

**Consultative Committee****CC/94/3****Ninety-Fourth Session  
Geneva, October 25, 2017****Original:** English  
**Date:** July 26, 2017**DRAFT STRATEGIC BUSINESS PLAN***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to present a draft Strategic Business Plan for consideration by the Consultative Committee.

**BACKGROUND**

2. In response to the recommendation presented in the World Intellectual Property Organization (WIPO) Internal Oversight Division (IOD) "Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)", conducted in 2016, the Consultative Committee, at its ninety-second session, held in Geneva on October 27, 2016, approved the proposal of the Office of the Union to prepare a draft Strategic Business Plan to be presented to the Consultative Committee in October/November 2017, as follows (document CC/92/21 "Report", paragraph 38):

(1) The IOD Evaluation Report contains the following recommendation:

"This report recommends that the Union consider developing a Strategic Business Plan to diversify its revenue portfolio to maintain and enhance the sustainability of existing activities and services. The Strategic Business Plan would:

- "(a) Serve as a roadmap to implement the Strategic Goals and Objectives of the Union;
- "(b) Identify financial resources needed to achieve the Strategic Goals and Objectives of the Union in an evolving global environment and provide alternative ways to additional funding schemes;
- "(c) Outline the human resource needs in line with the Strategic Priorities of the Organization; and
- "(d) Define long-term steps and key milestones of outreach activities with a view to improving organizational visibility and enhancing revenue generation efforts."

(2) The IOD process requires follow-up by the Program Manager, in this case the Vice Secretary-General, to implement any recommendations unless there are any reasons provided not to do so. As indicated in the IOD Evaluation Report, Table of Recommendations, subject to agreement by the Consultative Committee at its ninety-second session, the Office of the Union proposes to prepare a draft Strategic Business Plan to be presented to the Consultative Committee in October/November 2017. The IOD Evaluation Report states that it would be a Strategic Business Plan that:

- "(a) Reflects the strategic agenda of the Organization;
- "(b) Depicts alternative funding sources and defines trends and implications;
- "(c) States financial resources needed to advance the Strategic Objectives of the Union with respect to political and economic milieu;
- "(d) Incorporates human resource planning proposal with a balanced ratio of professional and general level positions;

- “(e) Covers outreach relationship building program with external and internal stakeholders;
- “(f) Defines measurable benchmarks or criteria for evaluating effectiveness and monitoring progress of funding schemes; and
- “(g) Incorporates detailed action plan with measurable indicators and feasible implementation timeframe.”

DRAFT STRATEGIC BUSINESS PLAN

3. The Annex to this document contains a draft Strategic Business Plan for consideration by the Consultative Committee.

*4. The Consultative Committee is invited to consider the draft Strategic Business Plan, as presented in the Annex to this document.*

[Annex follows]

CC/94/3

ANNEX

**DRAFT**

# **STRATEGIC BUSINESS PLAN**

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## SUMMARY

1. This draft Strategic Business Plan starts with “UPOV’S DIRECTION, PHILOSOPHY AND PURPOSE”, including reference to the World Intellectual Property Organization (WIPO) Internal Oversight Division (IOD) “Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)” (“IOD Evaluation of UPOV”), conducted in 2016 (see [http://www.upov.int/edocs/mdocs/upov/en/c\\_50/eval\\_2016\\_01.pdf](http://www.upov.int/edocs/mdocs/upov/en/c_50/eval_2016_01.pdf)).
2. The IOD Evaluation Report’s single recommendation was that “the Union consider developing a Strategic Business Plan to diversify its revenue portfolio to maintain and enhance the sustainability of existing activities and services. The Strategic Business Plan would:
  - “(a) Serve as a roadmap to implement the Strategic Goals and Objectives of the Union;
  - “(b) Identify financial resources needed to achieve the Strategic Objectives of the Union in an evolving global environment and provide alternative ways to additional funding schemes;
  - “(c) Outline the human resource needs in line with the Strategic Priorities of the Organization;
  - “(d) Define long-term steps and key milestones of outreach activities for improving organizational visibility and enhancing revenue generation efforts.”
3. The section “STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS” recalls the strengths, weaknesses, opportunities and threats (SWOT) for UPOV identified by the IOD Evaluation of UPOV and reports the essential activities of UPOV and areas for improvement that were identified by stakeholders. On the basis of the findings in the IOD Evaluation of UPOV and discussions that have taken place within UPOV, the section explores opportunities for improvement and associated risks.
4. The IOD Evaluation of UPOV reinforced the value of existing activities and did not identify any substantial areas where existing services or activities should be discontinued. Therefore, the “RESOURCING PLAN” section develops a plan to provide additional resourcing for additional services and activities and is followed by the Section “IMPLEMENTATION OF RESOURCE PLAN 2018-2023”, which contains a table summarizing the proposed resourcing in the 2018-2019 Biennium and the 2022-2023 Biennium.
5. APPENDIX I provides a background context for the Strategic Business Plan, APPENDIX II identifies 10 specific targets for improvement and APPENDIX III provides information on the current resource situation for UPOV and prospects for evolution of those resources.

## UPOV'S DIRECTION, PHILOSOPHY, AND PURPOSE

6. UPOV's mission is “[t]o 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”.

7. In terms of providing an effective system of plant variety protection, UPOV has consistently emphasized that its priority is service to UPOV members. Assistance to States and organizations that are not members of the Union is focused on the development of legislation in line with the 1991 Act of the UPOV Convention in order to enable them to become members of the Union. This approach received a clear endorsement from stakeholders in the World Intellectual Property Organization (WIPO) Internal Oversight Division (IOD) “Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)” (“IOD Evaluation of UPOV”), conducted in 2016.

8. At the same time, the importance of promoting the UPOV system was highlighted in the UPOV Report on the Impact of Plant Variety Protection<sup>1</sup>, which demonstrated that the expansion of UPOV benefitted both existing and new UPOV members (see “Expansion of UPOV: a benefit for new and old UPOV members”).

9. Recent developments in UPOV membership and increasing awareness of the need for effective policies to meet the increasing demands on agriculture mean that there is a need for UPOV to review the resources required to meet its goals and objectives, both in terms of services to members and in explaining the benefits of plant variety protection and UPOV membership to States and organizations that are not yet UPOV members.

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<sup>1</sup> [http://www.upov.int/edocs/pubdocs/en/upov\\_pub\\_353.pdf](http://www.upov.int/edocs/pubdocs/en/upov_pub_353.pdf)

STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS

Findings of the IOD Evaluation of UPOV

10. The IOD Evaluation of UPOV identified the following:

(a) Essential activities:

- Assistance with interpretation and implementation of the UPOV Convention
- Development of PVP legislation in accordance with the UPOV Convention
- Guidance on the examination of Distinctness, Uniformity and Stability (DUS)
- Harmonization between members of the Union
- Plant Variety Protection (PVP) databases
- Electronic application form
- Meetings of UPOV bodies

(b) Areas that should be improved:

- Facilitating cooperation within UPOV (with increasing and diversified membership)
- Promotion of PVP
- Inclusion and management of data in databases
- Handling of political areas
- Engagement with IGOs and NGOs
- Capacity-building
- Information on impact of PVP and UPOV membership
- Support for UPOV trainers
- Communication with policy-makers

(c) Strengths, weaknesses, opportunities and threats (SWOT) for UPOV:

<u>Strengths</u>	<u>Weaknesses</u>
Knowledge, technical competence, expertise, willingness to take on new challenges and looking for improved ways to provide assistance	Limited resources
Agreement covering provision of services to UPOV by WIPO	Not taking into consideration UPOV specificities
High level of commitment	Limited funding for projects and entire dependence on contributions of members of the Union
Prioritization of resources	Raising the profile of UPOV
Member-driven organization	Growing demand for activities without significant increase in the number of contribution units
Clear mandate and acceptance of members of the Union	High workload
Decisions by consensus	
Small size of the Office of the Union	
Excellent cooperation with PVP Offices and organizations	
<u>Opportunities</u>	<u>Threats</u>
Willingness of members of the Union to support UPOV	Support and involvement of the authorities
Revision of processes to improve effectiveness	Static budget versus growing membership
Growing membership	Political discussions versus technical discussions
New technologies	Resources of members of the Union to attend UPOV sessions
Flexible and pragmatic approach of the Office of the Union	
Further harmonization of PVP in the World	
Electronic Application Form as an income source	

11. The SWOT analysis, combined with the essential activities identified by stakeholders, points to the value of the clear mandate and priorities identified by the members of the Union, i.e. services to members of the Union and assistance on the development of legislation that enables States and relevant organizations to become members of the Union. A further strength of UPOV is the harmonization and voluntary cooperation between members of the Union. These strengths are enhanced by having a small UPOV Office, comprised of qualified and dedicated staff, which is able to deliver its mandate in a dynamic and responsive manner and to facilitate cooperation between members of the Union.

12. The SWOT also identifies that there are opportunities for improvement in relation to improving the effectiveness of UPOV's work and identifies that the lack of resources to address those areas represents a threat to UPOV.

13. On the basis of the findings in the IOD Evaluation of UPOV and discussions that have taken place within UPOV, the following section seeks to identify opportunities for improvement and associated risks.

#### Opportunities for further development

##### *Services to the Union for Enhancing the Effectiveness of the UPOV System (Sub-program UV.2)*

14. A key requirement to maintain existing services will be for UPOV to recruit an IT expert to the UPOV staff to maintain and develop UPOV's IT tools, such as the Electronic Application Form (EAF), PLUTO database, GENIE database and web-based TG Template. There is also an opportunity to improve the completeness of data in UPOV's databases through assistance to members of the Union. Another means to assist members of the Union in the implementation of the UPOV system would be to develop the web-based TG Template for use by members of the Union in the preparation of individual authorities' test guidelines.

15. The launch of the EAF in 2017 was an important step in terms of facilitating applications with members of the Union. The coverage of the EAF in terms of members of the Union, crops/species and languages will need to be extended in order for the EAF to be of greatest value to breeders.

16. Increasing the availability of UPOV documents and materials in languages other than the UPOV languages (English, French, German and Spanish) has the potential to assist members of the Union in the implementation of the UPOV Convention.

##### *Assistance in the Introduction and Implementation of the UPOV System (Sub-program UV.3)*

17. Raising awareness of the role of plant variety protection for the development of agriculture is important for enabling States and relevant organizations that are not yet members of the Union to make an informed decision about whether to seek to become a member of the Union. An area for development would be to create more opportunities for prospective members of the Union to visit existing members of the Union to learn from their experiences.

18. The UPOV Program and Budget makes limited provision for training and assistance activities, with most support being provided by extrabudgetary funds from members of the Union. Maintenance and enhancement of extrabudgetary funds will be an important area for attention.

19. Two of the basic principles of the UPOV training and assistance strategy (see document CC/90/7, Annex) are to: build partnerships to deliver training activities; and to collaborate with members of the Union, organizations and academic institutions to provide a range of training opportunities at national and regional levels. There are significant opportunities to apply these principles to a greater extent.

20. The Working Group on a possible International System of Cooperation (WG-ISC) is considering matters that might result in proposals for the Consultative Committee in relation to opportunities to enhance cooperation between members of the Union.

##### *External Relations (Sub-program UV.4)*

21. The Communication Strategy approved in 2013 (see document CC/89/8, Annex) anticipated a limited use of social media in response to limited staff resources. However, the importance of social media continues to grow and it is proposed to increase UPOV's use of social media.



22. The following 10 specific targets, linked to the opportunities identified above, have been identified. Appendix II provides background information for each target:

*Services to the Union for Enhancing the Effectiveness of the UPOV System (Sub-program UV.2)*

Target 1: UPOV IT Tools	UPOV to maintain existing UPOV IT tools and to further develop existing and new IT tools for the delivery of improved services to UPOV members.
Target 2: Data contribution assistance	To provide direct assistance to members of the Union in the contribution of data to PLUTO and GENIE databases.
Target 3: Increase coverage of EAF	To increase the number of members of the Union that participate in the EAF, the number of crops/species covered and the languages available for navigation of the EAF.
Target 4: TG Template for UPOV members	To develop the TG Template for use by members of the Union in the preparation of individual authorities' test guidelines.
Target 5: Additional languages	To develop materials in other than UPOV languages, administer those materials on the UPOV website and utilize materials in training and assistance programs.

*Assistance in the Introduction and Implementation of the UPOV System (Sub-program UV.3)*

Target 6: Awareness-raising	To increase possibilities for initiatives, such as study tours to members of the Union, to illustrate the impact of PVP and UPOV membership
Target 7: Extra-budgetary Funds	To maintain and increase extrabudgetary funds from members of the Union.
Target 8: Partnerships for Capacity-building	To increase the number of partnerships to deliver training and assistance activities on UPOV matters and to increase collaboration with members of the Union, organizations and academic institutions to provide a range of training and assistance opportunities at national and regional levels
Target 9: Enhanced cooperation	To implement any measures approved by the Council resulting from the work of the Working Group on a Possible International System of Cooperation (WG-ISC).

*External Relations (Sub-program UV.4)*

Target 10: Social media	To increase the use of social media
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Risks associated with further development

23. The IOD Evaluation of UPOV recognized that the Office of the Union has a high workload and that UPOV activities are limited by its income. Therefore, maintenance or enhancement of the current strengths and responding to the areas for improvement will require additional financial and staff resources.

24. In addition to the challenge of sourcing extra financial resources, a challenge would be to ensure that any increase in the staffing of the Office of the Union would not negatively impact the dynamism, responsiveness and coordination of the Office of the Union. In that regard, training of relevant existing staff of the Office of the Union, particularly with regard to management and supervision skills, would need to accompany the expansion of the number of persons working within the Office of the Union.

## RESOURCING PLAN

25. The IOD Evaluation of UPOV reinforced the value of existing activities and did not identify any substantial areas where existing services or activities should be discontinued. Therefore, the following resourcing plan looks at additional resourcing for additional services and activities.

### Financial resourcing

#### *Regular budget*

26. The table below shows the evolution of the regular budget income and expenditures, as presented in the Preliminary Draft Program and Budget for the 2018-2019 Biennium (document CC/93/2):

**Table: Income, Expenditure and Reserves for 2012-2021**  
(in thousands of Swiss francs)

Budgetary Basis

	<i>Actual</i>				<i>Budget</i>		<i>Proposed</i>		<i>Estimated</i>	
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Income	3,388	3,403	3,384	3,409	3,406	3,416	3,445	3,495	3,541	3,602
Expenditure	2,954	3,331	3,275	3,517	3,406	3,416	3,445	3,495	3,541	3,602
<i>Difference</i>	434	72	109	-109	-	-	-	-	-	-

### Contribution units

27. In the 2014-2015 Biennium, 98 per cent of the total income was from contributions of members of the Union and will continue to provide the major source of income in the foreseeable future. However, increases in income from contributions of members of the Union will not be sufficient to maintain and enhance the sustainability of UPOV's existing activities and services. This situation was the basis for the IOD Evaluation Report recommendation that UPOV diversify its revenue portfolio.

28. 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 (0.2), representing CHF10,728/annum, and should be anticipated to be net receivers of assistance as they seek to implement PVP.

29. 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.

### Electronic Application Form

30. The launch of the EAF in 2017 was introduced on the basis that fees from applicants would ultimately cover the costs of the service. The income from the EAF will be determined by the attractiveness of the system for users, which will depend on the number of members of the Union that participate in the EAF, the number of crops/species covered and the languages in which the EAF can be navigated.

31. The income from the EAF would be the basis to support additional staff posts within the Office of the Union.

### *Extra-budgetary funds*

32. 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 develop such funds.

33. Seeking to obtain funds for training and assistance from sources other than UPOV member authorities (third party donors) is not anticipated to be feasible (see Appendix III) and would require considerable diversion of existing staff resources, thereby representing a high-risk strategy for an organization with a limited staff resources. However UPOV member authorities could play a much greater role in helping to identify funding prospects from other government sectors in order to increase extra-budgetary funds.

### Partnerships

34. As explained above, obtaining funds for training and assistance from third party donors is not anticipated to be a part of the Strategic Business Plan. However, seeking to increase awareness of donors of the UPOV system and providing guidance on how to provide training and assistance on PVP is proposed to be a part of the Strategic Business Plan.

### Staff resourcing

35. UPOV having reduced its number of staff from 14 in 2003, has maintained the number of staff at 11 (including the Secretary-General). However, a proposal to create a new post for an IT expert from 2018 (see document CC/93/2 "Preliminary Draft Program and Budget for the 2018-2019 Biennium") means that the posts within the Office of the Union would be as follows:

**Posts by Category**

	<b>2014-2015</b>	<b>2016-2017</b>	<b>Variation</b>	<b>2018-2019 Proposed</b>
<b>Post Category</b>	<b>A</b>	<b>B</b>	<b>C-B</b>	<b>C</b>
Directors	3	3	-	3
Professionals	4	4	1	5
General Service	4	4	-	4
<b>Total</b>	<b>11</b>	<b>11</b>	<b>1</b>	<b>12</b>

36. It is proposed that a resourcing strategy over the next 5 years be based on the following staff resources:

(a) a modest increase in UPOV staff, sustainably financed by the regular UPOV budget, including income from the EAF. These staff would be:

- (i) IT Officer (proposed budget for 2018-2019 Biennium);
- (ii) Administrative Officer (proposed budget for 2018-2019 Biennium as temporary staff);
- (iii) Junior Legal Officer (budget for 2020-2021 or 2022-2023 Biennium, subject to income from EAF);

(b) additional human resources funded by members of the Union, e.g. Junior Professional Officers (JPOs), fellowships;

The nature of the work that would be involved and the presence of 7 staff at director/professional level in the Office of the Union means that it would be feasible to accommodate up to 5 suitably qualified JPOs/fellows at any time, subject to availability of office facilities.

(c) temporary staff, agency staff and an intern as far as budgetary and extra-budgetary income supports.

IMPLEMENTATION OF RESOURCE PLAN 2018-2023

Proposed Resourcing in 2018-2019 Biennium

Target	Current UPOV staff (11)	Regular budget				Support by individual members of the Union			External support
		IT Expert (1) (Professional Post)	Admin. staff (1) (Temporary Staff)		Intern (1)	JPOs, Fellows funded by members of the Union (1-2)	Agency staff (1)	Extra-budgetary Funds	Partnerships
1: UPOV IT Tools	√	√	√						
2: Data contribution assistance	√	√			√	√			
3: Increase coverage of EAF	√	√	√		√	√			
4: TG Template for UPOV members	√	√			√	√			
5: Additional languages	√				√	√		√	
6: Awareness-raising	√					√		√	
7: Extra-budgetary funds	√						√	√	
8: Partnerships for capacity-building	√					√	√	√	√
9: Enhanced cooperation	tbc								
10: Social media	√				√	√			

Proposed Resourcing by 2022-2023 Biennium

Target	Current UPOV staff (11)	Regular budget				Support by individual members of the Union			External support
		IT Expert (1) (Professional Post)	Admin. staff (1) (General Post)	Junior Legal Officer (1) (Professional Post)	Intern (1)	JPOs, Fellows funded by members of the Union (3-5)	Agency staff (1)	Extra-budgetary Funds	Partnerships
1: UPOV IT Tools	√	√	√						
2: Data contribution assistance	√	√			√	√			
3: Increase coverage of EAF	√	√	√		√	√			
4: TG Template for UPOV members	√	√			√	√			
5: Additional languages	√			√	√	√		√	
6: Awareness-raising	√					√		√	
7: Extra-budgetary funds	√						√	√	
8: Partnerships for capacity-building	√			√		√	√	√	√
9: Enhanced cooperation	tbc			√					
10: Social media	√				√	√			

[Appendices follow]

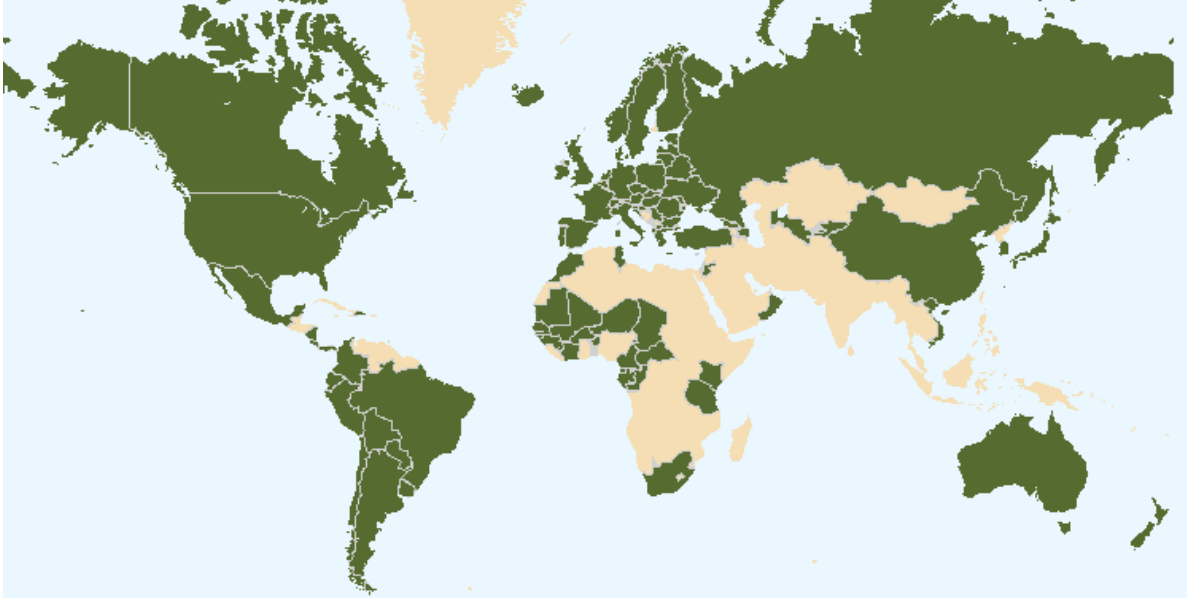
APPENDIX I

APPENDIX I: CONTEXT

UPOV membership

1. At the end of 2016, UPOV comprised 74 members covering 93 States (see Figure 1 “UPOV membership at December 31, 2016”).

*Figure 1: UPOV membership at December 31, 2016 [territories of UPOV members shown in green]*



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

2. Figure 2 illustrates the development of UPOV. Figure 3 illustrates the territories of the members that joined UPOV in the period 2011-2016<sup>2</sup>, demonstrating the substantial geographic expansion of UPOV within Africa. In the period concerned, 18 States (17 member States of OAPI and the United Republic of Tanzania) in Africa became covered by the UPOV system and UPOV will need to provide training and assistance for the implementation of the UPOV system in those territories.

<sup>2</sup> (i.e. the territories of the relevant States (the former Yugoslav Republic of Macedonia, Peru, Serbia, Montenegro and the United Republic of Tanzania) and the territory in which the constituting treaty of OAPI applies)

Figure 2: Development of UPOV membership

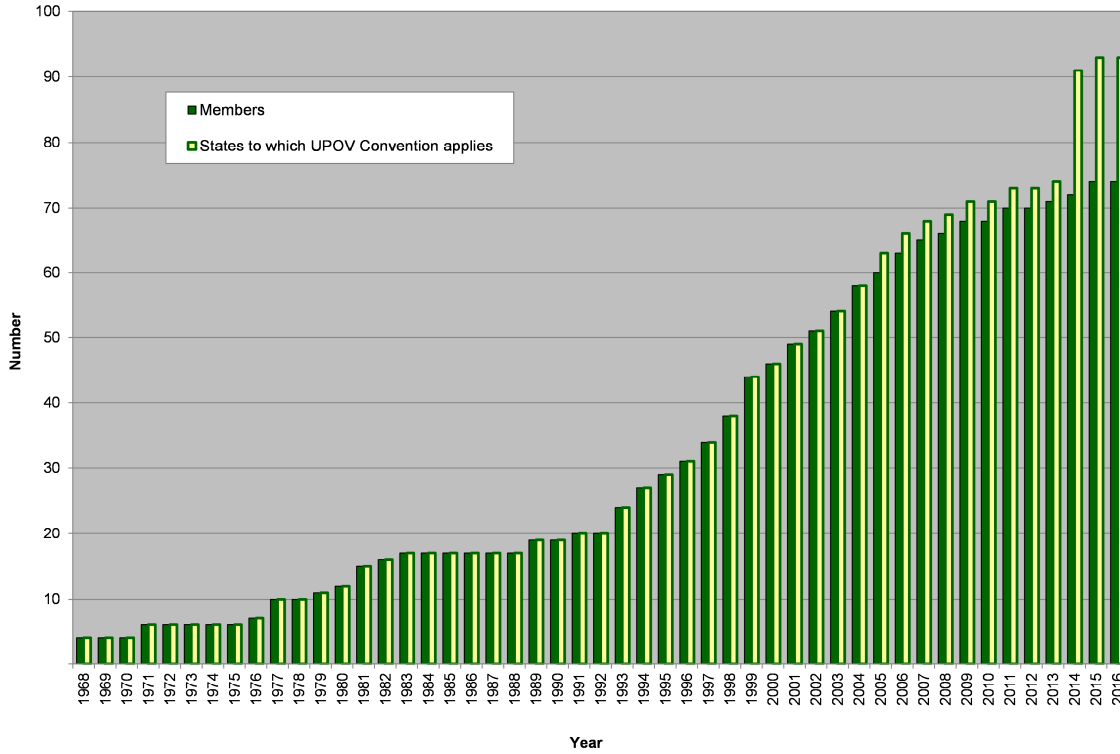
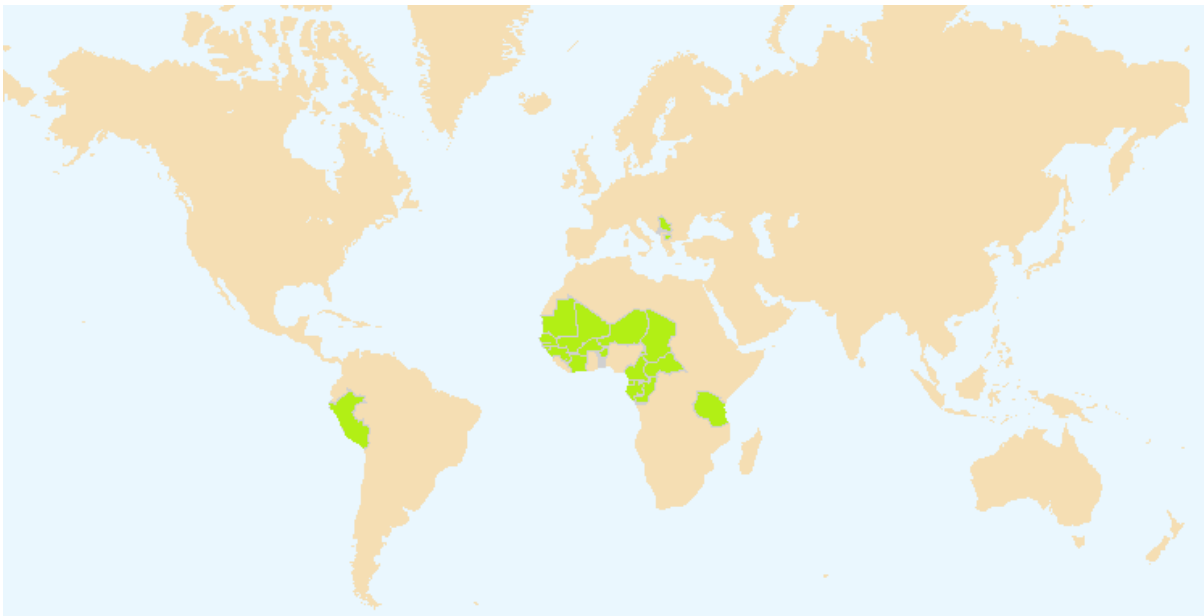


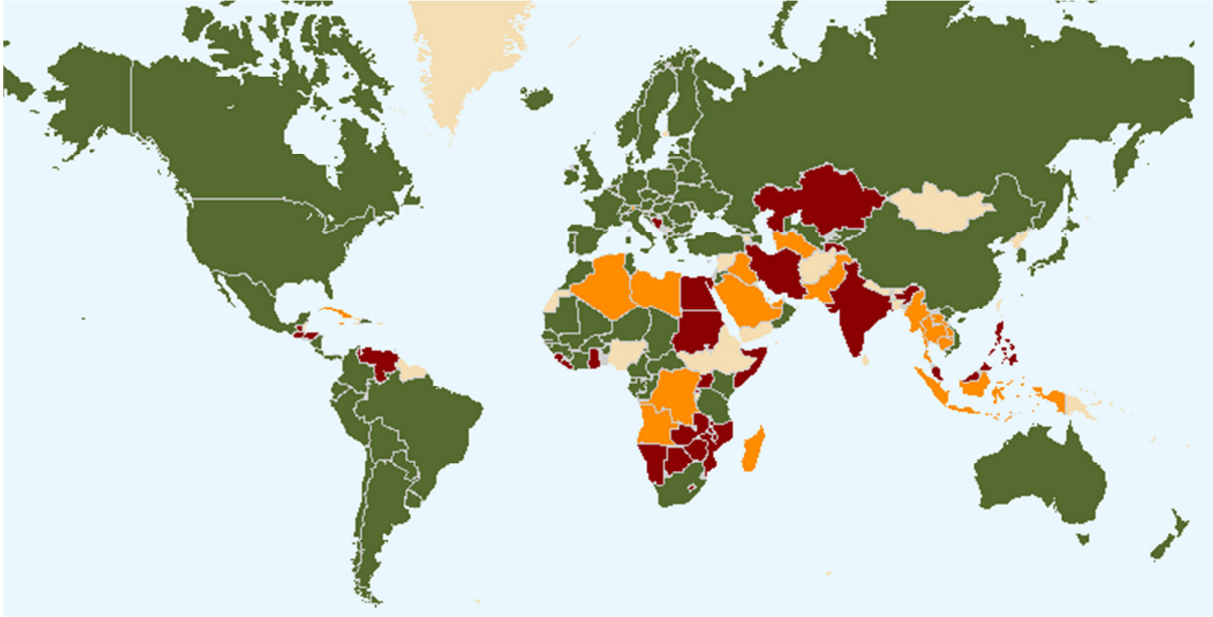
Figure 3: New UPOV members in the period 2011-2016



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

3. A graphic overview of the status in relation to UPOV as of December 31, 2016, is provided in Figure 4, in terms of UPOV members, States and intergovernmental organizations which have initiated the procedure for acceding to the UPOV Convention and States and intergovernmental organizations which have been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention.

Figure 4: Status in relation to UPOV



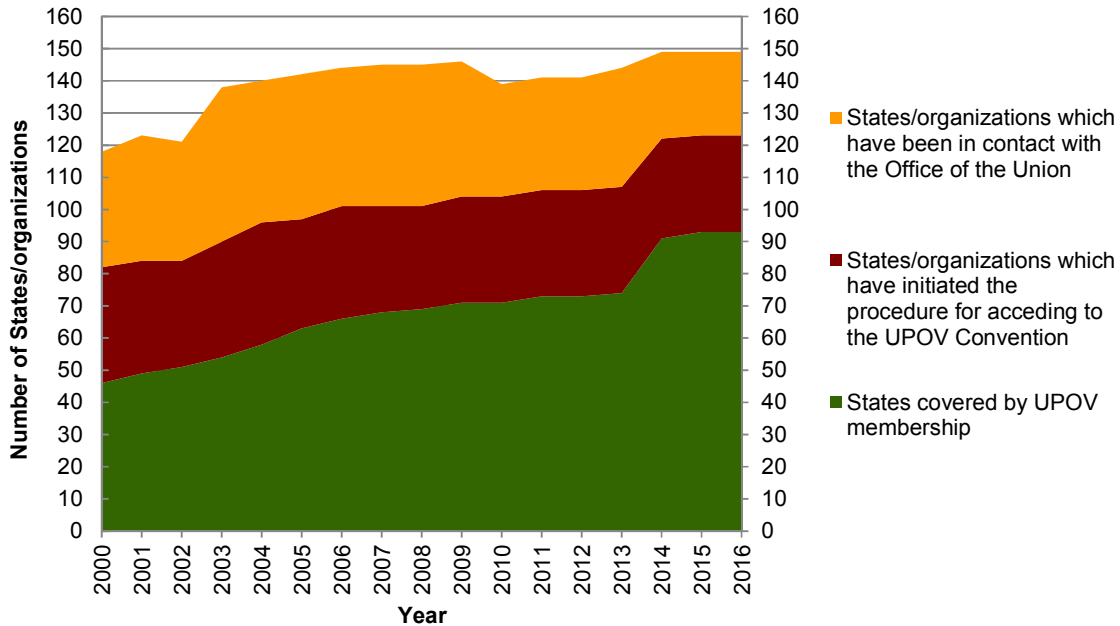
The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

Map showing

- UPOV members (green);
- States (15) and intergovernmental organization (1) which have initiated the procedure for becoming UPOV members (brown); and
- States (25) and intergovernmental organization (1) which have been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention (orange).

4. Figure 5 provides information on the evolution of the status in relation to UPOV since 2000. The increase in the number of States covered by the UPOV Convention was particularly substantial in the period 2000 to 2016, more than doubling from 46 to 93. However, there was also significant growth in overall interest in UPOV. The number of States in their own right, or as a member of an organization, that are covered by the UPOV Convention, have initiated the procedure for acceding to the UPOV Convention, or have been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention, rose from 118 in 2000 to 149 in 2016 (increase of 26%). Figure 4 further demonstrates that the territory covered by those categories covers a substantial majority of agricultural land.

Figure 5: Evolution of UPOV membership, States and intergovernmental organizations which have initiated the procedure for acceding to the UPOV Convention and States and intergovernmental organizations which have been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention



#### Use of the UPOV system

5. The UPOV system continues to expand in terms of the number of:
  - applications, titles granted and titles in force (see Figure 6),
  - genera and species for which protection is offered by members of the Union (see Figure 7) and
  - genera and species for which protection has been sought within the members of the Union (see Figure 8).
6. These Figures demonstrate one of the reasons why cooperation between members of the Union is a key benefit of UPOV membership.
7. As indicated in Figure 8, the number of genera/species for which members of the Union have agreements for cooperation in DUS examination has only significantly increased once since 2007. Such agreements are of a bi-lateral and voluntary nature. Discussions have started within UPOV on whether there may be opportunities to enable members of the Union to enhance such cooperation in the future.



Figure 6: Number of applications, titles granted and titles in force in members of the Union

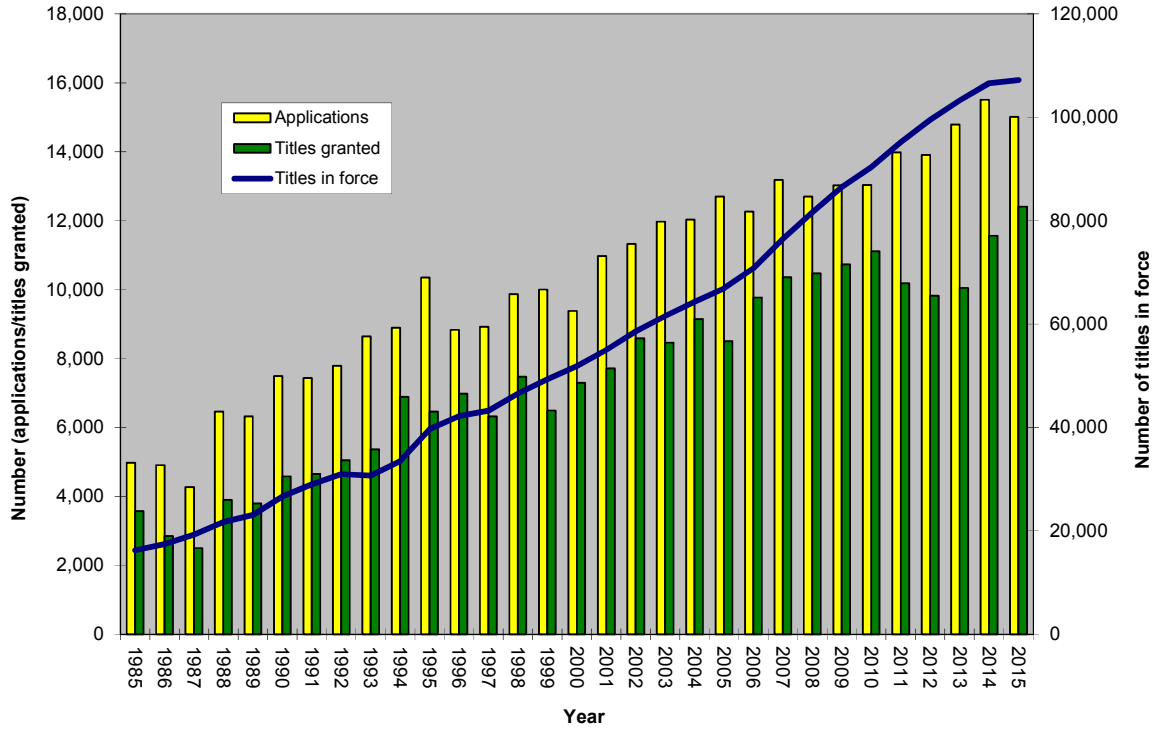


Figure 7: Evolution of offering protection to plant genera and species

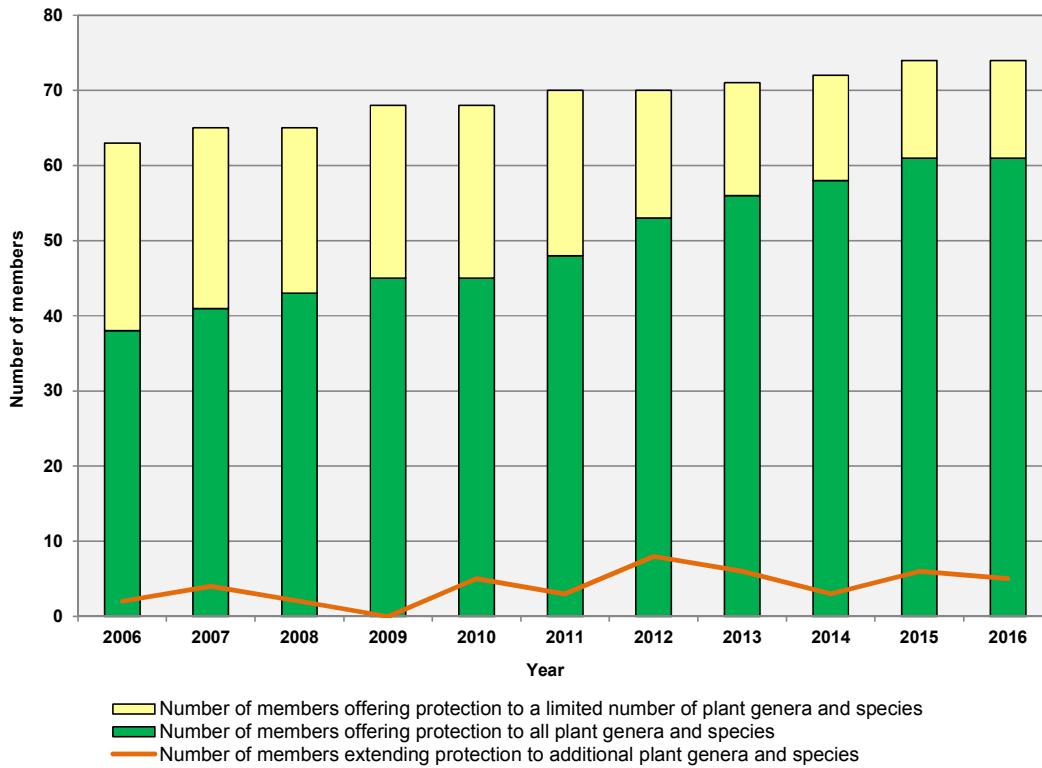
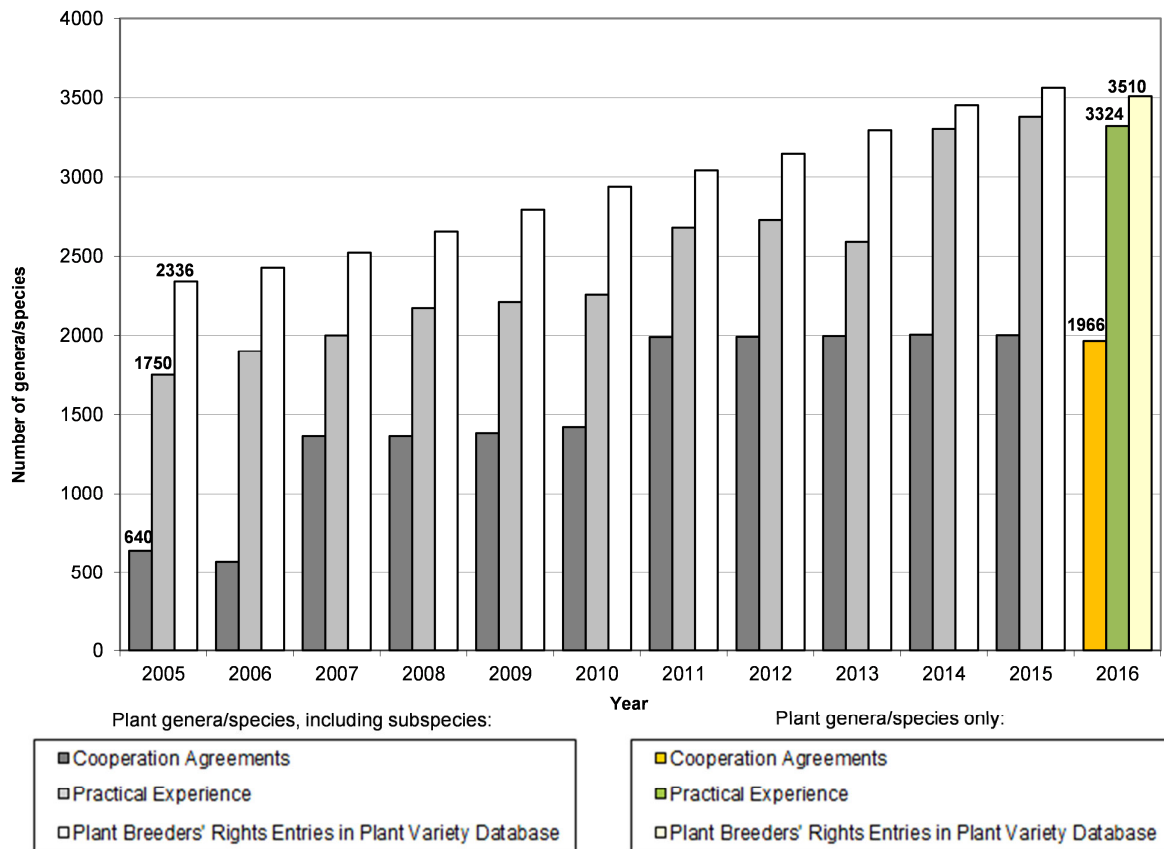


Figure 8: Plant Genera/Species with Cooperation Agreements, Practical Experience and Plant Breeders' Rights Entries in Plant Variety Database



8. In January 2017, UPOV launched the Electronic Application Form (EAF), an online multi-lingual PBR application tool that can be used to provide application data to all participating PVP Offices in the required format. At the launch, the EAF covered 12 members of the Union and five crops/species. The goal in the future will be to expand the coverage to all members of the Union that wish to participate and to cover all crops/species.

### External Developments

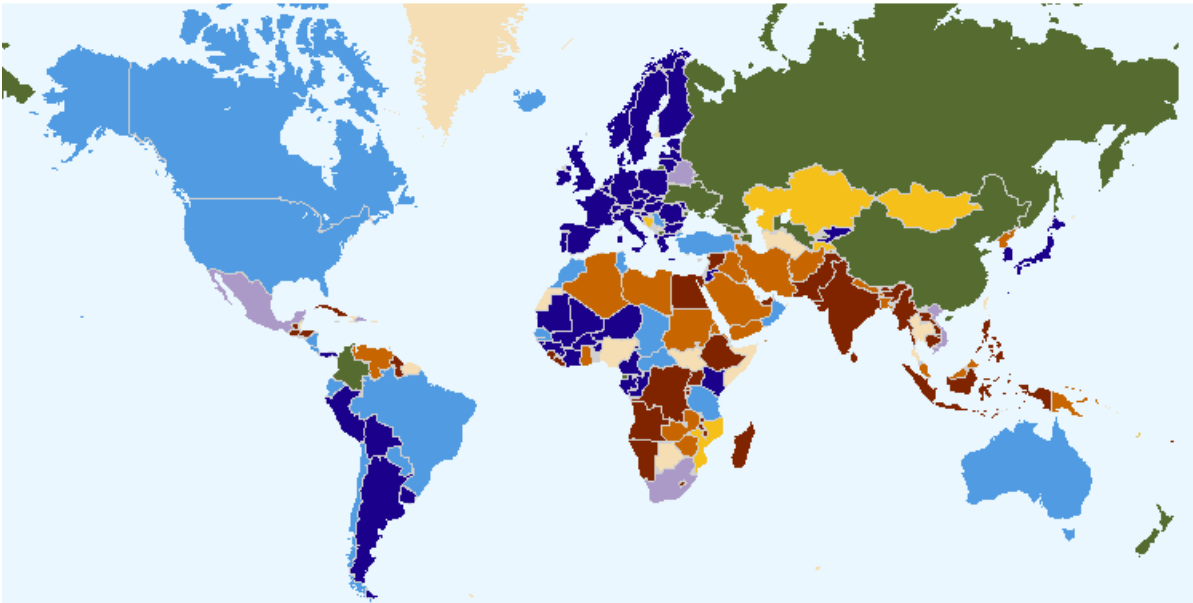
9. UPOV's focus in relation to external relations is to broaden and enhance the understanding of the UPOV system of plant variety protection and to provide information on the UPOV Convention to other intergovernmental organizations, with the aim of achieving mutual supportiveness with other international treaties.

10. The landscape of international instruments affecting plant varieties has become more complex in recent years. Prior to 2000, relevant international instruments included the OECD Schemes for the Varietal Certification or the Control of Seed Moving in International Trade (OECD Seed Schemes) and the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). Since 2000, there has been the adoption of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (CBD) (2000), the International Treaty on Plant Genetic Resources for Food and Agriculture of the Food and Agriculture Organization of the United Nations (FAO) (ITPGRFA) (2001) and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the CBD (Nagoya Protocol) (2010). Developments in plant breeding technology have also increased the interest in patents by plant breeders. Combined with the need for governments to implement the ITPGRFA and the Nagoya Protocol, these developments have accentuated the need for UPOV to provide information on the UPOV Convention to other intergovernmental organizations, with the aim of achieving mutual supportiveness with other international treaties.

11. The need for mutual supportiveness was echoed at the "Symposium on possible interrelations between the ITPGRFA and the UPOV Convention", held at UPOV Headquarters in Geneva, on October 26, 2016, where, in their closing remarks, the Co-Moderators: Mr. Muhamad Sabran, Chairperson of the Seventh Session of the Governing Body, ITPGRFA and Mr. Raimundo Lavignolle, Vice-President of the Council of concluded that "[...] It

is important to interpret and implement the two treaties in a mutually supportive way in the context of each Contracting Party". Figure 9 illustrates that many States and organizations have adhered to the UPOV Convention, the ITPGRFA and/or the Nagoya Protocol.

Figure 9: States and organizations bound by the UPOV Convention, ITPGRFA and/or the Nagoya Protocol as of May 22, 2017



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.

Dark Blue	UPOV/ITPGRFA/Nagoya Protocol
Light Blue	UPOV/ITPGRFA
Purple	UPOV/Nagoya Protocol
Green	UPOV only

Brown	ITPGRFA/Nagoya Protocol
Yellow	ITPGRFA only
Orange	Nagoya Protocol only

12. As the landscape of international instruments affecting plant varieties has become more complex, the need to explain the role of plant breeding, plant variety protection and UPOV to a wider audience has become increasingly important. The development of stakeholder features on the UPOV website for breeders, farmers and growers, policy makers and the general public was one of the initiatives in 2016 designed to address that need. In addition, the development of general information suitable for a wide range of stakeholders will continue to be important. Examples include answers to frequently-asked questions about the UPOV system and the development of illustrative explanations and examples of the benefits of the UPOV system.

13. UPOV communicates with non-governmental organizations representing stakeholders: breeders/seed producers/plant propagators; farmers; and civil society. These communications include participation in their regular meetings and organization of bilateral meetings.

14. UPOV contributes to the work of relevant international intergovernmental organizations in order to explain the UPOV system of plant variety protection, with the aim of securing mutual supportiveness. In particular, UPOV maintains contacts with WIPO; WTO and, in particular, its Council for TRIPs; the Conference of the Parties to the CBD including, in particular, its various committees and working groups concerning the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity; and the FAO including, in particular, the Governing Body of the ITPGRFA. In addition to participation by UPOV staff in the regular meetings of these organizations, this work may include joint activities, e.g. Symposium on Possible Interrelations between the ITPGRFA and the UPOV Convention.

15. With regard to organizations in the seed sector, UPOV, the OECD, the International Seed Testing Association (ISTA) and the International Seed Federation (ISF) jointly launched the World Seed Partnership (WSP) in 2017. The WSP is an initiative taken by the four international organizations to support the development of the seed sector in countries around the world (see <http://www.worldseedpartnership.org/>). The WSP has no independent resources beyond those of the partner organizations and is focused on coordination of the on-going work of each organization.

APPENDIX II

APPENDIX II: OPPORTUNITIES AND AREAS FOR FURTHER IMPROVEMENT: SPECIFIC TARGETS

Services to the Union for Enhancing the Effectiveness of the UPOV System (Sub-program UV.2)

<p><i>Target 1: UPOV IT Tools</i></p> <p>UPOV to maintain existing UPOV IT tools and to further develop existing and new IT tools for the delivery of improved services to UPOV members.</p>	<p>In recent years, IT development and maintenance of the databases and TG Template were undertaken or managed by IT experts from WIPO as a part of the common expenses under the “Agreement between the World Intellectual Property Organization and the International Union for the Protection of New Varieties of Plants” (see document UPOV/INF/8). Those services are no longer provided as common services and UPOV has to make its own arrangements for IT expertise to maintain and develop such IT systems in the future. On that basis, provision is proposed to create an additional professional staff post for an IT expert in the 2018-2019 Biennium.</p>
<p><i>Target 2: Data contribution assistance</i></p> <p>To provide direct assistance to members of the Union in the contribution of data to PLUTO and GENIE databases.</p>	<p>The IOD Evaluation of UPOV reported that stakeholders had identified the inclusion and management of data in UPOV databases as one of the areas that should be improved. At present, UPOV members are invited to contribute data to the PLUTO and GENIE databases and tools are provided to facilitate data contribution; however, the Office of the Union does not have the personnel resources to provide assistance in the contribution of data.</p>
<p><i>Target 3: Increase coverage of EAF</i></p> <p>To increase the number of members of the Union that participate in the EAF, the number of crops/species covered and the languages available for navigation of the EAF.</p>	<p>The launch of the EAF in 2017 was an important step in terms of facilitating applications with members of the Union. The success of the EAF will depend on the attractiveness of the system for users, which will be greatly influenced by the number of members of the Union that participate in the EAF, the number of crops/species covered and the languages in which the EAF can be navigated.</p>
<p><i>Target 4: TG Template for UPOV members</i></p> <p>To develop the TG Template for use by members of the Union in the preparation of individual authorities’ test guidelines.</p>	<p>One of the objectives in the development of web-based Test Guidelines Template (TG Template) is to facilitate use of the TG Template for use by members of the Union in the preparation of individual authorities’ test guidelines.</p>
<p><i>Target 5: Additional languages</i></p> <p>To develop materials in other than UPOV languages, administer those materials on the UPOV website and utilize materials in training and assistance programs.</p>	<p>The Program and Budget for the 2016-2017 Biennium identifies the availability of UPOV documents and materials in languages other than the UPOV languages (English, French, German and Spanish) as a performance indicator (see document C/49/4 Rev., Annex, Section 2.2.4, 2(d)). In order to maximize the benefits of such materials, these should be incorporated in training and assistance activities.</p>

Assistance in the Introduction and Implementation of the UPOV System (Sub-program UV.3)

<p><i>Target 6: Awareness-raising</i></p> <p>To increase possibilities for initiatives, such as study tours to members of the Union, to illustrate the impact of PVP and UPOV membership</p>	<p>Raising awareness of the role of plant variety protection for the development of agriculture is important for enabling States and relevant organizations that are not yet members of the Union to make an informed decision about whether to seek to become a member of the Union. Recent experience within UPOV has highlighted the value of initiatives such as study tours of existing members of the Union to illustrate the impact of PVP.</p>
<p><i>Target 7: Extra-budgetary Funds</i></p> <p>To maintain and increase extrabudgetary funds from members of the Union</p>	<p>In the Program and Budget for the 2016-2017 Biennium, only CHF50,000 is allocated to fund participation in training and assistance activities. However, extrabudgetary funds from members of the Union amounted to CHF666,691 in the 2014-2015 Biennium, of which CHF409,700 was used to support travel costs for training and assistance activities.</p>
<p><i>Target 8: Partnerships for Capacity-building</i></p> <p>To increase the number of partnerships to deliver training and assistance activities on UPOV matters and to increase collaboration with members of the Union, organizations and academic institutions to provide a range of training and assistance opportunities at national and regional levels</p>	<p>The Consultative Committee, at its eighty-ninth session, held in Geneva on March 27, 2015, approved the UPOV training and assistance strategy (see document CC/90/7, Annex). Two of the basic principles of the UPOV training and assistance strategy are: to build partnerships to deliver training activities; and to collaborate with members of the Union, organizations and academic institutions to provide a range of training opportunities at national and regional levels.</p>
<p><i>Target 9: Enhanced cooperation</i></p> <p>To implement any measures approved by the Council resulting from the work of the WG-ISC.</p>	<p>The Working Group on a possible International System of Cooperation (WG-ISC) is considering matters that might result in proposals for the Consultative Committee in relation to cooperation.</p>

External Relations (Sub-program UV.4)

<p><i>Target 10: Social media</i></p> <p>To increase the use of social media</p>	<p>At its eighty-sixth session, held in Geneva on October 23 and 24, 2013, the Consultative Committee approved a communication strategy (Communication Strategy) (see document CC/89/8, Annex). The Communication Strategy anticipated a limited use of social media; however, the importance of social media continues to grow in importance and UPOV should consider resourcing the development of a full UPOV social media presence.</p>
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APPENDIX III

APPENDIX III: CURRENT UPOV RESOURCES AND PROSPECTS

Financial resources

1. Currently, UPOV is almost exclusively financed by income from contributions (98 per cent of the total income in the 2014-2015 Biennium), with the value of a contribution unit not having increased since 1995. Furthermore, UPOV's income has been significantly affected by the loss of all income from interest and publications in recent years. Thus, the income for the 2014-2015 Biennium (6,794,000 Swiss francs) was not substantially higher than the income in the 2006-2007 Biennium (6,761,000 Swiss francs), with additional income from contributions of new UPOV members being offset by the loss of income from interest and publications.

*Contribution units*

2. An increase in income from increasing the value of a contribution unit is not foreseen as a means to increase income in the future.

3. New members of the Union provide additional units of contribution. However, new members of the Union are typically developing countries that are not in a position to contribute above the minimum number of contribution units (0.2), representing CHF10,728/annum, and should be anticipated to be net receivers of assistance as they seek to implement PVP.

4. 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.

*Extra-budgetary funds*

5. UPOV has greatly benefited from additional financial resources provided by members of the Union, for example in the form of Funds-in-Trust, and the support in kind provided by many members of the Union in the form of expert contributions to UPOV's activities. Such resources will be equally important for the future and efforts will be made to seek to ensure that the existing funds continue and that other members of the Union are encouraged to develop such funds.

6. Experience within UPOV, including in relation to the World Seed Partnership (WSP), has demonstrated the difficulty for organizations such as UPOV to obtain funds for training and assistance from sources other than UPOV member authorities responsible for PVP. Typically, the main donor agencies require the potential recipient States and organizations to instigate and lead requests for funds, rather than organizations such as UPOV. Therefore, the most effective approach for UPOV is to seek to ensure that donors are aware of the UPOV system and to provide guidance on how to provide training and assistance in an effective way.

*Income from UPOV services*

Electronic Application Form

7. The decision to develop the Electronic Application Form (EAF) and to charge for its use is a key development for the financial diversity of UPOV for the years ahead. Income from the EAF will largely depend on the number of members of the Union that participate in the EAF and the number of crops/species covered. Coverage of the EAF for those members of the Union that follow the Technical Questionnaire in the UPOV Test Guidelines is planned to extend to all crops/ species in 2018. However, for those members of the Union that do not follow the UPOV Test Guidelines Technical Questionnaire, coverage of all crops/species may take several years. It is a matter for individual members of the Union to decide whether to join the EAF and the extent to which they follow the UPOV Test Guidelines for their Technical Questionnaires.

8. An initial projection for the income from the EAF was presented to the Consultative Committee in March 2016 (see document CC/91/4 "Electronic Application Form"), as follows:

	(i)	(ii)	(iii)	(iv)	((iii)*(iv))	(vi)	(vii)	(viii)	(ix)
Year	Number of crops	Number of participating Offices	Number of applications covered by EAF	Percentage of applications expected via EAF	Number of applications expected via EAF	UPOV charge (CHF)	EAF operation costs (CHF)	Income (CHF)	Balance
2017	5	26	1827	10%	183	150	290'000	27'405	-262'595
2018	10	30	4676	15%	701	150	290'000	105'216	-184'784
2019	15	35	6786	15%	1018	250	290'000	254'475	-35'525
2020	30	40	8841	15%	1326	250	290'000	331'524	41'524
2021	40	50	10272	15%	1541	250	290'000	385'193	95'193
2022	50	50	11296	15%	1694	250	290'000	423'581	133'581

9. The estimated number of participating PVP Offices for 2017 was based on the number of PVP Offices that had participated in the development of the EAF. However, at the launch of the EAF in January 2017, the number of participating PVP Offices was only 12, which limits the interest of the EAF for breeders. Furthermore, the lack of UPOV's direct contacts with PVP applicants has been a major constraint for raising awareness of the EAF. PVP Offices, which necessarily have direct contacts with PVP applicants, will have a particularly important role to play in raising awareness of the EAF. This also underlines that the success of the EAF will depend on the involvement of the maximum number of members of the Union. On a positive note, as explained above, the expansion in terms of crops/species will advance more rapidly than projected above, with the EAF covering all crops/species by the end of 2018 for those members of the Union that follow the Technical Questionnaire in the UPOV Test Guidelines. Taking into account these various factors, the projected income in the Program and Budget for the 2018-2019 Biennium has been reduced to CHF90,000 and forecast in the financial indicators of the Program and Budget for the 2016-2017 Biennium (document C/51/4) as CHF250,000.

#### Databases

10. In 2011, the Council of UPOV agreed that a web-based version of the Plant Variety Database (PLUTO), previously only available in CD-ROM format, should be launched on the UPOV website. It further agreed that the web-based version of the Plant Variety Database should be made freely accessible to all users. Historically, income from the Plant Variety Database was budgeted at around CHF60,000/biennium. However, the data in the PLUTO database is included in the CPVO Variety Finder database, which is available free of charge, meaning that it would be unrealistic to anticipate significant income even if UPOV were to re-introduce a charge for using the PLUTO database.

#### UPOV Collection

11. Certain international organizations charge for their publications. For example, OECD allows the full text of most books to be viewed online, free of charge, whilst there is a charge for hard-copy or pdf versions of documents. The International Seed Testing Association (ISTA) charges non-members for its International Rules for Seed Testing, for the ISTA Handbooks on seed testing procedures and for the publication Seed Science and Technology. Although the UPOV Collection, including Test Guidelines, is a comparable source of information, it is not anticipated that it would be appropriate to charge non-members of the Union for such information.

#### Staff resources

12. UPOV having reduced its number of staff from 14 in 2003, has maintained the number of staff at 11 (including the Secretary-General). However, a proposal to create a new post for an IT expert from 2018 (see document CC/93/2 "Preliminary Draft Program and Budget for the 2018-2019 Biennium") means that the posts within the Office of the Union would be as follows:

**Posts by Category**

	<b>2014-2015</b>	<b>2016-2017</b>	<b>Variation</b>	<b>2018-2019 Proposed</b>
<b>Post Category</b>	<b>A</b>	<b>B</b>	<b>C-B</b>	<b>C</b>
Directors	3	3	-	3
Professionals	4	4	1	5
General Service	4	4	-	4
<b>Total</b>	<b>11</b>	<b>11</b>	<b>1</b>	<b>12</b>

13. UPOV has utilized temporary and agency administrative staff to ensure that it has sufficient human resources to use financial resources allocated for training and assistance. Without such administrative resources, UPOV would not have been able to undertake all the activities funded by extra-budgetary funds and the Special Project Fund.

14. A potentially important source of human resources for UPOV is suitably qualified officials, fully funded by members of the Union through the Junior Professional Officer (JPO) program or fellowships. These arrangements may be of particular interest to members of the Union in relation to, for example, capacity-building, development of materials in other languages, participation in the EAF etc. Although the salary of such resource persons would be required to be fully-funded, there would potentially be some costs for UPOV in terms of office provisions and travel costs for relevant missions.

15. Another useful form of human resources is through internships. UPOV is restricted to one intern at any one time.

[End of Annex and of document]