



MARUMEGH

Kisaan E- Patrika

Available online at www.marumegh.com

© marumegh 2016

ISSN: 2456-2904



GLOBAL GOVERNANCE AND NATIONAL MECHANISM IN INDIA FOR REGULATING ACCESS TO GENETIC RESOURCES AND BENEFIT SHARING

Deshraj Gurjar and Kuldeep Singh Chandrawat

Research Scholar, Department of Plant Breeding and Genetics, Rajasthan College of
Agriculture

Maharana Pratap University of Agriculture and Technology, Udaipur Rajasthan-313001

Email- deshraj.agri@gmail.com

Genetic resources, including the traditional knowledge associated with them, form an important subset of biological resources as they provide the essential building blocks for developing superior crop varieties, improved livestock breeds, pharmaceutical drugs and bio-based commercial products Shamama and Abraham 2008. Governance systems for access to them and for sharing the benefits arising from their commercial utilization may be seen from several dimensions such as perspectives of the primary stakeholders, provisions of the national regulatory framework and the country's legally binding obligations under international treaties to which it is a Contracting Party. Global governance is a concept that advocates sustainability as the supreme consideration for managing natural resources, including biological resources, and operates through international agreements/ multilateral treaties/ global conventions with their own provisions, obligations, rules and procedures. The 1992 Convention on Biological Diversity (CBD) was the first major step taken by humankind for promoting the conservation of bio-resources, their sustainable use and sharing (in a fair and equitable manner) of the benefits arising from their commercial utilization IPGRI 1996. It got further strengthened in 2010 when the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, were launched. These two projects together make the United Nations Decade on Biodiversity. In addition, the 2010 Nagoya Protocol on Access and Benefit Sharing (ABS) provides regulatory framework for users' access to genetic resources and providers' sharing of the benefits, arising out of their commercial utilization, through an international regime proposed for this purpose. Some other biodiversity related conventions are: Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Convention on the Conservation of Migratory Species of Wild Animals (CMS), Convention on Wetlands (popularly known as the Ramsar Convention), World Heritage Convention (WHC), International Plant Protection Convention (IPPC), and The International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR, facilitated by the FAO). The agreement on Trade related Intellectual Property Rights (TRIPs), under the World Trade Organization, also impacts on ABS. Obviously, the global governance involves complexity of roles, overlapping and even conflicting some time, of numerous actors, organizations and institutions. Obligations under the global governance system are implemented through national laws and regulations on ABS and their implementation, in turn, involves various agencies, institutions and organizations working at several levels Laird

and Wynberg, 2005. Down the line, at the grass root level, are the local communities with their traditional rights and primary stakes in sustained availability of their bio-resources, including their socio-economic concerns. This paper aims at creating awareness on the complex interplay of ABS governance at these three levels while pointing out how the scientific community may play a key role. www.cbd.int/abs

References:

IPGRI (1996). Access to Plant Genetic Resources and the Equitable Sharing of Benefits: A Contribution to the Debate on Systems for the Exchange of Germplasm”, Issues in Genetic Resources, No. 4, June

Laird, S.A. and Wynberg, R. (2005). The Commercial Use of biodiversity: An Update on Current Trends in Demand for Access to Genetic Resources and Benefit-Sharing, and Industry Perspectives on ABS Policy and Implementation, Document No. UNEP/CBD/WG-ABS/4/INF/5, 22 December.

Shamama A. and Abraham, B.P. (2008). Bioprospecting: Promoting and Regulating Access to Genetic Resources and Benefit Sharing Indian Institute of Management Calcutta, WPS No. 631

Web (ABS) www.cbd.int/abs