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ፌዴራል ነገሥት ሀገር

FEDERAL NEGARITGAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

የወጣበት ቀን ጥቅምት ፳፯ ፳፻፬
በአዲስ አበባ (ጸ/፳፻፲፱)

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የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ

13th Year No.13
ADDIS ABABA- 27th February, 2006

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የወጣበት ቀን ጥቅምት ፳፯ ፳፻፬ (ጸ/፳፻፲፱)
የግንባር ስራ ለማስፈጸም የሚያስፈልጉ ሰነድ ለማሰጠት

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PROCLAMATION NO. 482/2006
A PROCLAMATION TO PROVIDE FOR ACCESS TO GENETIC RESOURCES AND COMMUNITY KNOWLEDGE AND COMMUNITY RIGHT
WHEREAS, the immense biodiversity wealth Ethiopia is endowed with must be conserved and sustainably utilized for the benefit and development of its peoples;
WHEREAS, it is necessary to recognize the historical contribution Ethiopian communities made to the conservation, development and sustainable utilization of biodiversity resources;
WHEREAS, Ethiopia is party to the Convention on Biological Diversity and the Convention requires the enactment of access legislation;
WHEREAS, Ethiopia has agreed to the African Model Law on Community, Farmers' and Plant Breeders' Rights and Access to Biological Resources;

ሰነድ ወጪ
Unit Price

ነገሥት ሀገር ፌዴራል ነገሥት ሀገር
Negarit G. P.O.Box 80001

yj ntK hBT XNÄþ« bQÄ bzšqñT _QM ŠY XNÄþWL I ÷DrG y, ÄSCLÄ yxþT×eÄ ÷HbrsiC ÄÄb„ T L÷Äêf yj ntK hBT ክብካቤና አጠቃቀም ሥርዓት ሊጠበቅና ሊበረታታ y, ገፂW bmçni#

የጀነቲክ ሀብት ክብካቤና አጠቃቀምን b, mlkT yxþT×eÄ ÷Hbrsi ች ያካብቱትና ÄÄb„ T :WqT XWQÄ I þÄgYÄ _bY I þdrGIT XNÄþñM bXnzþH ÷HbrsiC fYDÄ y_QM tkÍ YñT bsðW _QM ŠY XNÄþWL I þbr - ñ y, ገፂW bmçni#

yj ntK hBT _QM ŠY XNÄþWL bmFqÇÄ _QM ŠY mëlü k, ገፃW ገብ በመጋራት ረገድ በሚሰጥ ውሳኔ ላይ የአካባቢ ÷HbrsiC XNÄþütü ÷DrG xSfšገþ bmçni#

XnzþHN >šÿäC btGÆR I ÷êL yj ntK hBTÄ y÷HbrsB :WqT xRKiTÄ ÷HbrsiC bj ntK hB - cWÄ y÷HbrsB :Wq - cW ŠY ÄšcWN mBT bþG mwsN xSfšገþ bmçni#

bxþT×eÄ ØÁ%šêf Äþä K%spÄêf ¶pBI þK Þገ mNGoT xNqA %5 /1/ mçrT y, kt IW - W©L”

ክፍል አንድ
ጠቅላላ ድንጋጌዎች

1. ጸባይ ጽደብ

YH xêJ “yj ntK hBTÄ y÷HbrsB :W qT xRKiT XÄ y÷HbrsB mBèC xêJ qL.R 4* 2/09) (8”” tBI ð I þ« qS YCšL”

2. ትርጉም

yYIü xgÆB I ÷š TRገñM yሚያሰጠው ካልሆነ bStqR bzþH xêJ wS_#

1/ “xRKiT” ÷IT yj ntK hBTN wYM y÷HbrsB :WqTN msBsB# mW sD# ÷StšIF# wYM m«qM nW#

2/ “þYw - êf hBT” ÷IT I sW LJ «q » - ÄIW wYM wdðT I þñrW y, CL yj ntK hBT# yXzþñü ÞêúT ወይም አካላት ወይም የእርሱ ስብስብ ወይም ÷ÄcWM yoR>T MHÄR þYwT ያለው አካል ነው፤

WHEREAS, it is necessary to protect and encourage the customary use of genetic resources by Ethiopian communities which are relevant to the conservation and sustainable use of the biodiversity resources of the country;

WHEREAS, it is necessary to recognize and protect the knowledge of Ethiopian communities generated and accumulated with respect to the conservation and utilization of genetic resources and promote the wider application of such knowledge with the approval of and sharing benefits by such communities;

WHEREAS, it is necessary to involve communities in the making of decisions concerning the use of genetic resources and community knowledge and sharing of benefits derived from the utilization thereof;

WHEREAS, in order to realize these objectives, it is necessary to determine by law the access to genetic resources and community knowledge, and to provide for the rights of communities over genetic resources and community knowledge

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE
GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as “Access to Genetic Resources and Community Knowledge, and Community Rights Proclamation No. 482 /2006.”

2. Definitions

In this Proclamation, unless the context requires otherwise:-

1/ “access” means the collection, acquisition, transfer or use of genetic resources and/or community knowledge;

2/ “biological resource” includes genetic resources, organisms or parts thereof, populations or any other biotic component of ecosystem with actual or potential value for humanity;

- 3/ “têAâ” ¶IT kPYw-êf hBT tIYê ywÈ wYM ytZUj W«¶T spçN y:lêT ZRÃãCN# zYèCN# :ÈñCN ÑÃãCN# PétNÃ ymúsl iITN Y= M%L”
- 4/ “አዘበታ” ማለት የጅነቱክ ሀብት በተፈ _é k. gYbT ቦታው ውጪ የሚገኝ ቦት ሁኔታ ነው።
- 5/ “xsú” ¶IT xND yj ntK hBT mñ„ N wYM ÃI bTN hin፡- I ¶wQ bhg¶tù WS_ y. drG FIU nW#
- 6/ “yj ntK hBT” ¶IT IsW LJ «q» - ÃIW wYM wdöT «q » - I þñrW y. CL yPY-êf hB TN yzR ÆP¶ yÃz yj ntK q፳ spçN têAâN Y= M%L#
- 7/ “zi -” ¶IT yj ntK hBT btf_é በሚገኝበት አካባቢ ወይም ሥርዓተ- MHÃ„ WS_ y. gYbT hin፡- nW#
- 8/ “x¶NSt¶¶T” ¶IT bxêJ qL R 1)/09) (9/ XNdt፳፻1 / ytìl mW yBZh P YwT _bY x¶NSt¶¶T nW#
- 9/ “የአካባቢ ማህበረሰብ” ¶IT xND yj ntK hBTN tNkÆKi Yø y. gY wYM yx ND y¶HbrsB :WqT fÈ¶ yçnÃ bxp T×eÃ bxND btwsn ymLK> MD%êf አካባቢ የሚገኝ የሰዎች ስብስብ ነው።
- 0/ “sW” ¶IT ytf_é sW wYM bPG የሰውነት መብት የተሰጠው አካል nW#
- 01/ “xSqDä tgnZi y. s_ X>-” ¶IT ytwsn yj ntK hBTN wYM y¶HbrsB :WqTN ¶RkB y. f LG sW xRKiT kmf፡፡Ñ böT b. ÅqRbW TKKI¾Ã ytà፳ mr ©N yÃz yxRKiT _Ãq½ ፳Y bmm o rT GIsbi yj ntK hBtW wYM y¶HbrsB :WqTN XNÃ¶ASrKB ኢንስቲትዩቱ እና የሚመለከተው የአካ ለb¶ ¶HbrsB y. s«iT fYD nW#
- 02/ “xGÆB ÃIW tìM” ¶IT xNDN yj ntK hBT zRF y¶StÄDr `፳ ðnT yts«W wYM bxND yj ntK hBT wYM y¶HbrsB :WqT zRF ልዩ ዕውቀት ያለው የመንግሥት አካል nW#
- 03/ “mNGo T” ¶IT XNd xGÆbi yxpT×eÃ ØÁ%፳êf ÁäK%spÃêf ¶lpBI¶K mNGo T wYM yKLL mNGo T ¶IT nW#

- 3/ “derivative” mans product extracted or developed from biological resource this may include products such as plant varieties, oils, resins, gums, chemicals and proteins;
- 4/ “ex situ” means a condition in which genetic resource is found outside of its natural habitat;
- 5/ “exploration” means an activity to find out the existence or the status of a given genetic resources;
- 6/ “genetic resource” means any genetic material of biological resource containing genetic information having actual or potential value for humanity and it including derivatives;
- 7/ “in situ” means a condition in which genetic resource is found in its natural habitat or ecosystem;
- 8/ “Institute” means the Institute of Biodiversity Conservation established by Proclamation No. 120/1998 (as amended);
- 9/ “local community” means a human population living in a distinct geographical area in Ethiopia as a custodian of a given genetic resource or creator of a given community knowledge;
- 10/ “person” means a natural or juridical person;
- 11/ “prior informed consent” means the consent given by the Institute and the concerned local community based on an access application containing a complete and accurate access information to a person seeking access to a specified genetic resource or community knowledge;
- 12/ “relevant institution” means a state organ responsible for administering or having special technical expertise on a specific sector of genetic resources or community knowledge;
- 13/ “state” means, the Government of the Federal Democratic Republic of Ethiopia or its Regional State, as applicable;

04/ “y፶HbrsB :WqT” ፶IT yj ntK hBT ፶NbrN wYM m«qMN b, መለክት የአካባቢ ማህበረሰቦች የፈጠሩት wYM IzmĀT ĀĀb, T :WqT# x፯%R# f«% wYM _bB nW”

05/“BZh ፆYwT” ፶IT byT፶WM ፀR >T MHĀR b, g፶፱ HYwT ፳፻CW ነገሮች መካከል የሚገኙ ተለያይነት s፶፻N# YHM bZRĀĀC WS_# ZR ĀĀC XĀ boRxt-ምህዳሮች መካከል ĀI WN tI ĀYnT Y= M%L”

3. > ፻ ፶

yz፶H xēJ >፻፶ yhg፲t፶ yj ntK hBT XĀ y፶HbrsB XWqT _QM ፻Y bmēli k, g፶W _QM hg፲t፶ ፶Hbrsi- FT፶ēĀ ፶፻Āēf y፻፻ DR፶ XNĀ፶Ag፶፱ b፶DrG# yBZh HYwT hBT XNĀ፶«bQĀ bz፶q፲T _QM ፻Y XNĀ፶WL ፶DrG nW”

4. yt፶f፶_ nT wsN

1/ YH xēJ bzi- wYM bx፶zi- b, g፶፱ yj ntK hB፶C XĀ b፶HbrsB :WqT xRKiT ፻Y t፶f፶, Y፻ĀL#

2/ yz፶H xNqA N; i፶ xNqA /1/ DNUg፶ b፶፲RM# YH xēJ q_፶፱ bt«qsiT giĀxC ፻Y t፶f፶, nT y፶WM#

h/ የኢትዮጵያ የአካባቢ ማህበረሰቦች ራሳቸው ወይም በመካከላቸው በሚያደርጉት L፶Āēf yj ntK hBTĀ y፶HbrsB :WqT LWW_Ā m«qM# XĀ

፶/ yj ntK hBt፶ m«qMN ፶፻ĀSkTL ፶MGB wYM ፶m፶ m«qMN ፶m sl ytly «q»- bq_- ፶፻ēL s፶፻L b, drG y፶Yw-ēf hBT MRT GBYT#

5. ፳፻TnT

1/ yj ntK hBT ፳፻TnT ymNGፀTĀ y፶ZB Y፻ĀL”

2/ y፶HbrsB :WqT ፳፻TnT y, ml ፶ተው የአካባቢ ማህበረሰብ ይሆናል።

14/ “community knowledge” means knowledge, practices, innovations or technologies created or developed over generations by local communities on the conservation and use of genetic resources.

15/ “Biodiversity” means the variability among living organisms from all sources of ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems;

3. Objectives

The objective of this Proclamation is to ensure that the country and its communities obtain fair and equitable share from the benefits arising out of the use of genetic resources so as to promote the conservation and sustainable utilization of the country’s biodiversity resources;

4. Scope of Application

1/ This Proclamation shall apply on access to genetic resources found in in-situ or ex-situ conditions and community knowledge.

2/ Notwithstanding the provision of Sub-Article (1) of this Article, this Proclamation shall not apply to:

a/ the customary use and exchange of genetic resources and community knowledge by and among Ethiopian local communities; and

b/ the sale of produce of biological resources for direct consumption, that do not involve the use of the genetic resource thereof.

5. Ownership

1/ The ownership of genetic resources shall be vested in the state and the Ethiopian people.

2/ The ownership of community knowledge shall be vested in the concerned local community.

**KFL hü T
y፳HbrsB mBèC mkbR**

6. m፯rtü

የአካባቢ ማህበረሰቦች በጀነቲክ ሀብታቸውና
b፳HbrsB :Wq-cW ሿY y, ktliüT
mBèC x፳cW#

- 1/ b፳HbrsB :Wq-cW ሿY y, f{M
xRKi TN ymöÈ«R mBT#
- 2/ yj ntK hB-cWNÂ y፳HbrsB :Wq-cW
cWN ym«qM I ጋsS y፳YCL
mBT#
- 3/ yj ntK hB-cWÂ y፳HbrsB :Wq-cW
_QM ሿY bmêlù k, ጋBW
_QM ymU%T mBT'''

7. xRKi TN ymöÈ«R mBT

- 1/ የአካባቢ ማህበረሰቦች አርክሮትን ለመቆ
È«R ለ፳cW mBT y, ktliüTN
Y= M%L#
- h/ I ፳HbrsB :WqT xRKi T
xSqDä tgNZi y, s_ X>-
ymS«T mBT#
- I/ xSqDä tgNZi y, s_ X>-
XNÄ፳«ü b, «yqll ጋ፯፳ y-sbW
yxRKi T tጋÆR yÆH፳êÄ ytf_é
QRi ÕcW ሿY xdU y, f_R
mSI ð k-ÄcW fÝD ymkLKL
mBT#
- ¼/ qdM ፳፯L s_tWT ynbrW
xSqDä tgNZi y, s_ fÝD
b፳Hb%êÄ x፯-ñ, Äêl ፯Y-cW
wYM bÆH፳êÄ ytf_é
QRi ÕcW ሿY xdU I፯ÄSkTL
y, CL ርñ ካገኙት ፈቃዱን
y፳NúT wYM ymgdB mBT#
- m/ x፯NSt፯፯ttüys«W yj ntK hBT
xRKi T fÝD bÆH፳êÄ ytf_é
QRi ÕcW ሿY xdU I፯ÄSkTL
የሚችል ሆኖ ካገኙት አንስቲትዩቱ
ys«W yxRKi T fÝD ጋdB
XNÄ፯rGbT wYM XNÄ፯nú
ym«yQ mBT'''

**PART TWO
PROTECTION OF COMMUNITY RIGHTS**

6. Principle

Local communities shall have the following
rights over their genetic resources and community
knowledge:

- 1/ the right to regulate the access to their
community knowledge;
- 2/ an inalienable right to use their genetic
resources and community knowledge;
- 3/ the right to share from the benefit arising out
of the utilization of their genetic resources
and community knowledge.

7. Art. 7. Right to regulate access

- 1/ The right of local communities to regulate access
to their community knowledge shall include the
following:
 - a/ the right to give prior informed consent for
access to their community knowledge;
 - b/ when exercising the right to give prior
informed consent, the right to refuse
consent when they believe that the
intended access will be detrimental to the
integrity of their cultural or natural
heritages;
 - c/ the right to withdrew or place restriction
on the prior informed consent they have
given for access to their community
knowledge where they find out that such
consent is likely to be detrimental to their
socio-economic life or their natural or
cultural heritages;
 - d/ the right to demand the restriction or
withdrawal of the prior informed consent
given by the Institute for access to their
genetic resources where they found out that
is likely to be detrimental to their socio-
economic life or their natural or cultural
heritages;

2/ የአካባቢ ማህበረሰቦች አስቀድሞ ተገንዝቦ
y, s_ X>- y, s<ibT hin-Ä
oR>T bdNB YwsÄL'''

8. ym«qM mBT

1/ የአካባቢ ማህበረሰቦች ለመኖር በሚያደርጉት
XNOSYs= yj ntK hB-cWN wYM
y≠HbrsB :Wq-cWN bL≠Äêf xç%
%cWÄ dNÄcW mçrT ym«qM
ወይም በመካከላቸው የመለዋወጥ ሊገሰስ
y≠YCL mBT x§cW'''

2/ በአካባቢ ማህበረሰቦች የጀነቲክ ሀብትና
y≠HbrsB :WqTN ym«qMÄ yml
êw_ ÄH§êf oR>T §Y yPG gdB
xYdrGbTM'''

9. _QM ymU%T mBT

1/ የአካባቢ ማህበረሰቦች የማህበረሰብ ሰውቀት
_QM §Y bmêlï k, gßW gbb §Y
ymU%T mBT x§cW#

2/ የአካባቢ ማህበረሰቦች የጀነቲክ ሀብታቸው
_QM §Y bmêlï MKNÄT bzH xêJ
xNqA 08/1/ mçrT mNGoT
bgNzB mLK k, ÄgßW _QM §Y %
bmè y, çnWN ymU%T mBT
Yñ%cêL#

3/ bzH xNqA N;üS xNqA /1/ XÄ /2/
mçrT y, gßW gNzB l, ml k-cW
የአካባቢው ማህበረሰቦች የጋራ ጥቅም
YW§L#

4/ kxRKiT _QM mU%T y, gßW
ገንዘብ ለአካባቢ ማህበረሰቦች የጋራ ጥቅም
y, WLbT oR>T bzH xêJ mçrT
b, wË dNB YwsÄL'''

0. y≠HbrsB mBèC xkÄbR

1/ የአካባቢ ማህበረሰቦች በጀነቲክ ሀብታቸውና
b≠HbrsB :Wq-cW §Y Ä§cW
mBT b%úcW L≠Äêf xç%RÄ dNi C
mçrT _bÿ YdrGI -L#

2/ y≠HbrsB :WqT y, lyW# y, tr
gðmWÄ y, rUg«W b, ml ktW
የአካባቢ ማህበረሰብ ልማዳዊ አሠራሮችና
dNi C mçrT nW#

2/ The conditions and the procedure in accordance to
which local communities shall give prior informed
consent for access to their community knowledge
shall be specified by a regulation;

8. Use Right

1/ Local communities shall have an inalienable
right to use or exchange among themselves
their genetic resources or community
knowledge in the course of sustaining their
livelihood systems in accordance with their
customary practices or norms.

2/ No legal restriction shall be placed on the
traditional system of local communities on the
use and exchange of genetic resources and
community knowledge;

9. Art. 9 Right to share benefit

1/ Local communities shall have the right to share
from the benefit arising out of the utilization of
their community knowledge;

2/ Local communities shall have the right to obtain
50% of the benefit shared by the state in the
form of money from the benefits derived out of
the utilization of their genetic resources in
accordance with Article 18(1) of this
proclamation;

3/ The money obtained pursuant to Sub-Article (1)
and (2) of this Article shall be put to the
common advantage of the concerned local
communities;

4/ The procedure in accordance to which such
money shall be used for the common advantage
of local communities shall be specified by
regulation to be issued under this proclamation.

10. Protection of Community Rights

1/ The rights of local communities over their
genetic resources and community knowledge
shall be protected as they are enshrined in the
customary practices and norms of the
concerned communities.

2/ An item of community knowledge shall be
identified, interpreted and ascertained in
accordance with the customary practices and
norma of the concerned local community.

- 3/ yቶHbrsB :WqT tmZGi xlmgbStu bቶHbrsB mBTnT y, kbR mርብN xASqRM#
- 4/ yj ntK hBTÀ yቶHbrsB :WqT bA¼uF ፡Tä mWÈtù wYM bÝL mgl ℳü wYM yj ntK hBtu bJN ÆNK wYM bl፻ ቶÅCWm yቶNbqĀ ፡፡ wYM _QM ፻Y WIÙ mgbStu bቶHbrsB mBTnT y, kbR mርብN xASqRM

KFL_fST
xRKiT SI_f፻MbT hin፡፡

01. yfÝD xSf፻፶nT

- 1/ yz፶H xêJ xNqa /4/ N;is xNqa 2/h/ DNU፻ XNdt«bq ርኽ kXNStfttu yxRKiT fÝD yts«ው ካሊሆነ bStqr I ቶÅCWm sW yj ntK hBT wYM yቶHbrsB :WqT ቶRkB ytkl kl nW#
- 2/ በግልጽ ተለይቶ ካልተፋፈለ፡፡ bStqr yj ntK hBTN I ቶRkB yts« fÝD kj ntK hBtu UR tĀYø y, ፻BWNM yቶHbrsB :WqT I ቶRkB fÝD XNdt« xASö_RM btmúY hin፡፡M yቶHbrsB :WqT I ቶRkB yts« fÝD k:Wqtù UR tĀYø y, ፻BWN yj ntK hBT I ቶRkB fÝD XNdt« xASö_RM#
- 3/ yz፶H xêJ xNqa /4/ N;is xNqa 2/I/ XNdt«bq ርኽ kXNStfttu fÝD የተሰጠው ካሊሆነ በስተቀር ለግናኛውም sW yj ntK hBT khgR ቶSwÈT ytkl kl nW
- 4/ yz፶H xêJ xNqa 4 N;is xNqa /1/ DNU፻ b፶፻RM yj ntK hBTN Im«bQ b፶፻ ፻፻nT ytsÈcW ymNGo T አካላት ፶፻፶፻፶፻CWn ImwÈT j ntK hBT wYM yቶHbrsB :WqT ImSbSb kXNStfttu yxRKiT fÝD ቶ፶፻T xASfLUCwM# ርኽM kXNStfttu ፶፻፶፻ ካላገኙ በስተቀር yj ntK hBt፶ I፻፻ sW ቶSt፻I F wYM khgR ቶSwÈT xYCI uM yXnz፶H mNGo ፡፡ēf xካላት ሠራተኞች yj ntK hBT xRKiT b, fĀÑ bT ፻፶፻ xRKiT y, fĀÑ mር፶CWn y, ፻LA dBĀb፻ ፻ĀZ Y፻cêL

- 3/ The non-registration of any community knowledge shall not render it unprotected by community rights.
- 4/ The publication or oral description of a given genetic resource or community knowledge, or the presence of the genetic resources in gene bank or any other conservation center or that it is in use shall not affect its protection as community rights.

PART THREE
CONDITION OF ACCESS

11. Requirement of Permit

- 1/ Without prejudice to the provisions of Sub-Article 2(a) of Article 4 of this Proclamation, no person shall access genetic resources or community knowledge unless in possession of written access permit granted by the Institute based on prior informed consent.
- 2/ Unless otherwise explicitly expressed, the granting of permit to access genetic resources shall not be construed to constitute permit to access the community knowledge associated therewith and vice versa.
- 3/ Without prejudice to the provisions of Sub-Article 2(b) of Article 4 of this Proclamation., no person shall export genetic resources out of Ethiopia unless in possession of permit granted by the Institute to this effect .
- 4/ Notwithstanding the provisions of Sub-Article (1) of this Article organs of the state which are empowered by law to conserve genetic resources may not be required to obtain access permit from the Institute to collect genetic resource or community knowledge in the discharge of their duties; provided however, that they shall not transfer the genetic resources or community knowledge to third persons or export same out of Ethiopia unless they are given explicit permit by the Institute, While collecting genetic resources and community knowledge, employees of such institutions must carry with them a letter to this effect.

02. yxRKiT m፭r-êf QDm hin-āC

- 1/ yj ntK hBTN I፶RKB bQD, ል x፶NStf፶tt፶ xSqDä tgNZi y, s_ X>- ፶GBT ልSfLUL#
- 2/ y፶HbrsB :WqTN I፶RKB bQD, ል የሚመለከተውን የአካባቢ ማህበረሰብ xSqDä tgNZi y, s_ X>- ፶GBT ልSfLUL#
- 3/ yj ntK hBTል y፶HbrsB :WqTN bm«qM k, ፩፶W ፩፶፱ mNGoTል የሚመለከተው የአካባቢ ማህበረሰብ FT¼êል , ²ልêf y፶፻n _QM ፶GBT xI ልcW#
- 4/ yWu hgR z፶U y፶፻n xRKiT «ልq፶f yhg, wYM y, ፶RbT hgR xGልEB ያለው ባለሥልጣን አመልካቹ የሚኖሩበትን yxRKiT Gል-āC bz፶ል hgR y, ልSkBRል y, ልSfAM ፩፶፻N y, ልrUG_ dBል፶፱ ፶QrB Y፶Rb-L#
- 5/ xRKiT y, f፶፻mW bWu hgR z፶U b፶፻n ፩፶፻ yj ntK hBTል y፶HbrsB :WqTN msBsb፶ y, kልWnW yx፶NS t፶፶tt፶ wYM x፶NStf፶tt፶ y, wKI W xGልEB ልIW t፶፶M ልI ል፶ ልāC bt፶- ፶nT bt፶፶፱፶ ፩፶፻ xI bT#
- 6/ የሚይቻል እስካልሆነ ድረስ በአርክቦት በተገኘ የጀነቲክ ሀብት ላይ የሚካሄድ ምርምር በኢ T×eል WS_ል x፶NStf፶tt፶ y, ፩፶D ልcW x፶T×eልWልN ልI ል፶ ልāC b, ፶t ፩፶-በት ሁኔታ መካሄድ xI bT#
- 7/ bxRKiT bt፶፶W yj ntK hBT ልY የሚካሄደው ምርምር ከኢትዮጵያ ውጪ እንዲካሄድ በሚፈቀድበት ጊዜ ምርምሩን የደገፈው ወይም ምርምሩ የሚካሄድበት ተቋም አርካቢውና ተቋሙ የአርክቦት ግዴታ ልCN y, ልk፶, ፶፩፶፻cW ፶rU፶ል ፩፶«T xI bT#

03. xRKiT y, kI kLልcW hin-āC

- y, ktli፶T hin-āC b, ልU_፶፶፱፶ ፩፶፻ ፩፶፻NStf፶tt፶ yxRKiT fYD ፶፩፶፻LkL YC፶L#
- 1/ yqrbW yxRKiT _ልq፶፶ ZRልW yt፶፩ ፩፶፻N yj ntK hBT y, ፶፩፶፻ k፶፻n#

12. Basic Pre-Conditions of Access

- 1/ Access to genetic resources shall be subject to the prior informed consent of the Institute.
- 2/ Access to community knowledge shall be subject to the prior informed consent of the concerned local community.
- 3/ The state and the concerned local community shall obtain fair and equitable share from benefits arising out of the utilization of genetic resources and community knowledge accessed.
- 4/ An access applicant who is a foreigner shall present a letter from the competent authority of his national state or that of his domicile assuring that it shall uphold and enforce the access obligations the applicant.
- 5/ In cases of access by foreigners, the collection of genetic resources and community knowledge shall be accompanied by the personnel of the Institute or the personnel of the relevant institution to be designated by the Institute.
- 6/ The research based on the genetic resources accessed shall be carried out in Ethiopia and with the participation of Ethiopian nationals designated by the Institute, unless where it is impossible.
- 7/ Where the research based on the genetic resources accessed is permitted to be carried out abroad, the institution sponsoring and/or hosting the research shall give a letter of assurance that they shall observe the access obligations attached thereto.

13. Conditions for Denial of Access

- The Institute may deny access to genetic resources; where:
- 1/ the access requested is in relation to the genetic resource of an endangered species;

- 2/ አርክሮቱ በሰው ጤና ወይም በአካባቢው ማዘብ ለጋራ ጥቅም ሆኖ ሊያገለግል ይችላል።
- 3/ አርክሮቱ በአካባቢ ላይ ያልተፈለገ ጎጂ ሊሆን ይችላል።
- 4/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።
- 5/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።
- 6/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።

04. ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።

- 1/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።
- 2/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።
- 3/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።
- 4/ ግንዛቤ ለማዘዝ ለሌሎች ጉዳዮች ሊያስፈልግ ይችላል።

- 2/ the access may have adverse effects upon human health or the cultural values of the local community;
- 3/ the access may cause undersirable impact on the environment;
- 4/ the access may cause danger of loss of ecosystem;
- 5/ the access is intended to use genetic resources for purposes contrary to the national laws of Ethiopia or the international treaties to which Ethiopia is a party;
- 6/ the applicant has violated hitherto access conditions or access agreements.

14. Issuance of Access Permit

- 1/ A person who wants to obtain permit to access genetic resources or community knowledge shall present an application in writing to the Institute. The conditions and procedure in accordance with which access applications shall be presented examined and prior informed consent shall be given shall be specified by regulations.
- 2/ Upon giving of prior informed consent, the Institute shall, based on the provisions of this proclamation, negotiate and conclude genetic resources access agreement.
- 3/ Where the access application involves access to community knowledge, the Institute shall negotiate and conclude the access agreement based on the prior informed consent of the concerned local community to that effect.
- 4/ The Institute shall not grant permit for exporting genetic resources out of Ethiopia unless the condition provided under Article 12(6) of this Proclamation is met.

05. ytly yxRKiT fYD

1. x¶NSt¶¶t¶ bzh xEJ WS_ ytdnggWN oR>T b_BQ mktL úÅSfLgW ymNGoT yMRMR t¶¶T# hg%êF ykFt¼ TMHRT t¶¶TÅ bx¶T×eÅ y. gßü ybYn mNGO -T yMRMR t¶¶T ¶¶¶C ውስጥ ለሚያካሄዱት የልማትና የአካዳሚ MRMR o% yj ntK hBTÅ y¶HbrsB :WqT bq¶¶i¶ ¶GßT XN¶¶C¶i¶ ytly yxRKiT fYD I¶sÈcW YC¶¶L"" çñM ytly yxRKiT fYD y. sÈcW t¶¶T xRKiT¶¶ b. fAÑbT g¶z¶ y. ñRÆcWN GÁ-ãC x¶NSt¶¶t¶ XNd×GÆBnt¶ YwsÅL#
- 2/ yx¶T×eÅ xÆL bmçN Æ{dqCW yÆI Bzi wgN yxRKiT oR>T mçrT y. drG yj ntK hBT xRKiT bÆI Bzi wgN yxRKiT oR>t¶ btgl {W hin¶-Å oR>T mçrT Yfi¶L"" yÆI Bzi wgN yxRKiT oR>T xFU¶M y. m%bT hin¶- bdnB YwsÅL""

06. yxRKiT WL YzT

- yxRKiT WL y. ktli¶TN giÅ×C mÅZ xlbT#
- 1/ yxRKiT WI¶ têêY wgn¶CN ¶NnT#
 - 2/ I¶RkB ytfqdWN yj ntK hBT >YTÅ m«N#
 - 3/ I¶RkB ytfqdWN wYM I¶RkB ktfqdW yj ntK hBT UR tÅYø y. gßWN y¶HbrsB :WqT mGI Å#
 - 4/ yj ntK hBT wYM y¶HbrsB :Wqt¶ y. sbs-¶¶¶ አካባቢ ወይም ይህንኑ y. ÅqRbW sW#
 - 5/ I¶RkB ytfqdW yj ntK hBT ÅÑ Å XÅ y¶HbrsB :WqT mGI Å y. qm_bTN t¶M#
 - 6/ I¶RkB ytfqdW yj ntK hBT wYM y¶HbrsB :WqT I¶WL y-sbbT xgLG¶¶T#
 - 7/ yxRKiT WI¶ bt«qsW yj ntK hBTÅ y¶HbrsB :WqT ¶Y bwQt¶ ካሉ ወይም wdöT k. f¶¶Ñ yxRKiT WI¶C UR y. ñrW GNßinT MN XNd. çN#

15. Special Access Permit

- 1/ The Institute may, without the need to strictly follow the access procedure provided for in this Proclamation, grant specific access permit to Ethiopia national public research and higher learning institutions and intergovernmental institutions based in the country, so that they have facilitated access to genetic resources and community knowledge for purpose of development and academic research activities they undertake within the country. When the Institute grants specific access permits to such institutions, it shall determine, as appropriate, the obligations they shall have while having access under such permit.
- 2/ An access to genetic resources under a multilateral system of access to which Ethiopia is a prty shall be made in accordance with the conditions and procedure specified thereof. The condition and procedure in accordance with which access to genetic resources under multilateral systems shall be implemented shall be determined by regulations.

16. Contents of Access Agreement

- An access agreement shall specify, among other things, the following issues:
- 1/ the identity of the parties to the agreement;
 - 2/ the type and quantitative description of the genetic resource permitted to be accessed;
 - 3/ the description of the community knowledge permitted to be accessed or associated with the genetic resource to be accessed;
 - 4/ the locality where the genetic resource or community knowledge is to be collected or the person providing same;
 - 5/ the institution with which the sample of the genetic resource and the description of community knowledge accessed shall be deposited;
 - 6/ the intended use the genetic resource or community knowledge;
 - 7/ the relationship of the access agreement with existing or future access agreements on the same genetic resource or community knowledge;

8/ yj ntK hBT bmsBsB wYM bj ntK hBT ሆነው ይገኙ ለምሳሌ MRMR ሆነው ለይጋና ለማስተካከል የሚያስፈልጉ ግንባታ ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

9/ mNGO T kj ntK hBT xRKi tህ y ልማት ለሚፈጸም ደንብ ለማውጣት ይፈቀዳል።

0/ yxRKi T WI ህ ዓይነት ለሚቀርብ የሚያስፈልጉ ግንባታ ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

01/ yxRKi T WI ህ ዓይነት ለማድረግ ይፈቀዳል።

02/ xl mGAEÈC y ftbT mNgD# XÄ

03/ yxRKi T ለተለያዩ የሚፈጸሙ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

07. yxRKi T ለተለያዩ የሚፈጸሙ ስራዎች

yxRKi T የሚፈጸሙ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

1/ yxRKi T የሚፈጸሙ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

2/ yj ntK hBT b sbsBbT ለሚፈጸሙ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

3/ k_BQ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

4/ ytsbsbWN yj ntK hBT ለሚፈጸሙ ስራዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

5/ I ለማስፈጸም ለሚያስፈልጉ ግንባታ ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

6/ xፈጻሚዎች ለማድረግ ይህ ደንብ ተፈጻሚ ይሆናል።

8/ the relevant institution designated by the Institute to participate in the collection of and/or the research based on the genetic resource to be accessed and be in charge of monitoring the implementation of the access agreement;

9/ the benefit the state shall get from the access to genetic resources;

10/ where the agreement involves access to community knowledge, the benefit the concerned local community shall obtain from the use thereof;

11/ the duration of the access agreement;

12/ dispute settlement mechanisms; and

13/ the obligations the access permit holder shall have under this Proclamation.

17. Obligations of Access Permit Holder

A person who shall be given an access permit shall have the following obligations:

1/ deposit the copy of the access permit granted to him with the relevant regional institution in the district where the genetic resource is to be collected and show the access permit up on request;

2/ not deplete population of farmers planting stock or wild species or to remove significant genetic variation from local gene pool during collection;

3/ Where the genetic resource is to be collected from protected areas, to observe the rules and regulations of the administration of the protected area;

4/ deposit the sample of the genetic resources collected and the collection data, and the description of community knowledge accessed with the Institute or the relevant institution the Institute may designate;

5/ observe the type and quantitative limits of the genetic resource permitted to access;

6/ upon request, supply to the Institute a sample from the genetic resource and copy of the description of the community knowledge accessed;

07/ የአካባቢ ማህበረሰቦችን ባሕላዊ ልምዶች፣
ጤታማ ጥረት ለማድረግ ስጦታ ይሰጣል።

08/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

08. ማህበረሰብ

1/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

2/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

3/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

09. ማህበረሰብ ለሰጠው ሰው

ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

1/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

2/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

3/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

4/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

5/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

6/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

7/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

8/ ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል። ለህጋዊ ድጋፍ ለሰጠው ሰው ስጦታ ይሰጣል።

17/ respect the cultural practices, traditional values and customs of local communities;

18/ observe the terms and conditions of the access agreement.

18. Benefit Sharing

1/ The kind and the amount of the benefit to be shared by the state and local communities from access to genetic resources or community knowledge shall be determined case by case in each specific access agreements to be signed.

2/ The remaining portion of the monetary benefit from access to genetic resources, after deducting the share of the local community as determined pursuant to Article 9 (1) of this Proclamation, shall be allocated for conservation of biodiversity and the promotion of community knowledge. The conditions how the money shall be put to such use shall be determined by regulation;

3/ The sharing of non-monetary benefits from access to genetic resources among the state and the concerned local community shall be specified in each specific access agreement taking into account the kinds of benefits agreed to share with the access permit holder.

19. Types of Benefit

The benefit to be shared from an access to genetic resources and community knowledge may include the following modes:

1/ License fee;

2/ upfront payment;

3/ milestone payment;

4/ royalty;

5/ research funding;

6/ joint ownership of intellectual property;

7/ employment opportunity;

8/ participation of Ethiopian nationals from the Institute or the relevant institutions in the research based on the genetic resources or community knowledge accessed;

9/ yj ntK hBtN bm«qM MRT I ¥MrT y, ASfLWN yj ntK hBT _É :Ý I ¥QrB QD, Å y¥GBT#

0/ yj ntK hBTN wYM y¥HbrsB :WqTN bm«qM y, gβi MRèCNA tKñi òpāCN y¥GBT#

01/ yj ntK hBTN ym«bQ# ymgMgM# y¥bL{G# y¥%ÆTÅ ym«qM CI ð-N ለማዳበር በተቋምና በአካባቢ ማህበረሰብ dr© oL«ÅN y¥GBT#

02/ ymæ¶iÅ# mçrt L¥TÅ ytKñi òp DUF y¥GBT# XÅ

03/ XNd xGÆBntù y, gÝ ¥ÅcWM I፳ _QM'''

**KFL x%T
KTTL XÅ y¥r, Å XRM©**

@. K T T L

1/ x¶Nst¶tù yxRKiT WL xfU'''MN b, ktliT mNgì C Yk-t§L#

h/ bFt§#

l/ yxRKiT ÆlfÝi CÅ bj ntK hBT xsÆsBÅ MRMR §Y XNÄpútÜÅ xR KiTN XNÄpöÈ«,, ytmdbi tì äC bygþz=W b, ÅqRbiT yKNWNÄ yW «T ¶±RT#

¼/ ¥ÅcWM sW wYM Gl sB b, Åq RbW ¶±RT# XÅ

m/ xGÆB çñ b, gÝ ¥ÅcWM I፳ ym k-tÅ mNgD#

2/ bj ntK hBT xsÆsBÅ bMRMR §Y XNÄpútÜÅ yxRKiT WL xfU'''MN XNÄp öÈ«,, ytsyÑ xGÆBnT Å§cW tì ¥T btkÅwnW yxsÆsBÅ yMRMR XNQSÝs= btgβW GÝTÅ bxRKiT WI ù xfU'''M §Y bywQtù ¶±RT I x¶Nst¶tù ¥QrB xlÆcW#

9/ priority to supply the raw material of genetic resource required for producing products there form;

10/ access to products and technologies developed from the use of genetic resource or community knowledge accessed;

11/ training, both at institutional and local communities levels, to enhance local skills in genetic resources conservation, evaluation, development, propagation and use;

12/ provision of equipment, infrastructure and technology support; and

13/ any other benefit as appropriate

PART FOUR
FOLLOW UP AND COMPLIANCE MEASURE

20. Follow-up

1/ The Institute shall follow-up the execution of access agreements through the following mechanisms:

a) Inspection;

b) periodic progress and status report by access permit holders and the relevant institutions designated to accompany the collection, participate in the research and monitor the implementation of access agreement;

c) A report by any other person or individual; and

d) Any other mechanism deemed appropriate

2/ The access permit holder and the relevant institutions designated to take part in the collection of and the research based on genetic resources accessed and to monitor the implementation of access agreements shall give periodic reports to the Institute on the collection conducted, the progress of the research and the findings there from.

3/ x¶NSt¶¶t¶t¶ xRKiT bt f{mbT የማህበረሰብ ዕውቀት ላይ የተካሄደው ምርምር ydrsbTN dr©Á ytgβWN W«¶T y¶HbrsB :Wqt¶¶ x«ÝqMÁ ytgβWN y_QM mU%T bt ml kt I , ml kt W የአካባቢ ማህበረሰብ መረጃ መስጠት አለበት

@1. y¶r_ Á :RM©

1/ yj ntK hBT xRKiT¶ bq¶¶I¶ I¶¶mI S y¶YCL yj ntK hBT mmÁmN# yx ካባቢ መራቆት ወይም የማህበረሰቦች ባሕላዊ Xs«C mmÁmN xdU y_ ÁSkTL ርኽ ktgβ x¶NSt¶¶t¶t¶ yxRKiT WI¶¶ ml w_Á y_ sbsbWN yj ntK hBT m«N mwsN wYM XNd xGÆBnt¶¶ ¶ÁcWNM I፻ gdB ¶DrG YC¶L#

2/ yxRKiT ¶E fÝÇ yz¶¶H xêJ DNU ምጭCN wYM yxRKiT WI¶¶ GÁ-āC yÈs wYM úÁkBR yqr XNdፍn wYM xRKiT¶ bBZh ፆYwT hBT wYM በአካባቢ ላይ የውድመት አደጋ ካስከተለ wYM QD_ Á b_ sÈcW yPZB _QāC ላይ ጉዳት ካስከተለ ኢንሰቲትዩቱ የአርክቦት WI¶¶ xGi wYM x¶ Rō yj ntK hBT wYM y¶HbrsB :Wqt xRKiT¶ XNÁYq_L mkLkL xl bT#

3/ x¶NSt¶¶t¶t¶ yxRKiT WLN yml w_# y¶gd wYM y¶I r_ XRM© s¶wsD ውሳኔውን ለሚመለከተው የአካባቢ ፻HbrsBÁ I xRKiT ¶E fÝÇ mGI A xl bT'''

**KEL xMST
yj ntK hBT xsú**

@2. K L k §

1/ yz¶¶H xêJ xNqA 4/2/ DNUፍ XNd t«bq ርኽ kx¶NSt¶¶t¶t¶ yj ntK hBT አሰሳ ፈቃድ የተሰጠው ካልሆነ በስተቀር ፻ÁcWM sW yj ntK hBT xsú ለማካሄድ አይችልም፣

2/ yz¶¶H xNqA N; iS xNqA /1/ DNUፍ b¶¶RM yj ntK hBTN I m«bQ bPG ኃላፊነት የተሰጣቸው የመንግሥት አካላት `§ōn-cWN I mwÈT I_ ÁdRgiT yj ntK hBT xsú kx¶NSt¶¶t¶t¶ fÝD ፻GBT xÁSfLUCWM '''

3/ The Institute shall inform the concerned local communities of the progress of the research and the findings thereof, the utilization of community knowledge and the benefit shared there from.

21. Compliance Measure

1/ The Institute may alter an access agreement and limit the size of the genetic resource to accesse or put any other limitation, as appropriate, where it is recognized that the access has posed threat of genetic erosion, degradation of the environment or violation of the cultural values of communities which can not be easily averted.

2/ Where the access permit holder has violated or failed to comply with the provisions of this Proclamation or the terms and conditions of the access agreement or where the access causes risk of damage to genetic resources or the environment or affects overriding public interest, the Institute shall suspend or terminate an access agreement and prohibit the access to genetic resources or community knowledge;

3/ Where the Institute decides to alter, suspend or terminate an access agreement, it shall communicate same to the concerned local community and the access permit holder.

**PART FIVE
EXPLORATION OF GENETIC RESOURCES**

22. Prohibition

1/ Without prejudice to the provisions of Article 4(2) of this Proclamation, no person may conduct exploration of genetic resources unless in possession of exploration permit from the Institute.

2/ Notwithstanding the provisions of Sub-Article (1) of this Article, organs of the state which are empowered by law to conserve genetic resources are not required to obtain exploration permit to conduct exploration of genetic resources in the discharge of their duties.

@3. ማጠቃለያ ስርዓት

- 1/ ማንኛውም አካባቢ ጥበቃ ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
- 2/ ማጠቃለያው የሚያስፈልገውን ግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።

@4. የግብርና አስተዳደር ስርዓት

- 1/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
- 2/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
- 3/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።

@5. የግብርና አስተዳደር ስርዓት

- የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
- 1/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
 - 2/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
 - 3/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
 - 4/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።
 - 5/ የግብርና አስተዳደር ስርዓት ለማድረግ የሚገባውን የግብርና አስተዳደር ለማካሄድ የታወቀውን ጊዜ ማጠቃለያ ስርዓት ማድረግ ይገባል።

23. Application

- 1/ Any person who wants to obtain exploration permit shall present written application to the Institute.
- 2/ The application shall specify the purpose of the exploration, the types of the genetic resources to be explored, the locality where the exploration shall be conducted and the time schedule for the exploration.

24. Granting Exploration Permit

- 1/ Upon receiving a complete exploration application, the Institute shall, in consultation with the relevant institution where appropriate, grant an exploration permit to the applicant.
- 2/ The exploration permit shall specify the types of the genetic resources to be explored, the locality where the exploration shall take place, the time schedule of the exploration and any other condition which the Institute deems necessary.
- 3/ Where the Institute grants exploration permit to a foreigner, it shall assign its scientific personnel or designate other relevant institution to accompany the exploration mission.

25. Obligations of Explorers

Any holder of an exploration permit shall have the following obligations:

- 1/ deposit a copy of the exploration permit with the relevant institution in the district of the locality where the exploration will be conducted;
- 2/ strictly observe the terms and conditions specified in the permit;
- 3/ present to the Institute a detailed and complete report of the exploration mission upon its completion;
- 4/ show, up on request, the exploration permit issued to him;
- 5/ respect local customs, traditions, values, property rights in the locality where the exploration shall be conducted and the laws of the country.

**KFL SDST
yxRKiT xStÄdR**

@6. yGBRÄÄ g«R L¥T , n¶StR ÖLÈN

bz¶H xêJ WS_ yÇR XNSúT j ntK
hBTN y_ m¶ktü DNUGäC y¥Sf{M
ÖLÈN yGBRÄÄ g«R L¥T , n¶StR
YÇÄL'''

@7. yx¶NSt¶Tt¶t¶ÖLÈNÄ tGÆR

bz¶H xêJ bl¶ÜC xNqÜC yts«W
ÖLÈNÄ tGÆR XNdt«bq Çñ
x¶NSt¶Tt¶t¶ÖLÈNÄ tGÆ%T
Yñ_ -L#

- 1/ yj ntK hBTÄ y¥HbrsB :WqT
xRKiT bz¶H xêJ Ä YHNN xêJ
mÇrT b¥DrG b_ w«ü dNi CÄ
mm¶ÄÄC mÇrT mkÄwniN y¥rUg_#
- 2/ kxRKiT y_ gßü _QäCN mqbLÄ IÆI
_QÑ XNÄ¶dRS y¥DrG#
- 3/ yxRKiT WL äÄI ÜCN y¥zUj T#
- 4/ yz¶HN xêJ YzT I PZB y¥StêwQ#
- 5/ yj ntK hBTÄ y¥HbrsB :WqT xRK
iT mr©äCN ymsBsB# y¥«ÄqR#
ymtNtNÄ XNdxSfSg¶ntü It«Y_ äC
y¥ç_ % = T#
- 6/ YHNN xêJ bmtSIF b_ f{Ñ ywNj L
tGÆéC §Y PÜèI XRM© XNÄ¶wsD
y¥DrG#
- 7/ YHNN xêJ btGÆR I¥èL xSfSg¶
yçnü mm¶ÄÄCN y¥WÈTÄ I¶ÜC
xSfSg¶ tGÆ%TN ¥kÄwN#
- 8/ ተግባሩን በተሻለ መንገድ ለማካሄድ አስፈላጊና
xmcI Çñ b_ gYbT g¶z« ÖLÈNÄ
ተግባሩን በሕግ ለተቋቋመ አካል በውክልና
ymS«T'''

@8. የአካባቢ ማህበረሰቦች ኃላፊነት

የአካባቢ ማህበረሰቦች

- 1/ y¥Hbrsbi xÆL ÄLÇn ¥ÄcWM sW
ፈቃድ ሳይኖረው የጀኑቲክ ሀብት ከአካባቢው
XNÄYsbsBÄ XNÄYwsD ymkLKL# XÄ

**PART SIX
ADMINISTRATION OF ACCESS**

**26. Powers of Ministry of Agriculture
and Rural development**

The implementation of the provisions of this proclamation that deal with genetic resources of wild animals shall be the responsibility of the Ministry of Agriculture and Rural Development.

27. Powers and Duties of the Institute

Without prejudice to the powers and duties entrusted to it in other provisions of this Proclamation, the Institute shall have the powers and duties to:

- 1/ Follow-up and ensure that access is carried out in accordance with this Proclamation as well as regulations and directives issued hereunder;
- 2/ collect the benefits to be obtained from access agreements and pass over to beneficiaries;
- 3/ prepare model access agreements;
- 4/ sensitize contents of this Proclamation;
- 5/ collect, analyze and as necessary disseminate to users information on access to genetic resources and community knowledge;
- 6/ cause that legal actions be taken against offences committed in violations of this Proclamation;
- 7/ issue directives and perform such other activities necessary for the implementation of this Proclamation;
- 8/ delegate its powers and duties to other legally established bodies where deemed necessary and convenient to carry out its duties in a better way.

28. Responsibilities of Local Communities

Local communities shall have the responsibility to:

- 1/ prohibit any person, who does not belong to their communities, from collecting or taking genetic resources from their localities without having the necessary permit; and

2/ y፳Hbrsbü xÆL ÆLçn ፳ÆcWM sW የጀኑቲክ ሀብት ከአካባቢው ሲሰበሰብ ወይም sBSi Yø spjD fÝD ÆIW mçniN ym«yQÄ fÝD yl፻W kçn wÄpÄWniü bxO%bÄW I ፡ gÝ yqbl ፻ wYM ywrÄ mStÄDR y፳úwQ wYM wdnzjhiü XNÄp qRB y፳DrG# ፻ ሻõnT xI ÆcW'''

@9. የክልል መስተዳድር አካላት ኃላፊ

yqbl ፻ mStÄDéCÄ bydr©W y ፡ g፳ü yj ntK hBT _bÝ y ፡ mlk-cW yKLL መስተዳድር አካላት፣

1/ የአካባቢው ማህበረሰብ አባል ያልሆነ ማናቸውም sW fÝD úYñrW yj ntK hBT kKL ሻcW XNÄYsbsBÄ XNÄYwsD ymÖË «R# XÄ

2/ የአካባቢው ማህበረሰብ አባል ያልሆነ ማናቸውም sW yj ntK hBT s፳sbsB wYM sBSi Yø spjD YHNN I፳DrG fÝD yÄz mçniN m«yQÄ fÝD yl፻W kçn ysbbsWN j ntK hBT bmÄZ I፻G XNÄp qRB y፳DrGÄ ytÄzWN yj ntK hBT >YTÄ Yø ytg፳WN sW ፳NnT I x፳NStf፻ttü bZRZR y፳úwQ#

፻ ሻõnT xI ÆcW'''

#. ygiM, K ÆI O L ÆñC ፻ ሻõnT

ygiM, K ÆI O L ÆñC kx፳NStf፻ttü b ፡ sË cW mm፻Ä mçrT y ፡ ktliüTN ymf™M ፻ ሻõnT YñRÆcêL#

1/ khg፻ttü y ፡ wË yj ntK hBT ymWÄ fÝD kx፳NStf፻ttü yts«bT mçniN ymÖË«R#

2/ yj ntK hBT y ፡ ÄÜgiZ wYM yÄz khgR y ፡ wË ፳ÆcWM sW kx፳NStf፻ttü yts«WN yj ntK hBT khgR y፳SwÄ fÝD XNÄp ÄüY ym«yQ#

3/ xSf፳g፻W fÝD úYñR khgR bmWËT ሻY y ፡ gÝ yj ntK hBTNÄ yj ntK hBTñ khgR b፳SwËT ሻY y ፡ gÝN sW መያዝና ወዲያውኑ በአካባቢው ለሚገኝ አግባብነት ላለው አካልና ለአንስቲትዩቲ y፳úwQ#

2/ require any person, who does not belong to their communities and who is collecting or taking genetic resource from their localities, to show his access permit, and if he is without permit immediately notify or present him to the nearest kebele or wereda administration.

29. Responsibilities of Regional Bodies

Kebele administration and regional bodies at all levels responsible for the conservation of genetic resources shall:

1/ regulate that genetic resources is not accessed from their respective jurisdiction without permit by any person who does not belong to the communities thereof; and

2/ require access permit from any person, who does not belong to the communities thereof and who is collecting or taking genetic resources from their respective jurisdiction, and if he is without permit, seize the genetic resource and present him to the law and notify the Institute the detailed particulars of the genetic resource and the person found in possession of same.

30. Responsibility of Customs Officers

In accordance with directives to be given to them by the Institute, customs officers shall have the responsibilities to:

1/ inspect that any genetic resources being taken out of the country has been accompanied with an export permit given by the Institute;

2/ require any person leaving the country who is transporting or is in possession of genetic resource to produce the necessary permit to this effect from the Institute;

3/ seize genetic resource being transported out of the country and the person transporting same without permit from the Institute and immediately report same to the nearby relevant body and the Institute;

4/ wd Wu hgR b, ሿK yj ntK hBT MRT mÄi ሿY bMRtÜ WS_ y, g፩WN yj ntK hBT m«qM ytklkl mፍጠፊÄ t«Qä mg፩TM b፩G y, ÄSqË DR፩፩T mፍጠፊN y, gLA ፶L ytÉfbT mፍጠፊN y፩rUg_""

#1. ymL:KT xSt፩፩ö DRJ èC `፩önT

y±S-Ä I ፩ÜC yfÈN mL:KT xSt፩፩ö DR J èC yj ntK hBTN bmL:KTnT kx፩T የ፩ያ ውጪ ለመላክ ከመቀበላቸውና ከመላካቸው böT dNb@öCw yj ntK hBTN khgR I ፩SwËT kx፩NStf፩t፩ ytsËcWN f፶D XNÄ፩qRb፩ m«yQ xl ÄcW""

#2. የኪራንቲን ተቆጣጣሪ መሥሪያ ቤቶች ኃላፊነት

የኪራንቲን ተቆጣጣሪ መሥሪያ ቤቶች ለሕይወታዊ ሀብት ምርት የሚሰጡት የኪራንቲን ሰርተፊኬት b፩Yw-éf hBTÜ WS_ y, g፶N yj ntK hBT I m«qM y, ÄSCL f፶D xl mፍጠፊÄ በኪራንቲን ሰርተፊኬቱ ብቻ በሕይወታዊ ሀብቱ WS_ y, g፶N yj ntK hBT m«qM ytklkl Ä wNj L mፍጠፊN y, gLA ፶L XNÄ፩YZ ፩DrG xl ÄcW""

KEL sÄT
Lt Lt DNUG፩ÄC

#3. ym¹Ug፩Ä DNUG፩ÄC

- 1/ YH xêJ kmWËtÜ böT ytdrg፩ yxRKi T WIÜC mkI SÄ kz፩H xêJ DNUG፩ÄC UR XNÄ፩ËËÑ mdrG xl ÄcW""
- 2/ YH xêJ kmWËtÜ böT ytdrg፩ yxRKi T WIÜC XSk, kl siÄ kz፩H xêJ UR XNÄ፩ËËÑ XSk, drg፩ DrS kmf{M -GdW YöÄI ፶""

#4. ymtÄbR GÄ-

I z፩H xêJ Ä bxê° m፩rT I, w«ü dNi CÄ mm፩፩ÄÄC xfÜ^{MM} ፩ÄcWM sW ከኢንስቲትዩቱ፣ አግባብነት ካላቸው ተቋማትና ከሚመለከታቸው የአካባቢ ማህበረሰቦች ጋር ymtÄbR GÄ- xl bT"

4/ Ensure that a statement is written on the package of a biological resource product to be exported indicating that the use of the genetic material contained in the product is prohibited and doing so would constitute a penal offence.

31. **Responsibilities of Mail Service Institutions**

Postal and other courier service institutions shall, before receiving and transporting genetic resources out of the country as mail, require their clients to produce permit from the Institute to export the genetic resources out of the country.

32. **Responsibilities of Quarantine Control Institutions**

Quarantine control Institution shall, ensure that the quarantine certificate they issue to biological resource products, contain a statement indicating that the certificate does not constitute a permit to use the product as genetic resource and that doing so is prohibited and would constitute an offence.

PART SEVEN
MISCELLANEOUS PROVISIONS

33. **Transitory Provisions**

- 1/ Access agreements made prior to the coming into force of this Proclamation shall be revised and harmonized with the provisions of this Proclamation.
- 2/ The access to gentic resources under agreements concluded prior to the coming into force of this Proclamation shall be suspended until they are revised and harmonized with the provisions of this Proclamation.

34. **Duty to Cooperate**

Any person shall have the duty to cooperate with the Institute, the relevant institutions, and local communities in the implementation of this Proclamation as well as regulations and directives issued hereunder.

#7. dNB yWÈT OLÈN

y, n¶STéC MKR bT YHN xêJ b, gÆ
I ¶Sf™M xSf§g¶ yÇnù dNì CN WÈT
YC¶L™™

#8. xê° y, {ÂbT gjzª

YH xêJ bØÁ%L nU¶T UzÈ -Tä
kwÈbT cN j Mé y{Ã YÇÂL™™

xÄ¶S xbÆ የካቲት @ cN 09) (8 >.M.

GR¥ wLdgp×Rg¶S

yx¶T×eÃ ØÁ%§êÊ ÁäK%spÃêÊ ¶pBI ¶K
PÈz¶ÄNT

37. Power to Issue Regulations

The Council of Ministers may issue regulations necessary for the proper implementation of this Proclamation.

38. Effective Date

This Proclamation shall come in to force upon publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 27th day of February, 2006

GIRMA WOLDEGIORGIS

**PRESIDENT OF THE FEDERATION
DEMOCRATIC REPUBLIC OF ETHIOPIA**