

EAPVP Forum

East Asia Plant Variety Protection Forum
17th Annual Meeting
2024

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INDIVIDUAL IMPLEMENTING STRATEGY OF THE PHILIPPINES

prepared by the Philippine PVP Office

1. National goal (for the next 10 years: 2018 to 2027)

- 1-1. To have an effective plant variety protection system that is beneficial in attaining diverse and sustainable agriculture in the country.
- 1-2. To strengthen cooperation endeavors among neighboring countries through a plant variety protection (PVP) system that aims to contribute to the enhancement of plant breeding activities in the Philippines, benefiting both plant breeders and farmers.

2. Objectives with analysis of challenges (for the next 3 years)

To effectively achieve the National Goal set by the Philippine PVP Office, the following objectives are identified for the next three (3) years:

2024

To increase the awareness level of various stakeholders on the importance of Plant Variety Protection and the benefits and significance of UPOV in the implementation of Plant Breeders' Rights.

Challenges:

- Fallacious impression of some farmers with regard to the Plant Variety Protection such as its importance, procedures, and benefits;
- Different perspectives of various Non-Government Organizations towards the UPOV accession; and
- UPOV accession will require political will, hence all the stakeholders, which includes policy makers and regulators, should have a common understanding regarding this matter.

2025

To review and revisit the implementation of Plant Variety Protection in the Philippines and identify the gaps, challenges in the execution of crucial provisions of the law and identify measures in addressing them.

Challenges:

- Lengthy and complex review process to effectively identify the existing challenges;
- Ensuring that the identified measures and action plans are strictly implemented; and
- Need for stronger policy support and integration of other relevant Laws.

2026

To effectively implement the various activities identified in the Five (5) Year Roadmap for strengthening the implementation of PVP in the Philippines.

Challenges:

- Need support from various national government agencies to effectively implement the activities in a timely manner;
- Maintaining consistent political and institutional support over the five-year period and securing long-term commitment from all stakeholders involved in the PVP system;
- Ensuring the participation of farmers or the so-called “Farmer Breeders” and marginalized groups in the PVP system; and
- Aligning and integrating PVP goals with other national development plans and strategies.

3. Planned activities and Road map (for the next 3 years)

The Philippine Plant Variety Protection Office is currently drafting its Five (5) Year National Roadmap for strengthening the implementation of Plant Variety Protection (PVP) in the Philippines. This roadmap will outline the PVP Office’s goals and specific objectives for the next five years. It will serve as a guide on how to attain the overall goals through various initiatives and the decision-making process along the way.

Below is a portion of the roadmap that shows the planned activities for Fiscal Years 2024, 2025, and 2026:

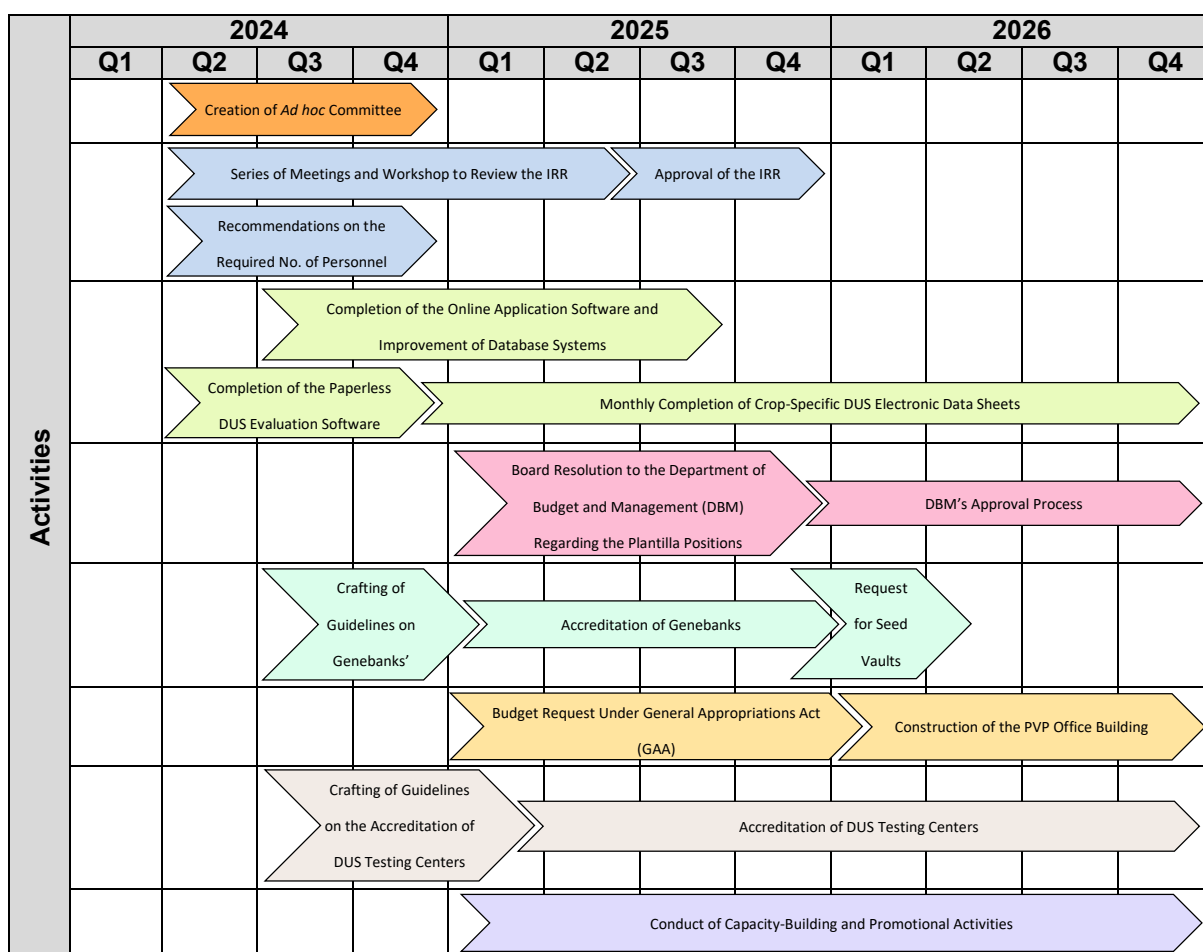


Figure 1. Timeline of activities based on the Five (5) Year Roadmap of the Philippine PVPO.

Details of the Activities Specified in the Timeline of the Roadmap:

1. Creation of the *Ad Hoc* Committee

Description:

An *Ad Hoc* Committee will be created to conduct a comprehensive review of the existing PVP Act and its Implementing Rules and Regulations (IRR). The PVPO will request various public and private institutions to send nominations for the membership of the said committee. A Special Order will be drafted for the creation of this committee for the approval and signature of the Department of Agriculture (DA) Secretary.

Their functions will be as follows:

- a. Conduct a detailed review of the PVP Act and the various provisions in the IRR;
- b. Identify the provisions that are not fully or not yet implemented and the reasons or gaps in the execution of these provisions;
- c. Provide recommendations to the National Plant Variety Protection Board (NPVPB) and the DA Secretary on how to address various issues and concerns on the execution of the IRR, such as the required number and functions of the plantilla positions for the PVP Office; and
- d. Review and finalize the draft revision of the IRR, ensuring that this Roadmap will be included.

Agencies Involved:

- PVPO, DA Offices e.g. Office of the Assistant Secretary for Policy and Regulations, Private and Public Breeding Institutions, and State Universities and Colleges (SUCs)

Duration:

- The *Ad Hoc* Committee is expected to be created in the 3rd quarter of 2024 and the Special Order will remain in force until the approval of the proposed IRR revision.

2. Review of the PVP Act and Revision of the IRR

Description:

The *Ad Hoc* Committee, that will be created in the 3rd quarter of 2024 through a Special Order, will conduct a series of meetings and workshops aimed at comprehensively reviewing the implementation of the PVP Act. The objective is to provide holistic recommendations on addressing the gaps and challenges in executing various provisions of the law through its IRR. Additionally, the committee will prepare a draft revision to the existing IRR, serving as its final output. Alongside the draft revision, the committee will also endorse recommendations regarding the required plantilla positions of the PVPO and their assigned duties and responsibilities to the National Plant Variety Protection Board through the Acting Registrar of the PVPO.

Agencies Involved:

- Members of the *Ad Hoc* Committee from various institutions

Duration:

- The meetings and workshops will commence in the 3rd quarter of 2024. The final output, including the revised IRR, is expected to be finalized and approved by the 3rd quarter of 2025; and
- The recommendations and other relevant documents on the required number of plantilla positions and their duties and responsibilities are expected to be endorsed in the 4th quarter of 2024.

3. Digitalization of the PVP Process

Description:

Streamlining the PVP process can be achieved through digitalization. One key initiative is to digitize the entire process involved in the protection of new plant varieties, from the filing of applications to the issuance of the Certificate of Plant Variety Protection.

The plan includes developing a web-based application system for PVP, allowing applicants to track the status of their applications in real time. This will also enhance efficiency, as payments can be processed online. In addition to the online application system, the DUS assessment will also be digitized. A paperless evaluation system will replace the traditional method of data gathering and variety characterization during the DUS trial.

Lastly, all database systems of the PVPO will be improved to ensure they comply with the provisions of the PVP Act as well as international standards. This includes a publicly accessible registry of all protected plant varieties, containing information on their status and details. Additionally, the office is actively involved in strengthening local crop varieties, including farmer-bred varieties, through the creation of a comprehensive registry database.

Agencies Involved:

- PVPO

Duration:

- The initiatives for digitalization are already ongoing.;
- The online application system and the improvement of the database systems are expected to be completed in the 3rd quarter of 2025.
- The paperless DUS evaluation is targeted for completion by the end of the 4th quarter of 2024. After the application or program is completed, a monthly completion of crop-specific DUS electronic data sheets is expected, as it will be a crop-based application software.

4. Request for the Plantilla Positions and Necessary Budget to the Department of Budget and Management (DBM)

Description:

Once the *Ad Hoc* Committee has endorsed the required number of plantilla positions for the PVPO and their corresponding duties and responsibilities to the NPVPB through the Acting Registrar of the PVPO, the Board shall issue a Resolution urging the DBM to approve the requested plantilla positions and the necessary budget for these items.

Agencies Involved:

- PVPO, National Plant Variety Protection Board, DBM and DA

Duration:

- The Board Resolution to DBM will be endorsed in the 1st quarter of 2025.
- As the approval process is outside the control of the PVPO, two (2) years are allotted for this process, anticipating approval by the 1st quarter of 2027.

5. Accreditation and Establishment of Genebank for Protected Varieties

Description:

The accreditation of genebanks will be prioritized as it is crucial for preserving genetic diversity, guaranteeing long-term conservation, and ensuring that a copy of a protected variety can be used again if a necessary trial is needed to reconfirm the criteria for the grant of protection.

A guideline on the accreditation process, outlining the minimum requirements and procedures, will be drafted by the PVPO and approved by the National Plant Variety Protection Board. Accredited genebanks shall enter into a Memorandum of Agreement (MOA) with the PVPO through its Registrar, serving as the basis of their duties and responsibilities as depositories of protected varieties.

In addition to accredited genebanks, the PVPO will request the establishment of its own seed vault. This vault will enable the PVPO to store copies of planting materials of protected varieties, ensuring their availability for future use.

Agencies Involved:

- PVPO, National Plant Variety Protection Board, Genebanks

Duration:

- This activity accreditation of genebanks will commence in the 1st quarter of 2025.
- The request for seed vaults will be in FY 2026

6. Construction of the PVP Office Building

Description:

A dedicated office building for the PVPO will be requested under the GAA for the fiscal year 2026. If the requested staffing positions and organizational structure for the PVPO are approved, constructing an office building will be essential to accommodate the personnel and other facilities.

Agencies Involved:

- PVPO, DBM, Department of Public Works and Highways (DPWH), and BPI

Duration:

- This will be proposed for FY 2026

7. Accreditation of DUS Testing Centers

Description:

As stated in Article 44 of the Implementing Rules and Regulations (IRR) of RA 9168, tests for determining the criteria for the grant of protection—namely Distinctness, Uniformity, and Stability—shall be performed only in DUS Testing Centers that have been duly accredited by the National Plant Variety Protection Board. However, the current practice for domestic applications involves conducting the DUS trial at the applicant's own experimental station. For foreign applications without a counterpart in the Philippines, the DUS can be conducted in any of the five Centers of the BPI.

To fully implement the provisions of the Law regarding the conduct of DUS, the PVPO will craft guidelines for the accreditation of DUS Testing Centers. These can include:

- a. SUCs;
- b. Bona fide Research Stations; and
- c. Non-Governmental Research Centers

Agencies Involved:

- PVPO, National Plant Variety Protection Board, SUCs and Research Stations

Duration:

- The guidelines on the accreditation process is expected to be approved in the 1st Quarter of 2025

- Accreditation will start in the 2nd Quarter of 2025

8. Capacity-Building, Promotional Activities and International Collaborations

Description:

As part of strengthening the implementation of Plant Breeders' Rights in the country, it is crucial to enhance the capabilities of individuals involved in PVP. Several capacity-building activities aimed at improving the technical skills of PVPO personnel and outsourced PVP examiners will be conducted, including training in the assessment of Distinctness, Uniformity, and Stability (DUS). Activities designed to increase farmers' knowledge in varietal research and plant breeding will also be implemented.

Additionally, it is important to conduct promotional activities to highlight the significance of PVP in the country. These efforts will encourage individual breeders, not just those from multinational companies and breeding institutions, to apply for protection.

Various methods will be employed to achieve these goals. The promotional activities and training can be conducted either in person or virtually.

Aside from the above-mentioned activities, the Philippine PVPO will also seek collaborative activities with other countries, especially in technical trainings such as the assessment of DUS, database management, as well as the administrative side of the PVP system. Furthermore, the PVPO will continue its international commitments, such as participating in the annual East Asia Plant Variety Protection (EAPVP) Forum meeting and seminar, among others.

Agencies Involved:

- PVPO, BPI, Institute of Plant Breeding (IPB), EAPVPF Office and PVP Office of other countries

Duration:

- The capacity-building and promotional activities will be a continuing effort of the PVPO. These will be conducted at least twice a year or as specified in the approved Work and Financial Plan (WFP) of the PVPO.

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