

Consultative Committee**CC/95/15****Ninety-Fifth Session
Geneva, November 1, 2018****Original:** English
Date: October 24, 2018

PRESENTATION OF DOCUMENTS*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance***EXECUTIVE SUMMARY**

1. The purpose of this document is to report on measures taken in relation to the organization of a single set of sessions and to invite the Consultative Committee to consider proposals for further measures.
2. The Consultative Committee will be invited to:
 - (a) note the measures taken in relation to the organization of a single set of sessions agreed by the Consultative Committee at its ninety-third session, as set out in this document;
 - (b) consider the following proposals on:
 - (i) booking meeting rooms for delegates, as set out in paragraph 10 of this document;
 - (ii) the organization of a Seminar from 3:00 pm to 7:00 pm on October 30, 2019, after the closing of the CAJ (see paragraphs 12 and 13 of this document) and, if appropriate, make a recommendation to the Council;
 - (iii) the organization of events of relevance for UPOV, as set out in paragraph 15 of this document;
 - (iv) the separation of documents into two types of documents, as set out in paragraphs 17 to 20 of this document;
 - (v) the timetable for posting of documents, as set out in paragraph 22 of this document; and
 - (vi) the consultation by correspondence between the UPOV sessions, as set out in paragraph 23 of this document.

BACKGROUND

3. The Council, at its thirty-fourth extraordinary session, held in Geneva on April 6, 2017, decided to organize only one annual session of the Council, Consultative Committee, Administrative and Legal Committee (CAJ) and Technical Committee (TC) from 2018, with the sessions being held during one week at the end of October / beginning of November (see document C(Extr.)/34/6 "Report on the Decisions", paragraph 13).
4. In the context of the organization of a single set of sessions from 2018, and in order to make the sessions as efficient as possible, the Consultative Committee agreed the following measures at its ninety-third session, held in Geneva on April 6, 2017 (see document CC/93/10 "Report", paragraphs 27 to 29).

Opportunities for members of the Union to meet and exchange information in conjunction with the UPOV sessions

5. The Consultative Committee agreed the following measures to increase opportunities for members of the Union to meet and exchange information in conjunction with the UPOV sessions:

- (a) Book meeting rooms for delegates to use for bi-lateral/multi-lateral meetings;
- (b) Organize a meeting and/or visit of relevance for UPOV;
- (c) Organize an event of relevance for UPOV during one lunch-break or evening.

6. In the case of a visit or an event of relevance for UPOV, the Consultative Committee agreed that it could be organized in place of the traditional reception held on the evening of the first day of the March/April and October/November sessions, in order to minimize or eliminate the cost to participants.

Nature and content of session documents in order to make the sessions as efficient as possible

7. The Consultative Committee agreed the following in relation to the nature and content of documents:

- (a) Separation of documents into two types of documents:
 - (i) documents containing matters on which a decision by the body concerned is needed (“decision documents”)

In order to ensure that the documents containing matters on which a decision is needed are as brief as possible, matters for information concerning the same subject would be placed in a separate, information document.

- (ii) documents for information only.

Documents for information only to be posted on a separate section of the website of the body concerned (“information section”) and not considered individually. As a further measure to keep documents as clear and concise as possible and to improve accessibility of information, the “information section” to also contain reference material that is currently only accessible via references to UPOV session documents (e.g. Communication Strategy, Training and Assistance Strategy, Program for Improvements to the Plant Variety Database, UPOV Code System etc.);

(b) Earlier posting of documents. The target would be to post “decision documents” at least three months before the UPOV sessions;

(c) Consultation by correspondence between the UPOV sessions on selected subjects in order to facilitate discussion at the UPOV session; and

(d) Preparation of joint documents for UPOV sessions to avoid the need for members of the Union to have multiple documents with the same substantial information.

MEASURES TAKEN AND PROPOSALS FOR CONSIDERATION BY THE CONSULTATIVE COMMITTEE AT ITS NINETY-FIFTH SESSION

8. The following paragraphs present a report of the measures taken to date and proposals on how to implement further measures.

Book meeting rooms for delegates to use for bi-lateral/multi-lateral meetings

9. Upon request, the Office of the Union has booked rooms for delegates to facilitate meetings at the fringes of the UPOV sessions.

10. It is proposed to send a circular to the designated persons in the UPOV bodies, three months prior to sessions, requesting information on any need for rooms for bi-lateral/multi-lateral meetings.

Organize a meeting and/or visit of relevance for UPOV

2018

11. A single set of UPOV sessions will be organized for the first time in 2018, including the change of timing of the Technical Committee session. In order to avoid additional complications during this transition, no meeting and/or visit has been organized at the fringes of the UPOV sessions in 2018.

2019

12. After consultation with the President of the Council, Chair of the Administrative and Legal Committee (CAJ) and Chair of the Technical Committee (TC), it is proposed to organize a Seminar from 3:00 pm to 7:00 pm on October 30, 2019, after the closing of the CAJ.

13. The following are proposed for consideration as possible topics for a Seminar:

- "Enforcement of breeders' rights"
- "Genome editing: possible implications for plant breeding and breeders' rights".

Organize an event of relevance for UPOV during one lunch break or evening

14. A reception will take place on the evening of Monday, October 29, 2018, after the first day of the Technical Committee (TC).

15. In recognition of a single set of UPOV sessions being organized for the first time in 2018, including the change of timing of the Technical Committee session, and the large number of *ad hoc* working group meetings, no event is planned for 2018. Furthermore, if a seminar is organized in conjunction with the 2019 UPOV sessions, no additional event would be proposed for 2019. Members of the Union are encouraged to submit proposals for a visit or an event of relevance for UPOV to be organized in 2020.

Separation of documents into two types of documents

- (i) *documents containing matters on which a decision by the body concerned is needed ("decision documents")*

In order to ensure that the documents containing matters on which a decision is needed are as brief as possible, matters for information concerning the same subject would be placed in a separate, information document.

- (ii) *documents for information only*

Documents for information only to be posted on a separate section of the website of the body concerned ("information section") and not considered individually. As a further measure to keep documents as clear and concise as possible and to improve accessibility of information, the "information section" to also contain reference material that is currently only accessible via references to UPOV session documents (e.g. Communication Strategy, Training and Assistance Strategy, Program for Improvements to the Plant Variety Database, UPOV Code System etc.).

16. The separation of documents has proven to be complicated and, in particular, may result in the creation of more documents because certain matters will have elements for both noting and for a decision or discussion. Therefore, it was concluded that it would be important to receive feedback from the Consultative Committee on possible measures with regard to the presentation of documents.

17. It is proposed for the sessions in 2019 to present documents on the website in two sections:

- Section with documents with matters for consideration and/or approval/decision
- Section with documents with matters for information

18. While the above approach might lead to a larger number of documents, only the documents for consideration and approval would be presented and discussed in the UPOV sessions. The documents for information only would be presented under a single agenda item "Documents for information only".

If a particular matter resulted in documents with matters for consideration and/or approval/decision and documents for information (e.g. the item “observers in UPOV bodies” contains a reporting document and a decision document), it is proposed to include the document with matters for consideration and/or approval/decision under a specific agenda item and include the information document under the general agenda item “Documents for information only”. It is proposed to include the prefix “Inf.” as part of the document code (e.g. CC/95/12 Inf.) for information documents.

19. There would be an opportunity for matters contained in the information documents to be clarified or discussed at the session, upon request, but the documents would not be presented individually. In addition, it is proposed that the Vice Secretary-General would make a brief oral report on important developments relevant for the Council, Consultative Committee and the CAJ, in a similar way to the presentations made at the TC and Technical Working Parties, which would also provide an opportunity to highlight any particularly important elements of information for the body concerned.

20. In relation to the measure that the information section should also contain reference material that is currently only accessible via references to UPOV session documents (see paragraph 7 above), some previously approved guidance by the CAJ and the Consultative Committee has not been adopted by the Council (e.g. Program for Improvements to the Plant Variety Database). It is proposed to prepare a document containing the guidance of the relevant topics for consideration by the Consultative Committee and adoption by the Council in 2019.

Earlier posting of documents. The target would be to post “decision documents” at least three months before the UPOV sessions

21. Certain documents concerning matters for consideration by the Consultative Committee were posted significantly earlier than in previous years but the target of publishing all documents for decision three months before the UPOV sessions was not met. In certain cases, relevant contributions were not available or events had not taken place at that time (e.g. developments in other Fora for consideration by members of the Union; request for the examination of the law of Afghanistan).

22. Unless specific publication deadlines apply (e.g. draft program and budget; financial statements, arrears in contributions, report on activities of the first nine months, etc.), it is proposed to implement the three month target for documents with matters for consideration and/or approval/decision and, if necessary, to produce addenda to documents if developments take place closer to the UPOV sessions. The target of six weeks prior to the sessions will continue to apply for other documents.

Consultation by correspondence between the UPOV sessions on selected subjects in order to facilitate discussion at the UPOV session

23. When the TC, CAJ and the Consultative Committee consider their work programs for subsequent sessions, it is proposed that the relevant body identifies those subjects that could benefit from consultation by correspondence to facilitate discussion at the relevant session and sets an appropriate schedule.

Preparation of joint documents for UPOV sessions to avoid the need for members of the Union to have multiple documents with the same substantial information

24. While it was possible to re-organize certain documents that contained amendments for approval by the TC, CAJ and adoption by the Council (e.g. TGP/5 “Experience and Cooperation in DUS Testing” (document TGP/5: Section 1/3 Draft 2) and UPOV/INF/16 “Exchangeable Software (Revision)” (document UPOV/INF/16/8 Draft 1)), the background information concerning those documents could not be placed in a single decision and information documents for all the bodies concerned because the type of information and the way it was presented was different for each body (e.g. C/52/14 “Adoption of documents”; CAJ/75/2 “TGP Documents”; CAJ/75/10 “Exchange and use of software and equipment”; TC/54/5 Rev. “TGP Documents”; and TC/54/8 “Exchange and use of software and equipment”).

25. The other difficulty was to differentiate between those matters already discussed by the body concerned and presented for approval (e.g. agreed change at the previous session but final drafting requires approval) and those matters presented for consideration (e.g. initial discussion on the topic; invitation to consider different options or possible ways forward on the topic, including not to pursue the matter further).

26. In relation to this measure, it is proposed to consider the implementation experience and suggested ways forward presented under the section above “Separation of documents into two types of documents”.

27. *The Consultative Committee is invited to:*

(a) note the measures taken in relation to the organization of a single set of sessions agreed by the Consultative Committee at its ninety-third session, as set out in this document;

(b) consider the following proposals on:

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