

**Consultative Committee**

**CC/99/6**

**Ninety-Ninth Session  
Geneva, October 27, 2022**

**Original:** English  
**Date:** July 18, 2022

**COMMUNICATION STRATEGY**

*Document prepared by the Office of the Union*

*Disclaimer: this document does not represent UPOV policies or guidance*

**EXECUTIVE SUMMARY**

1. The Consultative Committee is invited to note:

(a) the developments reported in this document;

(b) the developments concerning the consideration of the draft FAQ by the CBD and ITPGRFA presented in Annex I to this document and that any further developments will be reported to the Consultative Committee at its ninety-ninth session;

(c) that a report of developments concerning the redesign of the UPOV website will be made at the one hundred and first session of the Consultative Committee;

(d) that results related to the Communication Strategy, are presented in the Performance Report for 2021-2022 (document C/56/2); and

(e) that the Office of the Union will develop the FAQs set out in paragraph 14 of this document on the basis of existing UPOV information and guidance. In the case of FAQs where the answers would require new information or a new position to be developed by UPOV, the draft FAQ would be presented to the Consultative Committee and Council for approval.

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## BACKGROUND

- At its eighty-sixth session, held in Geneva on October 23 and 24, 2013, the Consultative Committee approved a communication strategy as reproduced in the Annex to document CC/89/8 (Communication Strategy), which contained a workplan (Workplan). The Workplan was structured into communication materials, communication methods and measuring results.
- The following sections report on developments and matters for consideration according to the structure of the Workplan.

## DEVELOPMENTS AND MATTERS FOR CONSIDERATION

### Communication materials

#### *Answers to frequently-asked questions about the UPOV system (FAQs)*

##### FAQ on CBD, ITPGRFA and UPOV

- 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.
- The Consultative Committee, at its ninety-eighth session, held by virtual means on October 28 and 29, 2021, considered document CC/98/5 "Communication strategy". Document CC/98/5 reported that, during virtual meetings between the Office of the Union and colleagues from the secretariats of the CBD and the ITPGRFA, there were exploratory discussions on the elements that might be included in a 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)?" On the basis of those discussions, a preliminary text had been prepared by the Office of the Union as presented in Annex I to document CC/98/5, but this text had not yet been reviewed within the CBD or ITPGRFA.
- Document CC/98/5 contained a proposal that, subject to agreement by the Consultative Committee, the CBD and ITPGRFA could be invited to review the preliminary draft FAQ as presented in Annex I to that document and that the comments from the CBD and ITPGRFA would be reported to the Consultative Committee for consideration at its ninety-ninth session.
- At the Consultative Committee, comments were made by the Delegation of Norway on the preliminary draft FAQ. The Consultative Committee agreed that the Office of the Union would send a circular to the Consultative Committee with the preliminary draft FAQ on CBD, ITPGRFA and UPOV, as presented in Annex I to document CC/98/5, and the preliminary draft FAQ with the proposed revisions presented by Norway, for comments within 30 days. It further agreed that, based on the replies to the circular and subsequent consultations, as appropriate, the Office of the Union would prepare a new draft for consideration by the Consultative Committee by correspondence (see document CC/98/16 "Report", paragraph 46).
- On November 23, 2021, the Office of the Union issued Circular E-21/232 to the Consultative Committee inviting comments, by December 23, 2021, on Annex II of the Circular which contained the preliminary draft FAQ with the proposed revisions presented by Norway.

9. The Consultative Committee agreed that, based on the replies to the circular and subsequent consultations, as appropriate, the Office of the Union would prepare a new draft for consideration by the Consultative Committee by correspondence (see document CC/98/16 "Report", paragraph 46).

10. In reply to Circular E-21/232, comments were received from Canada, Denmark, European Union, Japan, Netherlands, Sweden, Switzerland, United Kingdom and the United States of America, which are published on the CC/99 webpage at: [https://www.upov.int/restrict/meetings/en/details.jsp?meeting\\_id=67787](https://www.upov.int/restrict/meetings/en/details.jsp?meeting_id=67787).

11. The Office of the Union convened consultation meetings on March 23 and May 12, 2022, during which Norway and the members of the Union that provided comments in reply to UPOV Circular E- 21/232, agreed a draft FAQ on CBD, ITPGRFA and UPOV, as presented in Annex I to this document. This draft was circulated to the Consultative Committee for approval by correspondence by means of Circular E-22/072, on June 3, 2022, and in the absence of comments by July 3, 2022, was approved by correspondence.

12. The draft FAQ, as presented in Annex I to this document, was transmitted to the Secretariats of the CBD and ITPGRFA on July 6, 2022, for their consideration. Any developments concerning the consideration of the draft FAQ by the CBD and ITPGRFA will be reported to the Consultative Committee at its ninety-ninth session.

#### FAQs on misunderstandings of the UPOV system

13. On a regular basis, the Office of the Union is asked to provide guidance in relation to misunderstandings about the UPOV system. It is proposed that the Office of the Union publish information to address those misunderstandings in the form of FAQs on the basis of existing UPOV information and guidance.

14. FAQs would be developed on the following:

- (a) Does the UPOV system of plant variety protection only benefit large multinational corporations?
- (b) Does UPOV membership result in the release of genetically modified varieties?
- (c) Does the UPOV system restrict access to heritage/heirloom varieties?
- (d) Does the UPOV system force farmers to grow protected varieties?
- (e) Does the UPOV system prevent farmers from using traditional varieties?
- (f) Does the UPOV system make farmers dependent on high levels of inputs?
- (g) Does the UPOV system mean that farmers need the breeder's authorization to sell their harvested crop?

15. As explained above, the Office of the Union will develop the FAQs on the basis of existing UPOV information and guidance. In the case of FAQs where the answers would require new information or a new position to be developed by UPOV, the draft FAQ would be presented to the Consultative Committee and Council for approval.

#### *Studies on the impact of the UPOV system*

16. A study has been published by the Community Plant Variety Office of the European Union (CPVO) and the European Union Intellectual Property Office (EUIPO) Observatory focusing on the socio-economic impact of the Community Plant Variety Right system in the European Union. A copy of the study is available on the UPOV website at [https://www.upov.int/about/en/benefits\\_upov\\_system.html](https://www.upov.int/about/en/benefits_upov_system.html).

17. The key findings of the study were identified by the authors as:

- The CPVR system contributes to lower annual greenhouse gas (GHG) emissions from agriculture and horticulture by 62 million tons per year. Furthermore, water use in agriculture and horticulture is reduced by more than 14 billion m<sup>3</sup>.
- In absence of the CPVR system, the production of arable crops in the EU would be 6.4% lower, production of fruit would be 2.6% lower, production of vegetables 4.7% lower, and finally, the output of ornamentals would be 15.1% lower.
- Without the added production attributable to CPVR-protected crops, the EU's trade position with the rest of the world would worsen and EU consumers would face higher food prices. The additional contribution to GDP generated by CPVR-protected crops amounts to 13 billion EUR.
- CPVR-protected crops generate higher employment in the EU agriculture. The arable crops sector employs 25,000 additional workers as a result, the horticulture sector 19,500, and the ornamentals sector 45,000 additional workers, for a total direct employment gain of almost 90,000 jobs.

- Many of the companies protecting their innovations with CPVRs are small and medium-sized enterprises (SMEs). These small companies (including physical persons who hold CPVRs) account for more than 90% of the registrants of CPVRs and hold 60% of all CPVRs currently in force.

18. It was noted by the author, Mr. Nathan Wajzman, Chief Economist, European Union Intellectual Property Office (EUIPO), that the measured impact was likely to significantly underestimate the impact of CPVR protected varieties because it assessed the number of CPVR varieties in relation to the total number of registered varieties rather than the area grown using CPVR varieties in relation to the total area grown.

#### *Updating materials to reflect developments concerning UPOV PRISMA*

19. The Consultative Committee, at its ninety-sixth session, recommended to the Council to approve proposed amendments to the UPOV Distance Learning materials, as set out in Annex II of document CC/96/6, to reflect developments concerning UPOV PRISMA (see document CC/96/14 "Report", paragraph 72).

20. The Council, at its fifty-third ordinary session, held in Geneva on November 1, 2019, approved the proposed amendments to the UPOV Distance Learning materials, to reflect developments concerning UPOV PRISMA (see document C/53/15, paragraph 23(g)).

21. The amendments to the UPOV Distance Learning (DL) materials to reflect developments concerning UPOV PRISMA were implemented in the second sessions of the 2021 courses.

#### *Social media materials*

22. As part of the social media communication program since March 2021, members of the Union have been approached to use the anniversary of their UPOV membership as an occasion to highlight information and developments of particular interest. This has the benefit of providing information about the UPOV system and of engaging all members of the Union in UPOV's social media outreach. Members of the Union have also been invited to contribute material for special days, such as World International Property Day "IP and Youth: Innovating for a Better Future".

#### *Videos*

23. The following videos are under development and will be published in due course:

- Tomato diversity
- Public/private partnership: an example of field bean by EMBRAPA, Brazil
- Varieties developed by National Grass and Forestry Administration of China

#### Communication methods

##### *UPOV website*

24. The Consultative Committee, at its ninety-sixth session, approved the proposed redesign of the UPOV website as demonstrated at the session and noted the plans for the implementation of the redesigned UPOV website and a new content management system (CMS) (see document CC/96/14 "Report", paragraph 74).

25. To ensure compatibility between the UPOV and WIPO websites, work on the redesign of the UPOV website was postponed until WIPO had selected a new content management system (CMS). The Consultative Committee was informed at its ninety-eighth session, that the selection of a new CMS had been made by WIPO and that the launch of the new UPOV website was planned for November 1, 2022. However, WIPO has since initiated a review of its website and UPOV will now await the outcome of that process before work starts on the development of the new UPOV website.

## MEASURING RESULTS

26. The Consultative Committee, at its ninety-sixth session, approved the following performance indicators for the communication strategy (see document CC/96/14 "Report", paragraph 76):

- (a) Visits to UPOV website;
- (b) Social media:
  - (i) Number of followers, impressions and engagement rate in Twitter
  - (ii) Number of followers and connections in LinkedIn; and
- (c) Participation in workshops.

27. Results in the categories above are reported in the Performance Report for 2021-2022 (document C/56/2). The following information is intended to highlight particular developments.

### Visits to UPOV website

28. Document CC/96/6, paragraph 33, explained that one of the impacts that was anticipated from the use of social media was to increase the awareness and visits to the UPOV website. The number of UPOV website visitors ("visits") and sessions, presented in Annex II provides continuing evidence of a positive impact since the launch of UPOV's social media accounts in March 2019.

### Social media

29. A summary of the development of the Twitter and LinkedIn accounts is provided in the following table:

	UPOV		Vice Secretary-General	
	LinkedIn	Twitter	LinkedIn	Twitter
Number of followers June 2021	1,958	1,610	804	657
Number of followers June 2022	3,161	2,080	968	716
Growth in number of followers	+ 61%	+ 29%	+ 20%	+ 9%

30. A main source of information for the Vice Secretary-General's social media account is derived from events and meetings attended by the Vice Secretary-General. The lack of travel resulting from the COVID-19 pandemic has resulted in significantly reduced social media content and consequently a slower growth in the number of new followers in Twitter and LinkedIn, since early 2020.

31. *The Consultative Committee is invited to note:*

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[Annexes follow]

*DRAFT FAQ ON CBD, ITPGRFA AND UPOV  
approved by the Consultative Committee by correspondence on July 3, 2022*

What are the complementary relationships between the UPOV Convention, the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)?

**Complementary relationships between the UPOV Convention, the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)**

*Aims and objectives*

Biological diversity or 'biodiversity' is the term used to describe the variety of all living organisms and includes diversity within species, between species and of ecosystems. Biodiversity underpins all human activity, notably including agriculture and, therefore, food security.

The Convention on Biological Diversity (CBD) has three objectives: the conservation of biodiversity, the sustainable use of the components of biodiversity and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. A supplementary agreement to the CBD, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from the Utilization elaborates on the Convention's provisions on access to genetic resources, traditional knowledge and benefit-sharing in order to contribute to the conservation and sustainable use of biodiversity.

The objectives of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) of the Food and Agriculture Organization of the United Nations (FAO) are: the conservation and sustainable use of plant genetic resources; facilitation of access to plant genetic resources by farmers, plant breeders and scientists; and ensuring that recipients share the benefits they derive from the use of these genetic resources, for sustainable agriculture and food security. It recognizes the enormous contribution of farmers to the diversity of crops that feed the world.

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.

*Synergies between biodiversity, sustainable agriculture and plant breeding*

Conservation of biodiversity depends on sustainable agriculture and a halt or reversal to the expansion of agricultural land, while there are parallel demands on agricultural land for food and energy production. This means that there is a need to produce more from existing agricultural land, in a sustainable way. Conversely, sustainable agriculture is dependent on the conservation and sustainable use of biodiversity, in particular by ensuring healthy soils and thriving populations of pollinators to achieve fertile crops, among other things.

By encouraging the development of new varieties of plants, the UPOV system encourages the sustainable use of biodiversity while creating new genetic diversity. New 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, according to the needs and preferences of farmers and consumers, can sustainably increase productivity and product quality in agriculture, horticulture and forestry. These attributes can reduce the pressure on the natural environment and biodiversity by reducing the need for inputs while reducing the area of land needed for agriculture. Plant breeding sustainably uses biological diversity and relies on the conservation of biodiversity to develop new varieties that deliver substantial benefits for farmers and society as a whole. The critical importance of biodiversity to agriculture is recognized in the CBD and the Nagoya Protocol acknowledges the importance of genetic resources for food and agriculture and their special role for food security. The recognition of the importance of crop and genetic diversity for sustainable agriculture and food security is central to the objectives of the ITPGRFA.

*Benefits arising from the utilization of genetic resources*

By encouraging plant breeding, the UPOV system incentivizes the generation of benefits arising out of the utilization of genetic resources. In addition, the “breeder’s exemption” in the UPOV Convention enables plant diversity in the form of protected plant varieties to be available for further breeding activities because acts done using such varieties for the purpose of breeding other varieties are not subject to any restriction by the breeder. This reflects the fact that access to protected varieties contributes to sustaining greatest progress in plant breeding and, thereby, to maximize the use of genetic resources for the benefit of society.

The CBD, Nagoya Protocol and ITPGRFA establish the requirements and mechanisms for the sharing of benefits arising out of the utilization of genetic resources. In relation to the breeder’s exemption, a recipient of material from the Multilateral System of the ITPGRFA who commercializes a product that is available without restriction to others for further research and breeding is not obliged but it is encouraged to contribute to the benefit sharing fund of the ITPGRFA.

*Legislation in Contracting Parties*

International cooperation, as well as coherence in the relevant legislation concerning the CBD, ITPGRFA and the UPOV Convention, in the Contracting Parties concerned, is beneficial for achieving the desired outcomes of those treaties, notably in relation to sustainable agriculture and food security in the context of climate change as well as the conservation of biodiversity, access to genetic resources and the sharing of benefits from their utilization.

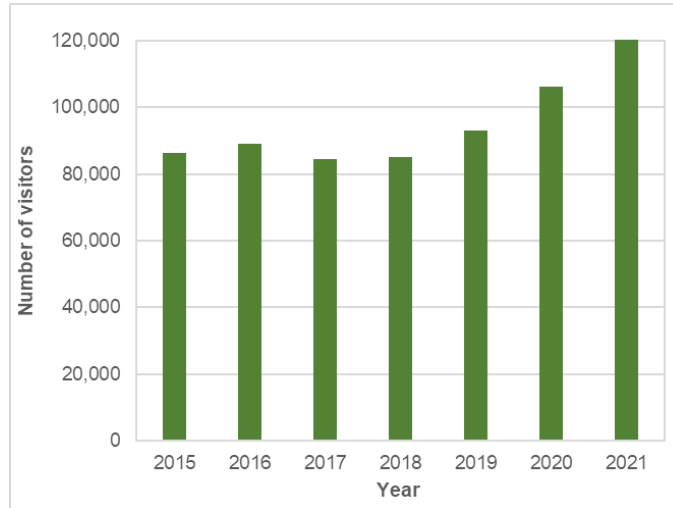
[Annex II follows]



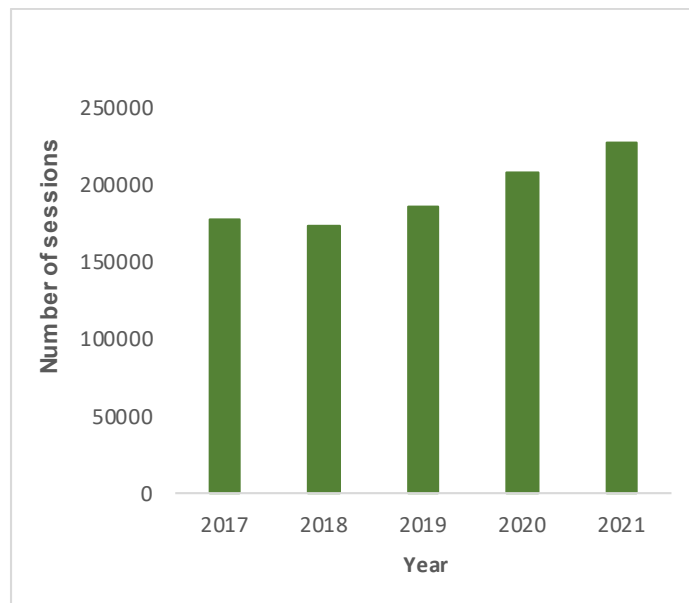
UPOV WEBSITE

[Contents of graphs in English only]

Number of visits<sup>1</sup> to the website



Number of sessions<sup>2</sup> on the website



<sup>1</sup> Number of devices used to visit the website in a month (A person may use more than one device).

<sup>2</sup> A "session" is a group of user interactions with your website that take place within a given time frame. For example a single session can contain multiple page views, events, social interactions, and ecommerce transactions. A single user can open multiple sessions. Those sessions can occur on the same day, or over several days, weeks, or months. As soon as one session ends, there is then an opportunity to start a new session. There are two methods by which a session ends:

- Time-based expiration:
  - After 30 minutes of inactivity
  - At midnight
- Campaign change:
  - If a user arrives via one campaign, leaves, and then comes back via a different campaign.