

Consultative Committee**CC/99/3****Ninety-Ninth Session
Geneva, October 27, 2022****Original:** English
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STRATEGIC BUSINESS PLAN 2023-2027*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The Consultative Committee at its ninety-eighth session, held via electronic means on October 28 and 29, 2021, noted that a draft Strategic Business Plan 2023-2027 would be developed for consideration by the Consultative Committee at its ninety-ninth session. The Consultative Committee agreed that the draft Strategic Business Plan 2023-2027, as approved by the Consultative Committee, be proposed for adoption by the Council at its fifty-sixth ordinary session, to be held on October 28, 2022 (see document CC/98/16 "Report", paragraphs 32 to 34).

2. The draft Strategic Business Plan 2023-2027 is presented in the Annex to this document.

3. Subject to approval by the Consultative Committee, at its ninety-ninth session, the draft Strategic Business Plan 2023-2027, as presented in the Annex to this document, will be presented for adoption by the Council at its fifty-sixth ordinary session, to be held on October 28, 2022, in document C/56/13 "Report by the President on the work of the ninety-ninth session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee".

4. *The Consultative Committee is invited to:*

(a) approve the draft Strategic Business Plan 2023-2027 as presented in the Annex to this document; and

(b) note that, subject to the above approval, the Strategic Business Plan 2023-2027, as presented in the Annex to this document, will be presented for adoption by the Council at its fifty-sixth ordinary session.

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I. INTRODUCTION

1. This document sets out the Strategic Business Plan (SBP) for the period 2023-2027.
2. The SBP outlines UPOV's strategic direction for the next five years and will serve as a source of inspiration and guidance for the Organization. It will also provide the basis for the preparation of the forthcoming Program and Budgets, which seek members' approval for work to deliver UPOV's expected results, key performance indicators and budget for a biennium.
3. The core elements of the SBP are represented by a Strategy House, which consists of the Organization's Mission, Strategic Pillars and Foundation.
4. The following overview of the global landscape sets out the broader context in which UPOV and our stakeholders operate.

II. LANDSCAPE

5. UPOV's mission is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.
6. The UPOV system of plant variety protection supports long-term investment in plant breeding and provides a framework for investment in the delivery of seed and other propagating material of varieties suited to farmers' needs. UPOV was created in 1961 and has proven to be an effective system for supporting various types of breeders: individuals, farmers, SMEs and larger breeding institutes/enterprises, in both the private and public sectors. It has also provided a basis for collaboration, including public-private partnerships. From the outset, the UPOV system was conceived to deliver greatest progress in plant breeding and, therefore, to sustain greatest advances in agriculture for the benefit of farmers and society as a whole. This concept is enshrined in the "breeder's exemption", a key feature of the UPOV system and a unique feature in intellectual property that applies an "open-source" concept. This exemption enables protected plant varieties to be available for further breeding by all plant breeders, thus recognizing that access to genetic resources is a prerequisite for any type of breeding (see FAQ "[How does the UPOV system support sustainable development?](#)")
7. There is growing awareness of the relevance of UPOV's mission and how this benefits society in the context of global developments, which is summarized in UPOV's FAQ "What are the benefits of new varieties of plants for society?":

"Feeding the World

"New, improved varieties of plants are an important and sustainable means of achieving food security in the context of population growth and climate change. New varieties that are adapted to the environment in which they are grown increase the choice of healthy, tasty and nutritious food while generating a viable income for farmers.

"Improving lives in rural and urban areas and providing economic development

"Innovation in agriculture and horticulture is important for economic development. Production of diverse, high quality varieties of fruit, vegetables, ornamentals and agricultural crops provides increased income for farmers and employment for millions of people around the world. New varieties can be the key to accessing global markets and improving international trade for developing countries. At the same time, new varieties can support the development of urban agriculture and the growing of ornamental plants, shrubs and trees that contribute to improving the lives of people in the expanding urban environment.

"Respecting the natural environment

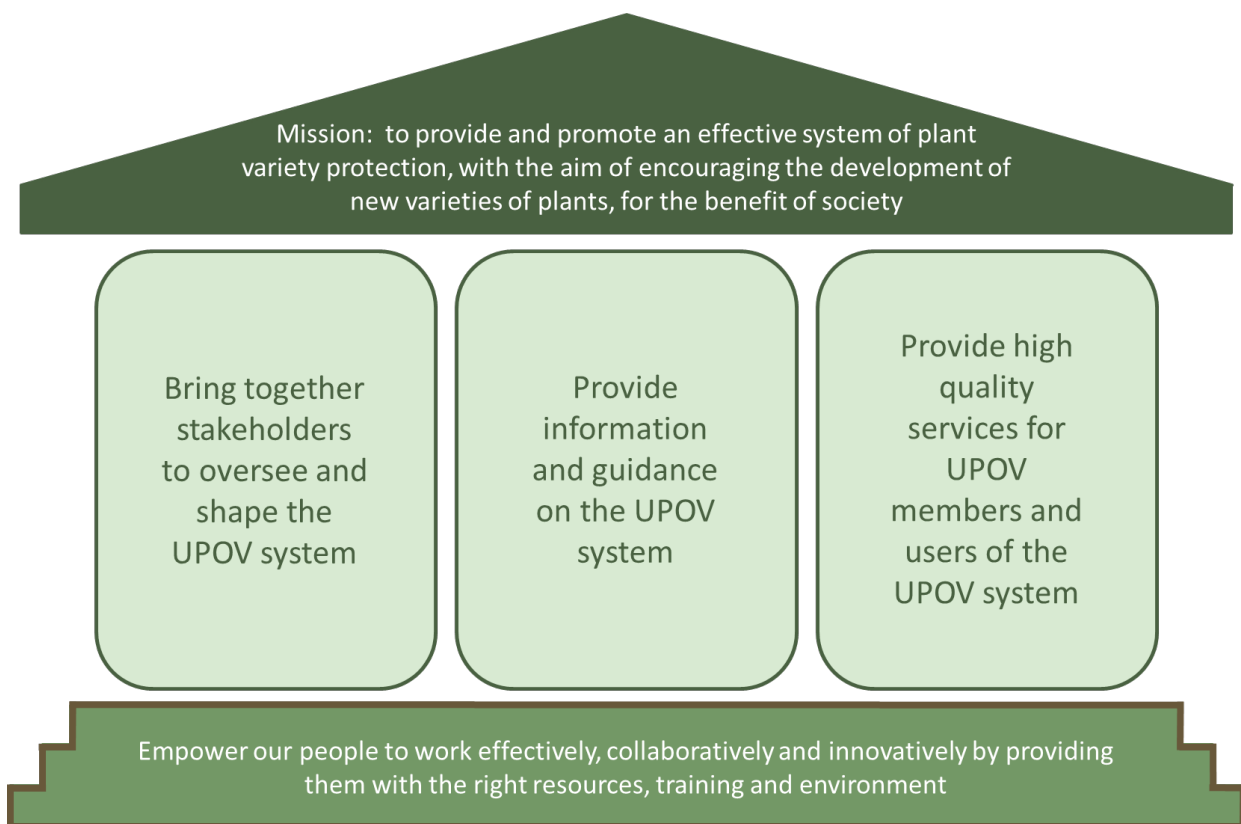
"Increasing productivity whilst respecting the natural environment is a key challenge in the context of population growth and climate change. Breeding plant varieties with improved yield, more efficient use of nutrients, resistance to plant pests and diseases, salt and drought tolerance and better adaptation to climatic stress can sustainably increase productivity and product quality in agriculture, horticulture and forestry, whilst minimizing the pressure on the natural environment."

8. The relevance of this FAQ was endorsed at the “Seminar on strategies that address policies involving plant breeding and plant variety protection”, held on October 20, 2021. The seminar highlighted the key role that plant variety protection has to play in food security, transforming food production in a time of climate change, spurring economic development and bringing innovation and technology transfer to farmers.

III. STRATEGY HOUSE

9. The Strategy House outlines UPOV’s Mission, Strategic Pillars and Foundation, providing a framework to respond to the need for an effective system of plant variety protection that will encourage the development of new varieties of plants, for the benefit of society.

10. The Strategy House is rooted in continuous improvement by building on UPOV’s strengths while charting a future course with a new focus where relevant.



THE MISSION

UPOV’s mission is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.

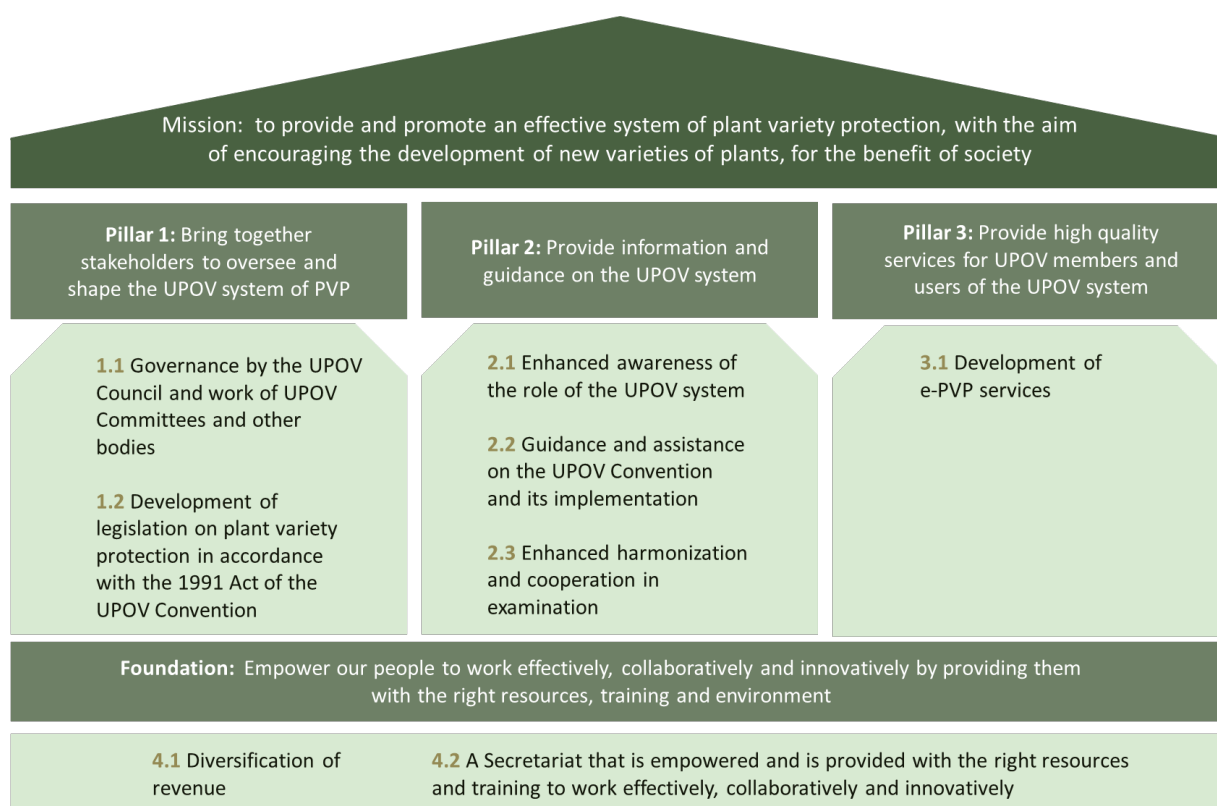
11. UPOV’s mission statement identifies the importance of new varieties of plants as a means for farmers and growers to provide benefits to society. As explained in the FAQ “What are the benefits of new varieties of plants for society?” (see above), new varieties of plants are a key element for farmers and growers to provide food security in the context of population growth and climate change, providing people with a choice of healthy, tasty and nutritious food while generating a viable income for farmers. High quality varieties of fruit, vegetables, ornamentals and agricultural crops also provide economic development and employment for millions of people around the world by meeting the needs and desires of society.

12. The mission statement recognizes UPOV’s role in providing an effective system of plant variety protection that is necessary to support the development of new plant varieties.

THE THREE STRATEGIC PILLARS AND FOUNDATION

13. The three Strategic Pillars underpin UPOV's Mission. They represent UPOV's broad areas of strategic focus which, in turn, are cascaded into Expected Results, and then specific programs and activities. The Foundation is the bedrock of the Strategy House. It encapsulates the basis to provide the right type of resources, environment and culture for UPOV to work well. The Strategic Pillars should not be seen in isolation; they are dynamically interconnected and supported by the Foundation.

14. The following sections elaborate on each of the three Strategic Pillars and the Foundation, as well as their respective Expected Results.



Pillar 1: Bring together stakeholders to oversee and shape the UPOV system

Background

15. This Strategic Pillar focuses on UPOV's role as convener to bring together members of the Union and stakeholders to oversee and coordinate UPOV's work and to shape the future of the UPOV system.

Future Direction

1.1 Governance by the UPOV Council and work of UPOV Committees and other bodies

16. The Council, comprising members of the Union and observers, will continue to govern UPOV's direction, being guided by the Consultative Committee the Administrative and Legal Committee (CAJ), Technical Committee, Technical Working Parties and working groups, as appropriate.

17. As UPOV evolves, and in the interest of achieving maximum effectiveness, it will be important for the work of the committees to be kept under review. An example of this was the decision for meetings of the Council, Consultative Committee and CAJ to be reduced from twice per year to annually from 2018. A review is taking place in the Technical Committee to assess opportunities for the work of the Technical Committee

and Technical Working Parties to be improved, particularly with a view to increasing cooperation as a fundamental benefit of UPOV membership.

18. In relation to meetings of UPOV bodies, consideration will need to be given to policy on physical and virtual participation with a view to increasing participation and increasing the effectiveness of meetings.

1.2 Development of legislation on plant variety protection in accordance with the 1991 Act of the UPOV Convention

19. Any State or intergovernmental organization wishing to become a member of UPOV needs to obtain a positive advice of the Council of UPOV on the conformity of its laws with the provisions of the UPOV Convention prior to depositing its instrument of accession. A key part of UPOV's work is to provide guidance for States/ intergovernmental organizations wishing to draft a law in accordance with the 1991 Act of the UPOV Convention.

Pillar 2: Provide guidance and assistance and facilitate cooperation for implementing the UPOV system

Background

20. This Strategic Pillar covers UPOV's work on explaining how the UPOV system encourages the development of new varieties of plants, how new varieties provide benefits for society and the role of the UPOV system in relation to agriculture and economic development in the rural sector. A particular objective is to raise awareness of the benefits of plant variety protection according to the UPOV Convention and UPOV membership for States and intergovernmental organizations that are not members of the Union. This Strategic Pillar also covers the provision of guidance and information for the operation of the UPOV system of plant variety protection, and support for cooperation between members of the Union, including work on harmonization.

21. UPOV's Communication Strategy and Training and Assistance Strategy underpin this Strategic Pillar.

Future Direction

2.1 Enhanced awareness of the role of the UPOV system

22. The focus will be on the development of information concerning the benefits of plant variety protection and UPOV membership. The Office of the Union will work with members of the Union to develop illustrative examples, case studies and data that communicate the benefits of the UPOV system in an engaging way, such as in the form of videos, study tours and impact studies.

23. Work on FAQs and infographics will continue to play an important role in communicating key aspects of the UPOV system and in addressing misinformation. UPOV will actively participate in meetings and events of relevant organizations and the Office of the Union will seek to work closely with the secretariats of other organizations to increase awareness and understanding of UPOV's mission.

24. Traditional events and activities, such as seminars and workshops, will continue to play a key role in outreach. However, greater emphasis will be made on the use of virtual activities to increase outreach, achieve greater impact, reduce cost and reduce the impact of the Office of the Union's work on the environment.

25. Social media will play an increasingly important role in communicating information.

26. UPOV's translation policy is aimed at using machine translation to increase the availability of UPOV's material in a range of languages by increasingly cost-effective translation.

2.2 *Guidance and assistance on the UPOV Convention and its implementation*

Guidance and information material

27. The effectiveness of the UPOV system is enhanced by the provision of guidance and information materials such as Explanatory Notes (“UPOV/EXN” series) and Information Documents (“UPOV/INF” series). UPOV will continue to update and develop new guidance material in accordance with the work programs of the UPOV bodies concerned.

28. UPOV materials and resources are made available in English, French, German and Spanish. However, as UPOV expands and interest in UPOV membership increases, there are important benefits in making UPOV material and resources available in a wider range of languages. Providing translations of materials and making material available in a range of languages has substantial resource implications and success in this objective will require a range of measures involving cooperation with interested members of the Union. However, rapid advances in machine translation technology provide new opportunities, which will be pursued as a matter of priority to reduce translation costs for UPOV documents in UPOV languages and to make UPOV materials in a wider range of languages.

Training and assistance

29. UPOV’s Training and Assistance Strategy underpins the UPOV’s training and assistance activities.

30. Satisfying the demand for assistance in the introduction and implementation of the UPOV system within available resources relies on the use of distance-learning courses, the prioritization of assistance by the Office of the Union, support by members of the Union and partnerships with other providers of assistance. This Thematic Pillar is supported by the regular budget, but extrabudgetary funds and support in kind provide a substantial proportion of the resources deployed for assistance. In order to utilize the available resources in the most effective way, the Office of the Union will continue to prioritize its activities and to explore synergies in its activities with members of the Union and other partners.

31. The priority for providing assistance by the Office of the Union will continue to be as follows:

- (i) assistance to existing members of the Union;
- (ii) assistance to States and certain organizations that are not members of the Union, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in line with the 1991 Act of the UPOV Convention and their accession to the UPOV Convention; and
- (iii) assistance to States and certain organizations that are not members of the Union, in the implementation of legislation that has received a positive decision of the Council, according to their commitment to accede to the UPOV Convention.

32. Events and activities, such as meetings, seminars, workshops and training events, will continue to play a key role in assistance. However, greater emphasis will be made on the use of virtual activities to increase outreach, achieve greater impact, reduce cost and reduce the impact of the Office of the Union’s work on the environment. The e-PVP system (see Section 3.1) is also expected to complement UPOV’s training and capacity-building work by providing practical assistance to members of the Union in the implementation of the plant variety protection system.

33. In order to harness the various training initiatives provided by UPOV and its members, UPOV will develop an “International certificate on plant variety protection”.

2.3 *Enhanced harmonization and cooperation in examination*

34. Cooperation between members of the Union is a key feature of the UPOV system and is the basis for an efficient system resulting in more rapid availability of new varieties and lower costs for breeders. In order to respond to the challenges facing agriculture, notably in relation to climate change and food security, priority and urgency should be given to increased cooperation that will increase the availability of new plant varieties. Therefore, work in UPOV bodies will continue to identify measures and tools that can facilitate cooperation on a voluntary basis.

Examination of Distinctness, Uniformity and Stability (“DUS”)

35. The “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants” (General Introduction), with its associated TGP documents, and Test Guidelines provide the basis for harmonization and cooperation in the examination of Distinctness, Uniformity and Stability (“DUS”). Work will continue on reviewing and updating the General Introduction, associated TGP documents and Test Guidelines, with greater emphasis on measures to enhance cooperation.

36. The Technical Committee has identified a number of technical, administrative, policy and legal issues that may be obstacles to further cooperation in DUS examination. A key aim in the medium term will be to address these potential obstacles in order to increase cooperation and thereby increase the efficiency of DUS examination.

Examination of variety denominations

37. The main purpose of the Explanatory Notes on Variety Denominations is to ensure that, as far as possible: protected varieties are designated in all members of the Union by the same variety denomination for the same variety; the approved variety denominations establish themselves as the generic designations; and they are used in the offering for sale or marketing of propagating material of the variety, even after the expiration of the breeder’s right. The “Explanatory Notes on Variety Denominations under the UPOV Convention” (document UPOV/EXN/DEN) will need to be kept under review to ensure that UPOV’s guidance can be closely followed by all members of the Union.

38. In order to enhance harmonization in the examination of variety denominations, work will continue on the development of proposals for a UPOV similarity search tool for variety denomination purposes, according to the guidance in the “Explanatory Notes on Variety Denominations under the UPOV Convention” (document UPOV/EXN/DEN).

Pillar 3: Provide high quality services for UPOV members and users of the UPOV system

Background

39. Historically, in recognition of its limited resources, UPOV has focused its efforts on providing guidance, information and training rather than developing practical tools to assist members of the Union in the implementation of the UPOV system. This approach has played an important role in enabling new members of the Union to set up and operate a PVP office. However, this approach has resulted in divergences in implementation (e.g. application forms) that are not always based on strong policy drivers and often result from a vacuum of practical support. Furthermore, some members of the Union have had the resources to be able to develop very efficient systems (e.g. electronic application systems) while some other members of the Union without the necessary resources have been unable to develop such systems. Recent developments in IT, combined with the establishment of the post of UPOV IT Officer, have enabled UPOV to develop the e-PVP initiative (see below). E-PVP presents an opportunity to provide services to members of the Union in a way which will improve the efficiency of the global UPOV system and achieve a “leveling-up” across UPOV.

Future Direction

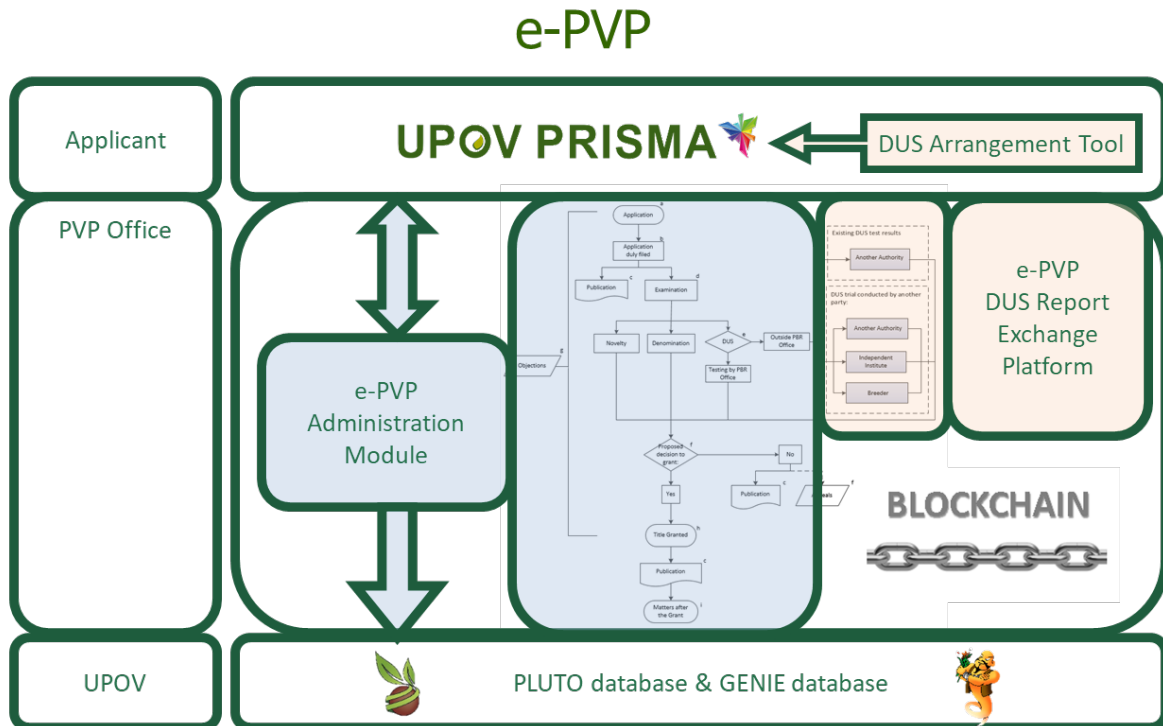
3.1 Development of e-PVP services

40. E-PVP will provide coherent and comprehensive assistance in the implementation of the UPOV system of plant variety protection, some or all of the components of which could be used by members of the Union, as considered appropriate. E-PVP, which comprises the following package of compatible tools, will continue to be developed as indicated:

- 1) Applying for PVP
 - (a) Extending coverage of UPOV PRISMA to more members of the Union and more crops/species
 - (b) Tool to provide information to PVP applicants on cooperation in DUS examination between members of the Union in a user-friendly form (DART – DUS Arrangement Tool)

- 2) PVP Office Administration
 - (a) Electronic PVP administration module for members of the Union to manage and publish PVP applications, including transmission of data to the PLUTO database
 - (b) UPOV similarity search tool for variety denomination purposes based on UPOV agreed algorithm running on data in the PLUTO database
- 3) Facilitating cooperation
 - (a) UPOV member cooperation platforms (e.g. e-PVP Asia) to cooperate in the administration and examination of applications
 - (b) Platform for exchange of existing DUS reports
 - (c) Platform for members of the Union to make their documented DUS procedures and information on their quality management systems available to other members of the Union
 - (d) Module for members of the Union to use the web-based TG Template and database of characteristics to develop individual authorities' test guidelines (IATG) in their language
 - (e) Platform/portal for UPOV member databases containing variety description information (e.g. PLUTO database)

41. The following graphic provides an overview of how e-PVP relates to the “Functions and structure of a PBR Office” as identified in document [UPOV/INF/15](#) “Guidance for Members of UPOV”.



Foundation: Empower our people to work effectively, collaboratively and innovatively by providing them with the right resources, training and environment

Background

42. The success of UPOV’s strategic plan depends on a strong Foundation, which constitutes the management and administrative functions of UPOV and its organizational culture. This Foundation, in turn, needs to evolve to provide the best working environment for staff to deliver the Expected Results.

43. Under the WIPO-UPOV Agreement (document UPOV/INF/8), WIPO satisfies the requirements of UPOV with regard to provision of space, personnel administration, financial administration, procurement services and other administrative support. UPOV indemnifies WIPO for the cost of such services in accordance with the

terms of the agreement. Therefore, UPOV's financial management, governance and oversight are closely aligned to that the mechanisms in place at WIPO.

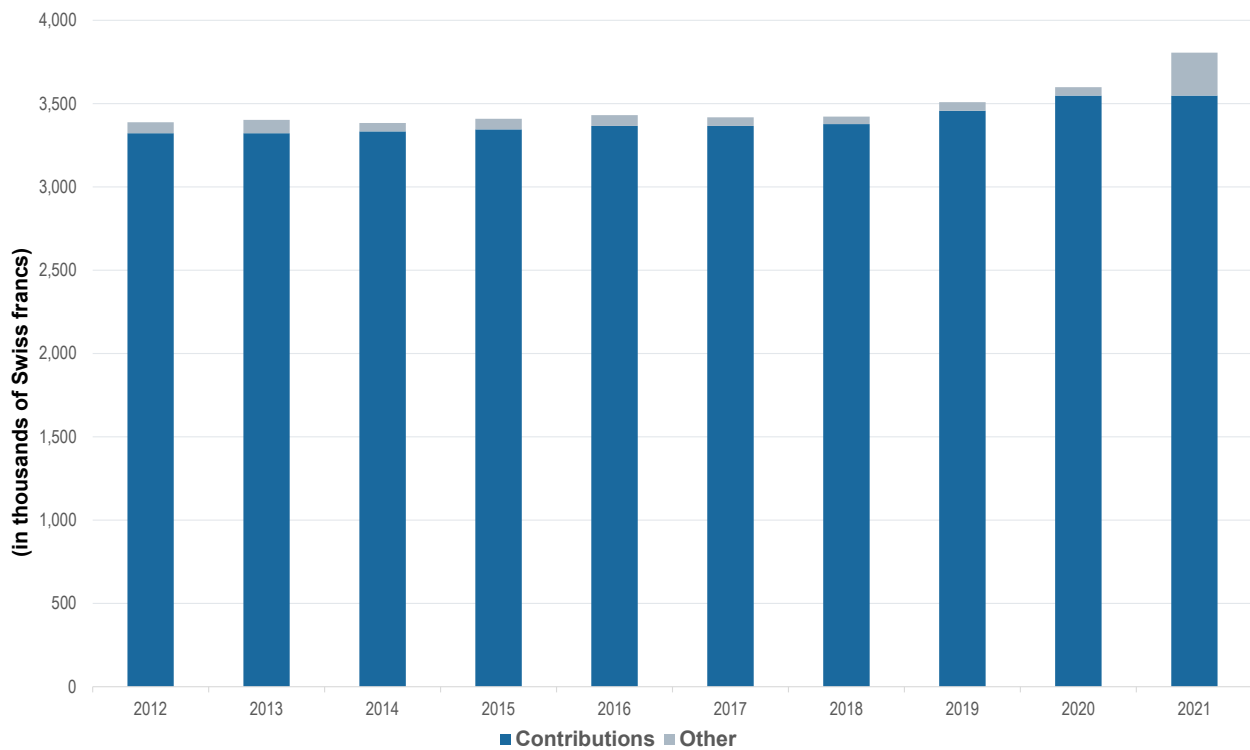
44. As with all other organizations, the COVID-19 pandemic resulted in major changes to the way UPOV works. WIPO's automation of end-to-end administrative and management business processes enabled UPOV to adapt remarkably quickly to the additional demands arising from the pandemic. The adoption of new models for UPOV body meetings, delivery and implementation of technical assistance and the uninterrupted provision of services are evidence of this.

Future direction

4.1 *Diversification of revenue*

45. WIPO's Internal Oversight Division (IOD) "Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)", conducted in 2016, recommended that UPOV consider developing a Strategic Business Plan to diversify its revenue portfolio to maintain and enhance the sustainability of existing activities and services. The measures to diversify UPOV's revenue portfolio have focused on generating income from UPOV PRISMA and the PLUTO database. The proportion of income other than from contributions of members of the Union increased from 1.3% in 2018 to 7.3 % in 2021. Alongside this increase, income from contributions of members of the Union increased by 5.1% in the same period, meaning that income has increased by 11.2% between 2018 and 2021.

Figure 1. UPOV Income



46. Although measures will be taken to diversify income, contributions of members of the Union will continue to provide the major source of income in the foreseeable future.

47. Increasing income from increasing the value of a contribution unit is not foreseen in the term of this Strategic Business Plan. Although new members of the Union provide additional units of contribution, they are typically developing countries that are not in a position to contribute above the minimum number of contribution units (one-fifth of a contribution unit), currently representing 10,728 Swiss francs/annum, and should be anticipated to be net receivers of assistance as they seek to implement the PVP system.

48. However, the domestic economic or PVP situation and/or enhanced services that UPOV provides in the future may encourage some members of the Union to increase their number of contribution units, which could provide additional resources for additional services.

49. Over the medium term, UPOV will need to assess the impact of after-service health insurance (ASHI) liabilities on the financial results and any measures that it may take to respond to that impact.

50. The following sections consider additional sources of funding to complement the income from contributions from members of the Union. The estimated income from other sources than contributions from members of the Union amounts to 505,632 Swiss francs, or 6.6% of total income in the Program and Budget for the 2022-2023 Biennium. It is proposed that sources of income other than contributions of members of the Union should be targeted to reach 10% of UPOV's income by 2027.

Fee paying services

51. A key basis for diversifying income is to generate income from services provided to users of the UPOV system while making services available to PVP offices without charge. This will allow UPOV to develop and maintain high quality services for applicants and PVP offices. A further important benefit is that this approach will connect UPOV with the users of the UPOV system and enhance service orientation within UPOV.

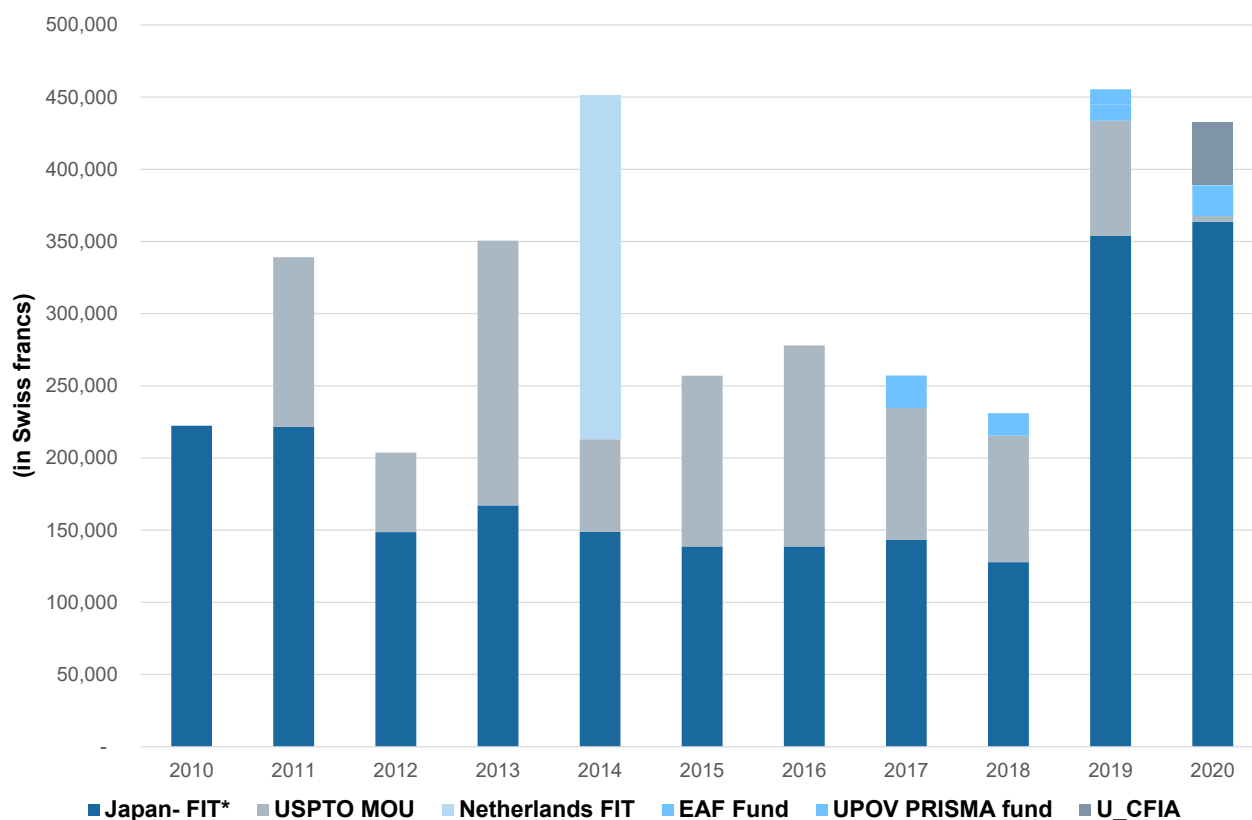
52. The UPOV PRISMA online plant variety protection application tool was introduced in 2017 on the basis that fees from applicants would ultimately cover the costs of the service. Similarly, the new fee-paying Premium Service of the PLUTO database is expected to provide a source of income that will enable maintenance and improvement of the PLUTO database, while providing a new premium service to members of the Union without charge. UPOV distance learning courses also have a fee paying category for students from the private sector, while officials from members of the Union can participate at no cost.

53. For this approach to be most effective, the services provided by UPOV will need to be strongly supported by members of the Union. In particular, income from UPOV PRISMA will be determined by the number of members of the Union that participate in UPOV PRISMA for all crops/species and enable UPOV PRISMA to have an efficient and seamless interface with their application procedures. Similarly, the attractiveness of the PLUTO database Premium Service will rely on members of the Union providing complete and updated data on a regular basis.

Extra-budgetary funds

54. UPOV has greatly benefited from extra-budgetary funds provided by members of the Union, for example in the form of Funds-in-Trust. In recognition of the costs of the Office of the Union involved in the administration of such Funds-in-Trust, a charge is included for administrative support costs, which is treated as income.

Figure 2. Evolution of extrabudgetary funds since 2010



* The Japan FIT funds for 2015 and 2016 were both received in 2016 but have been split between 2015 and 2016 for the purposes of this graph.

55. Extra-budgetary funds will be important for the future and efforts will be made to ensure that the existing funds continue and that other members of the Union are encouraged to establish such funds.

56. In addition, UPOV will work with members of the Union and potential recipient States and organizations to assist them to instigate and lead requests for funds from donor agencies.

4.2 A Secretariat that is empowered and is provided with the right resources and training to work effectively, collaboratively and innovatively

57. The nature of UPOV's work will continue to evolve, with an ongoing commitment to continuous improvement. In order to ensure that the UPOV team has the skill sets required to adapt to changes and continuously improve, emphasis will be placed on developing systematic and coherent staff training programs.

58. The expansion of UPOV's work in relation to Strategic Pillar 3 "Provide high quality services for members of the Union and users of the UPOV system" has placed a new emphasis on out-sourced projects and greater reliance on contract workers, service providers, fellows and interns. This approach necessitates strong management skills, which be included in training programs for professional staff.

59. A particular focus will be placed on training all team members in excellent customer service. This will be essential for the expansion of work under Strategic Pillar 3, while also recognizing that all areas of UPOV's work involve service delivery at the core.

60. The number of members of the Union and States covered by the UPOV Convention has continued to increase, also accompanied in recent years by an increased number of States and organizations seeking advice on laws. This has been accompanied by an increase in the portfolio of services that are being administered by the Office of the Union, notably UPOV PRISMA, PLUTO database and new distance learning courses.

Figure 3. Increase in UPOV membership and coverage

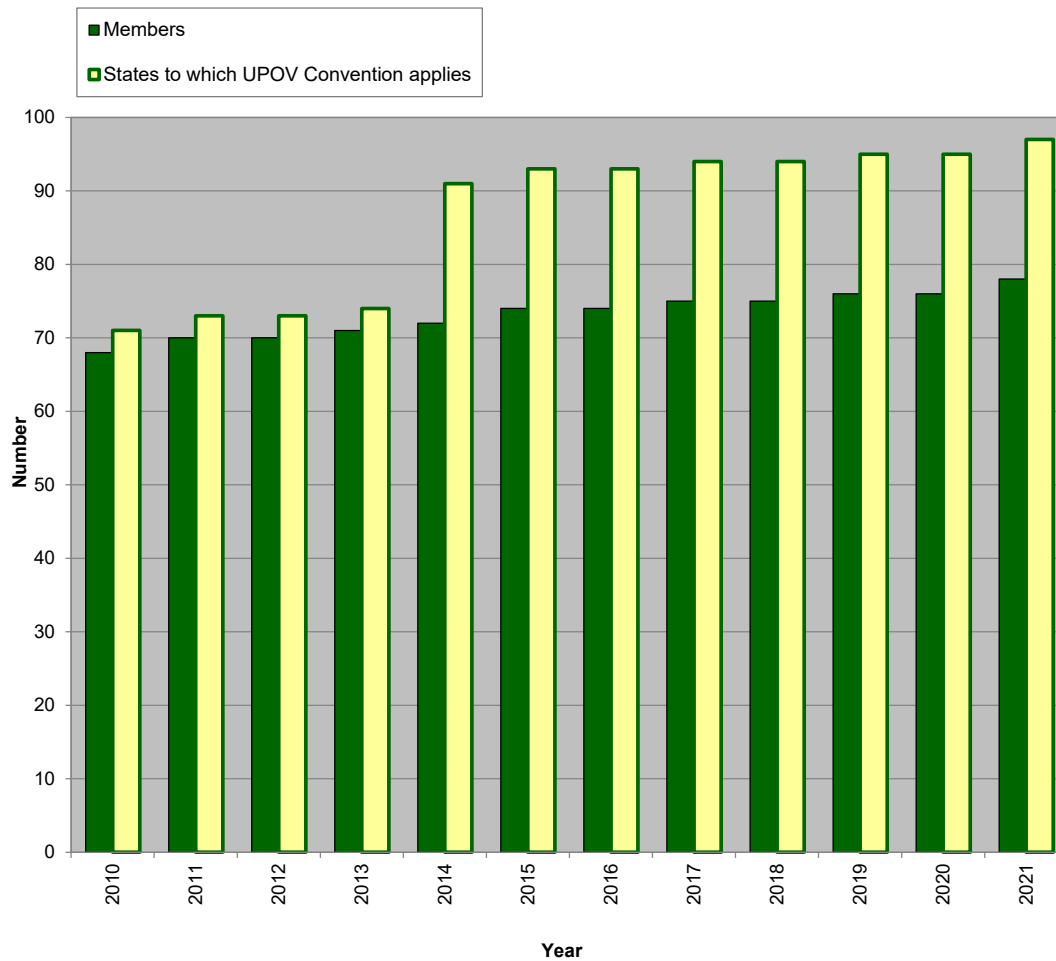
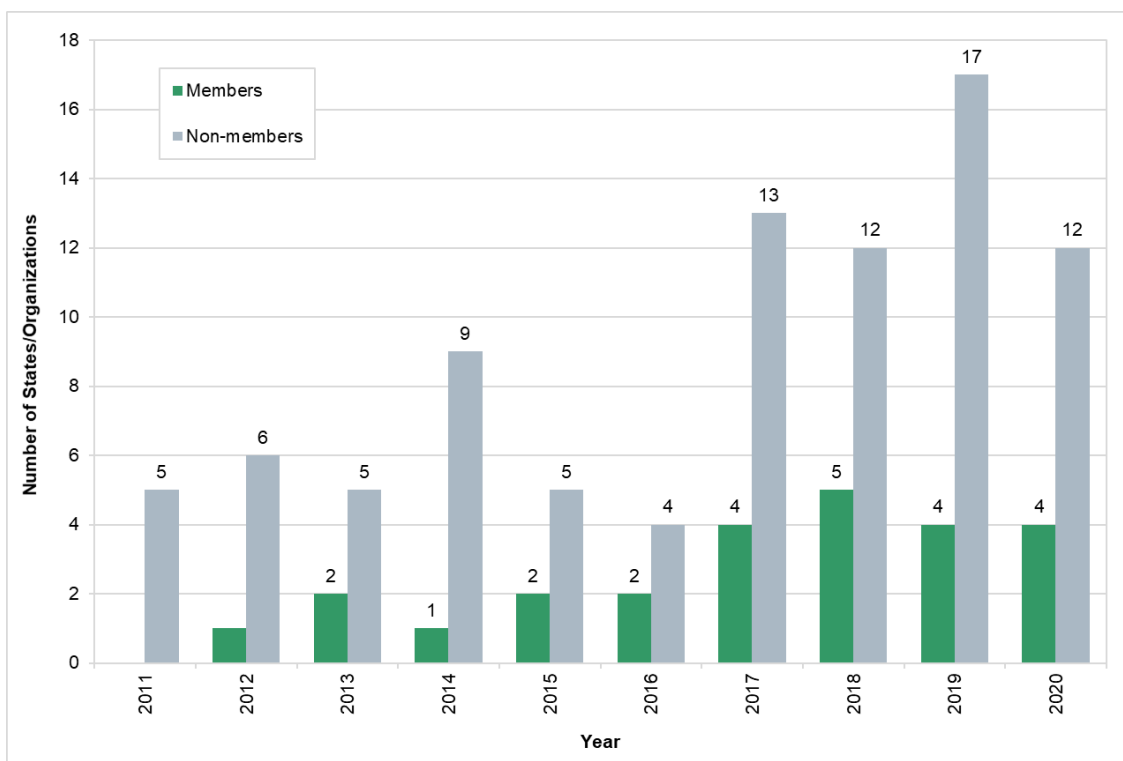


Figure 4. Development of PVP laws



61. To cover the increase in workload, additional support has been provided by 3 agency workers since 2018. The tasks currently being performed by the three agency workers have become a core part of UPOV's work and should be transformed into posts in order to ensure continuity and stability in UPOV's work, subject to sufficient and reliable income to justify such a commitment. The Program and Budget for the 2022-2023 Biennium made provision for an additional post to reduce the need for one agency worker.

62. UPOV has received valuable support from the fellowship program in the form of a succession of talented experts being seconded from members of the Union, notably in relation to UPOV PRISMA, PLUTO database, GENIE database and maintenance of the UPOV code. The COVID-19 pandemic has made it difficult to continue the fellowship program but this will be re-introduced and extended as soon as circumstances allow.

63. A further area where it is hoped that members of the Union will be able to provide further support for UPOV's work would be to arrange for junior professional officers to be assigned to UPOV.

64. On the above basis, it is proposed to evolve the human resourcing as follows, subject to sufficient and reliable income from UPOV's regular budget:

	2022-2023	2024-2025	2026-2027
Posts			
Directors*	3	3	3
Professionals	6	7	7
General Service	4	5	5
Total	13	15	15
Other human resources			
Fellows/Interns	1	2	2
Agency Workers	2	1	1
Junior Professional Officer	-	2	2

* Including the Secretary-General.

[End of Annex and of document]