



East Asia Plant Variety Protection Forum

12th Annual Meeting

Beijing, China, 24 April 2019

EAPVPF/12/02\_REV.

Date: 22 April 2019

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**THE RULE OF PROCEDURE FOR THE EAST ASIA PLANT VARIETY PROTECTION FORUM  
(EAPVPF/11/02)**

**Comments from CN**

The revision of the document will not come into force until approved by the relevant authorities of China, due to it involving the establishment of mechanism, subjected to China's relevant rules or regulations. Up to now, it was not approval.

**[KH]**

Which part of ROP for EAPVPF is impact to national regulations? may be more explanations among members.

**[JP, MM, MY, VN]**

1. The 11<sup>th</sup> Annual Meeting adopted the ROP as provided in EAPVPF/11/02. Proposals from CN and KR are supposed to be discussed with a view to a revision of 'EAPVPF/11/02' (not of 'EAPVPF/11/02 Draft') in accordance with procedure agreed at the 11<sup>th</sup> Annual Meeting as provided in EAPVPF/11/10.
2. Please state which authorities will approve this ROP?

The EAPVPF Forum adopted the Rule of the Procedure for the East Asia Plant Variety Protection Forum at its 11<sup>th</sup> EAPVP Forum Annual Meeting as follows:

**Comments from CN**

The EAPVPF Forum adopted with condition of further comments from China and Republic of Korea within 6 months<sup>1</sup> the Rule of the Procedure for the East Asia Plant Variety Protection Forum at its 11<sup>th</sup> EAPVP Forum Annual Meeting, as follows: [...]

Note 1: The item 8, reads that, in the report of the 11th Meeting of the Forum held in the Manila, Philippines on 1 August 2018, the meeting adopted the Draft Rule of Procedure of the EAPVP Forum as presented in document EAPVPF/11/02 Draft 1 proposed by the Forum Office as provided in Annex II with condition of further comments from China and Republic of Korea within 6 months. In the case of any proposed amendments, the documents will be circulated to all Forum members and discussed with a view to a revision of the documents by consensus.

**[JP, MM, MY, VN]**

It should be considered in accordance with the result of the discussion at the 12<sup>th</sup> Annual Meeting in April, depending on the status whether the ROP is amended or not.

**1. Purpose of this Document**

The "Guideline for Operation of the East Asia Plant Variety Protection Forum (hereinafter referred to as the "Guideline")" approved by the 1st Meeting of the Forum on 23 July 2008 provides background, objectives, activities and framework of the East Asia Plant Variety Protection Forum (hereinafter referred

to as the “Forum”). In order to promote plant variety protection in accordance with the UPOV Convention in the Forum based on the 10-Year Strategic Plan and to demarcate the objectives/activities of the Forum and the administrative procedure to operate the Forum, the Forum has revised the current Guideline and adopted as the “Rule of Procedure for the East Asia Plant Variety Protection Forum” (hereinafter referred to as the “ROP”).

#### **Comments from CN**

[...] the Forum ~~has~~ revised the current Guideline and adopted with condition of further comments from China and Republic of Korea within 6 months<sup>1</sup> as the “Rule of Procedure for the East Asia Plant Variety Protection Forum” (hereinafter referred to as the “ROP”).

Note 1: The item 8, reads that, in the report of the 11th Meeting of the Forum held in the Manila, Philippines on 1 August 2018, the meeting adopted the Draft Rule of Procedure of the EAPVP Forum as presented in document EAPVPP/11/02 Draft 1 proposed by the Forum Office as provided in Annex II with condition of further comments from China and Republic of Korea within 6 months. In the case of any proposed amendments, the documents will be circulated to all Forum members and discussed with a view to a revision of the documents by consensus.

#### **[KH]**

We should be considered 2 options (1) Original paragraph of 11th meeting and (2) the paragraph which has been proposed by China and Korea. Now the (2) option, comment of China was deleted by china /means by himself. So we will select the (1) option by automatically.

#### **[JP, MM, MY, VN]**

It should be considered in accordance with the result of the discussion at the 12<sup>th</sup> Annual Meeting in April, depending on the status whether the ROP is amended or not.

The ROP is intended to assist all members and guests of the Forum to implement cooperation activities and other relative activities under the Forum as well as to operate annual Meetings of the Forum. The ROP is meant to apply generally to all future activities in the Forum. It is recognized, however, that different contexts and situations will require different responses and adaptations.

The Forum’s cooperation activities proposed by the members each year, which require financial support in particular, need to be in line with the Common Direction of the 10-Year Strategic Plan with a view to streamlining the Forum’s cooperation activities toward further harmonization and/or integrity of the PVP system in East Asian region.

#### **Comments from CN and KR**

[...] further harmonization ~~and/or integrity~~ of the PVP system in East Asian region.

#### **[JP, KH, MM, MY, VN]**

No objection.

## **2. Framework of the Forum**

### **2.1 Members and Guests**

- Members of the Forum are Brunei Darussalam, Cambodia, China, Indonesia, Japan, Lao People’s Democratic Republic, Malaysia, Myanmar, Philippines, Republic of Korea, Singapore, Thailand and Viet Nam.

**Comments from CN**

- Members of the Forum are China, Japan and Republic of Korea as initial countries plus Association of Southeast Asian Nations (ASEAN), including Brunei Darussalam, Cambodia, China, Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Republic of Korea, Singapore, Thailand and Viet Nam.

**[JP, MM, MY, VN]**

It should be kept as it is. There is no reason to change the part in respect of the members of the Forum. The EAPVP Forum has not changed the clause in respect of the members of the Forum since its establishment in 2008. Members of the Forum was provided in alphabetical order in the "Guideline," and has not been changed in the ROP.

**[KH]**

Should be kept it as before.

- The UPOV Office ,the UPOV members and the ASEAN Secretariat willing to participate in the Forum are invited as the guests.

**Comments from CN**

- The UPOV Office ,the UPOV members in other regions and [...]

**[JP, KH, MM, MY, VN]**

No objection.

- Any guests are allowed to express their views and the comments with the consent of the all delegates of the participating member countries.

**Comment from KR**

[...] and ~~the~~ comments with the consent of the all delegates of the participating member countries.

**[JP, KH, MM, MY, VN]**

No objection.

**2.2 The Meeting of the Forum**

- The Meeting of the Forum will be held annually. The annual Meeting of the Forum is chaired by the host country. The host country for the next annual Meeting of the Forum will be decided from the willing member countries at the annual Meeting of the Forum.
- English is the official language of the Forum.
- The host country should set up the Secretariat which is responsible for organizing the annual Meeting of the Forum, dissemination and exchange of the information related to the Forum, and preparation of the Forum work report during its term.
- The Secretariat needs to succeed its responsibilities to the next host country. The responsibilities of the Secretariat will be taken over at the time of the end of the annual Meeting of the Forum.
- Each member country would set up a Liaison Office to be responsible for the communication on Forum affairs and information exchange.

### 2.3 Planning and Implementation of the Forum Activities

- Member country is expected, on each country's initiative, to plan and implement activities based on Individual Implementing Strategy while placing priorities on those activities in line with the Common direction of the 10-Year Strategic Plan.

#### **Comments from KR**

##### **Planning and Implementation of the Forum Activities**

- Member country is expected, on each country's initiative, to plan and ~~implement activities based on Individual Implementing Strategy while placing priorities on those activities in line with the Common direction of the 10-Year Strategic Plan~~ cooperate in Forum activities.

#### **[JP, MM, MY, VN]**

Alternative proposal:

- Member country is expected, on each country's initiative, to plan and to cooperate Forum activities while placing priorities on the relevant strategy of the Forum.

#### **[KH]**

Should be kept it as before.

- Member countries can receive support from donor(s) in organizing the Forum and implementing relevant cooperative activities, which may be subject to the consultation with the donor(s) followed by the discussion and adoption at the annual Meetings of the Forum.
- It should be emphasized that any activities under the Forum will be carried out based on the autonomy of member countries, and will be promoted mutual contributions by member countries in each field where they possess an advantage.
- The official website of the Forum is technically supported by Japan and the content of the website is jointly managed by all member countries.
- The UPOV Office extends assistance to the Forum activities under the cooperative framework of the Government of Japan and in accordance with UPOV's priorities

#### **Comments from CN**

- The UPOV Office extends assistance to the Forum activities ~~under the cooperative framework of the Government of Japan and~~ in accordance with UPOV's priorities

#### **[KH]**

Should be kept it as before. So no need to delete anything it (remain it).

#### **[MM, MY, VN]**

Should not be deleted because the Government of Japan has been contributing in all aspects since the establishment of the Forum.

#### **[TH]**

Please give reasons why these words should be deleted.

### **3. Reporting and Communications**

- Member countries are encouraged to report their cooperative activities after their implementation as well as during the activities to share those experiences and expand those activities in the member countries in a synergistic manner.
- All members are encouraged to plan and implement their activities reflecting information shared by other countries under the Forum activities.

### **4. Revision of the ROP**

- The revision of the ROP may be raised by any member countries and should be adopted by consensus at the Meeting of the Forum.

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