



VIETNAM ENVIRONMENT ADMINISTRATION
BIODIVERSITY CONSERVATION AGENCY

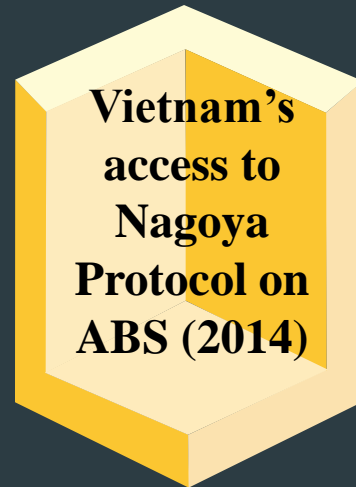
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NAGOYA PROTOCOL – ABIDING AND ITS EFFECTS ON VIETNAM

Hà Nội - 2016

IV. Genetic resource access in Vietnam and guidelines of the Ministry of Natural Resources and Environment

Pre- access to Nagoya Protocol	
1	Since the BD laws were enacted, no registration application for genetic resource access and benefit sharing were accepted.
2	In reality, however, those actions were ongoing and most of cases were registered inappropriately.



Post- access to Nagoya Protocol	
1	Some domestic and international agencies have contacted for further information about authorized documents to access genetic resource in Vietnam.
2	The MONRE has provided essential guidelines for genetic information exchange among related sides.

Vietnam's Post access to Nagoya Protocol on ABS:

- ▶ Some domestic and international agencies care about genetic resource access have actively contacted with the authorized Vietnamese agencies for guidelines and information about ABS.
- ▶ The genetic access have been implemented more specifically through contracts/ negotiations/ memoranda.
- ▶ In Vietnam, the genetic access is on highly demand with different purposes, from doing research, reservation to developing commercial products.



IV.1. Cooperation between Vietnamese research institutions and the Dutch local crop production enterprises to conserve local vegetable genes.

a) General information:

- Purposes: cooperation in order to collect, study about wild plants and local botany in Vietnam,
- Sample objects: some wild and local crops.
- Pilot location (beforehand): doing survey and collect sample objects in the Northeast, the Northwest, the Southeast, the Southwest of Vietnam.
- Time: in 2015, 2016
- Maximum: 500 samples, each of them contains a maximum of 500 seeds, for each travel survey
- The Vietnamese research institutions simultaneously do surveys and collect vegetable genes, seeds for reservation. The Dutch crop production enterprises use collected genetic resources for crop implantation.



IV.1. Cooperation between Vietnamese research institutions and Dutch local crop production businesses to conserve local vegetable genes.

b) Guidelines of BCA:

- Unify a list of pilot collected genes, the number of sample objects allowed to bring out of Vietnam and form of transfer.
- Prior to collect samples, It is necessary to indicate related information for the pilot local government and ask for their permission.
- Abide the current rules of the National parks, Natural Conservation Sites for protecting and developing forest while collect genes.
- Supplement principles about public releases for collected genetic studying results and their application, genetic sample and other related information conservation, and forms of benefit shares (financial or non- financial benefits through training, meetings, technological transfer,...), intellectual property protection, information exchange for the third sides, periodic research exchange mechanism, shares of collected genes.



IV.2. Cooperation between Vietnamese research institutions and Japanese research institutions on Vietnamese fish genes.

a) General information:



-Purposes: promote cooperation between two partners under research frames about: Gobies gene development process Taxonomy in Vietnam.

- Samples: symbiotic fish: non-gobioid and surbioidei.

-Pilot location (beforehand): in Hòa Vang Dist., Đà Nẵng and Tiên Yên River, Quảng Ninh Province.

- Time: from Jan – Feb in 2016.

- A part of samples will be transferred to Japan for the next steps, including DNA analysis.

IV.2. Cooperation between Vietnamese research institutions and Japanese research institutions on Vietnamese fish genes. (cont.)

b) Guidelines of BCA:

- Supplement specific information for public releases about collected gene studying results and their application, intellectual property and information, product (studying results) exchange for the third sides, reservation of samples studying results and related information.
- Supplement contents related to benefit – sharing if studying results are used for commercial purposes.
- Make clear plans for collecting samples and ask for permission of local government (at local level) and inform through legal written documents
- Implement information exchange mechanism, periodically share information about studying results, use of collected gene to focal agencies on ABS.
- Abide the Vietnamese gene sample exporting current regulations.



IV.3. Cooperation between Vietnamese Universities and Japanese Universities on Vietnamese local horse genes.

a) General information :

-Purpose: Do research on diversity of genetics and phylogentic of horse orginated from Asia.

-Collect blood sample of local horse in Vietnam.

-Pilot location (beforehand): mountainous and remote villages in the North Điện Biên, Lào Cai, Hà Giang, Cao Bằng, Bắc Cạn, Lạng Sơn.

-Extract and reserve DNA: extract DNA from horse blood sample in some Vietnamese Universities. The DNA sample will be divided into two parts for 2 sides in order to converse and use for genetic analysis.



IV.3. Cooperation between Vietnamese Universities and Japanese Universities on Vietnamese local horse genes. (Cont.)

b) Guidelines of BCA:

- Build contracts about genetic access including the following clauses:
 - + Requirements about genetic access and benefit - sharing: + Responsibility of related sides and the rights to samples uses and other related products.
 - + The information regime about uses of genetic resource and information privacy.

- Make plans, genetic access projects:
 - + Pilot location for the genetic access (specific location, natural borders and maps)
 - + Time for genetic access.
 - + Genetic resource access projects.



IV.4. Cooperation between Vietnamese Pharmaceutical Company and French Pharmaceutical Company on medical genetics

a) General information :

-Purpose: Do research on extracting compound and bio-chemical substance in Vietnamese local botany to invent new anti-cancer and inflammatory medicine, and active bio-chemical substances for cosmetic industry.

- The medical botany access. Tiếp cận một số loài cây dược liệu ở Việt Nam

- The accessed genetic resources will be sent to output international organizations every 6 months during 2 years. The amount of samples for each shipping is minimum 100gr to maximum 10kg of seeds, stems, roots, leaves, branches or other parts of the plant.

- The negotiation will be valid in 5 years, in case having successful plant research, the negotiation about benefit sharings may extend to 20 years.

– The benefit sharing for local community clauses:

- Benefit sharings may include the form of financial and non- financial benefits, intellectual property and technological transfer rights.

-- The clauses of BD Convention and Nagoya Protocol mechanism are applied for solving disputes and conflicts.

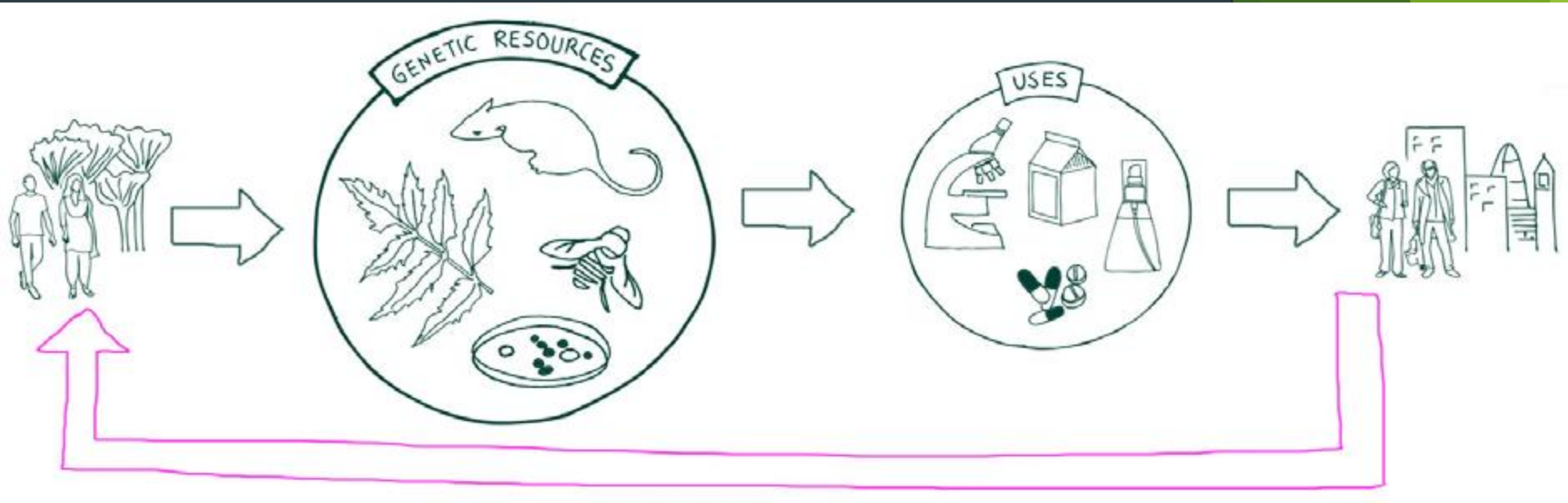


IV.4. Cooperation between Vietnamese Pharmaceutical Company and French Pharmaceutical Company on medical genetics (cont)

b) Comments of BCA:

- The bilateral negotiation for genetic access and benefit sharing was signed at the beginning of 2016, under standard regulations of Nagoya Protocol on ABS, BD Convention and other Vietnamese regulations.
- The both sides are implementing to build up genetic access plans, requesting for guidelines of the next legal administrative paperwork with Vietnamese Biology Diversity Conservation Agency.





Thank you!