

Regional/international policies and trade protocols on biotech and Biosafety

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PBS

Key international/regional influences on on Biotech and Biosafety

- The Convention on Biological Diversity (CBD)
- The Cartagena Protocol on Biosafety (CPB)
- The WTO Agreements
 - The SPS Agreement
 - The TRIPS Agreement
- The Codex Alimentarius
- The IPPC
- The OIE
- OAU African Model Law
- COMESA

The Convention on Biological Diversity (CBD)

- Signed by 150 government leaders at the 1992 Rio Earth Summit, CBD is dedicated to sustainable utilization of biodiversity.
- Contains provisions for:
 - Access to Genetic resources including international transfer of biotechnology
 - Conservation of and sustainable use of biodiversity
 - Fair and equitable usage of biodiversity
 - Establishment of regimes for the management and regulation of biotechnology (biosafety).
- Uganda is a party since it ratified in Sept 2003
- The National Focal Point is Ministry of Environment

The Cartagena Protocol on Biosafety (CP)

- Contribute to ensuring adequate level of protection and safe use of modern biotechnology, and specifically focusing on transboundary movements.
- Provides countries the opportunity to obtain information before new organisms are imported.
- Acknowledge each countries right to regulate bio-engineered organisms subject to international obligations.
- Creates a framework to help improve the capacity of developing countries to protect biodiversity.
- Main agreement for Biosafety regulatory systems
- Uganda ratified in Sept 2003

Sanitary and Phytosanitary Measures Agreement (SPS)

- WTO Agreement on how governments can apply food safety, animal and plant health measures
- Covers measures taken by countries to ensure the safety of foods beverages and feedstuffs from contaminants or for the protection from spread of pests and diseases.
- Requires that measures regulating imports be based on sufficient scientific evidence and that countries operate regulatory approval procedures.
- Brings in Inspections & Enforcement aspects of Biosafety
- Uganda has been a WTO member since 1 January 1995
- Under the Ministry of Agriculture

Trade Related Intellectual Property Agreement (TRIPS)

- WTO Agreement on information on intellectual property
- Enables private ownership of living matter through the granting of patents.
- Presently, this form of protection is only mandatory for microorganisms.
- Brings in Socio–economic aspects of Biosafety
- Under the Ministry of Trade

The Codex Alimentarius

- Is an international standards setting body and joint initiative of the FAO and WHO
- Represented by 167 countries and recognized by the WTO SPS Agreement.
- Develops food safety standards so as to protect public health and promote fair trade in food
- Deals with food hygiene, processing, storage, labeling, quality and packaging
- Establishes principles for the risk analysis of foods and feeds derived from modern biotechnology
- Gives guidelines for the conduct of food safety assessment of foods derived from recombinant-DNA plants and micro-organisms
- Mainly under Ministries of Trade

The IPPC and the OIE

- The International Plant Protection Convention (IPPC) is an international treaty to prevent the spread and introduction of pests of plants and plant products, and to promote appropriate measures for their control.
- IPPC is hosted by FAO.
- The Office of International Epizootics (OIE) performs a similar function for animal health.
- Uganda is a member since November 2003.
- Under Ministry of Agriculture

OAU African Model Law

- Apply to the import, export, transit, contained use, release or placing on the market of any GMOs for use as a pharmaceutical, food, feed or processing
- This Model Law is an attempt to facilitate harmonization of existing legislation in the area of biosafety and to ensure the adoption of unified legislation in Africa.
- It is strongly influenced by the Cartagena Protocol
- It was supported by the OAU Assembly of Heads of State and Government in July 2001

COMESA

- The Common Market for Eastern and Southern Africa (COMESA) is the largest regional economic grouping in Africa with 20 member states.
- COMESA was established in 1994 with a mandate of bolstering and promoting trade and investments throughout the region and beyond
- COMESA in collaboration ASARECA and ACTS implemented a RABESA initiative (2004-06) to generate and analyze regional biotech and biosafety policy choices.

Conclusion

- All these regional and international influences emphasize the need to effectively regulate biotechnology application so as to achieve their benefits while minimizing risks.
- However these regional/international influences should not override or conflict with national priorities as far as choice and decision-making is concerned.