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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE

Ninetieth Session Geneva, October 28, 2015

UPOV DOCUMENTS AND PUBLICATION OF INFORMATION

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

1. The purpose of this document is to report on developments and to present proposals with regard to access to UPOV documents and publication of information.

Contents

POLICY ON DOCUMENTS	1
Introduction	1
Translation of UPOV session documents.....	2
<i>Reports of UPOV sessions.....</i>	2
<i>Reports on UPOV for consideration by the Council.....</i>	2
<i>Documents containing draft text of information materials.....</i>	3
<i>Others.....</i>	3
<i>Proposal.....</i>	3
Reports of sessions of UPOV bodies.....	4
Written comments.....	4
DOCUMENTS ON THE UPOV WEBSITE	5
OBSERVERS IN UPOV BODIES	5
DATABASE OF CONSULTANTS.....	5

POLICY ON DOCUMENTS

Introduction

2. The Consultative Committee, at its eighty-ninth session, held in Geneva on March 27, 2015, agreed to consider proposals in relation to a policy on documents, including communications provided by observers, at its ninetieth session (see document CC/89/11 "Report on the Conclusions", paragraph 33).

3. In general, as a part of the Agreement between the World Intellectual Property Organization (WIPO) and UPOV (document UPOV/INF/8), the Office of the Union follows WIPO policy on translation and reproduction of documents and publications.

4. In response to increasing costs of translations, WIPO issued Office Instruction No. 32/2012 "Translation of Official WIPO Documentation", on June 28, 2012, which states as follows with regard to session documents:

"15. Program Managers should ensure that the length of a working document does not exceed 10 standard UN pages, i.e., 3,300 words. Program managers are also to ensure that whenever voluminous support documents such as studies and surveys are commissioned, either in-house or through an external source, provisions are made for preparing executive summaries. For such documents, it is only the executive summary that will be translated into the other languages. Executive summaries should also not exceed 10 standard pages. Program Managers are requested to adhere to the above so that the rationalization and control measures can be applied strictly and the Language Policy implemented successfully.

"16. In adopting the Language Policy, Member States recognized the fact that more concise working documents would facilitate deliberations. Therefore, Program Managers are to ensure that documents are clear, concise and accurate, that texts submitted for translation have been correctly drafted and checked for accuracy of content, style and grammar, and that they are submitted in their final form. In the case of updated documents, the information contained in an earlier document should be cross-referenced, and not repeated in the new document.

"17. The practice of summary reports (including draft summaries by the Chair), some five to 10 pages in length, is to continue for all meetings held in Geneva."

Translation of UPOV session documents

5. A review of the 125 UPOV session documents in 2014, excluding draft Test Guidelines and UPOV information materials (e.g. explanatory notes, information documents and TGP documents), revealed that the following documents exceeded 10 standard UN pages (i.e., 3,300 words) of text requiring translation:

Reports of UPOV sessions

<u>Reference</u>	<u>Title</u>	Total No. of pages	Total No. of words	No. of pages for translation	No. of words for translation
CC/87/10	Report on the conclusions	29	11,512	17	8,261
CC/88/16	Report on the conclusions	19	7,159	11	4,844
CC/88/17	Report	24	11,505	11	4,343
CAJ/69/12	Report on the conclusions	28	9,689	13	5,820
TC/50/36	Report on the conclusions	48	19,315	35	15,975
TC/50/37	Report	70	26,015	20	6,700

Reports on UPOV for consideration by the Council

<u>Reference</u>	<u>Title</u>	Total No. of pages	Total No. of words	No. of pages for translation	No. of words for translation
C/48/2	Annual report of the Secretary-General for 2013	58	23,894	46	18,325
C/48/3	Report on activities during the first nine months of 2014	23	9,629	17	7,713
C/48/4	Financial management report for the 2012-2013 biennium	28	4,662	28	4,662
C/48/12	Performance report for the 2012-2013 biennium	45	10,425	45	10,425
C/48/13	Financial statements for 2013	30	8,343	30	8,343
C/48/14	Report of the External Auditor: audit of the 2013 financial statements	11	4,019	11	4,019

Documents containing draft text of information materials

Reference	Title	Total No. of pages	Total No. of words	No. of pages for translation	No. of words for translation
CAJ/69/2	Development of information materials concerning the UPOV Convention	17	7,750	17	7,750
CAJ/69/3	TGP documents	56	20,266	14	4,590
CAJ/70/3	Revision of document UPOV/INF/5 "UPOV model plant breeders' rights gazette"	13	4,700	13	4,700
CAJ/70/5	Guidance for members of UPOV on ongoing obligations and related notifications and on the provision of information to facilitate cooperation (Revision)	13	4,411	4	1,733
TC/50/5	TGP documents	53	18,912	53	18,912
TC/50/8	Exchangeable software	16	4,097	11	3,290
TC/50/17	Revision of document TGP/7: Source of propagating material	13	6,723	13	6,723
TC/50/30	Partial revision of the Test Guidelines for cucumber (document TG/61/7)	30	5,453	30	5,453
TC/50/31	Partial revision of the Test Guidelines for melon (document TG/104/5)	43	7,871	43	7,871
TC/50/33	Partial revision of the Test Guidelines for peach (document TG/53/7)	25	4,899	25	4,899
TC50/12	Assessing uniformity by off-types on basis of more than one sample or sub-samples	12	4,945	12	4,945

Others

Reference	Title	Total No. of pages	Total No. of words	No. of pages for translation	No. of words for translation
C/48/17	Reports by representatives of members and observers on the legislative, administrative and technical fields	54	16,890	54	16,890
CC/87/4	Communication strategy	18	6,899	10	4,215
CC/88/9	International filing system, quality assurance and variety denomination search	22	9,700	22	9,700
CAJ/69/10	Matters raised by the International Seed Federation (ISF)	19	6,925	11	4,360
TC/50/6	UPOV information databases	34	12,733	27	10,263
TC/50/7	Variety description databases	19	2,942	19	2,942
TC/50/14	Variety denominations	12	4,408	12	4,408
TC/50/22	Revision of document TGP/8: Part II: Selected techniques used in DUS examination, Section 9: the combined-over-years uniformity criterion (COYU)	30	6,877	30	6,877
TC/50/35	Improving the effectiveness of the Technical Committee, Technical Working Parties and Preparatory Workshops	39	3,640	39	3,640

Proposal

6. It is proposed that, while seeking to be as concise as possible, there would be no change to the translations of the following categories of documents:

- (a) adopted documents;
- (b) documents comprising drafts of Explanatory Notes, Information Documents and TGP documents, and any other draft documents for consideration by the Council, Consultative Committee, Administrative and Legal Committee or Technical Committee;
- (c) reports, including reports of the decisions or conclusions, of the Council, Consultative Committee, Administrative and Legal Committee or Technical Committee; and
- (d) reports on UPOV for consideration by the Council.

7. In the case of other documents, such as those listed under the category “others” in paragraph 5 above, it is proposed that the relevant committee be invited to review whether translation of all parts of such documents is essential.

8. The Consultative Committee is invited to consider the proposal concerning translation of documents, as set out in paragraphs 6 and 7 of this document.

Reports of sessions of UPOV bodies

9. For the Council, the Office of the Union prepares a draft report on the decisions for adoption at the end of each session. For the Consultative Committee, CAJ and TC, the Office of the Union prepares a draft report on the conclusions for adoption at the end of each session. Draft reports containing a summary of the discussions are prepared following the sessions of the Council, Consultative Committee, CAJ and TC, for adoption by correspondence, in accordance with UPOV/INF/7 “Rules of Procedure of the Council” (see Rule 35(2) “Reports on Sessions of the Council” and Rule 37(5) “Rules of Procedure of Committees”).

10. As indicated above, the aim of the reports is to provide a summary report of the discussion and not to reproduce, verbatim, the interventions by members and observers. Therefore, the Consultative Committee may wish to propose to clarify that statements made by members or observers at sessions of UPOV bodies will not be reproduced in the reports on decisions, reports on conclusions, or reports on UPOV bodies, unless otherwise agreed by the UPOV body concerned. However, a general exception to this practice might be made, for example, in the case of statements made by States and organizations in relation to the examination of laws and on becoming UPOV members.

11. The Consultative Committee is invited to consider whether to agree that statements made by members or observers at sessions of UPOV bodies would not be reproduced in the reports on decisions, reports on conclusions, or reports on UPOV bodies, unless otherwise agreed by the UPOV body concerned, except, for example, in the case of statements made by States and organizations in relation to the examination of laws and on becoming UPOV members.

Written comments

12. In general, in cases where the Office of the Union receives written comments in relation to a matter to be considered by a UPOV body, those comments are, if so requested, circulated to the UPOV body concerned.

13. The Consultative Committee may wish to clarify that, in general, in cases where the Office of the Union receives written comments in relation to a matter to be considered by a UPOV body, those comments would, if so requested, be circulated to the UPOV body concerned. However, for example in the case of documents that are to be considered by correspondence, the Consultative Committee may wish to clarify that the UPOV body concerned may, on an *ad hoc* basis, agree to publish written comments on the webpage of the UPOV body concerned.

14. The Consultative Committee is invited to consider whether to agree that:

(a) in general, in cases where the Office of the Union receives written comments in relation to a matter to be considered by a UPOV body, those comments would, if so requested, be circulated to the UPOV body concerned; however,

(b) for example in the case of documents that are to be considered by correspondence, to agree that the UPOV body concerned may, on an ad hoc basis, agree to publish written comments on the webpage of the UPOV body concerned.

DOCUMENTS ON THE UPOV WEBSITE

15. As reported to the Consultative Committee, at its eighty-eighth session, held in Geneva on October 15, 2014, a total of around 7,000 historic documents have been scanned and reproduced as electronic, word-recognizable documents. As previously reported, of those historic documents, the following documents have already been uploaded on the UPOV website: the records of the diplomatic conferences on the revisions of the UPOV Convention; documents of meetings of UPOV with international organizations (IOM documents); issues of the Plant Variety Protection Gazette and Newsletter; all available Council documents of the ordinary and extraordinary sessions; documents of the CAJ back to 1989; and documents of the Technical Committee (TC) sessions back to 1979.

16. With regard to the remaining work, to upload other UPOV session documents and documents from UPOV seminars, work will be done on an *ad hoc* basis, as resources allow. There have been no further developments since the eighty-ninth session of the Consultative Committee.

17. The Consultative Committee is invited to note that, with regard to the remaining work on uploading of historic document, the uploading of remaining UPOV session documents and documents from UPOV seminars will be done on an ad hoc basis, as resources allow.

OBSERVERS IN UPOV BODIES

18. To date, the resources of the Office of the Union have not allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies.

19. The Consultative Committee is invited to note that the resources of the Office of the Union have not allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies.

DATABASE OF CONSULTANTS

20. The Consultative Committee, at its eighty-eighth session, held in Geneva on October 15, 2014, agreed that information concerning consultants that were used by UPOV in 2014 should be presented to the Consultative Committee at its ninetieth session, in October 2015, on the same basis as in the Annex to document CC/87/3 "Access to UPOV documents and publication of information" (see document CC/88/17 "Report", paragraph 82).

21. The Annex to this document provides a summary of information concerning consultants that were used by UPOV in 2014 and which have given their authorization to be included in the list.

22. For the purposes of this document, consultants are the following:

(a) speakers whose travel expenses have been covered, partly or wholly, by UPOV or a Fund-in-Trust; and

(b) distance learning tutors who have received payment from UPOV.

23. The Consultative Committee is invited to note that a summary of information concerning consultants that were used by UPOV in 2014 and which have given their authorization to be included, are listed in the Annex to this document.

[Annex follows]

ANNEX

Summary of information concerning consultants used by UPOV in 2014

Family name(s)	First name(s)	Employer	Nationality	Activity					
				Title	Language	City	Country	Month(s)	Year
Barrientos-Priego	Alejandro	Universidad Autónoma Chapingo (UACH), Mexico	MX	<i>V Seminario Internacional sobre el Derecho de Obtentor</i> <i>I Taller Internacional de Caracterización de Variedades Vegetales: Cacao fino de Aroma</i>	Spanish	Los Rios	EC	October	2014
Boreham	David	retired	GB	Tutor of UPOV advanced distance learning course (DL-305) Session 1, 2014	English			March-May	2014
				Tutor of UPOV distance learning course (DL-205), Session1, 2014	English			May-June	2014
Elena Rosello	Jose	retired	ES	Tutor of UPOV distance learning course (DL-205), Session1, 2014	Spanish			May-June	2014
				Proof-reading in Spanish of texts of the 13 Modules, related End-of-Module Tests and Final Exam Questions of the advanced distance learning course "Examination of Applications for Plant Breeders' Rights" (DL-305)	Spanish			October-November	2014
Gennatas	Jacques	retired	FR	Tutor of UPOV distance learning course (DL-205), Session1, 2014	French			May-June	2014
				Proof-reading in French of texts of the 13 Modules, related End-of-Module Tests and Final Exam Questions of the advanced UPOV distance learning course "Examination of Applications for Plant Breeders' Rights" (DL-305)	French			October-November	2014
Gitu	Grace	Africa Seed Trade Association (AFSTA), Kenya	KE	Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants	English	Harare	ZW	October	2014
Issahaque	Grace Ama	Registrar-General's Department, Ghana	GH	Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants	English	Harare	ZW	October	2014
Kogo	Simeon Kibet	Kenya Plant Health Inspectorate Service (KEPHIS), Kenya	KE	Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants	English	Harare	ZW	October	2014
Lavignolle	Raimundo	Instituto Nacional de Semillas (INASE), Argentina	AR	Train the Trainer Course for Ibero-American Countries on Plant Variety Protection	Spanish	Montevideo	UY	December	2014
López de Haro y Wood	Ricardo	retired	ES	Proof-reading in Spanish of selected elements of the UPOV Trilogy (UPOV Publication No. 357)	Spanish			January-June	2014
Lueches	Pilar	Instituto Pilar Lueches Life & Executive Coaching, Uruguay	UY/ES	Train the Trainer Course for Ibero-American Countries on Plant Variety Protection	Spanish	Montevideo	UY	December	2014

CC/90/6
Annex, page 2

				Activity					
Family name(s)	First name(s)	Employer	Nationality	Title	Language	City	Country	Month(s)	Year
Palouki épse Gazaro	Wéré Régine	African Intellectual Property Organization (OAPI), Cameroon	TG	Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants	English	Harare	ZW	October	2014
Risso Desirello	Diego Andres	Seed Association of the Americas (SAA), Uruguay	UY	<i>Seminario sobre la Protección de las Obtenciones Vegetales en el Perú Según el Convenio de la UPOV</i>	Spanish	Lima	PE	December	2014
Rocha	Helinton José	Comissão Executiva do Plano da Lavoura Cacaueira (CEPLAC), Brazil	BR	<i>V Seminario Internacional sobre el Derecho de Obtentor I Taller Internacional de Caracterización de Variedades Vegetales: Cacao fino de Aroma</i>	Spanish	Los Rios	EC	October	2014
Salaices	Luis	Ministerio de Agricultura, Alimentación y Medio Ambiente (MAGRAMA), Spain	ES	Train the Trainer Course for Ibero-American Countries on Plant Variety Protection	Spanish	Montevideo	UY	December	2014
Sikinyi	Evans Olonyi	The Seed Trade Association of Kenya (STAK), Kenya	KE	Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants	English	Harare	ZW	October	2014
Solleiro Rebolledo	Jose Luis	Universidad Nacional Autónoma de México, Mexico	MX	<i>Seminario sobre la Protección de las Obtenciones Vegetales en el Perú Según el Convenio de la UPOV V Seminario Internacional sobre el Derecho de Obtentor I Taller Internacional de Caracterización de Variedades Vegetales: Cacao fino de Aroma</i>	Spanish	Lima	PE	December	2014
Toro Ugalde	Manuel Antonio	Servicio Agrícola y Ganadero (SAG), Chile	CL		Spanish	Los Rios	EC	October	2014
Waterhouse	Doug	IP Australia, Australia	AU	UPOV speaker at Master of IP Law, Queensland University of Technology	English	Brisbane	AU	May	2014
Whitmore	Bill	retired	NZ	Tutor of UPOV advanced distance learning course (DL-305) Session 1, 2014	English			March-May	2014
				Tutor of UPOV distance learning course (DL-205), Session1, 2014	English			May-June	2014

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