

**Consultative Committee****CC/98/12****Ninety-Eighth Session  
Geneva, October 28, 2021****Original:** English  
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**DEVELOPMENTS OF RELEVANCE TO UPOV IN OTHER INTERNATIONAL FORA***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance***EXECUTIVE SUMMARY**

1. This document reports on developments of relevance to UPOV in other international fora since the ninety-seventh session of the Consultative Committee, held on October 29, 2020, via electronic means, that are not otherwise reported to the Consultative Committee or other UPOV bodies.
2. The Consultative Committee is invited to:
  - (a) note the developments concerning the CBD;
  - (b) note the developments in the EAPVP Forum;
  - (c) note the developments in FAO;
  - (d) note the developments concerning the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);
  - (e) note the developments concerning the DIVERSIFARM project;
  - (f) note the developments in the OECD Seed Schemes;
  - (g) note the developments in the United Nations concerning the Food Systems Summit;
  - (h) note the developments in the World Intellectual Property Organization (WIPO);
  - (i) note the developments in the World Trade Organization (WTO);
  - (j) note the developments concerning the World Seed Partnership, and to agree to explore possible synergies with FAO; and
  - (k) note the developments concerning the 2050Today.

3. The structure of this document is as follows:

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## I. CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

### Consultations with the Secretariat of the Convention on Biological Diversity (CBD) and the Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

4. The Consultative Committee, at its ninety-fifth session, held in Geneva on November 1, 2018, requested the Vice Secretary-General to consult the Executive Secretary of the Convention on Biological Diversity (CBD) and the Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) on how the objectives of the CBD and ITPGRFA might be reflected in the FAQ "What is the relationship between the UPOV Convention and international treaties concerning genetic resources, e.g. the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)?" (FAQ on CBD, ITPGRFA and UPOV), and to explore means on how to facilitate the exchanges of experiences and information on the implementation of the UPOV Convention, the CBD and the ITPGRFA.

5. Developments prior to October 2020, are provided in document CC/97/13 "Developments of Relevance to UPOV in Other International Fora", paragraphs 7 to 12.

6. In 2021, the Office of the Union held three virtual meetings with colleagues from the secretariats of the CBD and the ITPGRFA. As a result of those meetings, a draft revised version of the FAQ "What is the relationship between the UPOV Convention and international treaties concerning genetic resources, e.g. the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)?" has been developed for consideration by the Consultative Committee, as explained in document CC/98/5 "Communication Strategy".

### Fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP15)

7. The fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP15), was rescheduled to be held from October 11 to 24, 2021 (see: <https://www.cbd.int/notifications/2021-019>), by announcement of the CBD dated March 18, 2021. The Office of the Union has been invited, to participate in the Fifteenth Meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 15), Tenth Meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (CP-MOP 10), and Fourth Meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (NP-MOP 4), the first part of the meetings taking place in a virtual format from October 11 to 15, 2021, and the second part to be reconvened in a face-to-face meeting in Kunming, China, from April 25 to May 8, 2022. The Office of the Union plans to participate in the part of the meetings that are held by electronic means.

### Special Virtual Sessions for the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 24) and the third meeting of the Subsidiary Body on Implementation (SBI-03)

8. The Special Virtual Sessions for the twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA 24) and the third meeting of the Subsidiary Body on Implementation (SBI-03) were rescheduled and held from May 3 to June 13, 2021, via electronic means.

9. Information, including the program, is available at the webpage of those special virtual sessions, which are accessible at: <https://www.cbd.int/meetings/SBSTTA-24> and <https://www.cbd.int/meetings/SBI-03>.

*10. The Consultative Committee is invited to note the developments concerning the CBD.*

## II. EAST ASIA PLANT VARIETY PROTECTION FORUM (EAPVP FORUM)

11. The background to the East Asia Plant Variety Protection Forum (EAPVP Forum) is provided in document CC/97/13 "Developments of Relevance to UPOV in Other International Fora", paragraphs 4 and 5.

12. The EAPVP Forum, at its thirteenth annual meeting, hosted online by Viet Nam, on 25 November 2020, adopted the list of the Cooperation Activities in 2020-2021. The EAPVP Forum noted the report of the EAPVP Pilot Project as provided in Annex IV of document EAPVPF/13/06 "Report" and as reproduced in Annex I to this document.

13. The fourteenth annual meeting of the EAPVP Forum and the International Seminar on the Protection of New Plant Varieties were hosted by Japan and organized by virtual means, on August 31 and September 1, 2021, respectively. The Office of the Union participated in that meeting and seminar.

*14. The Consultative Committee is invited to note developments in the EAPVP Forum.*

### III. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

#### FAO Council

15. The Office of the Union attended certain parts of the 165<sup>th</sup> and 166<sup>th</sup> Sessions of the FAO Council, held in virtual form from November 30 to December 4, 2020 and from April 26 to 30, 2021, respectively. The relevant documents are available at: <http://www.fao.org/about/meetings/council/cl165/en/> and <http://www.fao.org/about/meetings/council/cl166/en/>.

#### First International Symposium on Plant Genetic Resources for Food and Agriculture and the Intergovernmental Technical Working group on Plant Genetic Resources for Food and Agriculture (ITWG)

16. The First International Symposium on Plant Genetic Resources for Food and Agriculture, was held via electronic means on March 29 and 30, 2021, and the tenth session of the Intergovernmental Technical Working group on Plant Genetic Resources for Food and Agriculture (ITWG) was held via electronic means from June 22 to 24, 2021. Relevant documents of the ITWG are available at: <http://www.fao.org/agriculture/crops/core-themes/theme/seeds-pgr/itwg/10th/en/>.

17. The recording of the sessions of the First International Symposium on Plant Genetic Resources for Food and Agriculture is available at: <http://www.fao.org/about/meetings/multi-stakeholder-symposium-on-pgrfa/en/>.

#### Commission on Genetic Resources for Food and Agriculture (CGRFA)

18. The background to the Commission on Genetic Resources for Food and Agriculture (CGRFA) is provided in document CC/97/13 "Developments of Relevance to UPOV in Other International Fora", paragraphs 25 to 29.

19. The Council, at its fifty-third ordinary session, held in Geneva on November 1, 2019, decided to request that the Office of the Union cooperate with FAO in relation to the in-depth case studies on status and trends of seed policies and laws, as reproduced above (see document C/53/15, "Report", paragraph 23(h), available at [https://www.upov.int/edocs/mdocs/upov/en/c\\_53/c\\_53\\_15.pdf](https://www.upov.int/edocs/mdocs/upov/en/c_53/c_53_15.pdf)).

20. On April 9, 2021, Jingyuan Xia, Director, Plant Production and Protection Division (NSP) of FAO provided the Office of the Union with a copy of the draft report of the in-depth case studies, entitled "The Impacts of the Implementation of Seed Legislations on the Diversity of PGRFA", with a request for comments. The Office of the Union replied on April 15, 2021, that the report did not consider UPOV or plant variety protection and, on that basis, it would not be appropriate for UPOV to comment. The Office of the Union also proposed a meeting to exchange information on UPOV and FAO's work in the development of national seed policy and legislation.

21. The Eighteenth Regular Session of the CGRFA (CGRFA-18) initially scheduled to be held in Rome, Italy, in March 2021, was postponed and held via electronic means from September 27 to October 1, 2021. Documents of CGRFA-18 are available at <https://www.fao.org/cgrfa/meetings/detail/en/c/1414719>. Document CGRFA-18/21/15/Inf.1 "Submissions by international instruments and organizations" contains a report from UPOV <http://www.fao.org/3/ng996en/ng996en.pdf>. The Office of the Union participated in that session.

22. *The Consultative Committee is invited to note the developments in FAO.*

International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

*Ninth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)*

23. The Ninth Session of the Governing Body of the ITPGRFA, planned to be held from December 6 to 11, 2021, in India has been postponed to May 2022. A First Special Session of the Governing Body of the ITPGRFA is to be held virtually on December 7 and 8, 2021, to adopt an interim budget for 2022. The Office of the Union plans to participate.

*Fourth meeting of the Ad Hoc Technical Experts Group on Farmers' Rights (AHTEG) of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)*

24. The fourth meeting of the *Ad Hoc* Technical Experts Group (AHTEG FR-4) on Farmers' Rights, tentatively scheduled from March 23 to 26, 2021, to be held in Rome, Italy, was postponed to May 3 to 7, 2021, and was held by virtual means. The Office of the Union attended the meeting. Relevant documents are available at: <http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1259570/>.

25. The AHTEG FR-4 was unable to complete its task within the available time and resources, and having made significant progress, it agreed to reconvene and resume its fourth meeting to finalize its work. The report of the first part of the meeting is available at: <http://www.fao.org/3/cb4751en/cb4751en.pdf>.

26. The second part of the fourth meeting of the AHTEG was held on August 23 to 27, 2021, via electronic means. The Office of the Union attended the meeting. Relevant documents are available at: <http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1410828/>. The report of the second part of the meeting is available at: <http://www.fao.org/3/cb6843en/cb6843en.pdf>. Paragraph 17 of the report provides as follows:

"17. The Expert Group worked extensively on titles for options under Category 10 Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA]. Based on the range of views and inputs received from members at this and previous meetings, the Co-chairs presented their proposal of possible options under Category 10. However, the Expert Group was not able to finalise its work on options under Category 10. The Co-chairs' proposal, as given in Annex 5 to Appendix 3 [of the report], will be presented to the Ninth Session of the Governing Body for its further consideration."

27. *The Consultative Committee is invited to note the developments concerning the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA).*

*Project 'Pathways to food security, poverty alleviation and livelihoods through the implementation of farmers' rights to crop genetic diversity' (DIVERSIFARM) (2020-2023)*

28. The background to matters concerning Project 'Pathways to food security, poverty alleviation and livelihoods through the implementation of farmers' rights to crop genetic diversity' (DIVERSIFARM) is provided in document CC/97/13 "Developments of relevance to UPOV in other international fora", paragraphs 47 and 48.

29. The Consultative Committee, at its ninety-seventh session, held via electronic means on October 29, 2020, agreed to the participation of the Office of the Union in the reference group for the research project "Pathways to food security, poverty alleviation and livelihoods through the implementation of farmers' rights to crop genetic diversity (DIVERSIFARM)" (see document CC/97/17 "Report", paragraph 63). Developments on the DIVERSIFARM Project are provided in Annex II to this document.

30. *The Consultative Committee is invited to note the developments concerning the DIVERSIFARM Project.*

#### IV. ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

##### OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade

###### *Digitalization study*

31. The Annual Meeting of the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade (Annual Meeting) was held by virtual means on June 10 and 11, 2021. The Annual Meeting considered document TAD/CA/S(2021)8 “OECD Seed Schemes Digitalization Study – Feasibility Report”.

32. The Office of the Union noted that the OECD study on digitalization could create an opportunity for further cooperation between OECD and UPOV, for example in relation to variety descriptions, XML format and blockchain, and offered to explore the opportunities for cooperation and synergies.

33. The Annual Meeting agreed as follows:

- The Annual Meeting approved the Feasibility study and draft proposal for a pilot to digitalize the OECD Seed Schemes
- The Annual Meeting approved giving the Secretariat the mandate to begin implementation and seek financing for the pilot project
- The Secretariat will draft a letter that can be used by NDAs to approach the relevant authorities in their home countries for potential funding
- The Secretariat will circulate a survey to Delegates to better understand their existing financing structures and future financing options
- The Secretariat will work toward hiring a project manager to oversee the development of the project.
- The Digitalisation Steering group will remain in place to provide support to the Secretariat as it moves forward with the project.

*34. The Consultative Committee is invited to note the developments in the OECD Seed Schemes.*

#### V. UNITED NATIONS

##### Food Systems Summit 2021

35. The background to this item is provided in document CC/97/13 “Developments of relevance to UPOV in other international fora”, paragraphs 60 to 64.

36. The purpose of the Food Systems Summit (Summit) was to launch new actions to deliver progress on all 17 SDGs, each of which relies to some degree on healthier, more sustainable and equitable food systems (see <https://www.un.org/en/food-systems-summit/about>). Guided by five Action Tracks, the Summit was aiming at bringing together key players from the worlds of science, business, policy, healthcare and academia, as well as farmers, indigenous people, youth organizations, consumer groups, environmental activists, and other key stakeholders. Before, during and after the Summit, these actors were aiming to come together to bring about tangible, positive changes to the world’s food systems (see at <https://www.un.org/en/food-systems-summit/about>).

37. In preparation for the Summit, a number of Food Systems Summit Dialogues were organized (see <https://summitdialogues.org/>). The outcomes of the Summit Dialogues were intended to inform the Summit process and help to guide individual and collective action towards a future of food that is sustainable, equitable and secure. Documents and reports could be found at [Documentation | United Nations](#).

38. On June 15, 2021, UPOV participated in a Dialogue organized jointly by the World Farmers' Organization (WFO) and the International Seed Federation (ISF) on "Innovation for sustainable Food Systems: the role of New Improved Plant Varieties" (see <https://summitdialogues.org/dialogue/25106/>). In the scope of this dialogue, farmers were invited to reply to a survey on the importance of new improved plant varieties. Results of the survey and key findings are available at [https://summitdialogues.org/wp-content/uploads/2021/07/Consultation-New-Improved-Plant-Varieties-Key-findings-15\\_06-2021-final-14\\_06.pdf](https://summitdialogues.org/wp-content/uploads/2021/07/Consultation-New-Improved-Plant-Varieties-Key-findings-15_06-2021-final-14_06.pdf).

39. On July 26 to 28, 2021, a Pre-Summit was held in Rome (with participation possible online) (see [Food Systems Summit | United Nations](#)). The purpose of this Pre-Summit was to prepare the work of the Summit and to summarize the conclusions of the dialogues.

40. On September 23 and 24, 2021, the Summit was held online. Documents and Statements are available on <https://www.un.org/en/food-systems-summit/summit>.

*41. The Consultative Committee is invited to note the developments in the United Nations concerning the Food Systems Summit.*

## VI. WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

### WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

42. The background to the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) is provided in documents CC/97/13 "Developments of Relevance to UPOV in other International Fora", paragraphs 50 and 51.

43. The Forty-First Session of session of the IGC planned to be held from October 19 to 23, 2020, was postponed and held from August 30 to September 3, 2021.

44. The Recommendation to the WIPO General Assembly on the mandate of the IGC is contained in document WIPO/GRTKF/IC/41/DECISIONS "Decisions of the Forty-First Session of the Committee" of August 31, 2021, available at [https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=549594](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=549594).

### General Assembly of WIPO

45. The General Assembly of WIPO, at its Fifty-Fourth (25th Ordinary) Session, held in Geneva from October 4 to October 8, 2021, under agenda item 18, noted the report on the work of the IGC (document WO/GA/54/10 "Report on the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)"), available at: [https://www.wipo.int/meetings/en/details.jsp?meeting\\_id=62969](https://www.wipo.int/meetings/en/details.jsp?meeting_id=62969)) and agreed to renew the mandate of the IGC for the biennium 2022/2023, as set out in Annex III to this document.

*46. The Consultative Committee is invited to note the developments in the World Intellectual Property Organization (WIPO).*

## VII. WORLD TRADE ORGANIZATION (WTO)

### Council for TRIPS (Trade-Related Aspects of Intellectual Property Rights)

47. The background to this item is provided in documents CC/84/9 Rev. and CC/85/9 both entitled "Developments of relevance to UPOV in other international fora", paragraphs 58 to 60 and paragraphs 30 and 31, respectively.



*Meetings of the Council for TRIPS of February 23, March 10 and 11, April 30, June 8 and 9 and July 20, 2021*

48. The Council for TRIPS met on February 23, March 10 and 11, March 10 and 11, April 30, June 8 and 9 and July 20, 2021.

49. The minutes of the meetings and statements made during the meetings are available as follows at <http://docsonline.wto.org/?language=1>:

Date of meetings in 2021	Minutes	Statements
February 23	IP/C/M/97	IP/C/M/97 (IP/C/M/97/Add.1 of April 7, 2021)
March 10 and 11	IP/C/M/98	IP/C/M/98 (IP/C/M/98/Add.1 of 30 July 2021)
April 30	IP/C/M/99	Addendum to IP/C/M/99 (IP/C/M/99/Add.1 of 30 July 2021)
June 8 and 9	IP/C/M/100	Addendum to IP/C/M/100 [not yet available]
July 20	IP/C/M/101	Addendum to IP/C/M/101 [not yet available]

#### *Future meetings*

50. The next meeting of the Council for TRIPS, which the Office of the Union plans to attend, is scheduled to take place on October 13 and 14, 2021.

51. As in previous years, the Office of the Union intends to prepare a contribution with relevant extracts from document C/55/2 "UPOV Performance Report 2020". The document containing the submission of UPOV, which will be entitled "Technical cooperation activities: information from other intergovernmental organizations – International Union for the Protection of New Varieties of Plants", will be made available at the following address of the WTO website: <http://docsonline.wto.org/?language=1>.

*52. The Consultative Committee is invited to note the developments in the World Trade Organization (WTO).*

#### VIII. WORLD SEED PARTNERSHIP (WSP)

53. Background to the World Seed Partnership (WSP) is provided in document CC/97/13 "Developments of relevance to UPOV in other International fora", paragraphs 66 to 73.

54. A new WSP infographic has been developed to explain the role of each of the WSP partners in the seed and food chain and is now available on the WSP website ([www.worldseedpartnership.org/](http://www.worldseedpartnership.org/)).

55. On Monday June 28, 2021, an information session, was organized by virtual means between the WSP Steering Committee and the Plant Production and Protection Division (NSP) of FAO. The meeting was attended by Mr. Jingyuan Xia, Director NSP, Mr. Remi Nono Womdim, Deputy Director, Plant Protection and Production Division (NSP), Mr. Wilson Hugo, Agricultural Officer, NSP, FAO and representatives of the WSP Steering Committee. The purpose of the meeting was to explain the WSP, and explore possible cooperation between WSP and FAO.

*56. The Consultative Committee is invited to note the developments concerning the World Seed Partnership, and to agree to explore possible synergies with FAO .*



## IX. “2050TODAY”

57. On October 7, 2020, UPOV was invited by H.E. Mr. Jürg Lauber, Ambassador, Permanent Mission of Switzerland to the United Nations Office and other International Organizations in Geneva, to join the 2050Today initiative.

58. The 2050Today initiative is described as follows (see <https://2050today.org/about-us/>):

“In partnership with the United Nations, 2050Today brings together a community of international Geneva institutions determined to ensure a quick, continuous and measurable GHG emissions reduction of their own institutions.

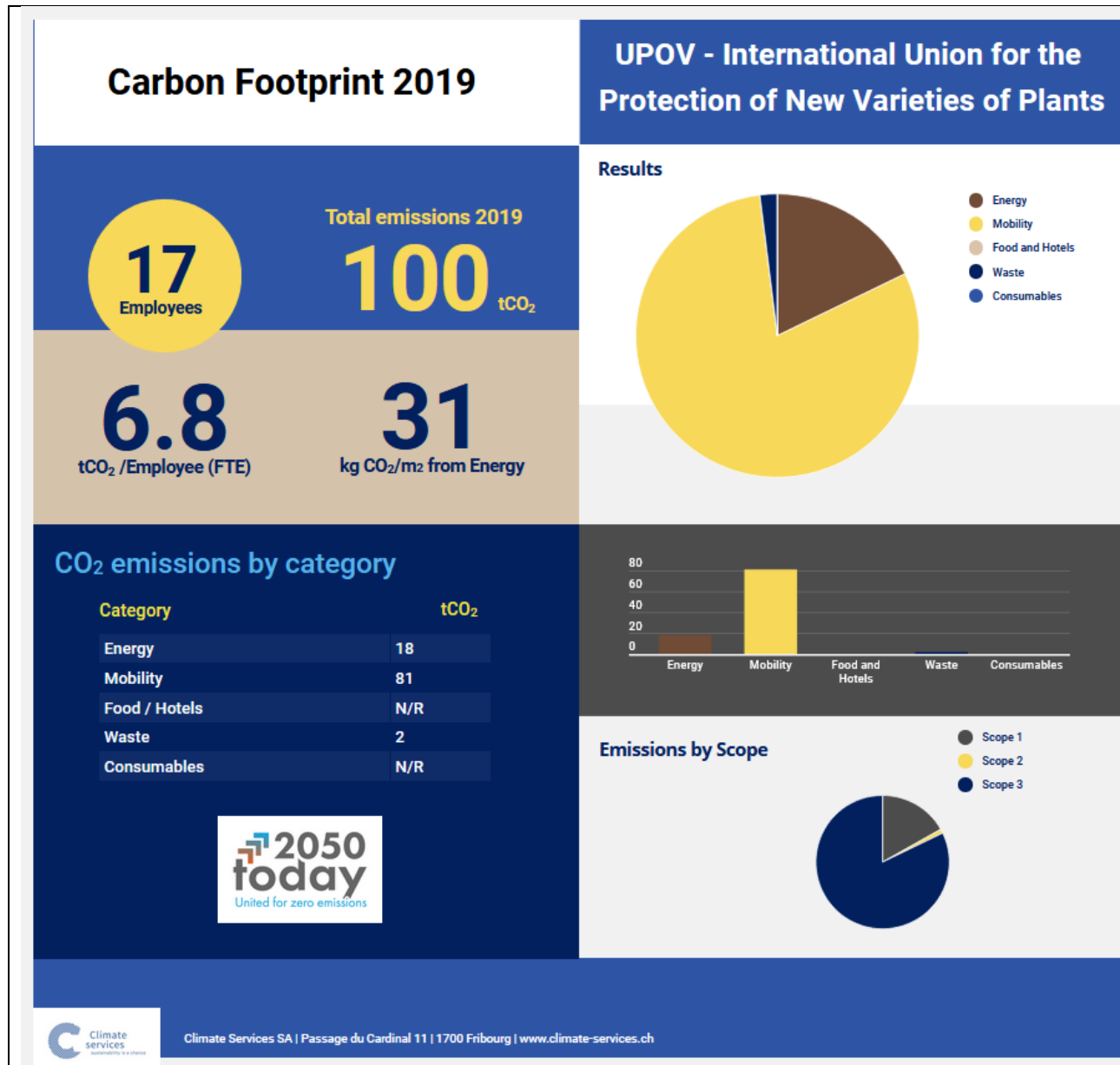
“By sharing experiences, solutions and practices 2050Today members foster and facilitate the implementation of efficient measures with a sense of solidarity and cooperation.

“As primary advocate and responsible for a multilateral and inclusive climate action, permanent missions, UN institutions and other entities of international Geneva want to lead by example.

“2050Today is being promoted in its initial phase by the permanent Missions of Denmark, Fiji, France, Mexico, Morocco, Rwanda, Slovenia, Switzerland, United Nations Office at Geneva and United Nations Environment Programme – European Office with the contribution of the Intergovernmental Panel on Climate Change secretariat and the support of local authorities and bodies.”

59. WIPO is also participating in the 2050Today initiative and UPOV will provide data on the same basis as WIPO for the purposes of efficiency. In particular, UPOV data concerning greenhouse (GHG) emissions for 2050Today can be prepared by WIPO at the same time as WIPO's data because the relevant data on energy and travel (mobility) for UPOV is maintained in WIPO's administrative systems as part of the WIPO/UPOV Agreement (document UPOV/INF/8).

60. Participants in the 2050Today initiative were initially requested to provide data from 2019. UPOV has provided data for 2019 and 2020. The 2019 data has been published on the 2050Today website as follows:



\*\*"Employees" covers all members of the workforce, including permanent staff, temporary staff, interns, fellows, agency workers and individual contractual services).

61. It is apparent that staff travel was the major component of UPOV's carbon footprint in 2019. The measures in response to the COVID-19 pandemic have resulted in a substantial reduction in UPOV's carbon footprint for 2020 and 2021 compared to 2019.

62. The Consultative Committee is invited to note the developments concerning the 2050Today.

[Annexes follow]

ANNEX IV OF THE 2020 REPORT OF THE EAPVP PILOT PROJECT

EAPVPF/13/06

Annex IV

REPORT OF THE EAPVP PILOT PROJECT MEETING

## Overview of EAPVP Pilot Project

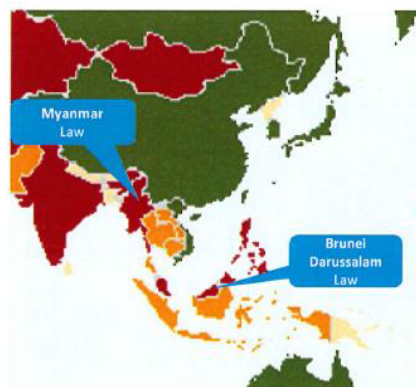
### ✓ Launch the Pilot Project (PP)

- Proposed by Japan and Viet Nam
- Adopted at the 11<sup>th</sup> Annual Meeting of East Asia Plant Variety Protection Forum (EAPVPF) in 2018

### ✓ Purpose of the PP

To achieve the 10-year strategy plan of EAPVPF adopted at its 11<sup>th</sup> Annual Meeting in 2018

## UPOV status in EAPVP Forum countries



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

EAPVP Forum (Established in 2007)

= **ASEAN Member States (10)**, China, Japan and Republic of Korea

Members of UPOV:

China (CN), Japan (JP), Republic of Korea (KR), **Singapore (SG)**, **Viet Nam (VN)**

Initiating States:

**Brunei Darussalam (BN)**, **Malaysia (MY)**, **Myanmar (MM)**, **Philippines (PH)**

States in contact with the UPOV Office:

**Cambodia (KH)**, **Indonesia (ID)**, **Lao People's Democratic Republic (LA)**, **Thailand (TH)**

**Positive decisions on conformity with the 1991 Act of the UPOV Convention**

EAPVPF/13/06

## 10-year Strategic Plan

(adopted at the 11<sup>th</sup> EAPVPF annual meeting)

### Long-term Direction

Establish **effective PVP systems** consistent with the UPOV Convention among Forum members towards achieving all Forum members' membership of UPOV, as a basis for **further PVP harmonization and cooperation in the region** in order to contribute to developing sustainable agriculture and achieving food security

#### Objective 1:

Strengthen national PVP system consistent with the UPOV Convention to encourage investment in plant breeding

#### Objective 2:

Contribute to support achievement of UPOV membership, to facilitate harmonization of application and examination procedures, and to enhance efficient PVP cooperation in the region

## Overview of EAPVP Pilot Project

### ✓ Pilot Project participating countries

- **Participating countries:** Japan and Viet Nam  
(UPOV member countries of the EAPVP Forum members wish to join the PP)
- **Provisional participating countries:** Brunei Darussalam, Malaysia, Myanmar  
(EAPVPF countries which have initiated the procedure to become a UPOV member)
- **Resource partner:** UPOV Office

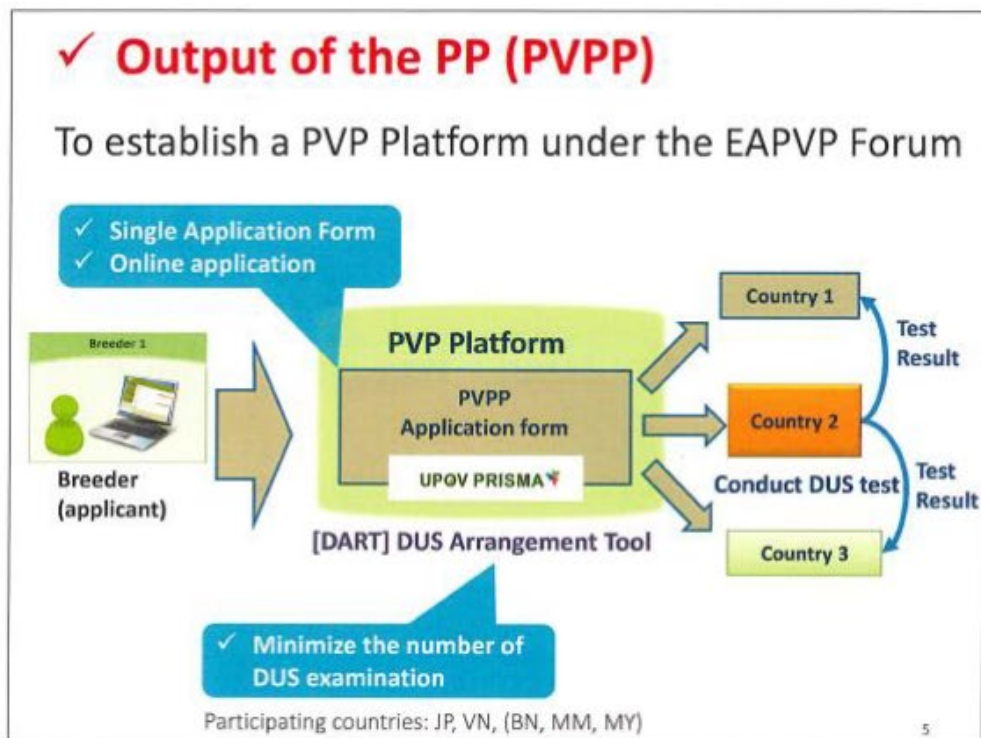
### ✓ Timeline of the PP

**Phase 1 (2018 – 2021):** Develop and test a model platform

**Phase 2 (2022 – 2023):** Operational (Officially receive applications)

*Participating countries to enjoy the benefits of the outcomes of the PP*

EAPVPF/13/06



## ✓ **BENEFITS OF THE PILOT PROJECT**

### **For breeders/agents:**

- ✓ **A single online platform** for submitting application data and Enhanced **cooperation in DUS examination**
  - **Easy to apply** to participating countries
  - **Save time and costs** for application/examination (minimizing number of DUS examinations)
- ✓ A functionality of “**DUS arrangement tool**” (**DART**) enables applicants to arrange DUS examinations in the most efficient way

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EAPVPF/13/06

## ✓ **BENEFITS OF THE PILOT PROJECT**

### **For PP participating countries:**

- **Provided with an online application system and electronic application management system**
- **Enhance DUS cooperation among PVP Offices of participating countries** to address capacity gaps in DUS examination (e.g. human resources, infrastructure, agro-climatic conditions for growing trials)
- **Assist new UPOV members** to provide protection to **all plant genera and species** in an efficient way; and
- **Increase the number of PVP applications** in participating countries as a result of efficient application and examination procedures.

## • **Developments of EAPVP Pilot Project**

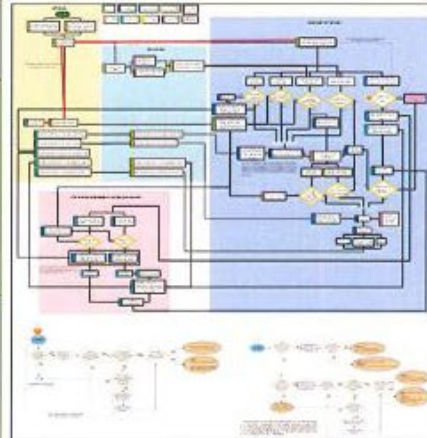
### **Pilot Project meetings**

	Time/Venue	Participants
1 <sup>st</sup> Meeting	Oct 2018 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam
2 <sup>nd</sup> Meeting	Feb 2019 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam
3 <sup>rd</sup> Meeting	Sep 2019 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam Observers: Thailand, Philippines
4 <sup>th</sup> Meeting	7 - 27 July, 2020 by correspondence	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam
5 <sup>th</sup> Meeting	Nov 23 - 24, 2020 via electronic means	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam Observers: Cambodia, China, Philippines

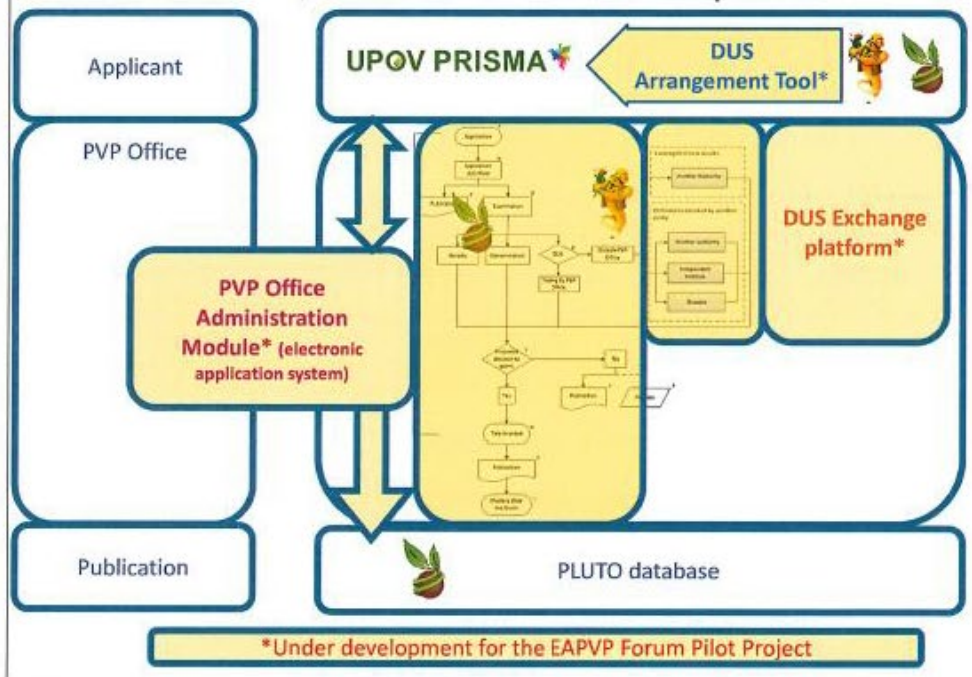
EAPVPF/13/06

### Agreed items at the PP meetings

Items	Contents
Schematic of the Project	✓ Project schematic that provides procedures for making applications, conducting examinations and granting Plant Breeders' Rights via the Platform
IT Modules of the Platform	✓ To develop IT modules of the Platform (see the figure in next slide)



### IT Tools/modules under development





EAPVPF/13/06

### Agreed items at the PP meetings (2)

Items	Contents
Application Form (AF) of the Platform	✓ A combined AF of the PVPP
Technical Questionnaires (TQs) of the Platform	✓ Steps to procedure to identify TQs for the variety applied under the Platform
Preliminary examination of Novelty	✓ A list of the species classified as trees/vines for the purpose of Novelty under the Platform
Preliminary examination of denomination	<ul style="list-style-type: none"> <li>✓ The PVPP Office will send recommendations on denominations to PVP offices. Each PVP Office will examine and take final decision.</li> <li>✓ Any changes to denomination need to be updated on the Platform</li> </ul>
DUS cooperation among the PP participating countries	✓ A list of genera/species for which PP countries would provide DUS reports to other PP countries
DUS cooperation between the PP countries and other UPOV members	✓ To consider a Memorandum of Cooperation (MOC) for exchange existing DUS reports with other UPOV members

### Agreed items at the PP meetings (3)

Items	Contents
Payment Mechanism	<ul style="list-style-type: none"> <li>✓ National application fees to be paid directly to PP countries</li> <li>✓ DUS test fee to be paid directly to the PP country responsible for DUS test report</li> <li>✓ Platform IT fee (to UPOV) and Platform Office fee would be required at the time of data submission</li> </ul>
Scope of Prototype version 1 of the Platform	✓ Crop coverage: four pilot crops (rice, strawberry, rose and mung bean)
Terms of use (for both PVP Offices and applicants)	✓ To consider a proposed draft of Terms of Use
Information to be published	✓ To consider information to be published in national PBR gazette using the Publication module, and in PLUTO using the UPOV Model PBR Publication as a basis

EAPVPF/13/06

## Developments of Prototype version 1 of the PP Platform

### Applicant interface for the PP Platform - New Application Settings

UPQV PRESMA

Applications Edit User profile Manage User role Logout

Pilot Project Platform  
New Application Settings

Fill in the new application for a new species or crop, or search for existing species or crop

1. Select Crop/Species

☒ Crop/species with previous applications ☐ Search all crop/species

Fragaria moschata Weston (Strawberry TO-22)

2. Designate Author(s)

IN INDIA  
JP JAPAN  
MM MYMMAR  
MY MALAYSIA  
VN VIETNAM

3. Select Language for answers

Application Form English  
Technical Questionnaire English  
Submitter's Own Questionnaire

4. Upload Existing Data (ZIP)

Upload Cancel

All images shown are for illustration purpose only.

### Applicant interface for the PP Platform - Complete the form

1. Application Form

2. Technical Questionnaire

3. Declaration And Signature

APPLICANT

Application Form

Name (Japanese notation)

Name (Alphabetical notation)

Address (Alphabetical notation)

Country

Handwritten signature

Constraint Details

This question is requested by: JP

Declaration

Cancel Submit

All images shown are for illustration purpose only.

EAPVPF/13/06

### Applicant interface for the PP Platform – Review DUS arrangements

**TECHNICAL EXAMINATION**

The technical examination is ongoing...

DUS Arrangement	Status
BRUNY (AUSTRALIA)	Not yet been started
JARAR	Not yet been started
MALAYSI	Not yet been started
MYNEM	Not yet been started
MYNEM	Not yet been started
MYNEM	Not yet been started
AUSTRALIA	Completed

**DUS Arrangement Tool (DART)**

Sort by: Select Filter by: Conducting Authority

**OPTION 1**

Total number of DUS Examinations: 1  
Total Cost: \$ 0  
View

**OPTION 2**

Total number of DUS Examinations: 2  
Total Cost: \$ 558  
View

*All images shown are for illustration purpose only.*

### Applicant interface for the PP Platform – View and select an option

**DUS Arrangement Tool (DART)**

Sort by: Select Filter by: Conducting Authority

**OPTION 1**

Total number of DUS Examinations: 1  
Total Cost: \$ 0  
Hide

**Tree Diagram:**

```

graph TD
    JP((JP)) --> EN((EN))
    JP --> VN((VN))
    JP --> MY((MY))
    JP --> MY2((MY))
  
```

Select

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EAPVPF/13/06

### PVP Office interface

**UPOV Dashboard**

International Reference Number	Application No.	Updated On	Date of Submission	Class	Proposed Variety Description	Breeder's Variety Selection	Payment status	Status	Payment effective date	Owner	Action
98_10000000000000	PER	01/12/20	01/12/20	Root L	Test 1	Test 1 (2) CC	Pending	Pending	20/11/2020	PERALS1	Ask for revision
98_10000000000000	PER	12/10/20	12/10/20	Let's take L	Test 1 (2) CC	Test 1 (2) CC	Pending	Submitted	12/10/2020	PERALS1	Acknowledge receipt
98_10000000000000	PER	12/10/20	12/10/20	Let's take L	Test 1 (2) CC	Test 1 (2) CC	Pending	Submitted	NA	PERALS1	Acknowledge receipt
98_10000000000000	PER	04/10/20	04/10/20	Let's take L	Test 1 (2) CC	Test 1 (2) CC	Pending	Submitted	NA	PERALS1	Acknowledge receipt

*All images shown are for illustration purpose only.*

### Timelines for next steps

Period	Duration	Description
30/11/20 to 31/03/21	4 months	Implement TQ s for the other options Task delegation module Examination module DUS cooperation module Applicant monitoring module
01/04/21 to 30/04/21	1 month	Testing by PP participating countries
01/07/21 to 31/07/21	1 month	Reflect PP participating countries' feedback
01/08/21 to 30/09/21	2 months	Testing by breeders
01/07/21 to 31/08/21	2 months	Publication module Payment module
01/09/21 to 30/09/21	1 month	Testing by PP participating countries
01/10/21 to 31/10/21		Reflect feedback from breeders and PP participating countries

[Annex V follows]

[Annex II follows]

DEVELOPMENTS ON THE DIVERSIFARM PROJECT

**Update on the research project '*Pathways to food security, poverty alleviation and livelihoods through the implementation of farmers' rights to crop genetic diversity*' (DIVERSIFARM)**

*By Dr. Regine Andersen, Research Director of the Fridtjof Nansen Institute and DIVERSIFARM project leader*

“DIVERSIFARM is designed to identify agrobiodiversity-based pathways to food security, poverty alleviation and livelihoods among small-scale farmers in developing countries and is carried out by the Fridtjof Nansen Institute Norway, together with partners from South-Africa, Ethiopia, Nepal, Germany and Norway. Whereas good progress has been made in the project since its kick-off in April 2020, the project team has also had some challenges related to the COVID-19 pandemic and the devastating war in Ethiopia. This has caused delays and the need to reorganise some of the work. Nevertheless, the project team is confident that the project will achieve its objectives. Several publications are under development/finalization. The first peer reviewed article from DIVERSIFARM has been published: ‘Farmers’ Rights and Digital Sequence Information: Crisis or Opportunity to Reclaim Stewardship Over Agrobiodiversity?’ by Rachel Wynberg, Regine Andersen, Sarah Laird, Kudzai Kusena, Christian Prip and Ola Tveitereid Westengen (*Frontiers in Plant Science*, published online 13.08.2021, 16 p. DOI: 10.3389/fpls.2021.686728). Several publications are under development/finalization, including on a comprehensive survey on community-based approaches to the management of crop genetic resources and farmers’ rights, on an analysis of the negotiation process on farmers’ rights under the Plant Treaty and on an analysis of the interaction between international regimes in this regard. The project team is further developing the analytical framework, carrying out literature reviews and planning for the country case studies that will be carried out in 2022.”

[Annex III follows]



## ANNEX III

EXTRACT FROM THE  
SUMMARY REPORT OF THE SIXTY-SECOND SERIES OF MEETINGS  
OF THE ASSEMBLIES OF THE MEMBER STATES OF WIPO  
(WIPO document [A/62/12](#), paragraph 42)

“42. The WIPO General Assembly:

“(i) took note of the information contained in document WO/GA/54/10;

“(ii) agreed to renew the mandate of the IGC for the biennium 2022/2023 as below:

“Bearing in mind the Development Agenda recommendations, reaffirming the importance of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee), noting the different nature of these issues and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the Committee be renewed, without prejudice to the work pursued in other fora, as follows:

(a) The Committee will, during the next budgetary biennium 2022/2023, continue to expedite its work, with the objective of finalizing an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property, which will ensure the balanced and effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs).

(b) The Committee’s work in the 2022/2023 biennium will build on the existing work carried out by the Committee, including text-based negotiations, with a primary focus on narrowing existing gaps and reaching a common understanding on core issues<sup>1</sup>.

(c) The Committee will follow, as set out in the table below, a work program based on open and inclusive working methods for the 2022/2023 biennium, including an evidence-based approach as set out in paragraph (d). This work program will make provision for 6 sessions of the Committee in 2022/2023, including thematic, cross-cutting, and stocktaking sessions. The Committee may establish *ad hoc* expert group(s) to address a specific legal, policy, or technical issue<sup>2</sup>. The results of the work of such group(s) will be submitted to the Committee for consideration.

(d) The Committee will use all WIPO working documents, including WIPO/GRTKF/IC/40/6, WIPO/GRTKF/IC/40/18, WIPO/GRTKF/IC/40/19 and the Chair’s Text on a *Draft International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources*, as well as any other contributions of Member States, such as conducting/updating studies covering, inter alia, examples of national experiences, including domestic legislation, impact assessments, databases, and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any expert group(s) established by the Committee and related activities conducted under Program 4. The Secretariat is requested to continue to update studies and other materials relating to tools and activities on databases and on existing disclosure regimes relating to GRs and associated TK, with a view to identifying any gaps and continuing to collect, compile and make available online information on national and regional *sui generis* regimes for the intellectual property protection of TK and TCEs. Studies or additional activities are not to delay progress or establish any preconditions for the negotiations.

(e) In 2022, the Committee is requested to provide to the General Assembly a factual report along with the most recent texts available of its work up to that time with recommendations, and in 2023, submit to the General Assembly the results of its work in accordance with the objective reflected in paragraph (a). The General Assembly in 2023 will take stock of progress made, and based on the maturity of the texts, including levels of agreement on objectives, scope, and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.

<sup>1</sup> Core issues include, as applicable, inter alia, definitions, beneficiaries, subject matter, objectives, scope of protection, and what TK/TCEs are entitled to protection at an international level, including consideration of exceptions and limitations and the relationship with the public domain.  
The expert group(s) will have a balanced regional representation and use an efficient working methodology. The expert group(s) will work during the weeks of the sessions of the IGC.

(f) The General Assembly requests the Secretariat to continue to assist the Committee by providing Member States with necessary expertise and funding, in the most efficient manner, of the participation of experts from developing countries and LDCs, taking into account the usual formula for the IGC.”

“WORK PROGRAM – 6 SESSIONS

Indicative Dates	Activity
February/March 2022	(IGC 42) Undertake negotiations on GRs with a focus on addressing unresolved issues and considering options for a draft legal instrument Duration 5 days.
May/June 2022	(IGC 43) Undertake negotiations on GRs with a focus on addressing unresolved issues and considering options for a draft legal instrument. Duration 5 days, plus, if so decided, a one day meeting of an <i>ad hoc</i> expert group.
September 2022	(IGC 44) Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s) Possible recommendations as mentioned in paragraph (e) Duration 5 days.
October 2022	WIPO General Assembly Factual report and consider recommendations
November/December 2022	(IGC 45) Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Duration 5 days, plus, if so decided, a one day meeting of an <i>ad hoc</i> expert group.
March/April 2023	(IGC 46) Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s) Duration 5 days, plus, if so decided, a one day meeting of an <i>ad hoc</i> expert group.
June/July 2023	(IGC 47) Undertake negotiations on TK and/or TCEs with a focus on addressing unresolved and cross-cutting issues and considering options for a draft legal instrument(s). Stocktaking on GRs/TK/TCEs and making a recommendation Duration 5 days.
October 2023	WIPO General Assembly will take stock of the progress made, consider the text(s) and make the necessary decision(s).’

“and

“(iii) recognized the importance of the participation of indigenous peoples and local communities in the work of the Committee, noted that the WIPO Voluntary Fund for Accredited Indigenous and Local Communities was depleted, encouraged Member States to consider contributing to the Fund, and invited Member States to consider other alternate funding arrangements.”

[End of Annex III and of document]