

## **MINISTRY OF NATURAL RESOURCES AND ENVIRONMENT**

# **INTRODUCTION TO CONSERVATION AND SUSTAINABLE DEVELOPMENT OF SPECIES AND GENETIC RESOURCES IN THE VIETNAM BIODIVERSITY LAW**

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## **CONTENT**

- Overview
- Conservation and sustainable development of species
- Conservation and sustainable development of genetic resources
- State management in conservation and sustainable development of species and genetic resources
- Contents need to be guided for implementation

## Overview

- Vietnam Biodiversity Law was approved by the National Assembly at the fourth meeting on the date of November 13<sup>th</sup> 2008.
- It was officially applied on July 01<sup>th</sup> 2009 which was about 7 months after the approval
- The release of biodiversity law has created a firmly legal basis which would enormously contribute to biodiversity conservation
- In 2009, the Biodiversity Conservation Agency was established. This is an important leap in biodiversity conservation.

## Overview

- The Law consists of 8 chapters with 78 articles
- The content of conservation and sustainable development of species and genetic resources is elaborately presented in 02 chapters:
  - Chapter IV: conservation and sustainable development of species (18 articles)
  - Chapter V : conservation and sustainable development of genetic resources (14 articles)

## Structure of chapter IV and chapter V

### Chapter IV

**Section 1:** Protection of species on the list of endangered precious and rare species for protection (provision 37 – 41)

**Section 2:** Sustainable development of species (provision 42 – 49)

**Section 3:** Control of invasive alien species (provision 50 – 54)

### Chapter V

**Section 1:** Management and sustainable development of genetic resources (Provision 55 – 61)

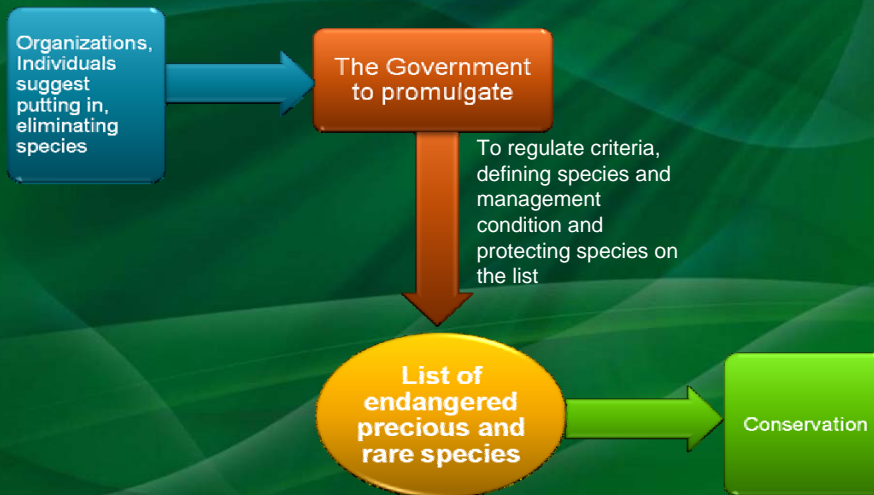
**Section 2:** Storage and conservation of specimens; assessment of genetic resources; management of information on genetic resources (Provision 62 – 64)

**Section 3:** Management of risks caused to biodiversity by genetically modified organisms and genetic specimens of genetically modified organisms (Provision 65 – 68)








## Conservation and sustainable development of species



## Species on the list of endangered precious and rare prioritized for protection



## Sustainable development of species

-  Establishment of biodiversity conservation facilities
-  Wild species banned from exploitation and wild species permitted for exploitation in nature
-  Rearing or planting of species on the list of endangered precious and rare species prioritized for protection
-  Exchange, export, import purchase, sale, donation storage and transportation of species on the list of endangered precious and rare species prioritized for protection and their genetic specimens and products
-  Rescue of species on the list of endangered precious and rare species prioritized for protection
-  Protection of endemic or valuable crop varieties and domestic animal breeds in danger of extinction
-  Protection for endemic or valuable microorganisms and fungi in danger of extinction

## Sustainable development of species

### Biodiversity conservation facilities

Facilities rearing or planting species on the list of endangered precious and rare species prioritized for protection

Wildlife rescue centers

Facilities storing endemic, endangered precious and rare crop varieties, domestic animal breeds, microorganisms and fungi which have special scientific, medical economic, ecological, landscape, environmental or cultural and historical values

Facilities storing and preserving genetic resources and genetic specimens

## Rights of organizations and individuals assigned to manage biodiversity conservation facilities

1

• To enjoy incentive policies and mechanisms and supports of the State as prescribed by law

2

• To receive assistance projects from domestic or foreign organizations and individuals and implementing them

3

• To enjoy profits from tourism activities and other activities of their biodiversity conservation facilities according to law

4

• To enter into contracts on access to, and sharing of benefits from genetic resources under their management

5

• To rear, plant, breed and rescue species on the list of endangered precious and rare species prioritized for protection; to store endemic crop activities, domestic animal breeds, microorganism and fungi; and to store and preserve genetic resources and genetic specimens

6

• To exchange or donate species on the list of endangered precious and rare species prioritized for protection for the purpose of biodiversity conservation, scientific research or ecotourism according to law

## Organizations and individuals that manage biodiversity conservation facilities have the following obligations

- 1 • To protect, nurture and take care of species on the list of endangered precious and rare species prioritized for protection; to store and preserve genetic resources and genetic specimens
- 2 • To register and declare origin of species on the list of endangered precious and rare species prioritized for protection to specialized agencies of provincial-level People's Committees;
- 3 • To devise measure to prevent epidemics and adopt regimes of nurturing species in the facilities and treating their diseases
- 4 • In December every year, to report to provincial-level People's Committee on the situation of species on the list of endangered precious and rare species prioritized for protection in their facilities
- 5 • To ask for permission of competent state agencies specified in Clause 4, Article 41 of this Law for introducing species on the list of endangered precious and rare species prioritized for protection into their biodiversity conservation facilities for rearing of planting or for releasing species on the list of endangered precious and rare species prioritized for protection from their rescue centers into these species' natural habitats
- 6 • To have other obligations as prescribed by law

## Control of invasive alien species



Survey and listing of invasive alien species

Control of import of invasive alien species and invasion of alien species

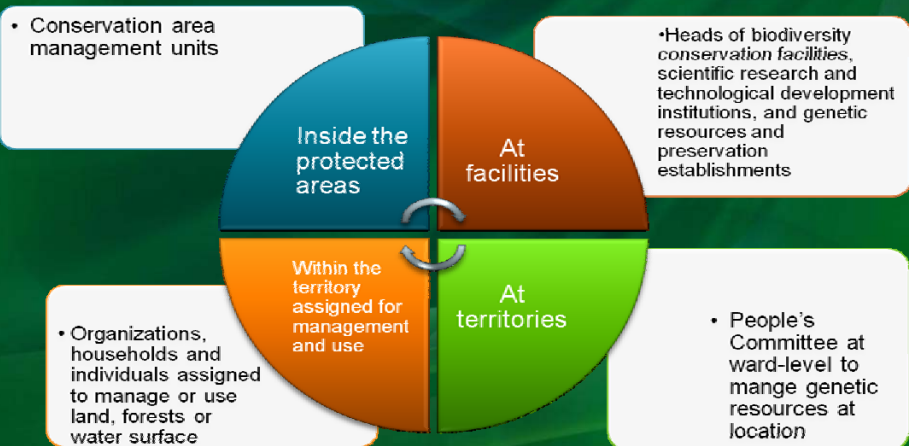
Control of the rearing or planting of potential invasive alien species

Control of the spread and development of invasive alien species

Publicization of information on invasive alien species

# Conservation and sustainable development of genetic resources

## Management of genetic resources



## Order of and procedures for access to genetic resources

Registering access to genetic resources

Entering into written contracts on access to genetic resources and benefit sharing with organizations, households or individuals assigned to manage genetic resources under Article 58 and 61 of this Law

Application for license for access to genetic resources under Article 59 and 61 of this Law

## Storage and conservation of genetic specimens; assessment of genetic resources; management of information on genetic resources; traditional knowledge copyrights on genetic resources



Storage and preservation of genetic specimens



Investigation, collection, assessment, supply and management of information on genetic resources



Traditional knowledge copyrights on genetic resources



## Management of risks caused to biodiversity by genetically modified organisms and genetic specimens of genetically modified organisms

### Article 65

- Responsibilities for managing risks caused to biodiversity by genetically modified organisms and genetic specimens of genetically modified organisms

### Article 66

- Making and appraisal of reports on assessment of risks caused to biodiversity by GMOs or genetic specimens of GMOs; grant of certificates of biodiversity safety or GMOs or genetic specimens of GMO

### Article 67

- Publicity of information on the risk level and measures to manage risks caused to biodiversity by GMOs or genetic specimens of GMOs

### Article 68

- Management of databases on biodiversity-related GMOs and genetic specimens of GMOs

## State management for conservation and sustainable development of species and genetic resources

## The Ministry of Natural resources and Environment (MONRE)

- To take responsibility to the Government for performing the state management of biodiversity;
- To list endangered precious and rare species prioritized for protection, submitting to the Government for approval
- To investigate, to define invasive alien species, to appraise and to promulgate the list of invasive alien species
- To define experiments and license for rearing and developing alien species
- To unify management of national databases on genetic resources
- To unify databases management on GMO, genetic specimens related to biodiversity; establishing a website on GMO, genetic specimens of GMO related to biodiversity

## The Ministry of Agriculture and Rural Development (MARD)

- To specifically define protecting wildlife which is prohibited to exploit in nature and exploiting wildlife which is given the license to exploit; periodically announce the list of wildlife prohibited from exploitation and the list of wildlife species which is given the license to exploit
- To Investigate and to assess endemic crop varieties and domestic animal breeds which are is threatened to extinction in order to put on list of endangered precious and rare species prioritized for protection

## The Ministry of Science and Technology (MOST)

- To coordinate with ministries, ministerial-level agencies involving in guiding the registration process of traditional knowledge rights on genetic resources
- To define conditions on facility-technique, technology and professional staff in research for creating GMOs, genetic specimens of GMOs

## People's Committee at provincial level

- To issue certificates of biodiversity conservation facility
- To coordinate with the MONRE for investigating and defining invasive alien species;
- To coordinate with the competent agencies to organize the inspection and evaluation of capacity of invasive alien species from outside to take measures to prevent and control invasive alien species;
- To organize investigating and defining distributed areas, planning for isolating and eliminating species on the list of invasive alien species at the location;

## REQUEST GUIDANCE CONTENT IN DETAILS

### Conservation and sustainable development of species

- Criteria for defining species and management and protection regimes for species on the list of endangered precious and rare species prioritized for protection; promulgating the list of endangered precious and rare species prioritized for protection (Article 37, 38)
- Order of and procedures for assessing proposed documents of putting in or taking out species on the list of endangered precious and rare species prioritized for protection (Article 41)

## Conservation and sustainable development of species (continue)

- Species on the list of endangered precious and rare species prioritized for protection, rescue of wildlife, storing crop varieties and domestic animal breeds, microorganisms and endemic fungi, storage and conservation of genetic resources and genetic specimens (Article 38)
- Competence, order of and procedures to put species on the list of endangered precious and rare species prioritized for protection in biodiversity conservation facilities or to release them into their natural habitat (Article 39)
- Rearing and planting conditions, taking off certificate of biodiversity conservation facility (Article 42)

## Conservation and sustainable development of genetic resources

- Order of and procedures for access to genetic resources (article 57)
- License for access to genetic resource (Article 59)
- Management and sharing of benefits from access to genetic resource (article 61)
- Providing information on genetic resource (article 63)
- Responsibilities of ministries, ministerial-level agencies and organizations, individuals in management of GMO and genetic specimens risk caused to biodiversity (article 65)
- Making and appraisal of reports on assessment of risks caused to biodiversity by genetically modified organisms or genetic specimens of GMOs; grant of certificates of biodiversity safety of GMOs or genetic specimens of GMOs (article 66)
- Publicity of information and measures for risk management (article 67)



**Thank you for your attention**