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UPOV Misleads Developing Countries with Absurdly Incorrect Information

For years the International Union for the Protection of New Varieties of Plants (UPOV) has linked yield increases in Vietnam to the introduction of the UPOV system. A study «Plant Variety Protection in Practice in Vietnam: The Pains in the Gains Achieved» published today reveals that the message spread by UPOV to promote its system is absurd, incorrect, and misleading. SEARICE, APBEBES and Fastenopfer therefore call on UPOV and all other stakeholders to stop spreading misinformation about the benefits of Vietnam's membership to UPOV.

For years industrialised countries have been pressuring developing countries to join the 1991 Act of UPOV. However this Act fails to consider the needs and realities of the agriculture system that prevails in developing countries, and ignores the rights of farmers. Still, in order to convince developing countries to join UPOV 1991, the UPOV Secretariat initiated and financed a paper on the socio-economic benefits of UPOV membership in Vietnam, published in 2017. This UPOV paper claims that annual yield increases in rice, maize and sweet potato attributable to developments in plant-breeding activities were 1.7%, 2.1%, and 3.1%, in the 10 years after Vietnam became a member of UPOV. It further claims that 74 million people could be fed with the additional sweet potatoes produced, and tries to establish a link between yield increases in these three crops and Vietnam's UPOV membership.

These claims are now found to be baseless. The absurdity of UPOV's assertion is apparent in the new study published which reveals that for sweet potatoes, the crop with the highest yield increase reported in the UPOV paper, not a single application for plant variety protection (PVP) had been filed with Vietnam's Plant Variety Protection Office (PVPO). Even for cassava, record yields have been achieved in the absence of a single application for plant variety protection. The new study shows that there are many other interacting factors at play that can lead to increases in crop yields.

When the newly appointed Secretary-General of UPOV, Mr. Daren Tang, presented the benefits of the UPOV system in front of the UPOV Council in October 2020, he cited the yield increases in sweet potatoes and other crops in Vietnam, and attributed them to the country's UPOV membership when there is no causal relationship. In fact, the highest yield increase (for sweet potatoes) occurred in the absence of PVP, as showed in the new study. Peter Button, the Vice Secretary-General of UPOV, the Legal Counsel of UPOV, and the European Union and

its member states such as Germany are using figures from the flawed UPOV paper in an effort to persuade other developing countries of the benefits of UPOV's plant variety protection. Hence we call on UPOV and its proponents to stop spreading misinformation.

Developing countries should not pay any heed to UPOV's claims of benefits for they are clearly unjustified and misleading. Developing countries wishing to put in place PVP systems should opt for alternative sui generis systems that reflects their needs and agricultural systems, protect Farmers' Rights and agrobiodiversity, and take into account other public interests and development considerations such as sustainable agriculture.

The new study « Plant Variety Protection in Practice in Vietnam: The Pains in the Gains Achieved » could be downloaded at searice.org.ph

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