

# EXPERIENCES OF IMPLEMENTATION OF ABS IN MALAWI

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# Outline

- Introduction
- Practice before EMA
- Current practice
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# Introduction

- Malawi has diverse genetic resources that currently have not benefitted the people of Malawi.
- However, our constitution Section 13 (d) emphasizes that the biological and genetic resources of the country are for the benefit of the citizens of Malawi.
- To date government is putting plans to ensure that the communities get the benefits from use of the genetic resources as stipulated in the Nagoya Protocol.

# Practice before EMA

- The Genetic and Biotechnology Committee (GBRC) that comprised scientists from government, private sector, CSOs and the Academia was responsible for reviewing applications for access and export of genetic resources.
- The secretariat for the GBRC was the National Research Council of Malawi (currently the National Commission for Science and Technology).
- The GBRC recommended for access and export of the genetic resources to the responsible sector managing the resources (forestry, wildlife, fisheries, agriculture).
- The sector would issue a permit for access and export of the genetic resources.

# Current Practice

- The institutional arrangement for application is slightly different than the previous one because the Environment Management Act Section 35 and 36 gives the mandate to the Department of Environment to process applications for export of genetic resources.
- Since the regulations have not been put in place, the current practice requires the applicant to apply for access to the different sectors based on their legislation.

## Cont'd

- In the case where the application is for research purposes, the sector upon reviewing the application, will send the applicant to the NCST which will advise the applicant to identify a local scientist/institution to partner with in the research program.
- Upon satisfaction that the research proposal is meeting the requirements, the NCST recommends to the sector to issue an access permit.

## Cont'd

- In cases where the applicant wants to export samples of the genetic material, the Department of Environmental Affairs is responsible for issuing export permits.
- For commercial purpose, the applicant will get the export permit after showing access permit from the sector.

# Future Plans

- Government is in the process of developing regulations for ABS.
- The regulations will take into account the articles of the NP.
- Government is in the process of ratifying to the NP.