



**Second Regional Coordination Workshop  
BioTrade and Access and Benefit-Sharing in the Mekong Region**



# **Results of Stakeholder Consultations and Developments on ABS Policy Framework: Myanmar**

**WIN HTEIN, Ph.D**

Environmental Conservation Department  
The Republic of the Union of Myanmar

**4-12-2019**

**Ha Noi, Viet Nam**



# Contents

- ✓ Background
- ✓ International Convention and Protocols on Biodiversity
- ✓ Current Developments
- ✓ Myanmar ABS Institutional and Policy Framework (draft)
- ✓ Ownership of Genetic Resources
- ✓ ABS Relevant Legislation in Myanmar
- ✓ Multi-Stakeholder Involvement
- ✓ Needs and Gaps
- ✓ Way Forward



# Background

- Indo-Myanmar Biodiversity Hotspot
- Combination and interaction of geography, topography, and climate conditions
- Rich variety of habitat types
- Extraordinary amount of biological diversity



# Background

- The high levels of biodiversity attracts scientific investigations for medicinal, cosmetic, pharmaceutical products
- 1540 species of medicinal plants (Defilipps and Krupnick, 2018)
- Collection of rice and beans seeds with more than 12,670 accessions (Seed bank)



# International Convention and Protocols on Biodiversity

## Convention on Biodiversity

- Ratified on 25<sup>th</sup> Nov 1994
- 6<sup>th</sup> report to CBD submitted in Dec 2018

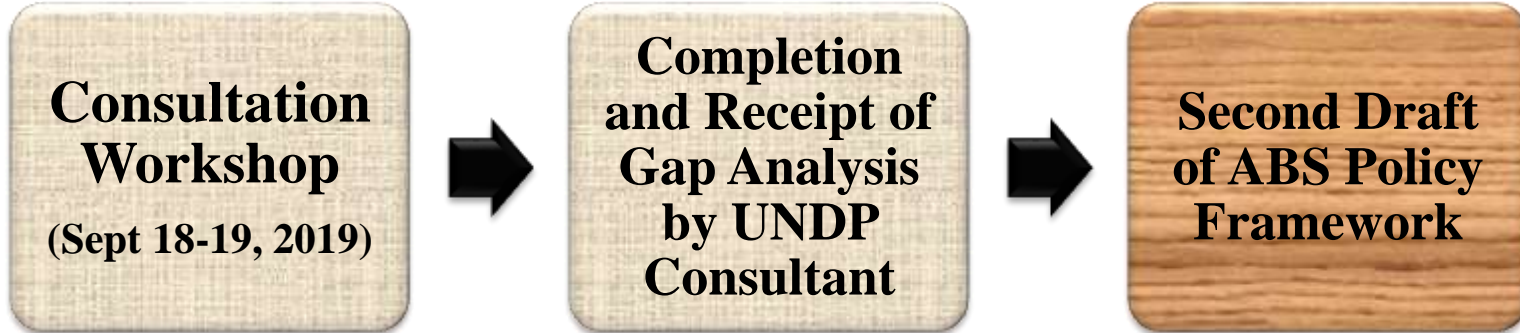
## Cartagena Protocol on Biosafety

- Ratified in 2008
- National Biosafety Framework (draft)
- Law on Biosafety (draft)

## Nagoya Protocol on Access and Benefit-sharing

- Accession on (become member): 08 Jan 2014
- Entered into force on: 12 Oct 2014

# Current Developments





# Myanmar ABS Policy Framework (Draft)

## Scope:

The collection, research, utilization and commercialization of Myanmar's genetic resources and traditional knowledge associated with genetic resources.

## Objective:

The Policy Framework shall ensure the fair and equitable sharing of benefits from the utilization of Myanmar's genetic resources and traditional knowledge associated with genetic resources.

# Myanmar ABS Institutional and Policy Framework (Draft)

## National Focal Point

Environmental Conservation Department - ECD  
Responsible for liaison with the Secretariat of the Convention on Biological Diversity

## Competent National Authorities (CNA)

Environmental Conservation Department  
Forest Research Institute  
Department of Agriculture  
Department of Agricultural Research  
Department Fisheries  
Department of Traditional Medicine  
Department of Research and Innovation  
Livestock Breeding and Veterinary Department  
University of Forestry and environmental Science



# Ownership of Genetic Resources

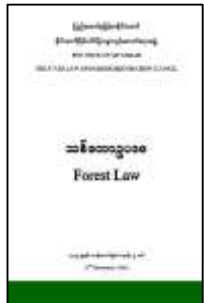
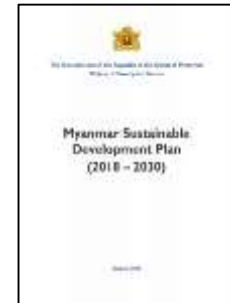
- The government of Myanmar owns all genetic resources under the constitution.
- Legal right of access is an essential component of the Nagoya Protocol



# ABS Relevant Laws and Policies in Myanmar

## • Environment & Forestry Sector

- ❖ Myanmar Agenda 21 (1997)
- ❖ National Sustainable Development Strategies (2009)
- ❖ Myanmar Sustainable Development Plan (2018-2030)
- ❖ Forest Policy (1995)
- ❖ National Environmental Policy of Myanmar (2019)
- ❖ Forest Law (2018)
- ❖ Environmental Conservation Law (2012)
- ❖ Environmental Conservation Rules (2014)
- ❖ Community Forest Instruction (2016)
- ❖ National Biodiversity Strategy and Action Plan (2015-2020)
- ❖ Protection of Wildlife, Wild Plants and Conservation of Natural Areas Law (2018)



# ABS Relevant Legislation in Myanmar

## ❖ Industrial Sector

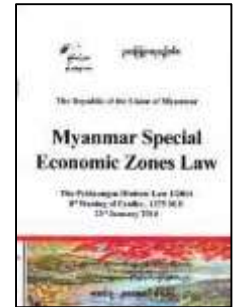
- ❖ The Private Industrial Enterprise Law (1990)

## ❖ National Planning and Economic Development Sector

- ❖ The Myanmar Special Economic Zone Law (2014)

## ❖ Cultural Sector

- ❖ The Protection and Preservation of Cultural Heritage Region Law (1998)
- ❖ The Ethnic Rights Protection Law (2015)



# Multi-Stakeholder Involvement

## ■ Government Departments/Research Institutes/Universities

- Environmental Conservation Department
- Forest Department
- Department of Agriculture
- Livestock Breeding and Veterinary Department
- Department of Fishery
- Forest Research Institute
- University of Forestry
- Yangon University, Mandalay University
- Education Department
- Mawlmyaing University
- Department of Health
- Department of Agricultural Research
- Planning Department
- Department of Rural Development
- University of Agriculture
- University of Veterinary Science
- University of Traditional Medicine
- Food and Drug Administration
- Department of Trade Promotion and Consumer Affairs, Ministry of Commerce
- Department of Trade, Ministry of Commerce
- Border Areas and National Races Development Department

# Multi-Stakeholder Involvement

## ■ Local NGOs/ INGOs/ UN Organizations

- FREDA
- MERN
- WCS
- WWF
- IUCN
- BANCA
- FREDA
- HELVETAS
- MFA
- ECCDI
- FAO
- UNEP
- GIZ
- JICA
- OIKOS



# Multi-Stakeholder Involvement

## ■ Private Sector

- ✓ Fame Pharmaceuticals Industry Co., Ltd.
- ✓ Herbal Green Biostimulant Industry
- ✓ Shwe Pann Taing Trading Co., Ltd
- ✓ KalyanaMitta Development Foundation (KMF)
- ✓ Shwe Pyi Nan
- ✓ Shwe Thone Dari





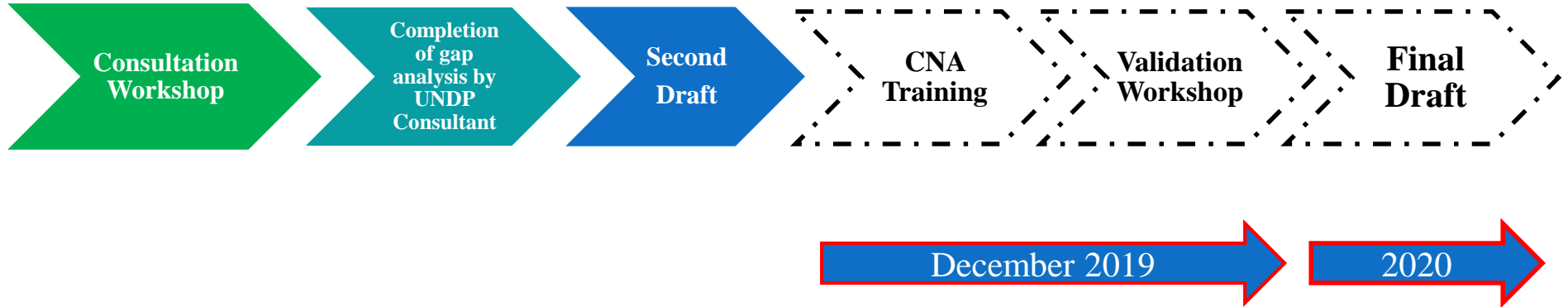
# Needs and Gaps

- Lack of ABS measures
- Need to improve the draft ABS institutional and policy framework
- Necessary legislative, administrative and policy measures at the regional, national and/or local levels need to be developed for the implementation of ABS on the ground
- Need for financial resources, capacity building and awareness-raising on ABS at national and local levels

# Way Forward

- To strengthen the legal, policy and institutional capacity to develop national ABS frameworks
- To build trust between users and providers of genetic resources to facilitate the identification of bio-discovery efforts
- To strengthen the capacity of indigenous and local communities to contribute to the implementation of the Nagoya Protocol

# Way Forward





**Thank You Very Much For Your Attention!**