



PROGRESS IN ACCESSION TO UPOV: IMPACT AND CHALLENGES FOR AGRICULTURE IN VIET NAM

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OUTLINE OF THE PRESENTATION

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- How Viet Nam become a member of UPOV

2

- Legal framework for PVP

3

- Implementation of the PVP system in Viet Nam under UPOV convention

4

- Impact on agriculture and socio-economic in Vietnam

5

- Benefits of UPOV's member

6

- Challenges for agriculture

General introduction

- Vietnam is an agricultural country with a high population density and a high percentage of farmers.
- Agriculture is an important economic sector in which crop production accounts for a large proportion (64-68% in 2021).
- In recent years, 10 main agricultural products are *Rice, Coffee, Rubber, Pepper, Wood, Fruits, Cassava*. 4 in the top 10 key import-export products of Vietnam in 2022 is *Rice, Coffee, Rubber, Wood*





How Viet Nam become a member of UPOV



2 main stages

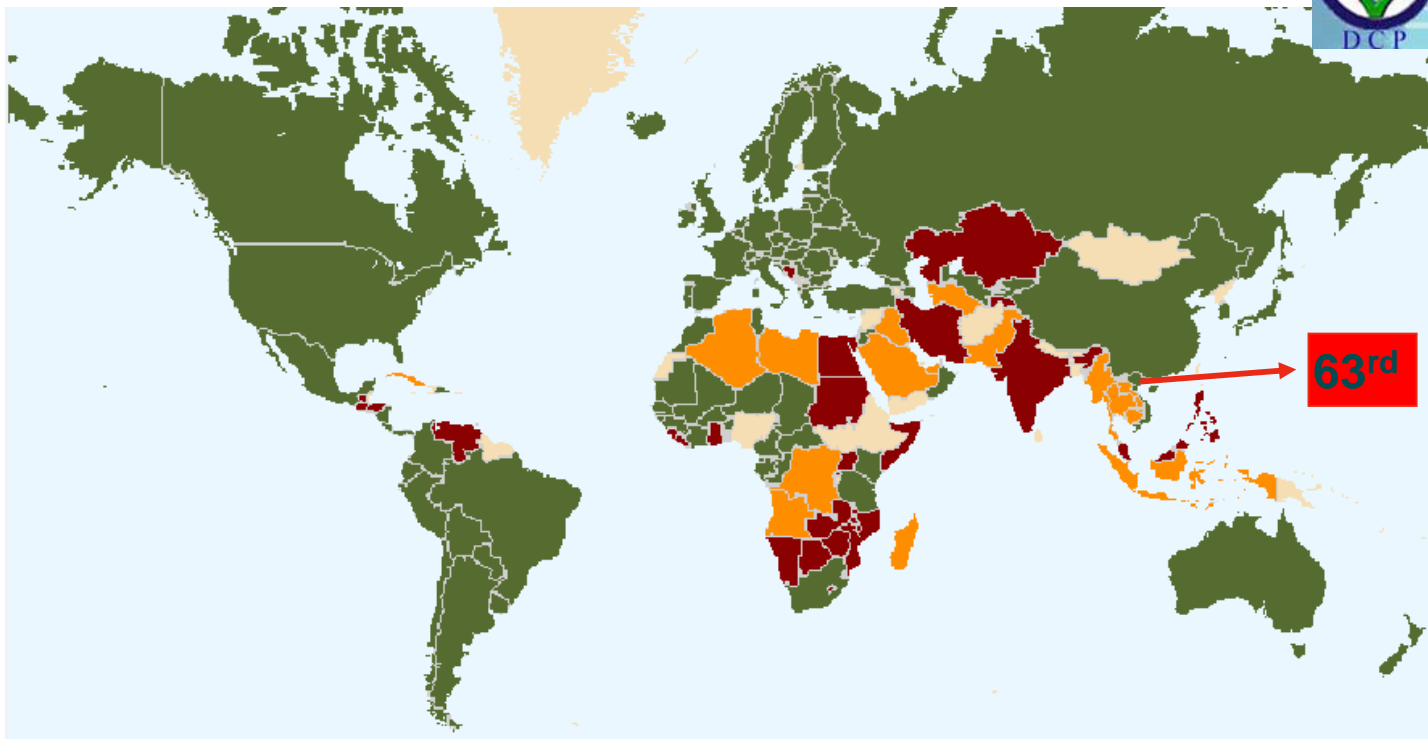
1995 – 2000: Study, learn the nature of PVP

- Staffs, officials were dispatched for training abroad about PVP.
- Invite experts from countries with experience in PVP and legal consultants from UPOV

2000 – 2006: Establish a national PVP system and join UPOV

- Establish PVPO, set up DUS testing system.
- In 2005, IP law was in force and Viet Nam became a member of UPOV in 24th December 2006

Members of UPOV (24th Dec, 2006)



Members of UPOV (74)

Initiating States (15) and Organization (1)

States (23) and Organization (1) in contact with the UPOV Office

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



Legal framework for PVP



2000

Decree 13
on PVP

2004

Seed Ordinance
(Chapter 4)

2005

IP Law
Revised in
2009, 2019,
2022

Decree 88

Dcree 105

Circular 16





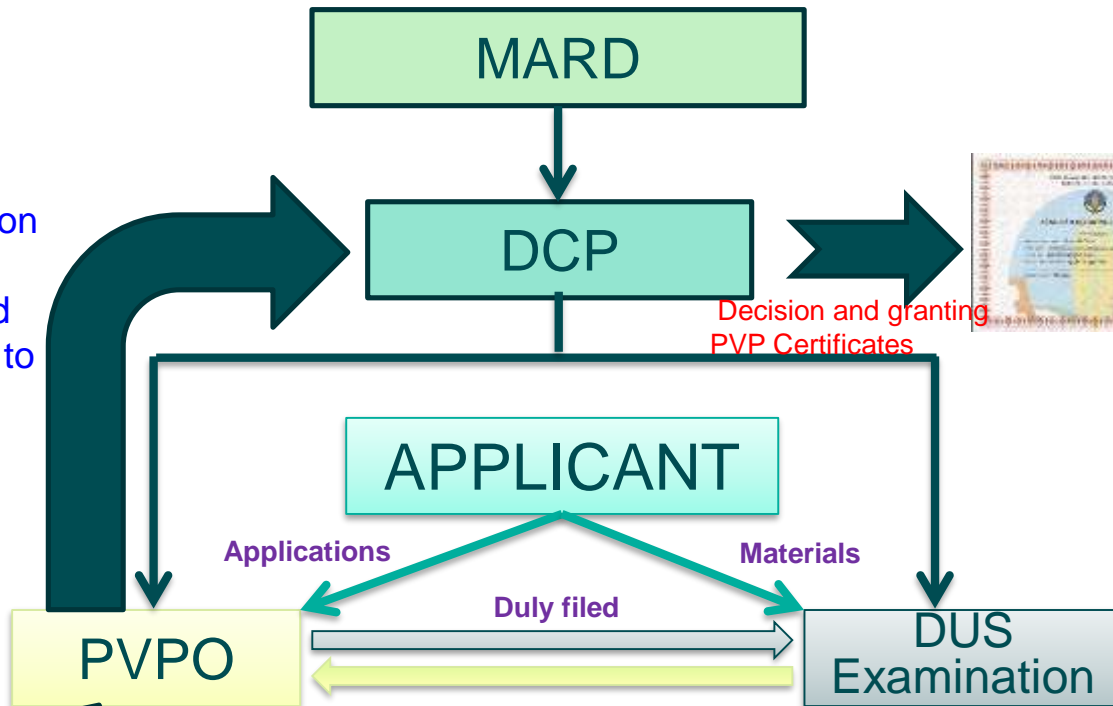
Implementation of the PVP system in Viet Nam under UPOV convention



ORGANIZATION



Publication
and
proposed
decision to
grant

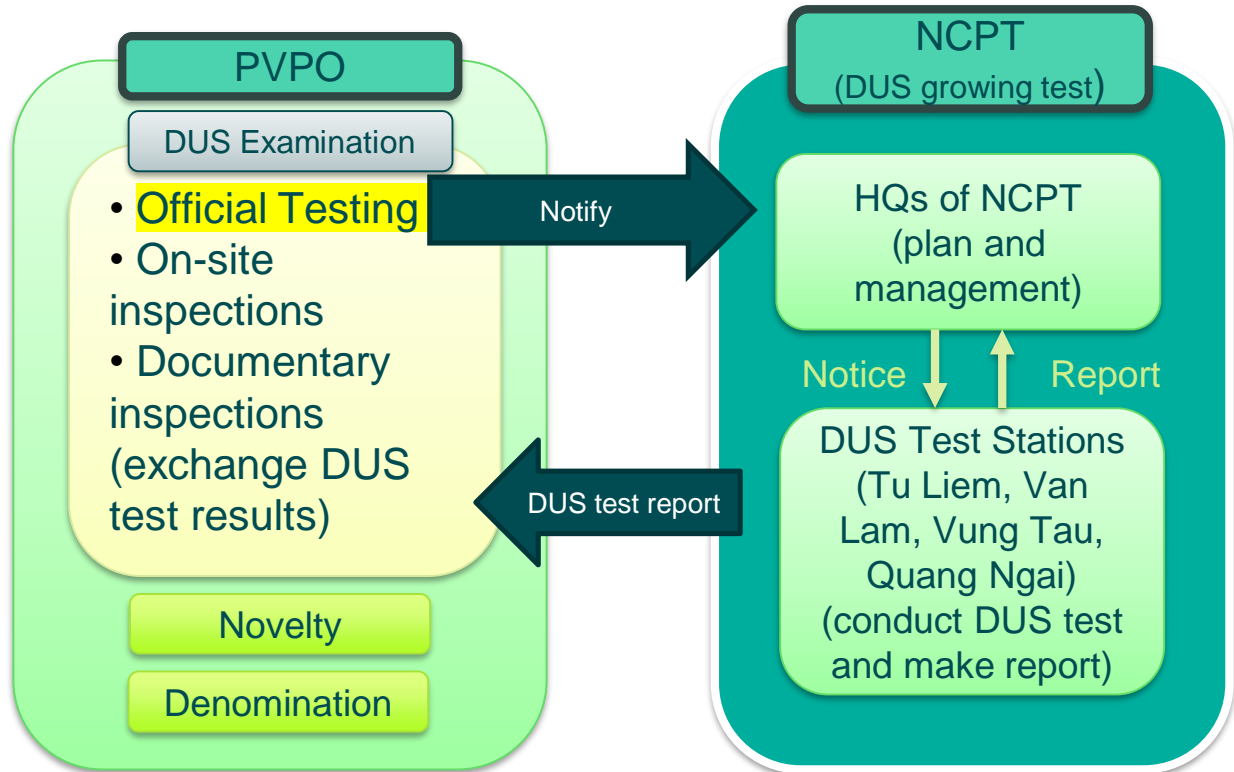


Decision and granting
PVP Certificates




- 1) Formality
- 2) Examination: Novelty
Denomination
DUS

DUS EXAMINATION





DUS testing technical supports

- UPOV documents
 - UPOV TGs
 - UPOV member TGs
 - Official TG for new species
(drafted by PVPO and NCPT)
- 

Fees for PVP (Circular 207)

Filing Fee (USD)	For DUS Test – 1 Var./1Appli (USD)	Annual Fee for Certificate (USD)
85	<ul style="list-style-type: none"> ✓ Rice: 1,011 ✓ Maize: 636 ✓ For the other: Negotiation between applicant and DUS Test Organization ✓ Breeder Testing: The breeder must pay all the costs of conducting the test and the cost of testing 	<ul style="list-style-type: none"> ✓ 1st – 3rd year: 126 ✓ 4th – 6th year: 211 ✓ 7th – 9th year: 295 ✓ 10th – 15th year: 421 ✓ 16th to finish: 848

** When for payment:*

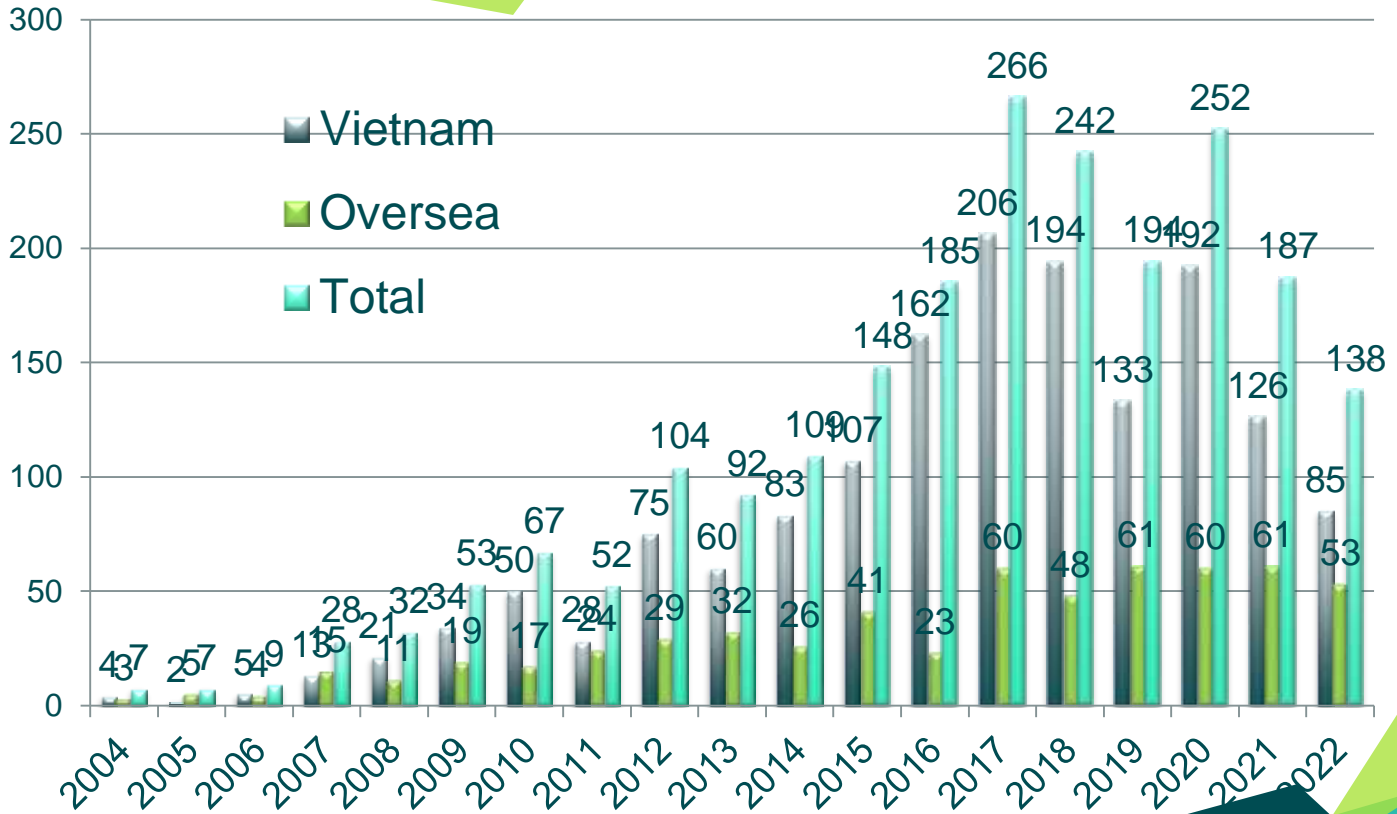
- ✓ First year: within 3 months after granting
- ✓ From 2nd year: within 1 months since renewal date.



Impact on agriculture and socio-economic in Vietnam

University of Agriculture

Applications by year from 2004 to 2022



Income for farmers has increased

Items	Protected Varieties	Non protected varieties
Price of rice seed (USD/1 kg)	1,41	0,65
Price of commercial rice grain (sold by farmer) (USD/1 ton)	297,17	240,18
Average income value per ha for farmer (rice); (USD)	1.931	1.321
Other benefits	<ul style="list-style-type: none"> ✓ Better quality, productivity ✓ Better tolerance for bad climate and diseases, insect ✓ Reduce of invest for production 	<ul style="list-style-type: none"> ? ? ?

* Source: Vinaseed Company (November 2020)



Income for farmers has increased

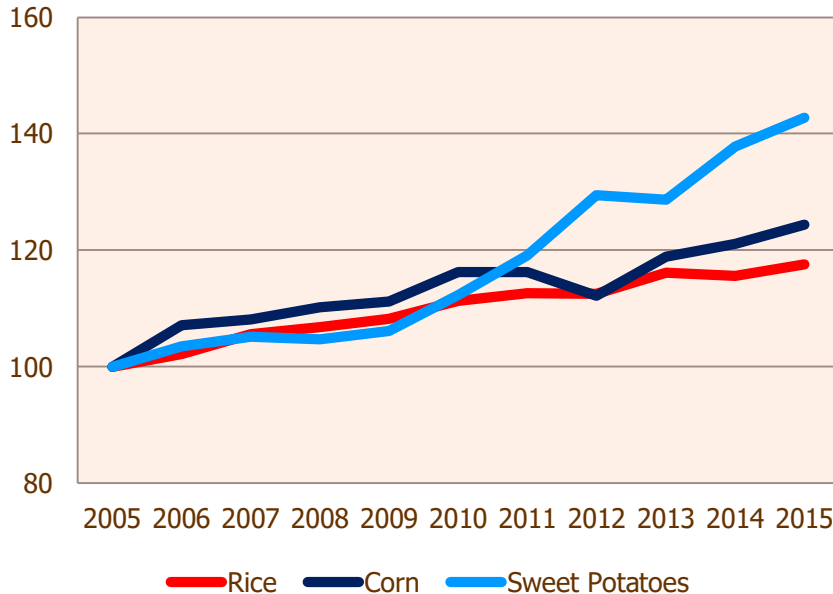
- Cuttings of new flower varieties are 10 to 15 times more expensive than old ones.
- Farmer have chance to increase their income



Increasing agriculture productivity

Plant breeding in Viet Nam: Yield vs. overall productivity developments

Vietnamese yield developments over time: major arable crops (index, 2005=100%)



- Per annum since 2005:
 - rice: + 1.6 %,
 - corn: + 1.8 %,
 - sw. potatoes: + 3.6 %.
- To compare, global yield increases are in the range of:
 - rice: + 1.3 %,
 - corn: + 1.1 %,
 - sw. potatoes: - 0.3 %.
- Can Viet Nam already be considered an out-performer?

Change the mechanism of agriculture production

The Seed distribution system of new Var.

BEFORE PVP

Breeders

No
Professional
distribution
system

Farmer

- Breeders is mainly from public sector, so they don't have a good seed supply system → Seed Quality is not good

AFTER PVP

Breeders

Good
professional
distribution
system

Company

Farmer

Company has a good seed production system → Better seed quality for farmer

Transfer PBR



Royalty



Change the mechanism of agriculture production



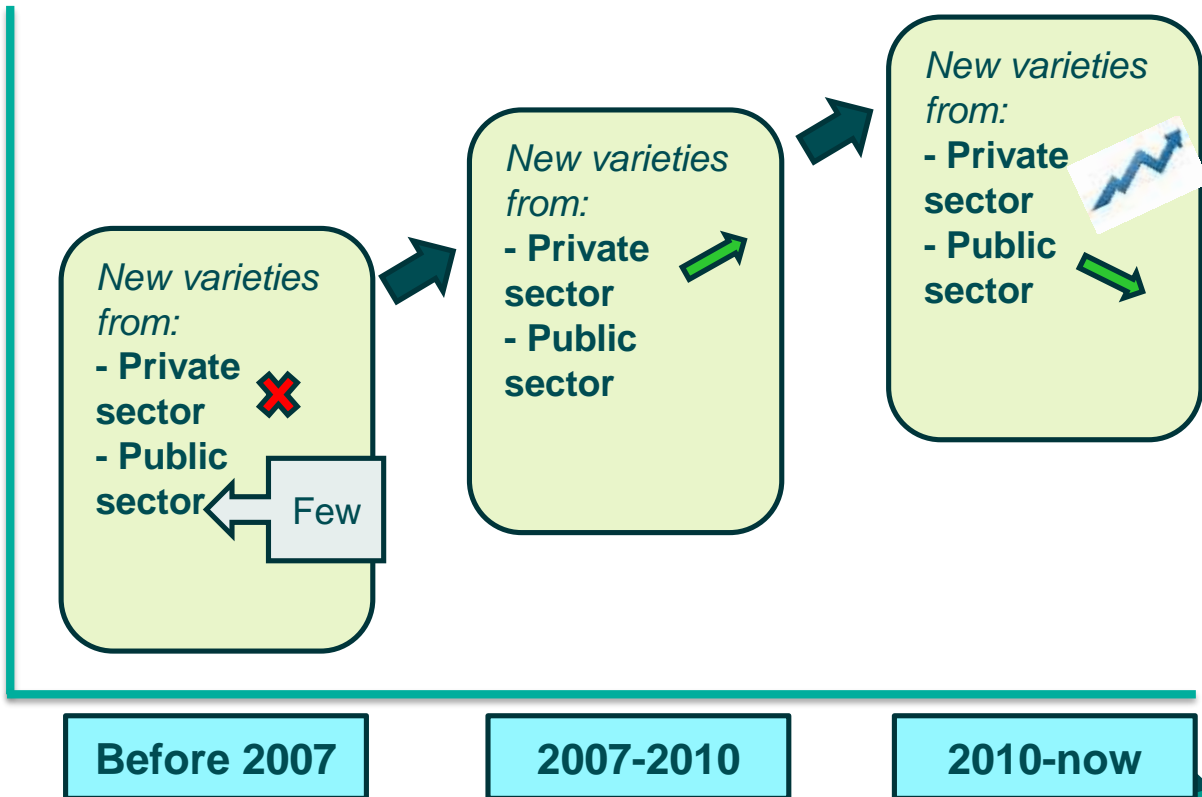
Farmer produce under license from Owners



Waiting to
the aircraft
for
exportation



Encouraging of investment from private sector



Encouraging of investment from private sector

- Before PVP: They mainly focus on commercial activities, not interest in R&D
- When PVP system is established:
 - ✓ 2004-2010: they were transferred PBR from public sector holder
 - ✓ 2010-now: They invested in R&D of new plant varieties
- Now, many of them have their own breeding facilities.
- Some become big companies with very good breeding facilities.



Encouraging of investment from private sector



LAND CONSOLIDATION



RE-ORGANIZED PATTERN
CROP



FOOD VALUE CHAIN



SAFE CROP PRODUCTION



BENEFITS OF UPOV'S MEMBER

Donors and Activities

Country/ Organization	Content	Year
UPOV, USA,EU, Japan, France	Training courses and Workshops on PVP (VN and overseas)	2000 - 2005
Denmark, Japan, France	Equipments, training courses, workshops/seminars	2004 – 2008
EAPVP, the Public of Korea, the Netherlands, Australia	Training courses (Overseas and VN), equipments, Seminars/workshops	2008-2011
Japan (JICA), GNIS (France)	Training courses (Overseas and VN), equipments, Seminars/workshops	2010 - 2014
UPOV, Japan (EAPVP)	Training courses (Overseas and VN), Seminars/Workshops	2014 – now
UPOV, Japan (EAPVP)	Regional Harmonized PVP Mechanism (E-PVP Asia)	2018 – now

Capacity of PVP System is strengthened by the support from UPOV and UPOV's Members



TU LIEM STATION



VAN LAM STATION



PVPO



BA RIA STATION



QUANG NGAI STATION

Improving capacity by the cooperation on examination

Country

Signing date

Photos

Japan

August, 2007
April, 2016 (free of charge)



France

January 2011



The
Netherlands

March, 2011



EU

May 2011



Singapore

2016
VN provide DUS Testing service

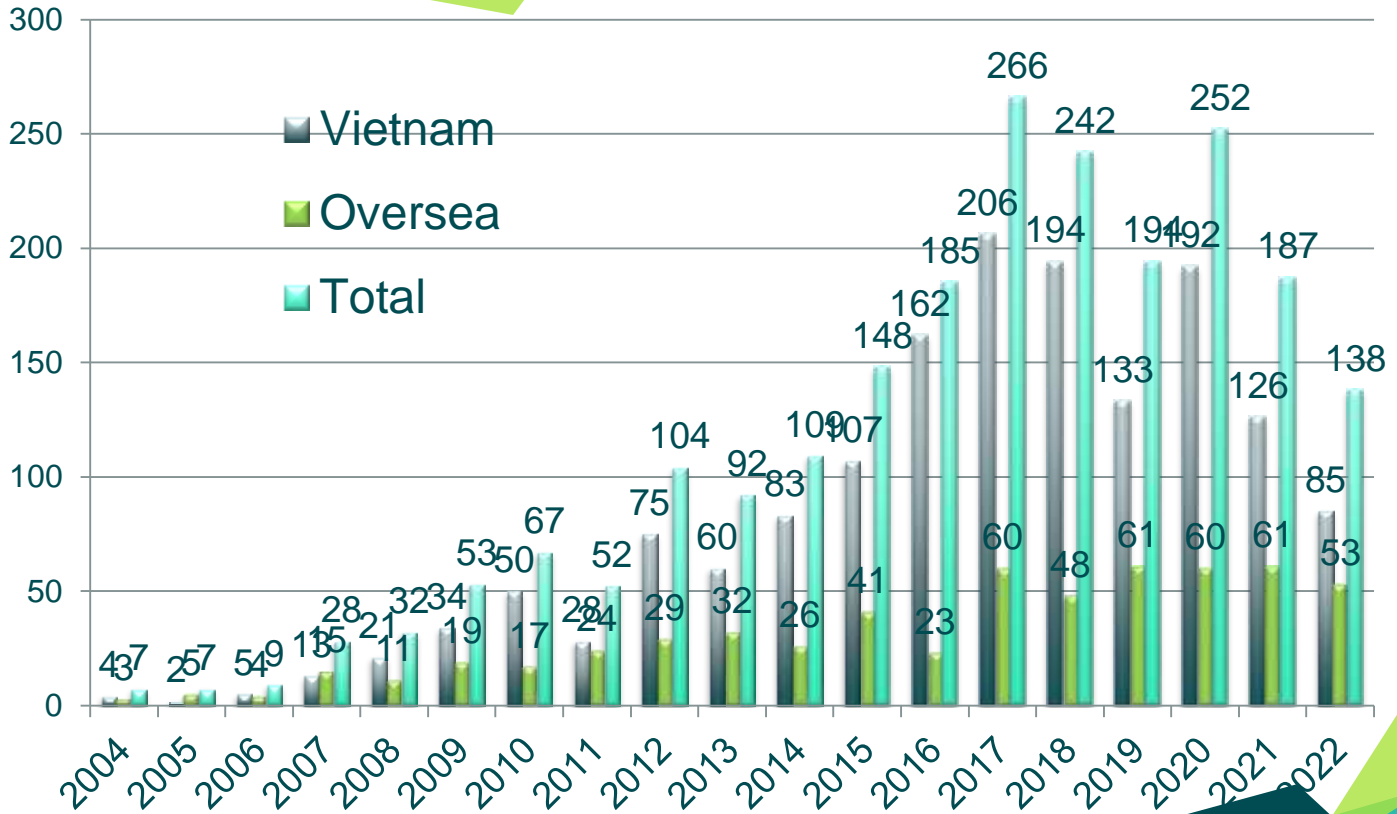
- ✓ Negotiation: Email
- ✓ Signing by each side then exchange through Post mail.

Korea

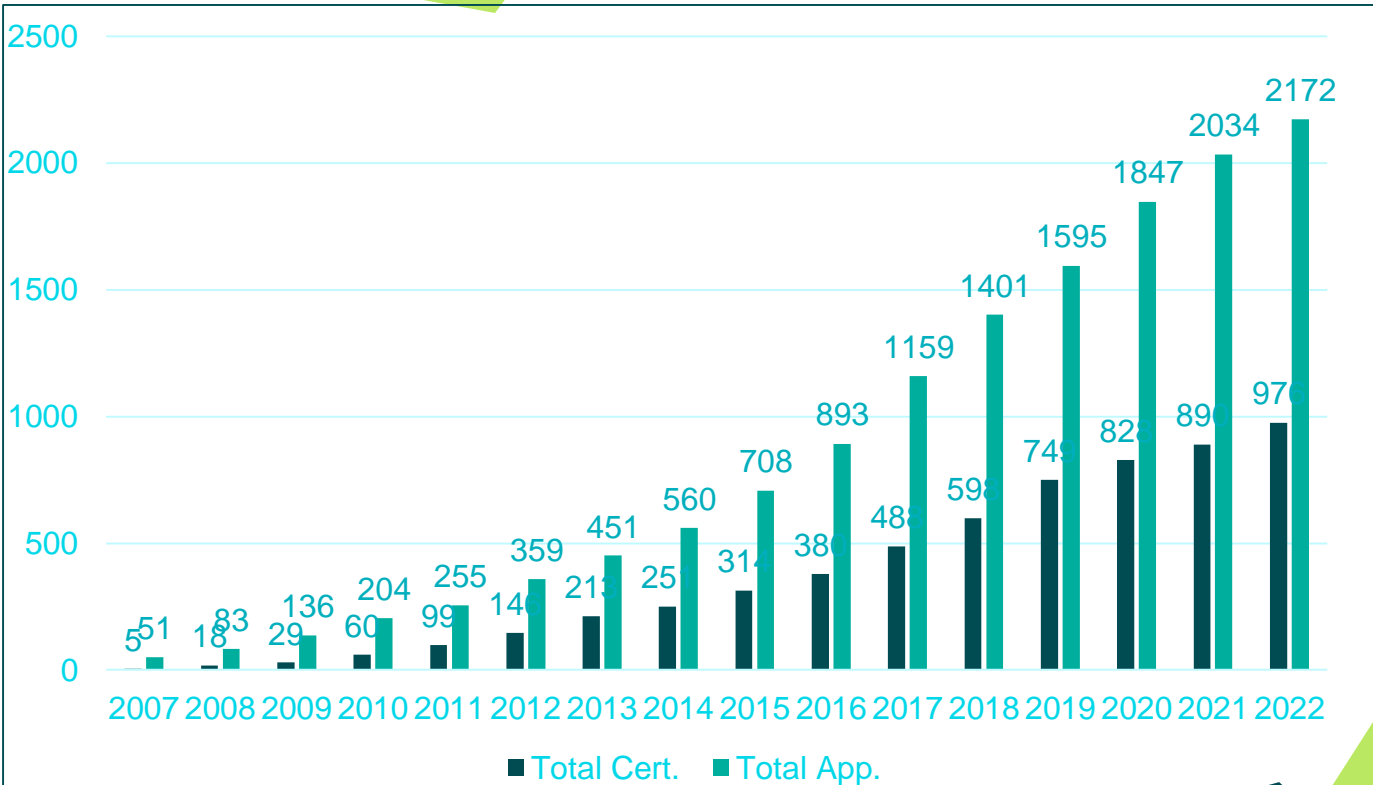
April, 2017



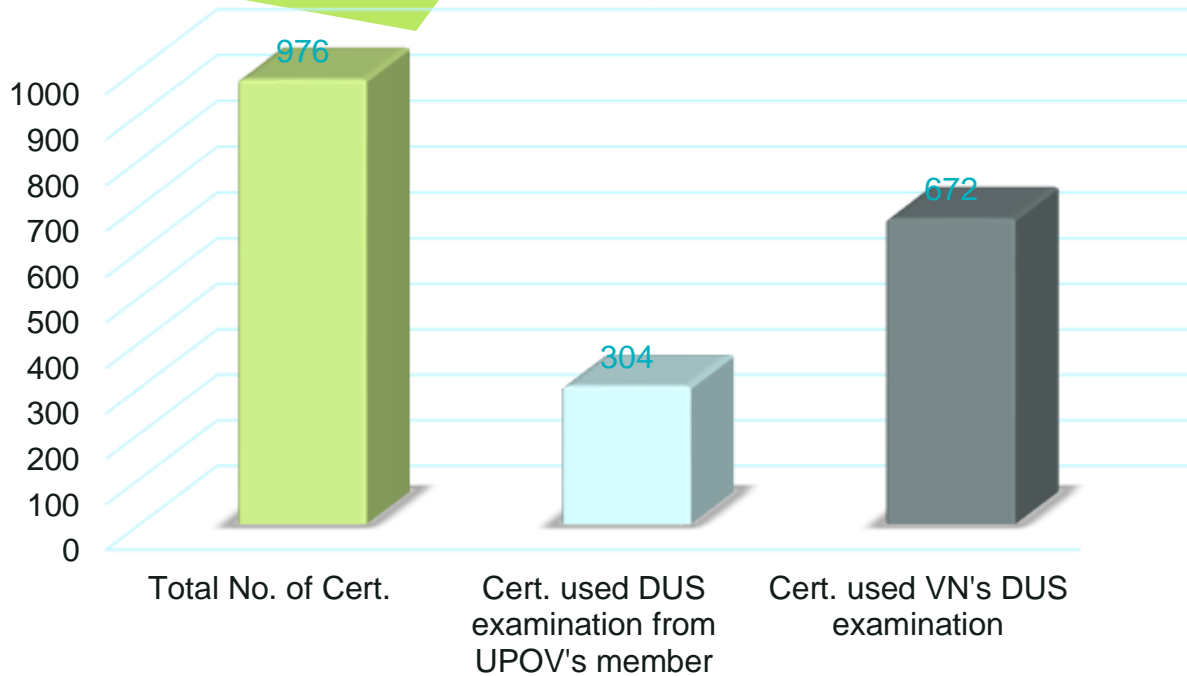
Applications by year from 2004 to 2022



Total of application and PVP Certificates (2022)



No of Certificates granted



■ Total No. of Cert.

■ Cert. used DUS examination from UPOV's member

■ Cert. used VN's DUS examination

JICA Project (7.2010 – 7.2014)

◆ Out put of PVP Component

◆ Activities

Improve the PVP application management system

Establish an effective DUS Testing system for NCPT

The awareness of officers, breeders, seed companies and stakeholders on PVP is improved

- ✓ Evaluate and review the task within PVPO at that time.
- ✓ Suggest better PVP application management system
- ✓ Review the condition of DUS test at that time.
- ✓ Revise and develop new TGs
- ✓ Support the implementation of DUS Test
- ✓ Support intensive training of DUS Test
- ✓ Hold seminars and workshops for stakeholders
- ✓ Develop brochures

JICA Project (7.2010 – 7.2014)



Database Management System

Manual for implementation of rice

HUMAN RESOURCE

- 39 officers and staffs were trained in ThaiLand, Korea, Japan and Netherlands.
- All DUS examiners in NCPT participated in the training course from Basic – Intensive in VN and Overseas.
- DUS Testers are equipped basic skills of DUS Test.
- About 500 persons understood the basics of PVP.

	Equipments	Beneficiaries
1	Net-house	Tu Liem; Baria Vungtau
2	Tractors and other tools for soil preparation	Tu Liem; Van Lam; Baria Vungtau
3	Equipments for DUS: Camera, RHS color chart, Ruler, Color printer, Computer ...	PVPO; NCPFT, Tu Liem Station, Van Lam Station, Baria-Vungtau Station
4	Cold storage	Tu Liem, Van Lam, Ba ria – Vungtau
5	Car (Prado)	Department of Crop Production (DCP)

Training course for PVP in the Netherlands 2011



Training course for PVP in Korea 2016



JICA Training course for PVP in Japan 2017



JICA Training course for PVP in Viet Nam



Regional Training course for DUS test (Vung Tau)

Training course on DUS test for Maize in Vung Tau (VN, LAO, CAMBODIA)
– Funded by GNIS, France



GEVES Examiner's lecture of Corn



Examining the char. with Lao's and Cambodia colleagues



Measuring some char. of Corn



Presentation on result of practical work

DUS training course for Rice – 2014 (EAPVP)

LECTURES IN THE ROOM

PRACTICE



Tomato course (Tuliem station 10.2015) – UPOV/Japan

LECTURES IN THE ROOM

PRACTICE



DUS Test for corn – 2016 (UPOV, Japan)



Watermelon course 2017 – Quang Ngai (UPOV/JP/NL)



LECTURE



PREPARE FOR PRACTICE



PRACTICE



REPORT BY GROUP



RECEIVING CERTIFICATE



* By the cooperation between VN, UPOV, JP and NL



E-PVP Asia Meeting



Challenges for agriculture

Transition to
the



- Vietnam is very diverse in plant genetic resources. Since 26th December 2016, VN protect all generas and species, PVPO received many applications of new species while human resources are lacking, lack of experience in examining DUS test for new species.
- The enforcement of PVP has not been yet very effective in the context of strong growth in agricultural production along with increasing export of agricultural products



**Thank you very much
for your attention!**



Any questions?

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