

Legal Framework on Access to Genetic Resources in Ecuador

***Ecuadorian Proposal for Legal
Regulations to the Andean Decision 391
CAN***

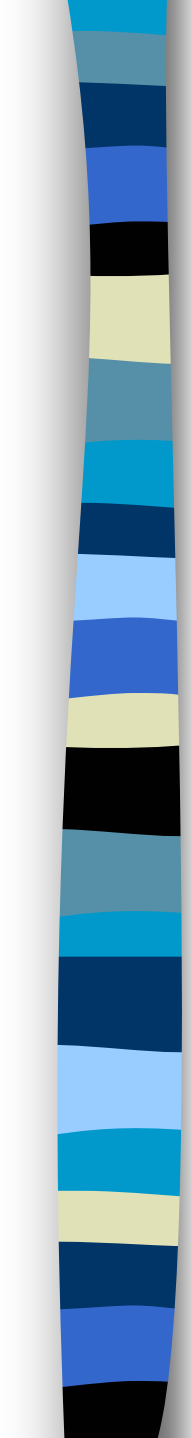
Granada, January 1 2006



- *Legal background*

- *Convention on Biodiversity, 1993 (*)*
- *Andean Decision 391 CAN, 1996 (*)*
- *Law about Biodiversity Conservation, 1996*
- *Ecuadorian Constitution, 1998*

() time of formal integration to the legal framework of Ecuador*



- *Political Issues (public concern)*

- *Patent on “ayahuasca”, 1986 (published 1992)*
- *Patent on “Epibatidina”, 1999*



■ *Institutional Issues*

- *Draft on the Regulation to Access to Genetic Resources, 1999.*
- *Draft on the Law about Biodiversity Conservation and Sustainable Use of Biodiversity (*)*

() in discussion at the National Congress*

Steps taken

Internal phase

Objective: actualization and correction

Public phase 1

**Objective: distribution, participation
and socialization**

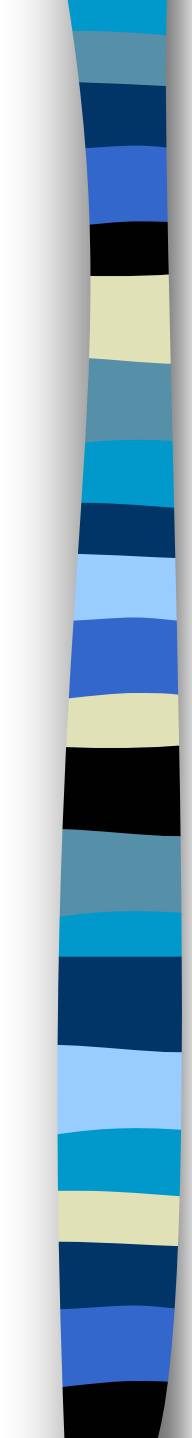
Public phase 2

**Objective: evaluation,
observations and comments**



Up date

- *Was handed in to and officially accepted by the Ministry of the Environment (2004)*
- *Still has to be presented to the President of the Republic to enter into force*



Contents of the Ecuadorian draft law on access to genetic resources

- ***Part 1: General rules***
- ***Part 2: National Authorities: Ministry of the Environment, Committee on Genetic Resources and Evaluation Institutions***
- ***Part 3: Access Procedure***
- ***Part 4: Restrictions***
- ***General Provisions***
- ***Transitory Provisions***



Thank you for your attention

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