

ACCESS TO GENETIC RESOURCES AND BENEFIT SHARING (ABS)

THE GHANAIAN EXPERIENCE.

ERIC A. OKOREE

MEST

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Ghana is currently in the process of ratifying the ABS Protocol. A cabinet memorandum has been prepared and is awaiting approval.

EXISTING LEGAL ENVIRONMENT

- There is no specifically legislation in Ghana to domesticate the ABS regime in the country.
- However certain pieces of legislation could provide useful guides for the implementation of an ABS legislation in Ghana;

Office of the Administrator of Stool Lands (OASL) Act, 1994,

- The OASL provides a formula for the sharing of stool land revenue between the stool, the traditional authority and the District Assembly within the area of authority in which the stool lands are situated

Ghana Investment Promotion Centre Act, 1994.

The Ghana Investment Centre Promotion
Act provides a framework for foreign direct
investments into Ghana

Traditional Medicine Practice Act, 2000.

This enjoins the Traditional Medicine Practice Council to collaborate with the appropriate agencies for large scale cultivation of medicinal plants and for the preservation of biodiversity.

Centre for the Scientific Research into Plant Medicine Decree, 1975.

This Act establishes a centre for research into
plant medicine and botanical gardens for
medicinal plants

The Stakeholders

Farmers:

Farmers are key stakeholders because they are the primary managers and custodians of genetic resources.

Governmental Organizations

- Ministry of Environment and Science (MES)
- Ministry of Food and Agriculture (MoFA)
- Ministry of Lands, Forestry and Mines (MLFM)
- Ministry of Health (MoH)
- Ministry of Local Government and Rural Development (MLGRD)
- Ministry of Finance and Economic Planning (MFEP)
- Ministry of Trade, Industry and Presidential Special Initiative (MoTIPSI)
- Ministry of Education (MoE).

The Non-Governmental Organizations (NGOs) and Community-based Organizations (CBOs)

- The local traditional authorities that are responsible for the conservation of sacred groves and other such habitats of indigenous genetic resources.

- The Ghana Wildlife Society (GWS), which aims at promoting the conservation, protection, management and wise use of wildlife in all its forms (plants, animals and their habitats) through conservation programmes and community-based projects.

The Heifer Project International (HPI), which in “Partnership with people with felt-needs”, addresses “poverty related issues and community development”, and “cares for the earth”, especially through sustainable livestock management.

CONCLUSION

It is believed that the above situation existing in Ghana could make the specific legal framework on ABS effective when enacted.
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