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# INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

## CONSULTATIVE COMMITTEE

**Eighty-Fourth Session**  
**Geneva, October 31, 2012**

### “ASSISTANCE” WEBPAGE ON THE UPOV WEBSITE

*Document prepared by the Office of the Union*

1. The purpose of this document is to consider proposals concerning the “Assistance” webpage.
2. The structure of the document is as follows:

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## CONTENT OF THE "ASSISTANCE" WEBPAGE

### Introduction

3. At its seventy-eighth session, held in Geneva on October 21, 2009, the Consultative Committee considered document CC/78/7 "Policy and Priorities concerning Assistance". The Consultative Committee approved the framework for implementing UPOV policies and priorities concerning assistance, as set out in paragraphs 13 to 20 of document CC/78/7, and approved the proposals concerning the "Assistance" webpage, as set out in paragraphs 26 to 33 of document CC/78/7, which are reproduced in the Annex to this document. Under Section "(b) Structure and content" the following structure was proposed:

- (i) Potential donors;
- (ii) Offers of assistance for the development of plant variety protection;
- (iii) Requests for assistance for the development of plant variety protection;
- (iv) Reports on assistance

4. A report on the situation concerning the development of the individual sections of the "Assistance" webpage follows.

### Potential donors

5. The proposal for the "Assistance" webpage approved by the Consultative Committee established the following with respect to section "(i) Potential donors":

"28. The 'potential donor' section of the 'Assistance' webpage would provide brief information concerning potential donors e.g. donor, nature of projects funded, aim, criteria (e.g. eligible regions / countries), value of project, duration and contact details."

6. In order to develop section "(i) Potential donors", the Office of the Union investigated extra-budgetary resources and access to funding: the information collected has been used to populate a "Donors database".

7. The Consultative Committee, at its eighty-second session held in Geneva on October 19, 2011, received a demonstration of the "Donors Database" and approved the inclusion of the "Donors database" in section "(i) Potential donors" of the "Assistance" webpage (see document CC/82/15 "Report", paragraph 42).

### Offers of assistance for the development of plant variety protection

8. The proposal for the "Assistance" webpage approved by the Consultative Committee established the following with respect to section "(ii) Offers of assistance for the development of plant variety protection":

"29. Where requested, or agreed, by a party offering assistance for the development of plant variety protection in accordance with the UPOV Convention, a brief description would be made of the offer (e.g. financial support, form of training (in situ, ex situ, distance learning etc.). The information provided would include the criteria for eligibility (e.g. eligible regions / States)."

### *Existing offers of assistance published on the UPOV website*

9. Information on the following assistance offered by members of the Union is currently provided on the UPOV website, under section "News and Events":

- Assistance offered by Naktuinbouw
- Naktuinbouw - Plant Variety Protection Course, Wageningen, Netherlands.

10. At its twenty-eighth session, held in Angers, France, from June 29 to July 2, 2010, the Technical Working Party on Automation and Computer Programs (TWC) received a presentation on the electronic office management systems deployed by the Community Plant Variety Office of the European Union (CPVO), a copy of which was provided as document TWC/28/35, Annex III. The CPVO offered its assistance to any member of the Union wishing to benefit from the experience of the CPVO in developing their system and suggested that consideration might be given to how that offer might be reflected in

document UPOV/INF/16 "Exchangeable Software", or elsewhere (see document TWC/28/36 "Report" paragraph 67).

11. The Technical Committee (TC), at its forty-seventh session held in Geneva from April 4 to 7, 2011, agreed that document UPOV/INF/16 "Exchangeable Software" should be modified in order to include the offer for assistance on the electronic office management systems made by the CPVO (see paragraph 39 of document TC/47/26 "Report on the Conclusions").

12. The Administrative and Legal Committee (CAJ), at its sixty-fourth session held in Geneva on October 17, 2011, as part of its discussions on the revision of document UPOV/INF/16 "Exchangeable Software", considered whether to invite the Consultative Committee to review how offers for assistance made by members of the Union, such as that made by the European Union, might be presented in a coordinated approach (see document CAJ/64/8, paragraphs 14 to 21). The CAJ agreed to request the Consultative Committee to review how offers for assistance made by members of the Union might be presented in a coordinated approach (see document CAJ/64/12 "Report", paragraph 37).

13. The Consultative Committee, at its eighty-second session held in Geneva on October 19, 2011, endorsed the inclusion of the offers by Naktuinbouw, as set out in paragraph 10 of document CC/82/6, in section "(ii) Offers of assistance for the development of plant variety protection" of the "Assistance" webpage. It also endorsed the inclusion of the offer for assistance on the development of electronic office management systems made by CPVO, as set out in paragraph 11 to 14 of document CC/82/6, in section "(ii) Offers of assistance for the development of plant variety protection" of the "Assistance" webpage.

#### Requests for assistance for the development of plant variety protection

14. The proposal for the "Assistance" webpage approved by the Consultative Committee established the following with respect to section "(iii) Requests for assistance for the development of plant variety protection":

"30. Where requested, or agreed, by the party, a brief description would be made of a request for assistance by a State/intergovernmental organization, including information on the subject (e.g. examination of distinctness, uniformity and stability (DUS), administration of plant breeders' rights (PBR)) and type of assistance required (e.g. financial support, form of training (in situ, ex situ, distance learning etc.), trainer profile, duration and timing, materials, equipment)."

15. The Consultative Committee, at its eighty-second session held in Geneva on October 19, 2011, noted that proposals for the development of section "(iii) Requests for assistance for the development of plant variety protection" would be made at a later date (see document CC/82/15 "Report", paragraph 44).

#### Reports on assistance

16. The proposal for the "Assistance" webpage approved by the Consultative Committee established the following with respect to section "(iv) Reports on assistance":

"31. The 'Assistance' webpage would contain information on assistance provided for the development of plant variety protection. In order to improve cooperation between members of the Union and minimize duplication, the information would not be restricted to assistance that involved the resources of the Office of the Union. However, in cases where the Office of the Union was involved, information would be provided on the role of the Office of the Union. Members of the Union would be encouraged to provide any relevant information for this part of the "Assistance" webpage."

17. The Consultative Committee, at its eighty-second session held in Geneva on October 19, 2011, noted that proposals for the development of section "(iv) Reports on assistance" would be made at a later date (see document CC/82/15 "Report", paragraph 44).

#### ACCESS TO THE "ASSISTANCE" WEBPAGE

18. At its eightieth session, held in Geneva on October 20, 2010 and on the morning of October 21, 2010, the Consultative Committee noted the proposal for the publishing of the "Assistance" webpage on the

second restricted area<sup>1</sup> of the UPOV website and on an area of the UPOV website that would be accessible via the second restricted area and via a separate link and password that would be issued to the representative and alternate of each member of the Union to the Council, as presented in document CC/80/6. It agreed that the access of the Assistance Webpage should be reviewed at its session in October 2011 (see document CC/80/11 "Report", paragraphs 119 and 120).

19. At its eighty-second session, held in Geneva on October 19, 2011, the Consultative Committee decided not to make any changes to the access to the "Assistance" webpage.

#### DEVELOPMENT OF THE "ASSISTANCE" WEBPAGE

20. In accordance with the proposals approved by the Consultative Committee, the Office of the Union has developed a prototype of "Assistance" webpage, which will be demonstrated at the eighty-fourth session of the Consultative Committee.

21. *The Consultative Committee is invited to:*

*(a) consider the prototype of the "Assistance" webpage, which will be demonstrated at the eighty-fourth session of the Consultative Committee;*

*(b) approve the launch the "Assistance" webpage, on the basis of the prototype, on an area of the UPOV website that would be accessible via the restricted area and via a separate link and password that would be issued to the representative and alternate of each member of the Union to the Council; and*

*(c) note that proposals for the development of section "Requests for assistance for the development of plant variety protection" and "Reports on assistance" will be made at a later date.*

[Annex follows]

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<sup>1</sup> At its forty-fifth ordinary session, held in Geneva on October 20, 2011, the Council agreed that documents currently in the first restricted area of the UPOV website be made publicly accessible, by removal of the password requirement (see document C/45/18 "Report", paragraph 9). Subsequently, the former "second restricted area" has been renamed as the "restricted area".

## ANNEX

[reproduced from document CC/78/7]

## IV. "ASSISTANCE" WEBPAGE

(a) Aim

21. As recalled in paragraph 4 of this document [document CC/78/7], the aim of the "Assistance" webpage is to provide:

- increased awareness of training needs;
- increased awareness of training opportunities;
- facilitated matching of offers and demands for training;
- improved cooperation in training;
- avoidance of duplication of work; maximize cost performance in training;
- transparency in the allocation of training resources; and
- increased information on training delivery.

(b) Structure and content

22. At its seventy-sixth session, held in Geneva on October 29, 2008, the Consultative Committee agreed to the introduction of an "Assistance" webpage with sections for: (i) Requests for assistance; (ii) Offers of assistance; and (iii) Reports on assistance. In addition it agreed to the proposal to pursue extra-budgetary resources through donor funding, as set out in paragraphs 10 to 12 of document CC/76/4 (see document CC/76/7 "Report on the Conclusions", paragraph 28).

23. As explained in document CC/77/7 "'Assistance' webpage on the UPOV website", the Office of the Union is aware that there is potential to mobilize additional extra-budgetary resources for UPOV through donor funding. Such potential donors include governments, intergovernmental organizations, institutions, etc. However, in order to pursue those potential sources, it is necessary to understand their criteria for donations and, where appropriate, to develop proposals which meet those criteria. At its seventy-sixth session, the Consultative Committee agreed that, as a part of his internship, one of the main tasks of Mr. Minwook Kim should be to investigate extra-budgetary resources and to assist in the development of proposals to access such funding (see document CC/76/7 "Report on the Conclusions", paragraph 28).

24. As explained to the Consultative Committee at its seventy-sixth session (see document CC/76/4, paragraphs 9 to 12), in the pursuit of extra-budgetary resources, the Office of the Union will, as appropriate, seek to work in cooperation with members of the Union, WIPO and other suitable partners. All developments will be reported to the Consultative Committee at the earliest stage and guidance from the Consultative Committee will be sought with regard to agreements that UPOV might need to establish with other parties.

25. At its seventy-seventh session, the Consultative Committee endorsed UPOV's participation in the WIPO conference on "Mobilizing Resources for Development", as set out in paragraph 12 of document CC/77/7. Further information on the conference, which will be held in Geneva on November 5 and 6, 2009, will be provided in an oral report to the Consultative Committee at its seventy-eighth session.

26. The following structure, which includes a specific section for extra-budgetary resources through donor funding ("Potential donors"), is proposed for the "Assistance" webpage:

- (i) Potential donors;
- (ii) Offers of assistance for the development of plant variety protection;
- (iii) Requests for assistance for the development of plant variety protection; and
- (iv) Reports on assistance

27. Information concerning the proposed content is provided below.

*(i) Potential donors*

28. The "potential donor" section of the "Assistance" webpage would provide brief information concerning potential donors e.g. donor, nature of projects funded, aim, criteria (e.g. eligible regions / countries), value of project, duration and contact details.

(ii) *Offers of assistance for the development of plant variety protection*

29. Where requested, or agreed, by a party offering assistance for the development of plant variety protection in accordance with the UPOV Convention, a brief description would be made of the offer (e.g. financial support, form of training (in situ, ex situ, distance learning etc.). The information provided would include the criteria for eligibility (e.g. eligible regions / States).

(iii) *Requests for assistance for the development of plant variety protection*

30. Where requested, or agreed, by the party, a brief description would be made of a request for assistance by a State/intergovernmental organization, including information on the subject (e.g. examination of distinctness, uniformity and stability (DUS), administration of plant breeders' rights (PBR)) and type of assistance required (e.g. financial support, form of training (in situ, ex situ, distance learning etc.), trainer profile, duration and timing, materials, equipment).

(iv) *Reports on assistance*

31. The "Assistance" webpage would contain information on assistance provided for the development of plant variety protection. In order to improve cooperation between members of the Union and minimize duplication, the information would not be restricted to assistance that involved the resources of the Office of the Union. However, in cases where the Office of the Union was involved, information would be provided on the role of the Office of the Union. Members of the Union would be encouraged to provide any relevant information for this part of the "Assistance" webpage.

(c) Criteria for information to be included on "Assistance" webpage

32. The Consultative Committee agreed that the Office of the Union, after consultation with the parties concerned, would be responsible for entering all information on the webpage and would, in particular, ensure that all entries followed UPOV policies and priorities concerning assistance.

33. With regard to UPOV policies and priorities concerning assistance, and subject to the accessibility to the "Assistance" webpage in accordance with the proposal in "Section IV, (d) Access to "Assistance" webpage", the Office of the Union would apply the following criteria according to the relevant sections of the "Assistance" webpage:

(i) *Potential donors;*

- no specific restrictions on information

(ii) *Offers of assistance for the development of plant variety protection;*

- offers of assistance in accordance with the policy and priorities set by the UPOV Council, according to the framework set out in Section III (a), paragraph 13, of this document [document CC/78/7].

(iii) *Requests for assistance for the development of plant variety protection; and*

- requests for assistance in accordance with the policy and priorities set by the UPOV Council, according to the framework set out in Section III (a), paragraph 13, of this document [document CC/78/7].

(iv) *Reports on assistance*

- no specific restrictions on information

(d) Access to "Assistance" webpage

34. It is proposed that, in the first instance, the "Assistance" webpage would be accessible via the first restricted area of the UPOV website. A regular report on the use of the "Assistance" webpage would be made to the Consultative Committee in order that the Consultative Committee could consider whether to change the access arrangements in future.