

Clarity. The President wants Parliament to clarify, among other issues, the Bill's vague title, patent rights of indigenous farmers and sanctions for scientists who mix genetically modified organism with indigenous crops and animals.

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Why President has refused to assent to Biosafety Bill

KAMPALA. President Museveni has declined to sign into law the National Biotechnology and Biosafety Bill, 2012, a legislation that seeks to provide a regulatory framework that facilitates the safe development and application of biotechnology, research, development and release of genetically modified organisms.

Biotechnology is any technique that uses living organisms or substances from living organisms to make or modify a product, improve plant, animal breeds or micro-organisms for specific purposes while biosafety is the safe development, transfer, application and use of biotechnology and its products.

The government, through the National Agricultural Research Organisation (NARO), is already conducting research on crop plants produced through modern biotechnology.

The research aims at overcoming chronic problems

such as insect and disease epidemics, drought stress, and malnutrition.

Uganda, which has a National Biotechnology and Biosafety Policy (2008), needed a law to guide implementation of this policy before the improved varieties from biotechnology could be made available to farmers, but the Bill has since 2012 left the science world divided on the place of genetic engineering of crops and animals and the role of indigenous technology built over centuries by Africans.

President writes

In his December 21 letter to Speaker of Parliament Rebecca Kadaga, the President wants the House to clarify, among other issues, the Bill's vague title, patent rights of indigenous farmers and sanctions for scientists who mix genetically modified organism (GMOs) with indigenous crops and animals.

Mr Museveni wrote: "There



are ancient crops and livestock with unique genetic configuration like millet, sorghum, beans, Ankole cattle, Ugandan chicken, enkoroimbo cattle. These products have got spe-

Harvested. A farmer goes through his Irish potato harvest at Buginyanya Zonal Agricultural Research and Development Institute (Buglizard) in Mbale District recently. FILE PHOTO

cific genetic makeup which our people have developed for millennia through selection (kutorana for seeds, kubikira (selecting good bulls), enimi or empaya (he-goats)).

"Using the new science of genetic engineering, one may add an additional quality such as drought resistance, quick maturing, disease resistance, but, this law apparently talks of giving monopoly of patent rights to its adder and forgets about the communities that developed original material.

This is wrong. Yes we appreciate the contribution of the adder but we cannot forget original preservers, developers and multipliers of the original materials. This must be clarified."

DIRECTIVES

President Museveni's letter also directs the Agriculture ministry working through the National Agriculture Research Organisation (NARO) to, "work out a plan for a Noah's ark where all unique indigenous materials for plants and animals will be kept, uncontaminated with any GMO for future use if there is any crisis within the modernisation efforts."

Additionally, Mr Museveni directs that the law should not prescribe the home of genetic engineering to the Ministry of Science and Technology as that should be left to the President to administratively decide in accordance with safety and effectiveness of developing the science and the consumer must be protected, such that if the developer of GMOs produces dangerous materials that harm the environment or people or animals (wild or livestock), that developer is held accountable.

No random mixing

Expressing his open-mindedness to scientific innovation and in so doing ridiculing Pope Urban VIII who excommunicated scientist Galileo Galilei for proposing that the earth is flat in contrast with the Pope's view, the President asserts: "To be on the safe side, GMO seeds should never be randomly mixed with our indigenous seeds just in case they turn out to have a problem."

The President also wants Parliament to explain other aspects of genetic engineering such as setting out the boundary of the technology to crops and animals with no crossover to human beings, labelling of GMOs and wonders why there is a plan to have genetically modified materials in the irrigated areas of Mobuku Irrigation Scheme, in Kasese.

The Parliament director of communication and public affairs, Mr Chris Obore, told *Daily Monitor* yesterday: "I cannot confirm the Speaker

received the President's letter. It may have come during the festive season. If he sent back the Bill, the normal procedure is that Parliament will look at the issues raised, discuss and amend. If it believes there is no problem with the Bill, it will also write to the President stating the same."

The law explained

Under Article 91(3) of the Constitution, the President shall, within thirty days after a Bill is presented to him or her — (a) assent to the Bill; (b) return the Bill to Parliament with a request that the Bill or a particular provision of it be reconsidered by Parliament; or (c) notify the Speaker in writing that he or she refuses to assent to the Bill.

Article 91(5) directs: "Where the President returns the same Bill twice and the Bill is passed for the third time, with the support of at least two-thirds of all members of Parliament, the Speaker shall cause a copy of the Bill to be laid before Parliament, and the Bill shall become law without the assent of the President."

Modern biotechnology is regulated by all countries using the technology and Uganda is a signatory to the Cartagena Protocol on Biosafety, an international pact which aims at ensuring safe handling, transport and use of products of biotechnology.

All parties to the protocol, including Uganda, are required to take appropriate legal, administrative and other measures at national level to implement their obligations under the protocol.

As debate on the Bill heightened, ActionAid International Uganda issued series of critical statements amplifying the concerns of smallholder farmers which the President now captures in his letter to the Speaker.

Key concerns

Chief among those concerns is ownership and the costs of patents (because agro-technology is almost always patented), the threat to farmer saved seeds on which millions depend for their livelihoods and the industrialisation of agriculture that encourages monocultures that act against the biodiversity.

The Bill was opposed by sections of the academia too including Dr Giregon Olupot, a lecturer at Makerere University's College of Agricultural and Environmental Sciences who argues that opening the floodgates of GMOs poses "irreversible health and environment risks to Uganda", asserting that "GMOs are not suitable for Uganda's agricultural system because the country is dominated by small-scale farms and not the monstrous ones required for monoculture of GMOs. Its benefits are also exaggerated, does not allow replanting and is expensive."

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KEY
— Old Routes
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Schedule day of flight from Entebbe:

TUESDAY & THURSDAY
Arrival: 12:10pm Departure: 01:10pm

SATURDAY
Arrival: 10:10am Departure: 11:10am

ROUTING: Entebbe Via Juba-Khartoum
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