



UPOV EAPVP Forum

MAFF
Ministry of Agriculture, Forestry and Fisheries

Awareness workshop on Plant Variety Protection under the UPOV Convention

Expectation of PVP in line with UPOV system

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Jointly organized by

DOA, MAF (Laos), UPOV, EAPVP Forum and MAFF (Japan)

19-20 December 2018, Vientiane Plaza Hotel, Lao PDR



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I. PROLOGUE TO MYANMAR AGRICULTURE



Country's Profile

Area Total	676,578 km ² (261,228 sq mi) ,
land/water resources	Land - 96.94%, Water - 3.06% 40th largest country by area & 24th most populous country in the world, estimated population of 53.86 million (70% live in rural area) Myanmar has full control over most of its water resources; more than 19,000 m² per capita each year, which is about 9 times the available levels in China, 16 times India and 16 times Bangladesh.
Coastline	1,930 km
Climate	tropical monsoon; cloudy, rainy, hot, humid
Coordinates	22° 00'N 98° 00'E (different ecology favorable for several kinds of crops)

Myanmar has a huge potential to become a **credible global food supplier** **Due to her ecology and resources**

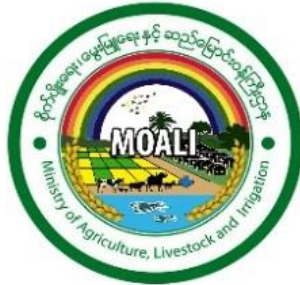


- 🌐 Agriculture-based country (as other developing countries)
- 🌐 Agriculture plays a crucial role in Myanmar Economy

📌 Statistics:

Agriculture in

- GDP: 37 % (AO 2018)
- Total export :25-30 %
- Employs labour force 70%



- To attain economic potential, Myanmar is seeking the ways/ preparing the necessary policy , Law, R &R to intensify its agriculture during transition period.
- Land Use and Management Policy
- Water and Land Management Policy
- Agricultural financing Policy
- Agricultural Mechanization and Input Policy
- Cooperative Enterprise and Cooperative System Development Policy
- Rural Infrastructure Development Policy
- Research, Development and Extension Policy
- Marketing, Value-added Processing and Export Policy
- Governance, Institutional and Human Resource Development Policy
- Environmental Conservation and Climate Change Resilience Policy
- **SEED POLICY**
- **PVP POLICY (not confirm)**
- Agriculture Research Policy (not confirm)

Setting up the laws to support Agricultural Development

Plant Pest Quarantine Law **1993**

**Farmers' Right Protection and Enhancement of their
Benefit Law** **2013**

The Law Amending the Seed Law & The Seed Law **2015**

**The Law Amending the Fertilizer Law & The Fertilizer
Law** **2015**

Pesticide Law **2016**

New Plant Variety Protectic

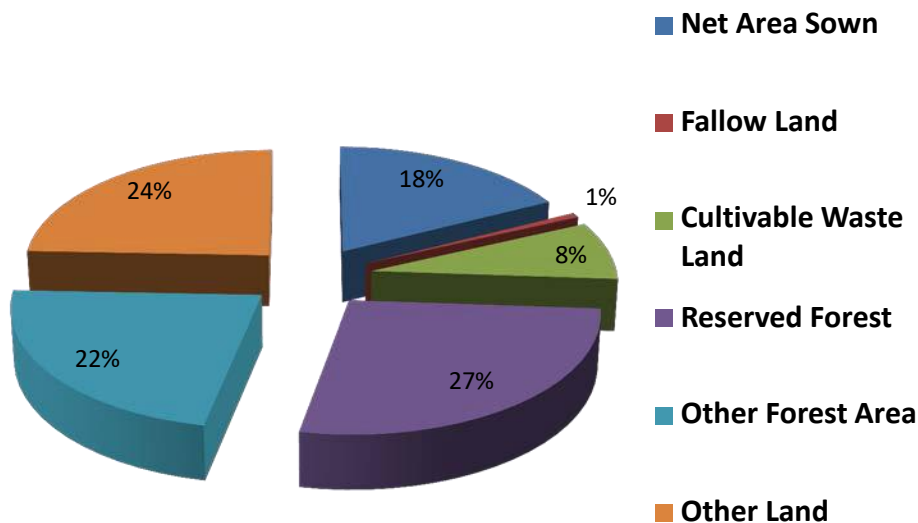
2016



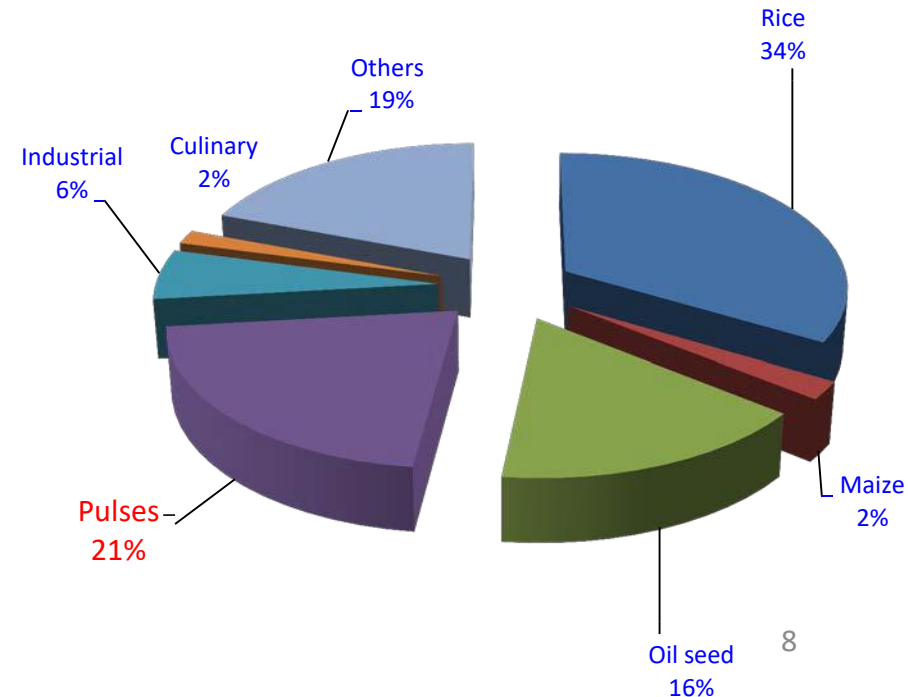
Structure of Crop Industry in Agri-business

- Total land area 67.66 million hectare, virgin soil are still a lot.
- Potential to go on with expansion of agricultural activities organic like agriculture

2015-2016 (Million Ha)



Sown area of Crop Groups in 2015-2016



Major crops

- Rice
- Maize
- Peas & Beans
- Oil Seed Crops
- Industrial Crops
- Horticulture/ Ornamental Crops



National Seed Industry

Moving of Seed Industry

Informal seed system

Ministry of Agriculture, Livestock and Fisheries

Integrated Seed Sector Development

Development Plan in order to develop

the seed sector and invite the private

participate in

seed production

under MC

When PVP

system

powerful? Very

High Expectation of

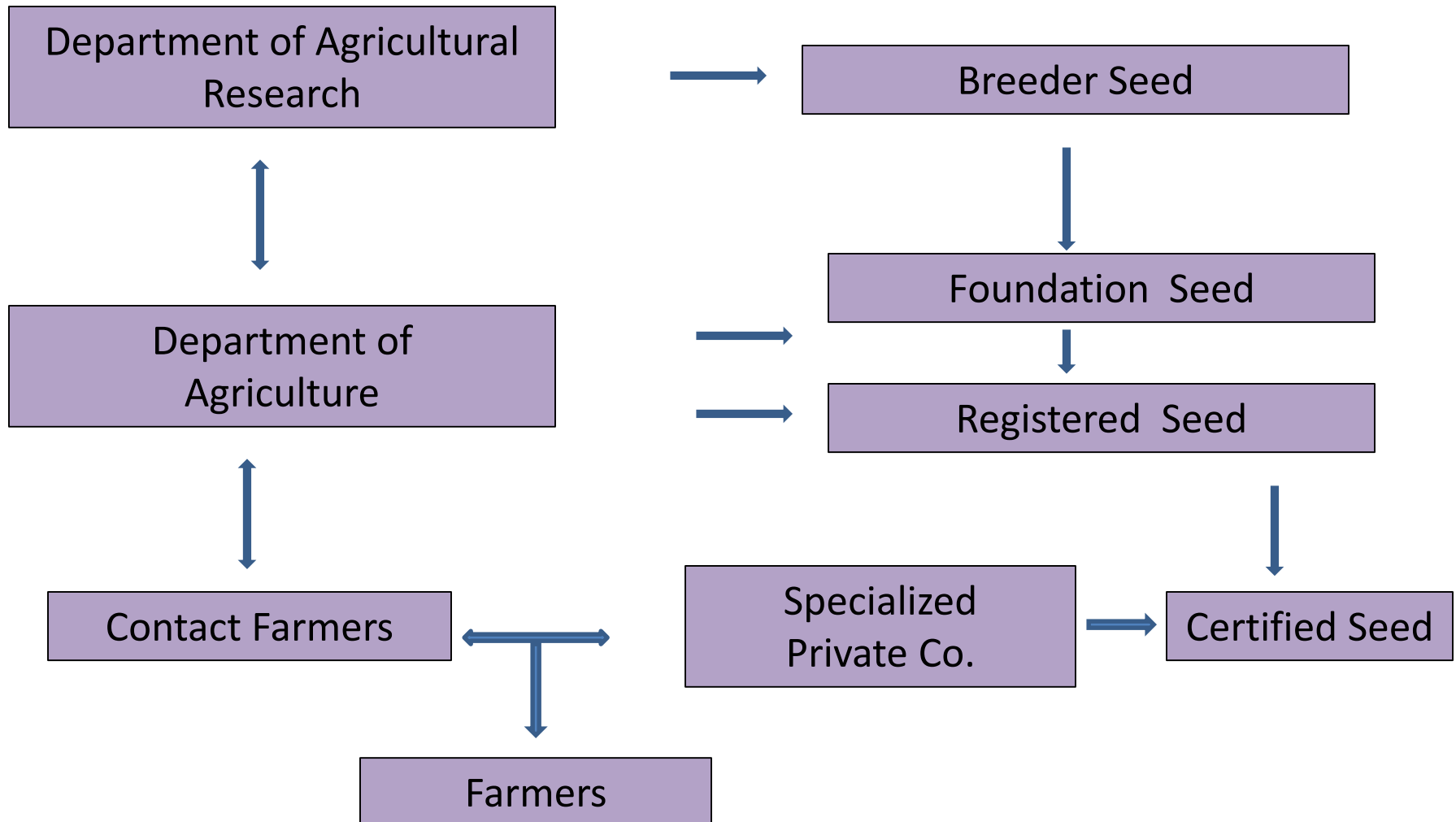
us

Seed Growers Association

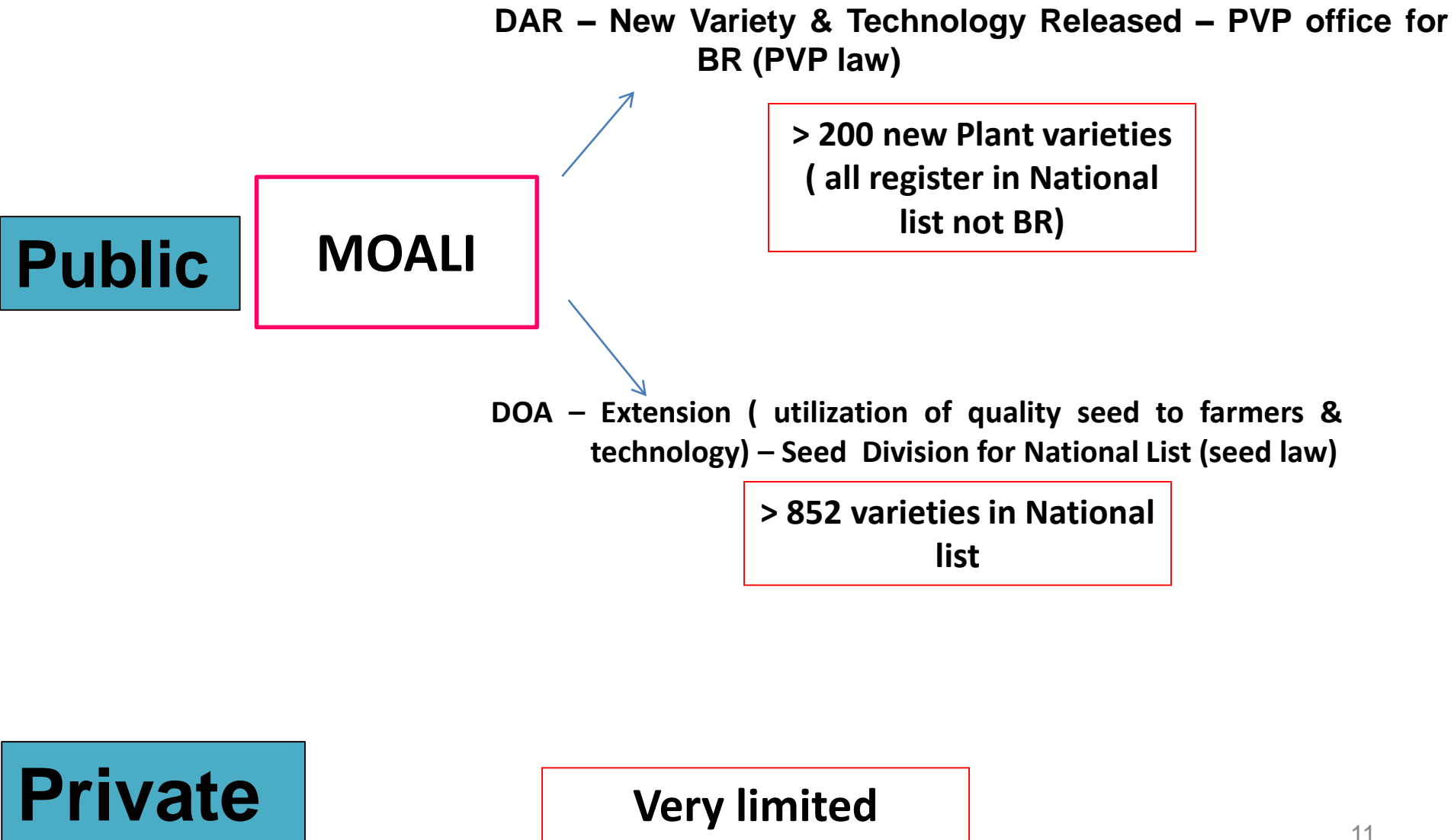
Joint Venture Private Quality Seed Production

To Promote domestic and foreign direct investment in agriculture sector

Current model - Seed Industry (Private - Public – Partnership)



National Seed Industry





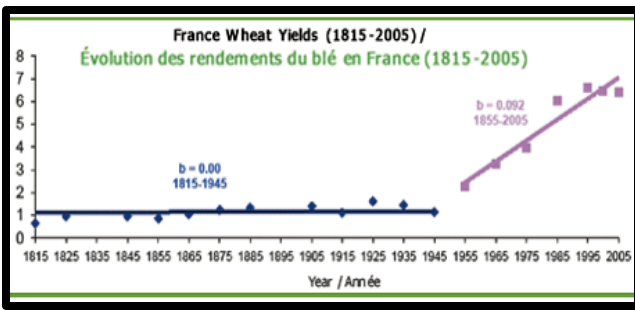
II.BENEFITS & EXPLOITATION OF PVP

BENEFITS OF PLANT VARIETY PROTECTION (PLANT BREDEER'S RIGHT)

What is PVP? How to relate with the development & utilization of New Plant Variety for our society.

➤ **PVP System is a system to protect the new plant variety which developed by the plant breeder by giving exclusive right to him to exploit it under the control of the related law (PVP law).**





Economic Benefits

such as varieties with improved yields which lead to reductions in the price of end-products for consumers, or improved quality leading to higher value products with increased marketability;



Health Benefits

for example through varieties with improved nutritional content,



Environmental Benefits

such as varieties with improved disease resistance or stress tolerance; and



Pleasure

such as that afforded by ornamental plants.

1. Promotion of Breeding

- PVP provides breeder of new plant variety with the exclusive right to exploit it.
- Increase of investment in breeding efforts such as number of studies/ researches was proven with the adoption of PVP in some countries (Van Wijk, 1995)
- PVP creates incentive for R&D



2. Introducing Foreign Varieties

- Breeders from abroad wish to be able to protect their long-term investment by expanding their market of new variety.
- PVP encourages influx of foreign varieties with superior characteristics into the country to boost the national agriculture, horticulture & forestry.
- For country with smaller domestic breeding sector and seed market,
 - farmers: able to obtain good varieties, PVP provides more choices
 - local breeders: obtainable good sources of germplasm for the use of breeding to advance local breeding program.

- Foreign varieties can be used for further breeding with local varieties.
 - using protected var. for breeding is allowed under PVP
 - enables technology transfer and effective utilization of genetic resources
- Expand genetic diversity
 - accessible of foreign superior varieties will create more crossing possibilities between foreign and local varieties and subsequently lead to the increase of new varieties, thereby expanding the biodiversity /gene bank



3. Production for Export

- New variety to be exported must meet the needs of foreign markets e.g. ornamental plants
 - Access to valuable foreign-bred varieties enables domestic growers and producers more scope to improve production and also more scope to export their products. This incentive will strengthen the competitiveness of our agriculture sector.
- PVP redirect the focus of local breeder in developing potential variety for export purposes

e.g. Imaginary example:

Before being rose exporter

Myanmar: Blue rose is not popular, breeder works on breeding more popular colour such as pink and red.

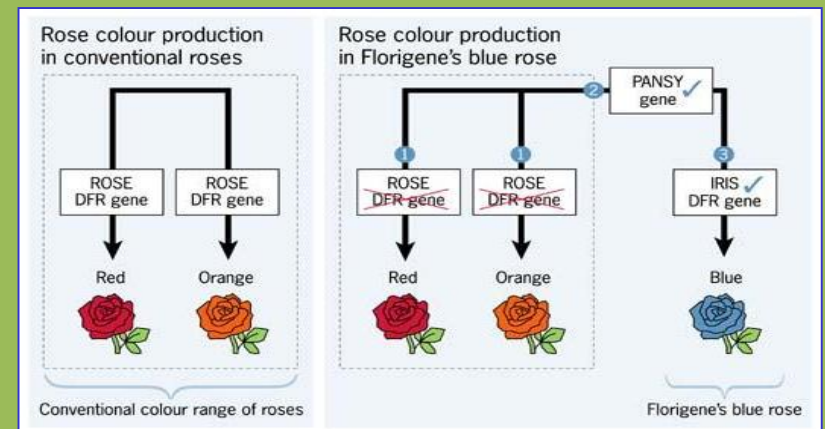
European: In favor to have natural but not “artificial” dark colour rose e.g. black rose and blue rose.

After being rose exporter to European countries

Myanmar: would like to expand her market to European to introduce more variety choices to importing country, breeder now concentrates on creating dark colour rose.



Genetically modified blue rose in Japan



4. Political consideration

- PVP is complied with other international treaties e.g. Convention on Biological Diversity (CBD), International Treaties on Plant Genetic Resources for Food and Agriculture (IT-PGRFA)
- Removing barriers to trade in varieties → increasing domestic and international market scope
- Having an effective PVP, the country will be treated as a reliable partner in various international forum e.g. APSA, East Asia PVP Forum etc.

Benefits of the UPOV System in UPOV website

✓ In Japan

Tsuyahime, A new rice variety bringing increased income for farmers

✓ In Kenya

Rose industry blooming in Kenya

Discover how the UPOV system enabled Kenya to develop a \$500 million cut-flower industry that employs 500,000 Kenyans

✓ In Canada

Canadian cherry growers benefit from government policy

✓ In Colombia

See how the UPOV system is supporting agriculture and promoting rural development through new improved varieties, with examples of sugar beet and ornamentals

✓ Argentina

Using the UPOV system to benefit custodians of native wild germplasm in Argentina

✓ Ecuador

The role of PVP in the development of a new blackberry variety that improves farmers' working conditions.

✓ Uruguay

How PVP enabled a public breeder to ensure a supply of high quality onion seed to farmers

❖ Cooperation between UPOV members is a key benefit of UPOV membership



III. PVP SYSTEM IN MYANMAR

To implement PVP in Myanmar collaboration with **UPOV, EAPVP & **Naktuinbouw, the Netherlands****

- ⇒ **1994 /1995** - **CBD, WTO's member**
Aware of importance of PVP system and IP Rights
- ⇒ **2004** - **Participated to the UPOV- INGER Workshop**
- ⇒ **2006** - **Participated to conduct DUS test (INGER)**
- ⇒ **2007** - **Member of EAPVP Forum**
- ⇒ **2009** - **PVP TWG started to organize with 10 participants in DAR**
- ⇒ **2003 – to date** - **joined/ organized PVP related Trainings, Workshops and Seminars**
- ⇒ **2016** - **Enacted PVP law**

PVP Awareness Seminar before PVP Law Enacted



1st time PVP system awareness seminar jointly organized by UPOV, MAFF Japan, MOAI Myanmar (19.12.2012)

2nd time PVP system awareness seminar jointly organized by UPOV, MAFF Japan, USPTO, MOALI Myanmar at (5.12.2016)



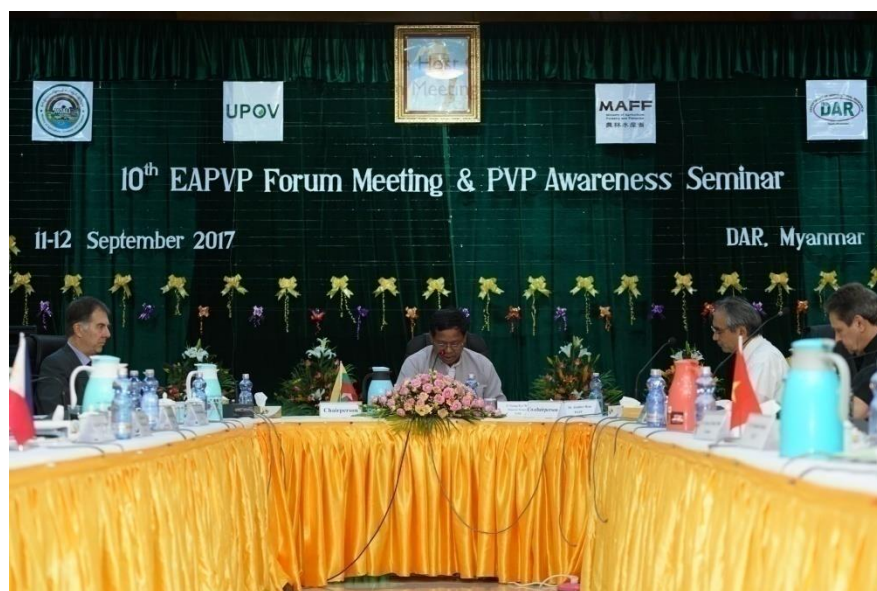
After PVP law enacted



**10th EAPVP Forum Meeting (10.9.2017)
at DAR, Myanmar**



**PVP Awareness Seminar (11.9.2017)
at DAR, Myanmar**



1. In country training for PVP system implementation jointly organized by Naktuinbouw and Wageningen University, the Netherlands and DAR, MOALI, Myanmar at January 2017



2. “In-country Training Course on Test Guideline for Maize” jointly organized by EAPVP and DAR, Myanmar January 22 to 26, 2018.



3. In-country Training Course on “Assistance in Drafting Rice Own TG Protocol” jointly organized by Naktuinbouw, the Netherlands and DAR, MOALI, Myanmar at November 6-9, 2018



**Ministry of Agriculture, Livestock and
Irrigation(MOALI)**

10 dep:, 3
universities

**Director General
(DG), DAR**

DOA

**Deputy Director
General (Dy.DG)**

**Seed Division for seed
registration**

**Director
(Admin)**

**Director
(Rice &
Other
Cereal
Crops)**

**Director
(Oil Seed
Crops &
Food
Legumes)**

**Director
(Industrial
Crops &
Horti:)**

**Director
(Soil,
Water &
Agr:
Engin:)**

**Director
(Biotech:,
Plant
Genetic
Resources
& Plant
Protection)**

**Director
(Agro:,
Agr:
Economics
&
Statistics)**

Total of 26 Sections and 25 Satellite farms are well set up

**PVP
Section**

- ⇒ Set up in May, 2016 to grant PBR ,
- ⇒ DAR, Yezin, Nay Pyi Taw, MYANMAR

iii. Procedure for application of new variety to get BR

- Current PVP law enforced
- Amending the existing law in line with UPOV 1991 act

Filing of Application

PVP Office,
DAR

<http://www.dar.gov.mn>
&
Daily News Paper (gov:)

Publication of Application

Novelty,
Denomination

Examination

- official test
- inspection at breeder field
- checking documents
- purchase test report (others)

PVP/DUS examiners

DUS Test

Novelty,
Denomination

Publication ,Decision

PVP office
report

To grant PBR by NPVPC

Contact address-
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Ph(tel): +95 67 3416531 ext:314
Ph (mobile): +95 9 250538086



IV. EXPECTATION OF HARMONIZED PVP SYSTEM under UPOV

Myanmar Adopted on why PVP is important!!!!

- in most developing countries including **Myanmar**- The agricultural sector is the backbone of the economy and employment
- (GDP) -- > 50 % & up to 80 % of the active population earn their living in agriculture.
- But in most of these countries, agricultural productivity is extremely low
- One of the reasons for poor agricultural performance in many developing countries is a lack of progress in improving the performance of traditional plant varieties over the centuries





**1st time PVP law amendment
meeting with UPOV lawyer in
Myanmar at 2016**



**2nd time PVP law amendment
meeting with UPOV lawyer in
Myanmar at 2017**



**3rd time PVP law amendment
meeting with UPOV lawyer in
Myanmar at 2018**

- Law draft Passed at UPOV Council Meeting 94th session of the Consultative Committee & 41st ordinary session of the Council (25/26.10.2017) to become UPOV member

- Already sent PVP law draft to UAGO to review

Moving to become UPOV membership

Information share about Vietnam (UPOV member since 2006)

- Whereas approximately USD 3.5 billion have been added to GDP when looking at rice, corn and sweet potatoes, ...
- ... an additional GDP of at least USD 0.2-0.3 billion has been added by having invested ten years into plant breeding for flowers.
- Indeed, Viet Nam has become one of the fastest growing flower markets.

Ref; Vietnam ppt at 10th EAPVP meeting

Work Flow of New Law to Enact

- UAGO
- President office
- EC member meeting
- S,P, S committee

Parliament

- National/ Public...
- Pyidaungsu Hluttaw
- Enact new PVP law

To become UPOV
member



V. SWOT ON MYANMAR PVP

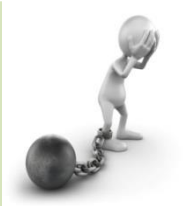
Strength

- Agriculture based country
- Related law (PVP law) enacted
- More awareness among top management level
- PVP amending law accepted by UPOV 94 session meeting
- Initiate pilot project for PVP application to granting procedure in the region



Weakness

- Weak awareness all stakeholders
- No internal readiness (law enforcement , R&R, TPVPC)
- some articles of existing PVP law are not in line with UPOV 1991 acts
- Poor capacity building in PVP technical & administrative
- weak collaboration in the local
- take a time (not limit) to enact new law



Opportunity

- More collaboration w
- To become UPOV member after new law enacted
- Gemplasm resource / good environmental resources
- More opportunities will be easily achieved by joining UPOV;
- Competitiveness among breeder will become active.
- Farmers can obtain high-quality seeds- breeding work and high demand of new variety



Threat

- Sustainable policy is important
- UPOV Membership fee Sustained Government support needed
- Possible higher cost of seeds/planting materials
- Obligation to comply with UPOV Regulations
- important to maintain systematically existing genetic resources.





Looking to the way forwards

Future Collaboration Activities ?????



LET's KEEP in touch with each other to
construct together good PVP environment
for our society



THANK YOU TO ALL