strategy;
 - (vi) International system of cooperation (ISC) (2015): agreement that the matter should be considered further at its ninetieth session and agreement that the Office of the Union should produce a document with more information about the need for an international system, providing a business analysis and cost estimate based on the scheme provided in document CC/89/6, Annex I;
 - (vii) Access to UPOV documents and publication of information: agreement to consider proposals in relation to a policy on documents, including communications provided by observers, at its ninetieth session;
 - (viii) Approval of the new UPOV logo;
 - (ix) Agreement, subject to approval by the participants to the EAF project, the CAJ and the Consultative Committee, to seek the approval by the Council at its fiftieth ordinary session, for the launch of the EAF at the end of 2016 or beginning of 2017;
 - (x) International system of cooperation (ISC) (2016): agreement that members of the Union be given until May 20, 2016, to: (a) provide additional issues concerning a possible ISC; (b) comment on the draft mandate and terms of reference presented in document CC/91/5, paragraphs 8 and 9; and (c) indicate their wish to participate in a working group to explore the issues concerning a possible ISC. Agreement that, on the basis of the information provided above, the Office of the Union would prepare a document for consideration at its ninety-second session, to be held in Geneva on October 27, 2016, containing a draft mandate and terms of reference for a possible WG-ISC, issues to be considered and proposed members of the WG-ISC. Subject to agreement on those matters, the WG-ISC would meet immediately following the ninety-second session of the Consultative Committee;
 - (xi) Request for the Office of the Union to prepare a draft FAQ on the relevance of the UPOV system of plant variety protection for the United Nations Sustainable Development Goals (SDGs).
- (b) *Matters that could be considered by the Consultative Committee by correspondence*
- (i) Approval for the participation of the Office of the Union in the World Intellectual Property Organization (WIPO) Framework for Designing National Intellectual Property Strategies for Development;
 - (ii) Approval for the contribution of the Office of the Union in the development of the WIPO Questionnaire "A tool to assess the current status of the national intellectual property system, strategic objectives and needs in line with national development priorities";
 - (iii) Approval for the participation of the Office of the Union in the work of a multi-stakeholder team on the definition of mechanisms for enhancing public private partnerships in pre-breeding, following the request from the "Plant Genetic Resources and Seeds Team and a number of other functional units, especially the International Treaty on Plant Genetic Resources for Food and Agriculture", as set out in paragraphs 1 to 3 of document CC/85/9 Add.;

- (iv) Developments under the auspices of the Food and Agriculture Organization of the United Nations (FAO) International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA): request for the Office of the Union to identify with the Secretary of the ITPGRFA and the Secretariat of WIPO possible areas of interrelations among the international instruments of the ITPGRFA, WIPO and UPOV with a view to a possible joint publication on interrelated issues regarding innovation and plant genetic resources, and other possible initiatives, and to present proposals for consideration by the Consultative Committee at its eighty-eighth session;

(c) *Matters that it is proposed for the Consultative Committee to consider whether a session of the Consultative Committee should be scheduled in March/April*

- (i) Financial situation in relation to the program and budget of the Union for the forthcoming biennium;
- (ii) Preparation of the Draft Program and Budget of the Union for the forthcoming biennium: the Consultative Committee agreed the structure and contents to be used as the basis for the preparation of the Draft Program and Budget of the Union for the 2014-2015 Biennium.

21. In recent years (March/April 2011, 2013 and 2105), the Consultative Committee has been presented with a complete, preliminary draft Program and Budget for the subsequent Biennium (e.g. document CC/89/5 "Preparation of the draft program and budget of the Union for the 2016-2017 Biennium"), in conjunction with the most up-to-date information on the financial situation (e.g. see document CC/89/5, Annex I), as a basis for the preparation of the draft Program and Budget to be presented to the Council in the corresponding October. In March/April for former biennia, the Consultative Committee considered a document providing only certain key elements of the Draft Program and Budget (e.g. see document CC/77/4 "Preparation of the Draft Program and Budget of the Union for the 2010-2011 Biennium"). A document providing only certain key elements of the draft Program and Budget could be prepared one year before the draft Program and Budget to be presented to the Council, whilst acknowledging that some modifications would be necessary in the draft Program and Budget on the basis of further information on the financial situation becoming available in the meantime.

22. It should be noted that the draft Program and Budget for the 2018-2019 Biennium will be considered by the Council in October/November 2017. If the Council decided to discontinue the March/April sessions of the Consultative Committee and Council in 2017, there would be no opportunity to present a preliminary draft to the Consultative Committee before October/November 2017. It is therefore proposed to consider the organization of a single set of sessions from 2018.

Administrative and Legal Committee (CAJ)

23. At the seventy-first session of the Administrative and Legal Committee (CAJ), held in Geneva on March 26, 2015, the Chair noted that there were important issues on the agenda of the CAJ, but observed that there were only a few items to be discussed. That led him to wonder whether those items could be considered in a single two-day session rather than the current practice of a one-day CAJ session in March/April and a two-day CAJ session in October/November. He was of the opinion that two days would be sufficient to discuss the agenda items. He made reference to the Technical Committee (TC), which held one session per year, and suggested that the CAJ might also wish to consider the benefits of meeting only once a year. He indicated that a decision would not need to be taken at that time but expressed the view that it would be appropriate to reflect on that question, in October 2015, when considering the program for the seventy-third session of the CAJ.

24. The Vice Secretary-General explained that the possibility of holding a CAJ session once per year had been raised by the Chair after consultation with the Office of the Union. In support of the question raised by the Chair, he noted that certain delegates had expressed the wish to have draft information materials and explanatory notes published on the UPOV website earlier than six weeks before the session, in order to have more time for consultation. However, with only six months between the two sessions of the CAJ, it was difficult to prepare new versions of documents in the four languages earlier than six weeks before the session. The Vice Secretary-General also made reference to the costs for organizing each session of the CAJ, and costs for participants.

25. At its seventy-second session, held in Geneva on October 26 and 27, 2015, the CAJ considered the work program for the seventy-third session of the CAJ and proposed not to hold a CAJ session in

March 2016 and to hold a two-day CAJ session in October 2016. The CAJ noted that a report on the conclusion of the CAJ, on the schedule of the CAJ sessions for 2016, would be made to the Consultative Committee, at its ninetyeth session, to be held on October 28, 2015.

26. The Consultative Committee, at its ninetyeth session, held in Geneva on October 28 and 29, 2015, received a report on the conclusions of the CAJ at its seventy-second session, held in Geneva on October 26 and 27, 2015, concerning the calendar of meetings in 2016 (see document CAJ/72/9 "Report on the Conclusions", paragraphs 23, 27, 48 and 49), in which it was reported that the CAJ:

(a) proposed not to hold a CAJ session in March 2016 and to hold a two-day CAJ session in October 2016;

(b) agreed to expand the mandate and the composition of the Working Group for the Development of a UPOV Denomination Similarity Search Tool to prepare recommendations for the CAJ concerning the revision of document UPOV/INF/12 "Explanatory Notes on Variety Denominations under the UPOV Convention" (to become the Working Group on Variety Denominations (WG-DEN)) and proposed that the WG-DEN meet during the week of the UPOV sessions in March 2016;

(c) agreed to propose to the Council to organize a one-day seminar on propagating and harvested material, to be held in conjunction with the UPOV sessions in October 2016. The seminar should include speakers to report on cases in which the notions of harvested material and/or propagating material had been considered, and speakers from relevant academic institutions and judicial authorities to provide perspectives on the subject. CAJ members and observers would be invited to propose speakers. The Office of the Union, Chair of the CAJ and President of the Council would prepare a draft program for consideration by the Consultative Committee and approval by the Council in March 2016.

27. The Consultative Committee endorsed the above proposals and also requested the Office of the Union to prepare a document with options and possible impacts of holding the sessions of the bodies that meet in Geneva consecutively, only once a year (this document).

28. On the above basis, it is not anticipated that there would be any substantial disadvantages in discontinuing the March/April sessions of the CAJ.

Technical Committee / Technical Working Parties

29. The Technical Committee (TC) holds only one session per year. Therefore, the impact would be related to the change of timing of the TC. The main consideration in that regard would be the requirement to prepare documents transmitting proposals from the Technical Working Parties (TWPs) to the TC, including Test Guidelines proposed for adoption, sufficiently in advance of the TC session.

30. With regard to the submission of Test Guidelines from the TWPs to the TC, document TGP/7 "Development of Test Guidelines" (see Chapter 2.2.6) requires that:

- Where the TWP has specified amendments to be made to the draft prior to submission to the Technical Committee and the amendments requested by the TWP require further information to be provided to the Office by the Leading Expert, this should be provided within six weeks of the TWP session, or according to a deadline agreed by the Chairperson of the TWP in conjunction with the Office of the Union. In general, if the Leading Expert is unable to provide the agreed information within the specified deadline, the Test Guidelines would be re-presented at the following TWP session.
- After translation into all the UPOV languages, the Test Guidelines are issued, by the Office of the Union, to members of, and observers to, the Technical Committee. In general, the Test Guidelines are to be issued at least four weeks prior to the relevant session of the Technical Committee.

31. In accordance with document TGP/7, and assuming a period of four weeks is allowed for translation, the date of the TC should be no earlier than 14 weeks after the final TWP session. If the UPOV sessions were held in mid-November, for example, this would mean that the latest date for a TWP session should be the end of July.

32. The timing of TWP sessions is, in part, determined by the desire to visit growing trials or relevant crops/species at an appropriate stage (see document TC/51/37 “Possible ways of improving the effectiveness of the TC, TWPs and Preparatory Workshops”).

33. The following table summarizes the scheduling of TWPs between 2000 and 2016:

Month	Total number of sessions (%) (2000-2016)	Hosting UPOV Member
April	3 (4%)	AU, CN, NZ
May	7 (9%)	BR, FR, HR, HU, KE, JP, MA
June	33 (41%)	BR, CA, CH, CN, CZ, DK, FI, HU, IT, JP, KE, KR, MD, MX, NL, PL, PT, QZ, SE, SK, UA, US
July	12 (15%)	BG, CN, DE, HU, JP, KR, MX, US, ZA
August	5 (6%)	BR, KR, ZA
September	12 (15%)	BR (TWA), CA (TWF; TWO), FR (TWF), GB (TWO), JP (TWA; TWF; TWO; TWV), KR (TWC; TWO), MX (TWA; TWF; TWO), QZ (TWO), RO (TWC)
October	2 (3%)	ES (TWF), NZ (TWA)
November	6 (8%)	AR (TWA; TWF), EC (TWO), JP (TWF; TWO), QZ (TWF)

34. The table above indicates that the majority of TWP sessions would have been able to meet the schedule set by document TGP/7.

35. With regard to options that might be considered in order to accommodate a TC in mid-November, the following might be considered:

Option 1: Move forward the schedule of TWP sessions by 4 months

Move the window for TWP sessions to: January – July.

Option 2: Move forward the schedule of TWP sessions by 2½ months

Move the window for TWP sessions to: January – mid September.

For sessions in September, this would require that the TWPs would only submit Test Guidelines for which further information was not required to be provided to the Office of the Union by the Leading Expert, thereby reducing the time for preparation by 6 weeks. This option would still also allow for documents containing proposals from the TWPs to the TC to be published at least four weeks before the TC session.

UPOV session documents

36. If a decision is taken by the Council for a single set of sessions to be organized in a single week, the Consultative Committee may wish to consider measures that the UPOV bodies may take in relation to the nature and content of documents in order to make the sessions as efficient as possible. Measures that might be considered could include:

(a) Separation of documents into two types of documents: documents containing matters on which a decision by the body concerned is needed (“decision documents”); and documents for information only. Documents for information only might be posted on a separate section of the website of the body concerned (“information section”) and not considered individually. In order to ensure that the documents containing matters on which a decision is needed are as brief as possible, matters for information concerning the same subject would be placed in a separate, information document. As a further measure to keep documents as clear and concise as possible and to improve accessibility of information, the “information section” could also contain reference material that is currently only accessible via references to UPOV session documents (e.g.

Communication Strategy, Training and Assistance Strategy, Program for Improvements to the Plant Variety Database, UPOV Code System etc.);

(b) Earlier posting of documents. At present, the target is to post documents six weeks before the UPOV session concerned. Changing the target to post "decision documents" three months before the UPOV sessions would allow more time for members of the Union to consult internally and between other members of the Union, thereby potentially facilitating discussion at the sessions;

(c) Consultation by correspondence between the UPOV sessions on selected subjects in order to facilitate discussion at the UPOV session; and

(d) Preparation of joint documents for UPOV sessions to avoid the need for members of the Union to have multiple documents with the same substantial information. For example, a TGP document being considered for adoption by the UPOV Council on the basis of recommendation by the TC and CAJ currently requires three separate documents. Under this proposal, a single joint TC-CAJ-Council document would be prepared, explaining the steps to be taken in each UPOV body.

UPOV costs

Meeting costs

37. As explained in paragraph 9, it is anticipated that the sessions would need to be organized in a single week in order to be acceptable for UPOV members in terms of cost and duration of absence from their workplace. On that basis, the overall number of days of sessions would be reduced, as follows:

UPOV body	Current total session days	Total session days for single set of sessions
Council	1.5	1
Consultative Committee	1.5	1
Administrative and Legal Committee (CAJ)	3	1
Technical Committee	3	2
Total	9	5

38. On the above basis, the number of session days would potentially be reduced from 9 to 5, resulting in a corresponding reduction in interpretation costs. However, if appropriate, according to the options selected, the scheduling of meetings at the weekend could increase costs of interpretation. Furthermore, in order for the UPOV bodies to maintain their level of effectiveness when meeting only annually, it can be anticipated that there would be some increase in *ad hoc* working group meetings at the fringes of the UPOV body sessions. Therefore, it would seem inappropriate to base any decisions concerning a single set of sessions on the assumption that there would be a reduction in meeting costs.

Office of the Union

39. Moving from two sets of sessions to a single set of sessions would create a higher peak of work for the Office of the Union in the period leading up to, and during, the sessions. That increased workload would, to some extent, be offset by the reduction in work leading up to, and during, the discontinued March/April sessions. However, it should be recognized that a change to a single set of sessions would probably be accompanied by additional activity in the form of *ad hoc* working group and the need for documents to be prepared for consultation by correspondence. Therefore, the introduction of a single set of sessions should not be anticipated to reduce the overall workload of the Office of the Union.

PROPOSAL

40. On the basis of the information presented in this document, the Consultative Committee may wish to consider the following proposal:

(a) after 2017 (see paragraph 22), to hold a single set of sessions of UPOV bodies in the period mid- to late November, with a more specific proposal for timing being developed after taking into account the views of the Technical Committee, which would be invited to consider the matter at its fifty-third session, to be held in Geneva from April 3 to 5, 2017;

(b) an arrangement for the scheduling of the UPOV bodies, on the basis of paragraph 9, with a final proposal being developed after taking into account the views of the Technical Committee, which would be invited to consider the matter at its fifty-third session;

(c) at its ninety-third session, to be held in Geneva on April 7, 2017, to make a recommendation for adoption by the Council at its thirty-fourth extraordinary session, to be held in Geneva on April 7, 2017;

(d) subject to agreement by the Council to organize a single set of sessions from 2018, to consider measures that:

(i) would increase opportunities for members of the Union to meet and exchange information in conjunction with the UPOV sessions, as set out in paragraph 12; and

(ii) the UPOV bodies may take in relation to the nature and content of session documents in order to make the sessions as efficient as possible, as set out in paragraph 36.

41. The Consultative Committee is invited to consider the proposal set out in paragraph 40.

[Annexes follow]

PARTICIPATION IN THE SESSIONS OF THE COUNCIL, THE CONSULTATIVE COMMITTEE AND THE ADMINISTRATIVE AND LEGAL COMMITTEE (CAJ)

Figure 1: Participation* in Ordinary Sessions of the Council
October/November

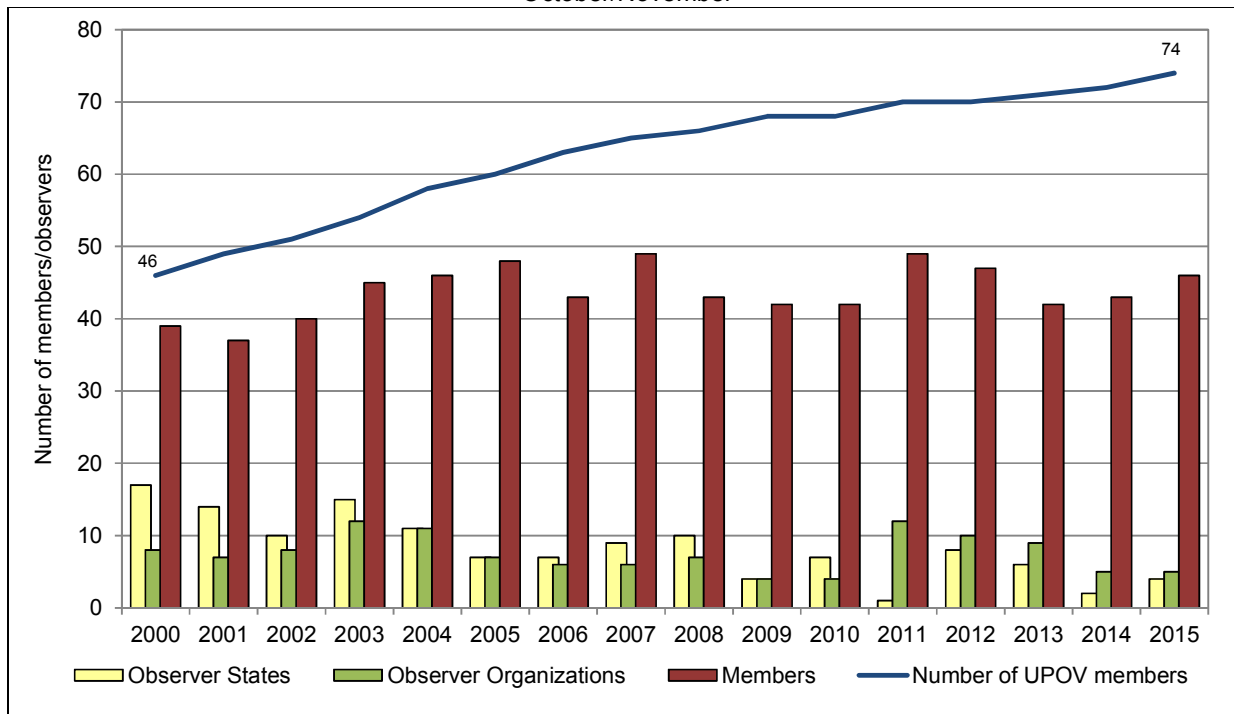
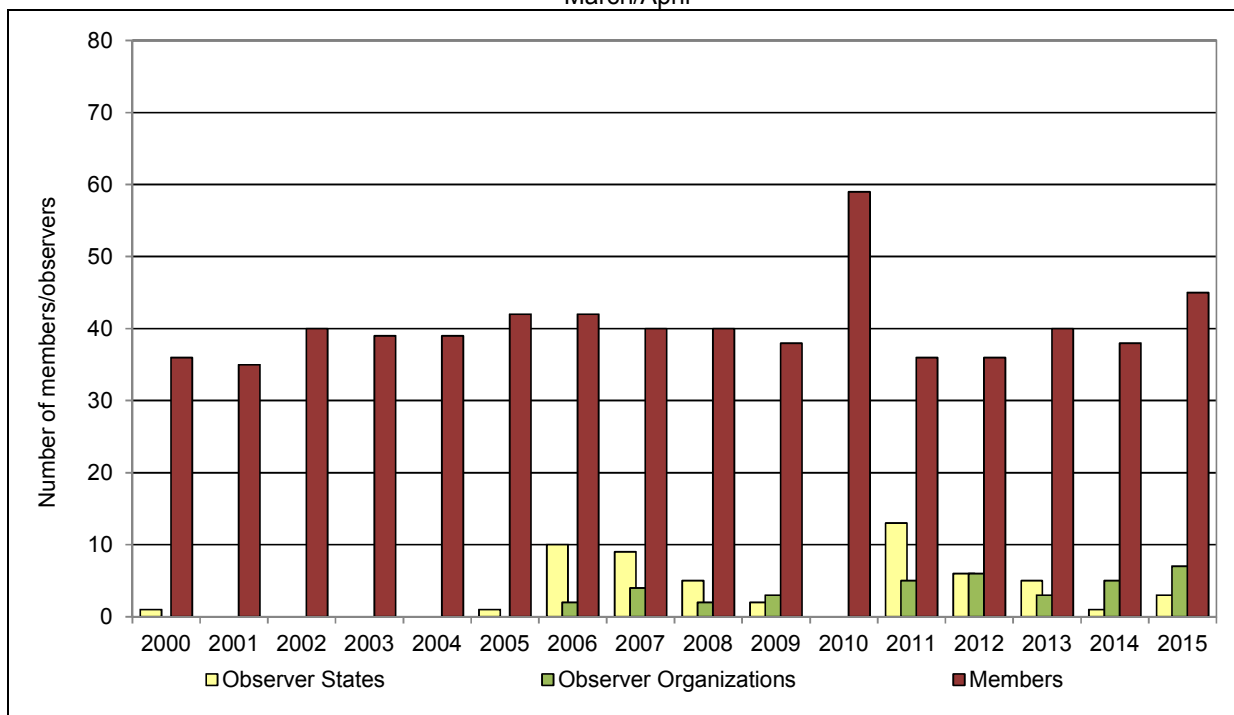
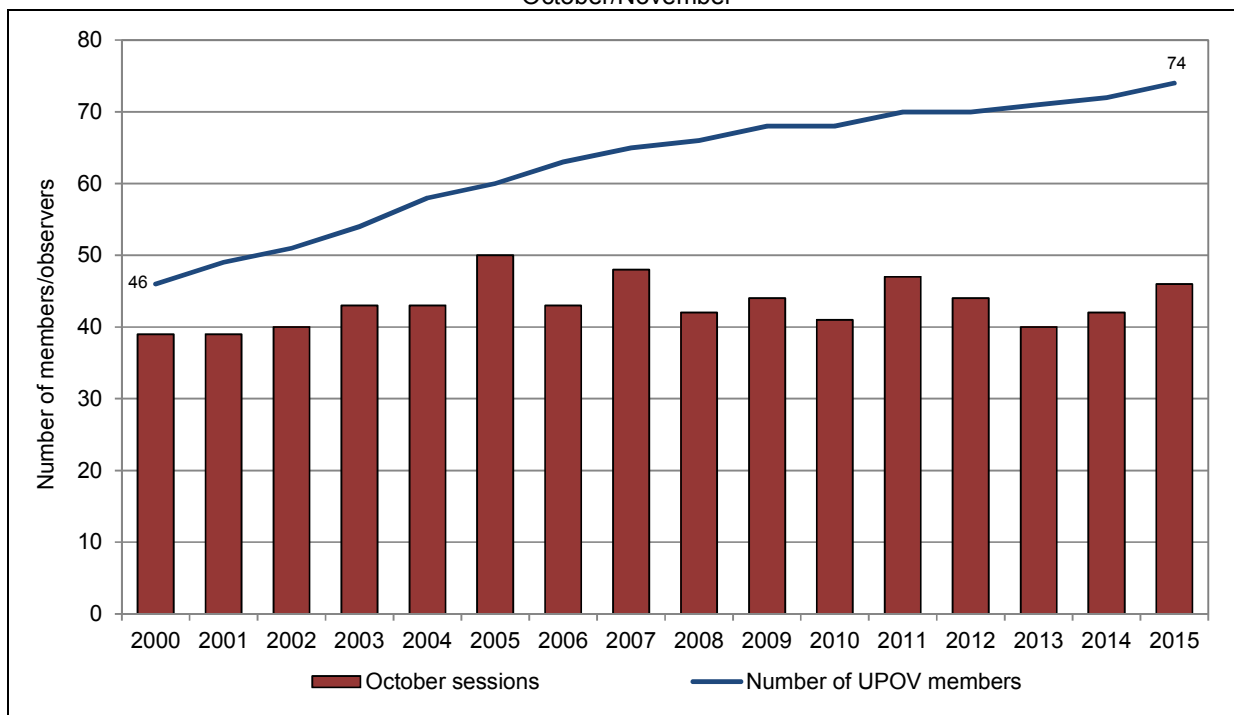


Figure 2: Participation* in Extraordinary Sessions of the Council
March/April



* Participation is assessed on the basis of the number of participating members and observer States/organization, rather than the number of individual participants.

**Figure 3: Participation⁷ in Consultative Committee Sessions
October/November**



**Figure 4: Participation⁷ in Consultative Committee Sessions
March/April**

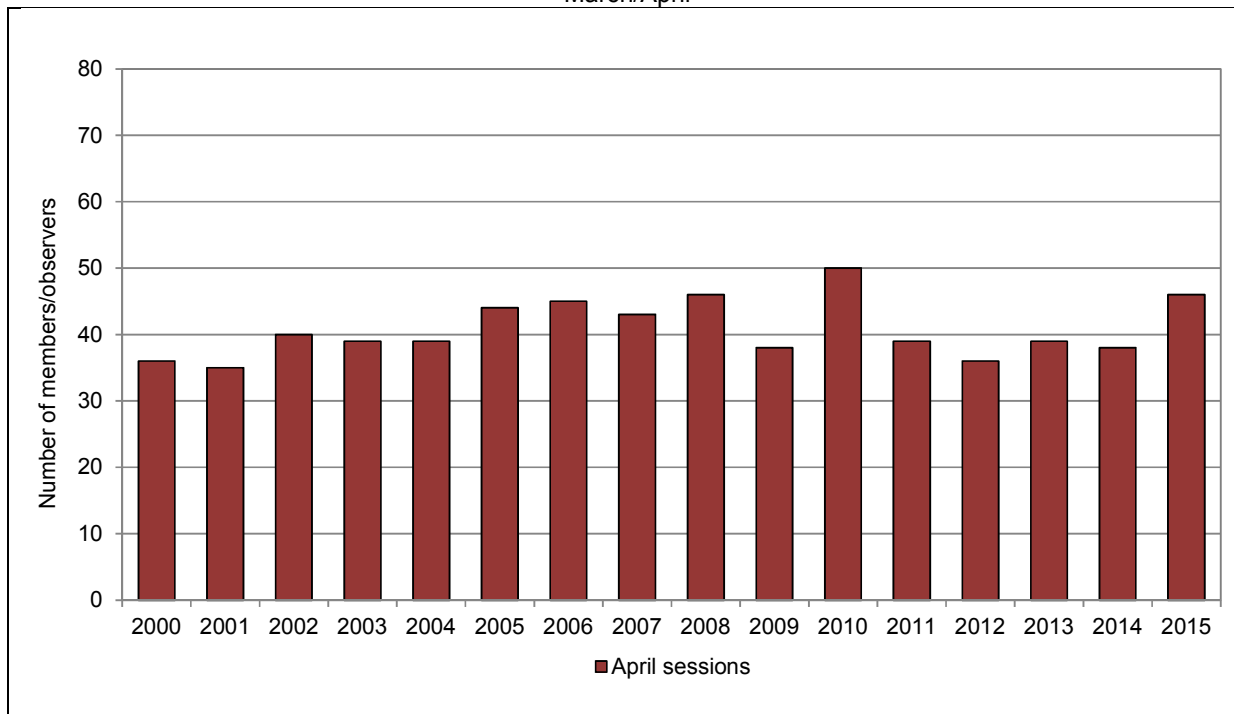


Figure 5: Participation* in Administrative and Legal Committee Sessions
October/November

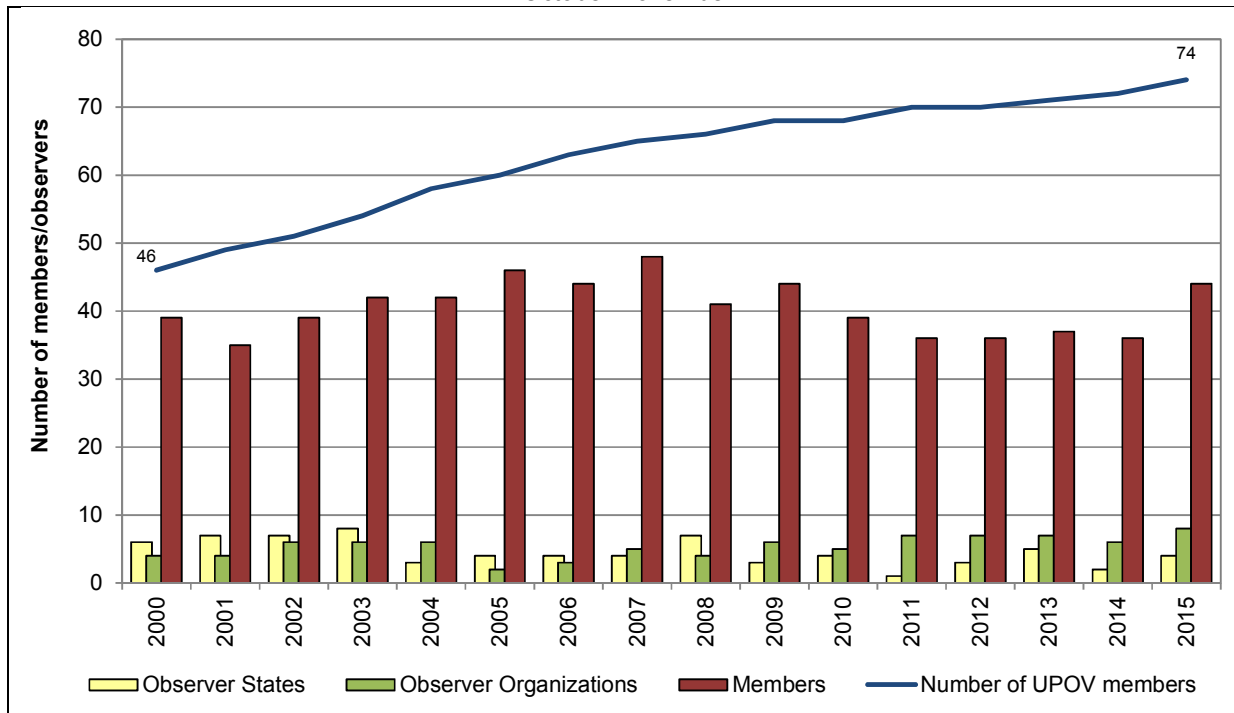
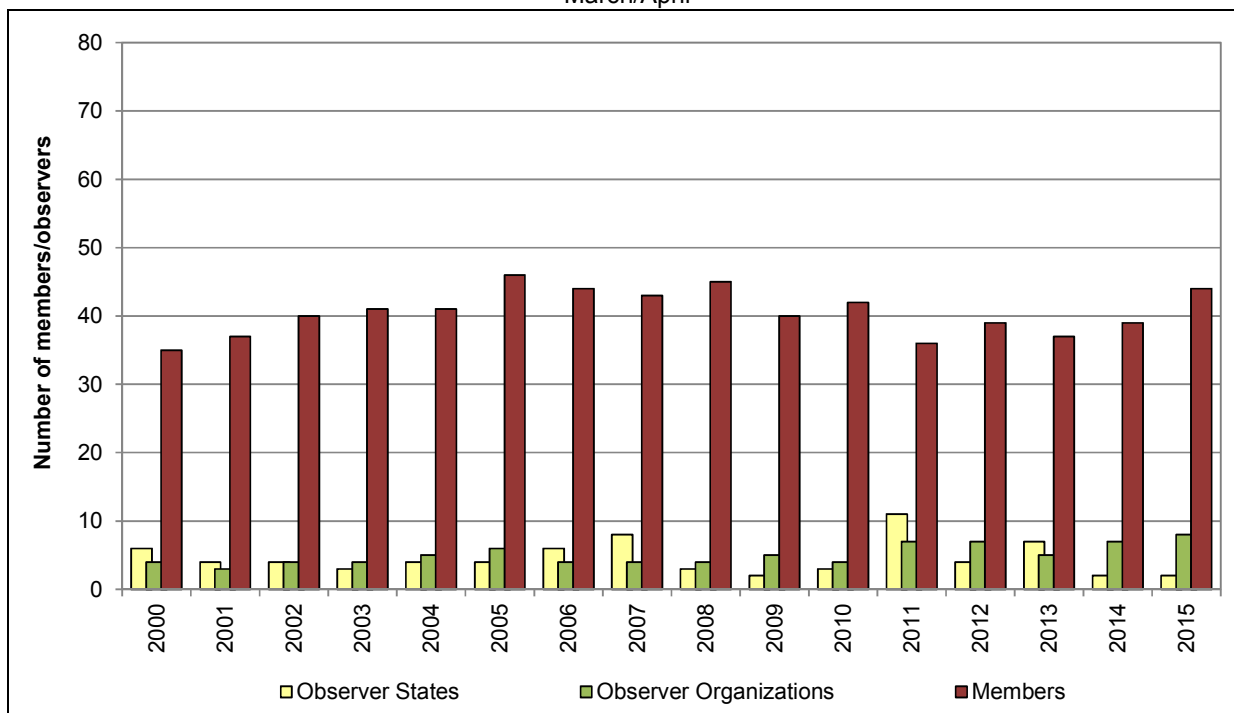


Figure 6: Participation* in Administrative and Legal Committee Sessions
March/April



[Annex II follows]

INCIDENT MANAGEMENT PROCEDURE OF THE COMMUNICATION STRATEGY

At its eighty-sixth session, held in Geneva on October 23 and 24, 2013, the Consultative Committee approved the communication strategy as reproduced in the Annex to document CC/89/8. The said Annex contained the following incident management procedure:

“Incident management procedure

“In situations where, in the opinion of the Office of the Union, after consultation with the President of the Council (where time allows), an urgent response to an important issue is considered necessary within a time period that would not allow consideration at a session of the Consultative Committee and the Council, and for which UPOV has not previously taken a position, the following approach will be followed:

“(a) In cases where at least 2 weeks are available for a response, the members of the Union will be consulted by e-mail, with at least 5 days (including non-working days) for comment. The proposed status of the response will be indicated in the e-mail (e.g. whether the response would represent the position of UPOV, dependent on agreement with the proposed response). The status of the response will be indicated in the response;

“(b) In cases where less than 2 weeks are available for a response, the Office of the Union will respond, as such, after consultation with the President of the Council (where time allows). The status of the response will be indicated in the response. The Office of the Union will inform members of the Union by e-mail of the response at the earliest opportunity and will include the matter on the agenda of the subsequent session of the Consultative Committee. In such cases, as far as possible, the Office of the Union will also inform members of the Union in advance of the need to respond to an issue without consultation, with the aim of enabling members of the Union to contribute relevant views and information.”

[End of Annex II and of document]