

Working Paper 2025.2.3.3

- Vol. 2, No. 3

**PHÂN TÍCH QUY TẮC XUẤT XỨ ĐỐI VỚI XUẤT KHẨU THỦY SẢN
TRONG HIỆP ĐỊNH CPTPP VÀ KHUYẾN NGHỊ CHO NGÀNH HÀNG
THỦY SẢN VIỆT NAM**

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Tóm tắt

Hiệp định CPTPP mở ra cơ hội lớn cho ngành thủy sản - một lĩnh vực xuất khẩu chủ lực của Việt Nam, nhưng việc tuân thủ Quy tắc Xuất xứ (ROO) là thách thức lớn để hưởng ưu đãi thuế quan. Nghiên cứu này phân tích tác động của ROO đối với xuất khẩu thủy sản, xem xét thực trạng, tiềm năng, và thách thức trong quá trình thực hiện, từ đó đề xuất giải pháp. Nghiên cứu sử dụng phương pháp phân tích định tính, kết hợp dữ liệu thứ cấp từ các cơ quan, tổ chức. Kết quả cho thấy CPTPP thúc đẩy xuất khẩu, nhưng việc tuân thủ ROO gặp khó khăn do cơ chế cấp Giấy chứng nhận xuất xứ (C/O), phụ thuộc nguyên liệu ngoài khối CPTPP, và thiếu hiểu biết của doanh nghiệp, đặc biệt là SMEs. Nghiên cứu đưa ra các khuyến nghị cho doanh nghiệp và cơ quan quản lý nhằm nâng cao khả năng đáp ứng ROO, tăng cường cạnh tranh và mở rộng thị phần cho thủy sản Việt Nam.

Từ khóa: CPTPP, Quy tắc xuất xứ, xuất khẩu thủy sản

ANALYSIS ON THE RULES OF ORIGIN FOR SEAFOOD EXPORT IN CPTPP AND RECOMMENDATIONS FOR VIETNAMESE SEAFOOD INDUSTRY

Abstract

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) offers significant opportunities for Vietnam's seafood industry, a key export sector. However, compliance with Rules of Origin (ROO) remains a major challenge to leveraging tariff preferences. This study analyzes ROO for seafood exports within the CPTPP framework, assessing the current situation, opportunities, and challenges in implementation, and proposing solutions. The research employs a qualitative approach, integrating secondary data from government agencies and organizations. Findings indicate that CPTPP promotes export growth, but ROO compliance is hindered by the Certificate of Origin (C/O) issuance process, reliance on non-CPTPP inputs, and limited knowledge, especially among SMEs. The study proposes recommendations for businesses and related authorities to enhance ROO compliance, strengthen competitiveness, and expand market share for Vietnamese fisheries.

Keywords: CPTPP, Rules of Origin, seafood export

1. Introduction

Entering into force for Vietnam on January 14, 2019, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) creates significant opportunities for the country's export-focused economy. While various sectors benefit, this paper focuses specifically on Vietnam's seafood export industry, a prime beneficiary of the agreement. As a vital national contributor and one of the world's leading seafood exporters, ranking third globally, understanding its opportunities and challenges under the CPTPP is crucial.

To fully capitalize on the CPTPP's tariff preferences, Vietnamese exporters must strictly adhere to the agreement's Rules of Origin (ROO), which determine a product's national source and thus its eligibility for preferential treatment. These ROO, while crucial for correct preferential treatment, can be complex and present significant challenges, especially for the seafood sector due to its intricate global supply chains and reliance on sourced materials. The primary objective of this report are to: **(i)** analyze the CPTPP's Rules of Origin for seafood; **(ii)** investigate current ROO implementation in Vietnam's seafood sector to identify compliance obstacles and strategic growth opportunities; and **(iii)** propose recommendations to enhance compliance, leverage opportunities, and overcome related trade barriers.

2. Overview of CPTPP and Rules of Origin

2.1. Overview of the CPTPP agreement

According to the VCCI, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), originally known as the Trans-Pacific Partnership Agreement (TPP), was negotiated since March 2010 with the participation of twelve countries, including Australia, Peru, Vietnam, the United States (US), Canada, Malaysia, Mexico, and Japan. The TPP was officially signed on February 4, 2016, and was expected to take effect in 2018. However, US

President Donald Trump announced the US withdrawal from this deal in January 2017, preventing the agreement from coming into force. After that, the remaining TPP members agreed to rename the agreement as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and officially signed it in March 2018. Vietnam officially implemented the CPTPP on January 14, 2019, and the latest participant was the UK on July 16, 2023, raising the total members to 12. The agreement includes provisions that address tariff and non-tariff barriers related to trade in goods, trade in services, investment, intellectual property, labor, environment, and dispute settlement.

2.2. Rules of Origin and Origin procedures in CPTPP

2.2.1. Rules of Origin in the CPTPP

According to Chapter 3: Rules of Origin and Origin Procedures of the CPTPP and the Annex 3-D – Product-Specific Rules of Origin, a product is considered an originating good and is therefore eligible for preferential treatment under CPTPP if it meets one of the following conditions:

(i) Wholly Obtained or Produced Goods: The products that are entirely obtained or produced in the territory of one or more CPTPP parties, according to Article 3.3

(ii) Produced entirely in the territory of one or more of the Parties, exclusively from originating materials, or

(iii) Produced entirely in the territory of one or more of the Parties using non-originating materials, provided that the good satisfies all 3-2 applicable requirements of Annex 3-D (Product-Specific Rules of Origin)

These requirements commonly include:

- Change in Tariff Classification (CTC): The CTC rule, also referred to as HS code conversion, stipulates that non-originating materials must be substantially transformed through production within CPTPP countries to alter their essential character. This process must result in a change in the HS code of the original materials, producing a final product classified under a different HS code (Trungtamwto.vn, 2025).
- Regional Value Content (RVC): The RVC rule requires that the originating materials used in a product must account for a certain percentage of the product's value to qualify as originating under the CPTPP (Trungtamwto.vn, 2025).
- Specific processing requirements: The specific process rule requires that for goods partially originating from outside the CPTPP to be considered as “originating under CPTPP,” they must undergo a specific production process that substantially transformed their fundamental nature within CPTPP countries (Trungtamwto.vn, 2025).

2.2.2. Origin procedures in CPTPP

Under the CPTPP, there is no prescribed format required; however, it must be in writing (including electronic format). The Certification of Origin (C/O) can be presented in a variety of ways, including on the consignment invoice, a company letterhead, or a Certification of Origin template, and a set of minimum data requirements as set out in Chapter 3, Annex 3-B of the CPTPP. This flexible approach is consistent with the self-certification mechanism permitted under the CPTPP in general, since exporters, producers, or importers of goods can self-certify the origin of the goods (Australian Government Department of Foreign Affairs and Trade, n.d.).

2.3. Rules of Origin for Seafood in CPTPP

According to Chapter 3: Rules of Origin and Origin Procedures of the CPTPP, the agreement has outlined detailed Rules of Origin to establish whether goods, including seafood and seafood products, qualify for preferential tariff treatment.

Seafood and seafood products are considered originating to benefit from preferential tariff if they fall into one of the following scenarios:

(i) Wholly Obtained or Produced Goods.

Seafood caught or harvested from the sea, territorial waters of the CPTPP countries, is considered originating. Moreover, seafood and seafood products extracted from waters, the seabed, or the high seas beyond territorial waters are also considered originating if the country or territory has the legal right to exploit those areas under international law, or if the fishery products are caught by vessels registered and flying the flag of that country or territory.

(ii) Produced entirely from originating materials - PE

Seafood products produced using originating materials are considered originating. The cumulation rule in the CPTPP allows member countries to treat materials originating from another CPTPP country as if they originated from their own country (moit.gov.vn, 2021).

(iii) Product-Specific Rules.

Seafood products made from non-originating materials can still qualify if they undergo a specific transformation or 'change in tariff heading' or have to meet a regional value content (RVC) threshold according to the CPTPP Rules of Origin (Seafish, 2024).

HS CODE	RULE OF ORIGIN
03.01-03.05	<ul style="list-style-type: none"> - Wholly Obtained (WO): The seafood must be caught in the territory (or territorial waters) of a CPTPP party, by a vessel registered and flagged under a CPTPP member. - Or Change in Tariff Classification (CTC): The seafood must undergo processing in a CPTPP country that changes its HS code from any other chapter
03.06-03.08	<ul style="list-style-type: none"> - Wholly Obtained (WO): The seafood must be caught in the territory (or territorial waters) of a CPTPP party, by a vessel registered and flagged under a CPTPP member. - Or Change in Tariff Classification (CTC): The seafood must undergo processing in a CPTPP country that changes its HS code from any other chapter - Or Regional Value Content (RVC) \geq 40% under the build-down method
16.04-16.05	<ul style="list-style-type: none"> - Change in Tariff Classification (CTC): The processed seafood and preserved preparations must undergo processing in a CPTPP country that changes its HS code from any other chapter - Or Regional Value Content (RVC) \geq 40% under the build-down method

Figure 1. Specific ROO for seafood in CPTPP

Source: Appendix 3-D of Chapter 3 CPTPP

2.4. Comparison of Rules of Origin between CPTPP and Vietnam's Domestic Implementation in the Seafood industry

Criteria	CPTPP – General ROO for the Seafood industry	ROO Implementation in Vietnam under CPTPP for the Seafood Industry
Legal Basis	<ul style="list-style-type: none"> - CPTPP Chapter 3: Rules of Origin - Annex 3-D: Product-Specific Rules 	<ul style="list-style-type: none"> - Circular 03/2019/TT-BCT - Decree 57/2019/ND-CP
Wholly Obtained Criteria	Seafood must be: <ul style="list-style-type: none"> - Caught in the territorial sea or EEZ of a CPTPP party, or - Caught in areas where CPTPP members have legal exploitation rights - Caught by vessels registered and flagged under a CPTPP party 	
Processing Rules	If seafood products are made from non-originating materials, the products must meet specific requirements, including: <ul style="list-style-type: none"> - Change in Tariff Classification (CTC) - Or Regional Value Content (RVC) \geq 40% 	
Cumulation Rule	Materials imported from other CPTPP countries can be treated as originating	
Certificate of Origin (C/O)	<ul style="list-style-type: none"> - There is no prescribed format required - Applying a self-certification mechanism that allows exporters, producers, or importers of goods can self-certify the origin of the goods 	<ul style="list-style-type: none"> - Using both physical and electronic certificates of origin issued by the Ministry of Industry and Trade of Vietnam - Instead of following the self-certification mechanism in general, Vietnam chose to mandate the other arrangements applying Annex 3-A, when the certification of origin must be issued by competent authorities

Figure 2. Rules of Origin: CPTPP & Vietnam's Implementation

Source: Author's Compilation

3. Situation of Vietnamese Exported Seafood

3.1. Vietnam's Seafood export situation before CPTPP

From 2010 to 2018, Vietnam's seafood export value generally increased despite some fluctuations. According to the 2017 report by the Vietnam Association of Seafood Exporters and Producers (VASEP), Vietnam's seafood exports reached over USD 8.316 million, up 18% from 2016, ranking sixth among the country's main export categories. By 2018, Vietnam had become the world's third-largest seafood exporter, after China and Norway, with a record export value of USD 8.802 million, up 8,4% from the previous year, and products present in 160 markets.

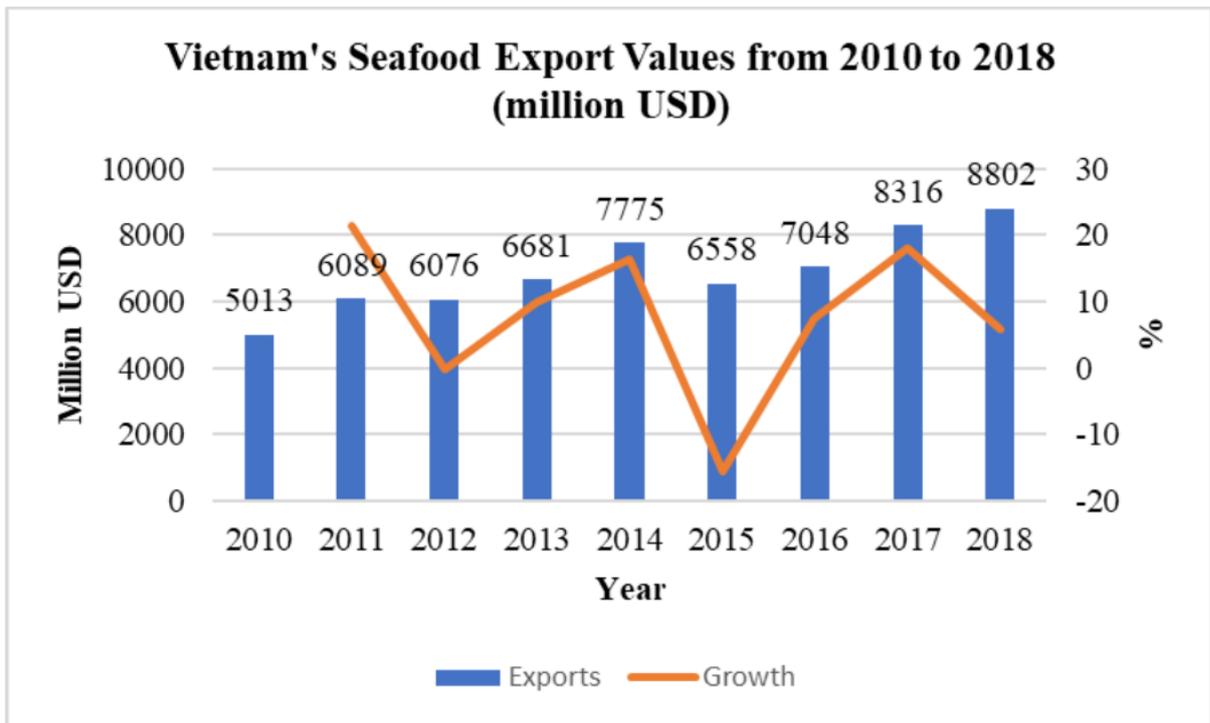


Figure 3. Vietnam’s Seafood Exports in 2010-2018

Source: Calculated from the Statistics of VASEP

In 2017, shrimp led Vietnam’s seafood exports with USD 3.854,7 million (an increase of 22%), followed by pangasius at nearly USD 1.8 million (up 4,3%). By 2018, shrimp exports fell by 8% to USD 3.554,4 million due to low global demand and falling prices while pangasius exports soared 26,5% to a record USD 2.261,5 million (VASEP, 2020).

Product	2017		2018	
	Value (million USD)	Growth (%)	Value (million USD)	Growth (%)
Shrimp	3.854,7	22	3.554,4	-8
Pangasius	1.788,0	4,3	2.261,5	26,5
Tuna	592,9	16,3	652,9	10,1
Squid, Octopus	620,8	41,4	672,3	8,3
Bivalves	98,5	19,7	88,7	-10
Crab	124,5	0	134,3	7,8
Surimi	256,1	0	324,0	26,5
Marine fish and other seafood	980,1	26,3	1.113,9	13,6
Total	8.315,6	17,9	8.802	5,8

Figure 4. Vietnam's Seafood Export Value by Species in 2017-2018

Source: VASEP's Report on Vietnam's Seafood Exports 2015-2020

In 2017, the U.S. remained Vietnam's largest seafood export market, bringing in USD 1.417,6 million and making up 16,9% of total exports, though slightly down by 2,47% from 2016. Japan came second with over USD 1.309 million, accounting for 15,7% and showing strong growth. Notably, China overtook the U.S. as the largest importer of Vietnamese shrimp and pangasius, leading pangasius imports with USD 420 million and ranking third for shrimp with USD 677 million (Trần Mạnh, 2017). In 2018, the U.S. regained its top position after trade barriers were removed, while exports to the EU dropped due to the European Commission's "yellow card" warning.

Market	2017		2018	
	Value (million USD)	Growth (%)	Value (million USD)	Growth (%)
US	1.417,6	-2,47	1.623	14,5
Japan	1.309,4	18,5	1.378,1	5,24
China	1.276,3	48,4	1.210,9	-5,12
EU	1.480,7	21,5	1.471,8	-0,6
South Korea	786,3	27,3	864,1	9,9
ASEAN	611,9	16,3	669,3	9,38
Canada	224,9	20,4	239,8	6,6
Australia	187	-2,2	270,2	44,5
Russia	97,8	-0,1	86,5	-11,5
Other markets	923,7	1,95	988,3	6,95
Total	8.315,6	17,9	8.802	5,8

Figure 5. Vietnam's Main Seafood Export Markets in 2017-2018

Source: VASEP's Report on Vietnam's Seafood Exports 2015-2020

3.2. Vietnam's seafood export situation after CPTPP

According to VASEP, after five years in the CPTPP, Vietnam's seafood sector has reaped significant tariff preference benefits. Exports to CPTPP markets rose from USD 2.270 million in 2018 to USD 2.870 million in 2022 before easing to USD 2.400 million in 2023. Although this decline reflects a broader global contraction, most sharply in the US (46%) and EU (33%), the CPTPP bloc remained Vietnam's second-fastest-growing seafood market after China (Phuong, 2023). Its share of Vietnam's seafood exports grew from 25% in 2018 to nearly 27% in 2023, and in the first 11 months of 2024, exports to this bloc rose by 4,37% year-on-year, signaling continued growth potential (Trung tâm Thông tin Công nghiệp và thương mại, 2024).

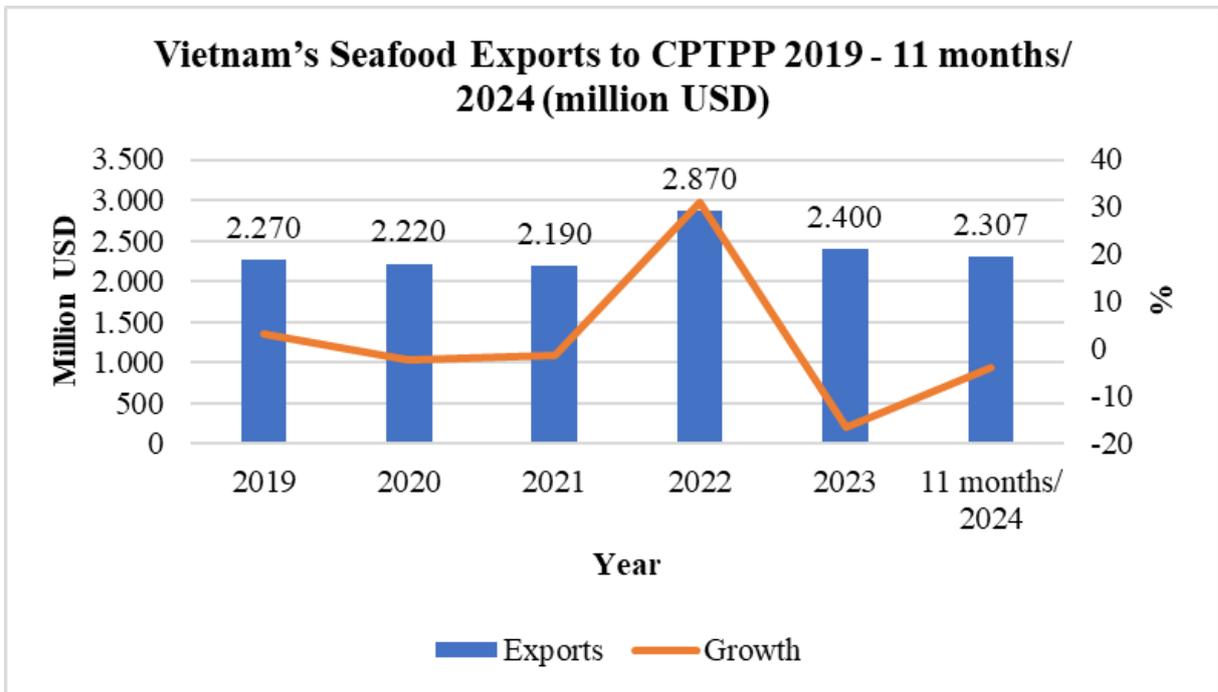


Figure 6. Vietnam's Seafood Exports to CPTPP in 2019 - 11 months/ 2024

Source: Calculated from the Statistics of VASEP

Australia, Canada, and Mexico have become more potential markets for Vietnamese seafood, specifically shrimp, tuna, and pangasius.

Vietnam is currently the second-largest seafood supplier to Australia (wtocenter.vn, 2019). Between 2019 and 2023, Vietnam's seafood exports to Australia exhibited a pronounced upward trajectory before a modest retreat. In 2019, export value stood at USD 207,257 million, rising to nearly USD 228 million in 2020 and further to USD 265 million in 2021. The momentum peaked in 2022 at 363 million USD, representing a 37,3% year-on-year increase, before contracting by 13,9% to 313 million USD in 2023. Among these, Vietnamese shrimp consistently accounts for over 70% of Australia's total shrimp import value, nearly doubling from 32% before the agreement was signed. According to the General Department of Vietnam Customs, in 2024, Vietnam's seafood export to Australia was still impressive, increasing dramatically to USD 343 million, up to 9% compared to 2023. Besides, Vietnamese pangasius products also hold nearly 100% of the total import value of pangasius in the Australian market.

Canada is one of the CPTPP markets that has shown remarkable growth in seafood imports from Vietnam since the agreement took effect. By 2022, Canada had become the world's 12th largest tuna importer, with import turnover exceeding USD 369 million - an increase of 40% compared to 2021. Despite this growing demand, Vietnam's seafood export turnover to Canada declined in 2023 to approximately USD 226,632 million, down from USD 369 million in 2022. However, signs of recovery emerged in 2024. In the first four months of the year, seafood exports to Canada reached USD 73,1 million, up 47.1% compared to the same period in the previous year (Đặng Kiên, 2024). This recovery trend continued into 2025, with Vietnam's seafood market share in Canada increasing from 7% to 8,9% in the first three months (Đặng Kiên, 2025). Shrimp exports surged to 56,01%, securing the top position in the Canadian market, while tuna exports grew from 6% to 11%, ranking third. With stable market share, strong demand for value-added products, and preferential treatment under the CPTPP, Canada remains a strategic and promising market for Vietnamese seafood in the medium and long term.

Mexico has also become the third-largest market for Vietnamese pangasius thanks to tariff preferences under the CPTPP (N.H, 2024). After a sharp decline in 2020 due to the pandemic, export turnover quickly rebounded, reaching about USD 128 million in 2022. Although it decreased to USD 95 million in 2023, it then increased sharply to around USD 105 million in 2024, highlighting its potential as an importer of Vietnamese seafood, especially pangasius (hptoancau, 2025). According to the General Department of Vietnam Customs, as of July 15, 2024, cumulative pangasius exports to the CPTPP market reached USD 39 million, up 14% year-on-year. In particular, Mexico recorded over USD 4 million, a 90% increase, indicating a strong recovery in demand.

Vietnam's Seafood Exports to CPTPP Countries (2019–2023) (million USD)					
Year	2019	2020	2021	2022	2023
Australia	207,257	227,752	264,716	363,484	312,989
Canada	229,301	262,806	265,298	369,460	226,632
Japan	1.456,278	1.422,800	1.322,666	1.702,050	1.510,824
Mexico	111,612	61,714	91,833	127,959	95,784
New Zealand	18,767	16,152	16,550	21,695	16,574
Chile	15,986	19,143	17,613	17,135	22,728
Peru	8,401	9,133	7,486	14,184	10,931
Malaysia	114,402	108,190	122,875	143,980	121,003
Singapore	80,748	69,803	64,172	80,550	73,479
Brunei	1,871	1,256	1,649	1,896	1,918

Figure 7. Vietnam's Seafood Exports to CPTPP Countries in 2019-2023

Source: Calculated from ITC

4. Vietnam's Seafood export to CPTPP under Rules of Origin

The CPTPP Agreement has been in effect for nearly 6 years, bringing opportunities for market expansion and long-term growth for Vietnam's seafood industry. To leverage CPTPP tariff preferences, Vietnamese seafood exports must comply with the agreement's Rules of Origin and be accompanied by a CPTPP Certificate of Origin (C/O). Vietnam has designated 19 agencies, including 18 regional Import-Export Management Offices and Hai Phong's Department of Industry and Trade, to issue CPTPP C/Os (moit.gov.vn, 2025). Furthermore, since 2024, the Import-Export Department has enabled businesses to register for electronic C/Os via the eCoSys system (thuvienphapluat.vn, 2024a). These efforts to streamline and digitize C/O procedures, coupled with enhanced guidance on origin compliance, aim to increase the uptake of preferential C/Os. Additionally, Vietnam will fully implement a self-certification mechanism for exporters and producers within a maximum 10-year transition period.

Data from the Import-Export Department shows that the utilization rate of CPTPP C/O has

increased gradually over the years. During the first year of the CPTPP's implementation, the export value of seafood to CPTPP markets certified under CPTPP C/Os reached USD 33,17 million, representing only 1,46% of total seafood exports to these markets. This low figure stemmed from limited awareness of C/O procedures, early-stage tariff commitments, and unclear advantages. However, from 2020 onwards, improved familiarity with tax incentives and streamlined C/O issuance processes led to significant growth in key markets such as Japan, Canada, and Mexico. Consequently, the certified export value surged nearly fivefold to USD 153,43 million by 2022 (Cục Xuất nhập khẩu - Bộ Công Thương, 2022). Despite this progress, the utilization rate of CPTPP C/O on total seafood export turnover to this bloc remains modest. In the first eight months of 2023, C/Os issued under the CPTPP form accounted for only 7,08% of the total seafood export value to CPTPP markets (Tạp chí Công Thương, 2023). Notably, the modest utilization rate does not imply high tariffs on the remaining 92.92% of exports. As many exporters forego a C/O when most-favored-nation (MFN) rates are zero or comparable to FTA rates, making certification unnecessary.

Several key factors hinder broader CPTPP C/O adoption. Firstly, some major export markets that already have bilateral FTAs with Vietnam, like Japan, Australia, and New Zealand, show lower usage of CPTPP C/Os. This is contributed to the stricter CPTPP ROO and less competitive tariff reductions compared to existing FTAs. Secondly, very low MFN duties (0-1%) in some markets, combined with less stringent ROO requirements under MFN, reduce the incentive for exporters to request a C/O given the administrative effort involved. For instance, Australia and New Zealand have imposed an MFN tax of 0% on many seafood products, eliminating the need for a C/O when exporting to these markets.

Seafood export turnover (Unit: Million USD)	2019	2020	2021	2022	8 months/ 2023
By C/O	33,17	62,24	108,28	153,43	109,35
Total	2.270	2.220	2.190	2.870	1.543,9
Rate of C/O issuance	1,46%	2,80%	4,94%	5,35%	7,08%

Figure 8. Seafood Export Turnover and Rate of Certificate of Origin (C/O) Form CPTPP Issuance for the CPTPP Market (2019–8M/2023)

Source: Import-Export Department – Ministry of Industry and Trade

According to the statistics of the MoIT, from 2019 to 2023, Vietnam's seafood exports utilizing CPTPP C/Os are concentrated in Canada, Mexico, and Japan, while uptake in other CPTPP markets remains limited. Thanks to the strong export potential of seafood after the CPTPP agreement, the total export value using the C/O form increased over the period, rising from USD 33,17 million in 2019 to USD 153,43million in 2022. While Japan is the largest seafood export market, its share of exports utilizing CPTPP preferences declined sharply.

Conversely, Mexico emerged as the dominant market by 2021, showing the most substantial growth in both value and proportion during this period. Other CPTPP markets accounted for a negligible proportion.

Japan, Vietnam's largest seafood market, initially dominated C/O-backed exports, accounting for 74.4% in 2019. However, its share dropped to 66.08% in 2020 and 26.69% in 2021 due to the complexity of CPTPP ROO compared to simpler bilateral FTAs like VJEPA and AJCEP. However, CPTPP offers broader tariff reductions, eliminating duties on 65% of seafood tariff lines (317/484) immediately, compared to VJEPA's 19% immediate elimination and 57% after 15 years, often with quotas (Tạp chí Công Thương, 2022). This suggests significant long-term potential for Vietnam's seafood exports to Japan under CPTP, despite the initial decline in C/O utilization.

As a major seafood market for Vietnam, Canada initially showed a significant utilization rate of 18,77% in 2019, but this fell to 7.6% in 2020 and 7.8% in 2021 due to COVID-19 disruptions, including supply chain issues and higher transportation costs. Another key reason is that the tax incentive difference is not attractive enough. Before CPTPP, Viet Nam and Canada had no bilateral FTA, so seafood imports to Canada faced MFN tariffs of 0.65% for raw seafood (HS 03) and 4.28% for processed seafood (HS 16.04, 16.05) (CPTPP & Ngành Thủy sản Việt Nam, 2019). While CPTPP offers immediate duty elimination, the administrative burden of meeting CPTPP ROO for a modest tariff saving deter many exporters from applying for C/Os.

Mexico's market experienced remarkable growth, rising from USD 2,25 million (6,8%) in 2019 to USD 16 million (25,7%) in 2020, and soaring to USD 69,13 million (63,8%) in 2021. By 2022, 77% of seafood exports to Mexico used CPTPP C/Os, and this remained high at 76.5% in 2023. (Bộ Công Thương, 2023), (Bộ Công Thương, 2024). This surge is attributed to the absence of prior bilateral FTA, with Mexico previously imposing high MFN tariffs of 13.51% on raw seafood and 18% on processed products (CPTPP & Ngành Thủy sản Việt Nam, 2019). Consequently, CPTPP's immediate duty-free access created a substantial tariff differential, incentivizing exporters to utilize C/Os, making Mexico the leading market for CPTPP-certified seafood exports by 2021.

Other CPTPP countries, including Singapore, Malaysia, Brunei, and Chile, showed minimal C/O utilization, with exports rising from USD 0,01 million (0,03%) in 2019 to USD 2,24 million (1,9%) in 2021. This limited uptake is due to pre-existing FTAs or zero MFN tariffs. For instance, Australia and New Zealand apply 0% MFN rates on most seafood, and Singapore, Malaysia, Brunei, and Chile have zero tariffs under prior agreements ATIGA and VCFTA. Thus, the limited tariff advantage makes C/O CPTPP less attractive and more of an option than a key export driver.

CPTPP market	2019		2020		2021	
	Export Turnover (Million USD)	Export proportion (%)	Export Turnover (Million USD)	Export proportion (%)	Export Turnover (Million USD)	Export proportion (%)
Canada	6,22	18,77	4,75	7,6	8,53	7,8
Mexico	2,25	6,8	16	25,7	69,13	63,8
Japan	24,69	74,4	41,13	66,1	28,9	26,5
Other CPTPP countries	0,01	0,03	0,36	0,6	2,24	1,9
Total	33,17	100	62,24	100	108,28	100

Figure 9. Vietnam’s Seafood Export Market to CPTPP Countries Under CPTPP Certificate of Origin (C/O Form CPTPP)

Source: Import-Export Department – Ministry of Industry and Trade

5. Opportunities and Challenges

5.1. Opportunities for Vietnam’s Seafood Export in Complying with the ROO within the CPTPP Framework

Firstly, compliance with the Rules of Origin in CPTPP broadens access to member markets with preferential tariffs, providing a significant price advantage over non-CPTPP competitors. These tariff incentives are particularly significant in key markets while also creating opportunities to expand into markets without prior bilateral FTAs. Moreover, the UK's accession to the CPTPP in 2024 further enhances opportunities for Vietnamese seafood, offering additional market access beyond the existing UKVFTA.

Secondly, the CPTPP's ROO is strict but more flexible than previous FTAs, thanks to the "Cumulation" rule among members. The provision allows raw materials or semi-finished products imported from any CPTPP member to be considered as "originating" when processed into final products in Vietnam. This flexibility reduces Vietnam’s reliance on non-CPTPP suppliers while effectively leveraging the diverse raw material resources available in the CPTPP region. More importantly, it creates favorable conditions for Vietnam to develop as a regional seafood processing hub. Vietnam can import raw materials from member countries rich in resources but limited in processing capacity (Peru and New Zealand), process them into high-value-added products, and then re-export them to other CPTPP markets (wtocenter.vn, 2025). This flexibility is particularly beneficial for small and medium-sized enterprises (SMEs), making it easier for them to participate in regional supply chains without owning all the input materials.

Thirdly, the pressure to comply with the strict requirements of the ROO in the CPTPP is also a strong driving force for Vietnamese seafood enterprises to improve their management systems, invest in advanced processing technology, and strictly control the origin of raw materials as well as the production process. This is not only to meet the CPTPP standard but

also to improve overall competitiveness and the ability to penetrate demanding markets. In particular, the requirement for transparency of origin and production process aligned with the ROO encourages enterprises to move towards sustainable production and higher-value processed goods. Instead of just exporting raw materials, enterprises are incentivized to engage in deep processing, creating value-added products like seasoned pangasius fillets and processed shrimp. This shift not only increases export value but also strengthens Vietnam's position as a reliable seafood supplier in the global premium market, thereby establishing and maintaining sustainable long-term trade relationships.

5.2. Challenges for Vietnam's Seafood Export in Complying with the ROO within the CPTPP Framework

Vietnamese seafood enterprises do not meet the CPTPP Rules of Origin due to their heavy dependence on raw materials imported from non-CPTPP countries such as India (40%), China (nearly 10%), and Taiwan (nearly 10%) (Tạp chí Công Thương, 2022). These raw materials are not included in the RVC and can easily change the HS code of the product after processing, violating the CTC rule. Although the CPTPP permits cumulation of origin within the bloc, converting to inputs from member countries like Japan or Canada entails high costs and technical adjustments, which are often beyond the capacity of SMEs. Moreover, some strategic raw materials like black tiger shrimp from India, tuna, squid from Taiwan, or salmon from Norway, are difficult to source from CPTPP members due to differences in type, price, and volume, resulting in the loss of preferential tariff benefits (Tạp chí Công Thương, 2022).

The mechanism of certification of origin also fails to align with trade practices and needs. Although CPTPP allows self-certification of origin, Vietnam still reserves the traditional Certificate of Origin issuance mechanism through MoIT-authorized agencies for the first five years. This mechanism involving complicated paperwork, time, high expenses, and substantial administrative burdens. However, the introduction of the electronic CPTPP C/O system under Official Notice 1089/TB-XNK represents an effort to digitize the traditional issuance process. However, the actual implementation of e-C/O systems still faces many barriers that reduce its expected efficiency. The enterprises are required to invest in technology infrastructure (computers, digital signatures, software, and personnel training) and struggle with complex registration procedures, especially for those new to the eCoSys system. Notably, the 6-hour processing time is often only guaranteed for error-free applications, amendments, or system failures significantly extend the actual processing time. Also in 2024, Vietnam began to apply a parallel self-certification mechanism; however, its implementation remains unclear due to the lack of official guidelines. In addition, currently, only a small number of enterprises qualify for self-certification, for example, under the ATIGA agreement, only four large enterprises were licensed (Taca Business Consulting, 2024). Although self-certification of origin addresses some of these disadvantages, it also demands higher responsibility and capacity of enterprises, along with stricter inspections and severe penalties for violations or commercial fraud. Consequently, slow self-certification adoption combined with e-C/O implementation challenges continues to hinder trade efficiency, increase transaction costs, and constrain competitiveness.

Many Vietnamese seafood exporters, particularly SMEs, lack expertise in CPTPP's ROO and certification processes. They struggle with errors due to insufficient training and a lack of staff with expertise in ROO and CPTPP requirements, so their C/O applications are rejected. Without specialized departments, SMEs outsource these processes to service providers without

understanding regulations, resulting in delays, rejection, and increased costs. According to a survey by VCCI, 20.31% of enterprises failed to obtain CPTPP C/Os due to insufficient documentation or procedural issues. The shift to self-certification further confuses businesses, as many do not fully comprehend the regulations for declaring production and export processes and do not have robust document storage systems to meet regular or ad hoc verification requirements. This lack of expertise hinders optimal use of trade agreements, reduces competitiveness, and limits tariff benefits, further straining SMEs' operations.

6. Recommendations for Vietnam's seafood export

Strategic input sourcing and ROO compliance

To reduce reliance on non-member raw materials, Vietnam should strengthen domestic aquaculture and aquafeed production within CPTPP borders to lessen purchases from non-member subsidized suppliers. Authorities should promote the expansion of raw material zones through eco-friendly technologies and attract high-tech investment from CPTPP partners to boost production capacity. Industry associations like VASEP should support B2B connections and promote long-term, price-stable contracts with CPTPP suppliers. Enhancing traceability systems, through digital platforms, QR codes, and standardized labeling, will ensure origin tracking and ROO compliance across the seafood supply chain.

Businesses should analyze ROO rules of their products in detail. If facing “Change in Tariff Heading” requirements, they should increase domestic value to meet RVC thresholds or seek compliant alternate inputs when cost-effective, ensuring practical compliance with CPTPP rules.

Optimizing Certificate of Origin issuance procedures

To fully benefit from ROO, optimizing C/O issuance procedures is also crucial. The Ministry of Industry and Trade needs to promptly develop explicit and detailed, complete self-certifying procedures, including easy-to-use forms, checklists, and explanatory documents containing complete walkthroughs and corresponding diagrams. Rather than waiting to execute the gradual signing schedule, the MoIT should expand its approval to include more groups of certified exporters, even if they don't follow a specific rate system, and provide support such as training materials and group guidance to help them with self-certification. To address current barriers in the implementation of the e-C/O system, MOIT should simplify the registration process through a centralized online portal and provide targeted support for SMEs, such as basic training, step-by-step onboarding, and subsidized digital signatures. Additionally, a dedicated helpdesk and fast-track correction process should be established to reduce delays caused by application errors or system failures. Regular feedback collection and system audits will also help improve long-term reliability and user experience. This will reduce paperwork, processing times, and costs, easing the transition and improving overall trade efficiency while full self-certification is adopted.

Meanwhile, businesses need to carefully build and maintain a proper document storage system to provide complete information and evidence when CPTPP member countries request origin verification. According to CPTPP rules, documents must be kept for at least three years by both exporters and C/O issuing organizations. A well-organized record system would help reduce financial and commercial risks if origin verification is required by importing authorities. Furthermore, exporters working with multiple markets under different FTAs must accurately separate and classify raw materials according to each agreement's Rules of Origin. This system

also enables businesses to quickly provide the required information if importing countries request origin verification.

Enhancing ROO expertise and capacity, especially for SMEs

To enhance ROO expertise, especially for SMEs, VCCI and VASEP must deliver hands-on, seafood-specific workshops covering practical CPTPP ROO application, including mock C/O and self-declaration forms, evidence gathering for RVC/CTH, and building robust document systems. Additionally, dedicated regional ROO support desks, potentially a joint MOIT-VCCI initiative, should offer direct, quick assistance to SMEs on specific ROO queries. Furthermore, a "train-the-trainer" program creating certified local ROO specialists accessible to SMEs, and encouraging enterprises to designate and train internal "ROO Champions," will cultivate sustainable expertise for effective CPTPP utilization.

On the other hand, SMEs themselves should proactively assign dedicated staff to undergo this training, invest time in understanding their product HS codes, and prepare internal compliance frameworks. To support this, a national online learning platform should be developed, featuring interactive content like videos, quizzes, and case studies tailored to seafood. For example, modules could walk users through calculating RVC for processed shrimp products (HS 1605) or for canned tuna products (HS 1604), including cost structure analysis and regional value breakdown.

7. Conclusion

In conclusion, Vietnam's seafood industry possesses substantial growth potential in key CPTPP markets, particularly Mexico, Japan, and Canada, but fully realizing preferential tariffs requires rigorous compliance with the Agreement's Rules of Origin. Practical implementation in Vietnam has revealed that, despite initial efforts to domesticize and guide enforcement, discrepancies between CPTPP Rules of Origin and certain provisions of Vietnam's domestic laws and the complexity of interpreting specific origin criteria continue to create hurdles for exporters. Besides, although the compliance with ROO under the CPTPP has improved, the rate of preferential tariff utilization under the CPTPP remains limited due to the dependence on imported inputs from non-CPTPP countries. Administrative hurdles like changing C/O procedures and system changes cause delays and extra costs, posing major challenges for SMEs with limited capacity.

Nevertheless, seafood exporters that successfully navigate these legal and procedural challenges stand to reap significant rewards. Strict adherence to ROO not only unlocks lower tariffs and broader market access but also promotes greater transparency throughout the supply chain and drives operational efficiencies. By continuing to align domestic regulations with CPTPP requirements, streamlining C/O issuance, and developing local sourcing capacity, Vietnam's seafood sector can enhance its global reputation and cement its role as a competitive, reliable supplier in international trade.

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