

Voluntary Report – Voluntary - Public Distribution

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Report Name: Biosafety Law to Allow Approval of GE Products in Senegal

Country: Senegal

Post: Dakar

Report Category: Biotechnology and Other New Production Technologies, Biotechnology and Other New Production Technologies Addendum, Biotechnology - Plants and Animals, Cloning, Agriculture in the News, Climate Change/Global Warming/Food Security, Agricultural Trade Office Activities

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Report Highlights:

On June 14, 2022, a new biosecurity law was signed into effect, repealing the 2009 biosecurity law and establishing a process to allow the entry, research, and commercialization of genetically engineered (GE) products in Senegal. The functionality of the law will depend on the approval of 18 implementing decrees. A process has begun to consolidate the decrees to expedite their ratification.

General information

On June 3, 2022, Senegalese legislators passed a new biosafety law submitted in an urgent procedure to the Parliament by Mr. Abdou Karim Sall, Minister of Environment and Sustainable Development. Mr. Sall said that the new law, which repeals the 2009 biosecurity law, will enable Senegal to comply with its international commitments and take the maximum benefit from the advantages offered by modern biotechnology. The law was signed by President Macky Sall on June 14, 2022, and went into effect immediately. However, the functionality of the law depends on a set of implementing decrees that must also pass through an approval process. The National Biosafety Authority (NBA) has already drafted 18 decrees, however, to expedite their approval, they are working with stakeholders and experts to combine them into one decree.

Unlike the 2009 law, this law includes the establishment of a process to allow the entry, research, and commercialization of GE products or derived products in Senegal. The law also takes into account the 2010 Nagoya Protocol and aligns with recently developed biosafety regulations from the Economic Community of West African States (ECOWAS). The new law will bring innovations, such as an obligatory risk assessment and management procedures for all GE activity which will classify GE and derived products into four levels of security. The new law also differentiates the approval process for different uses and purposes. For example, the approval process for research will be simplified compared to the process for commercialization, etc. It also reinforces the requirements on information and public awareness and labelling and packaging. The law outlines the criminal liability of legal persons, the introduction of new incriminations, and the strengthening of criminal sanctions. It differentiates the type of damage that can be caused to biodiversity, the economy, animal and human health, goods, and cultural, social, and spiritual values. About 13 penal sanctions are imposed based on the type and impact of the damages caused by violators, ranging from 2 months to 10 years of imprisonment and fines from 2 million CFA to 10 billion CFA.

Any transboundary movement of a GE organism intended to be introduced into the environment is subject to the advance informed agreement (AIA) procedure. However, there is a simplified procedure that exempts certain GE and derived products from the AIA. The competent authority will create the list of those exempted products, though none have been determined thus far.

The provisions of this law do not apply to the cross-border movement of pharmaceutical or veterinary products derived from GE organisms that are regulated by other legal orders or international organizations.

For more information, see the attached copy of the 2022 biosafety law.

1 \$ = 600 Francs CFA

Attachments:

No Attachments.