

REGULATING BIOPROSPECTING

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PADMASHREE GEHL SAMPATH



Regulating Bioprospecting

Evanson C. Kamau, Gerd Winter



Regulating Bioprospecting:

Regulating Bioprospecting Padmashree Gehl Sampath, 2005 Bioprospecting the search for useful biochemical compounds and genes in nature has been the focus of international negotiations for more than a decade This book examines the optimal property rights structures and institutional mechanisms for regulating bioprospecting for drug research It includes examples of bioprospecting collaborations in several countries *Biodiversity Conservation, Law and Livelihoods: Bridging the North-South Divide* Michael I. Jeffery, Jeremy Firestone, Karen Bubna-Litic, 2008-01-07 The IUCN Academy of Environmental Law Research Studies third colloquium of 2005 brought together more than 130 experts from 27 nations on nearly every continent This book brings together a number of the papers presented there and offers a global perspective on biodiversity conservation and the maintenance of sustainable cultures It addresses issues from international regional and country specific perspectives The book is organized thematically to present a broad spectrum of issues including the history and major governance structures in this area the needs problems and prerequisites for biodiversity area based species based and ecosystem based conservation measures the use of components of biodiversity and the processes affecting it biosecurity and access to and sharing of benefits from components of biodiversity and their economic value **International Law and the Genetic Resources of the Deep Sea** David Kenneth Leary, 2007 Deep sea genetic resources and the interest of the biotechnology industry in their exploitation are emerging as a significant challenge for international oceans governance This book is the first comprehensive examination of this issue and explores its relationship with marine scientific research and other activities in the deep sea As well as a detailed survey of the state of industry interest in this new field of biotechnology it also sets out proposals for future sustainable management of these resources utilizing many existing international law and policy regimes **Routledge Handbook of Maritime Regulation and Enforcement** Robin Warner, Stuart Kaye, 2015-08-27 With advances in technology and maritime transport human use of the ocean now extends beyond the traditional activities of navigation and fishing Emerging activities such as bioprospecting deep seabed mineral and hydrocarbon exploration and exploitation offshore renewable energy developments and marine scientific probes of deep sea areas challenge the applicability of maritime law and policy in new ways This handbook examines current regulatory and enforcement instruments and mechanisms for different sectors of maritime activity Covering various jurisdictions its specially commissioned chapters are authored by some of the world's foremost authorities on maritime law and offer unique perspectives on maritime law policy and practice This highly relevant collection is organised into four parts International Law Considerations in Maritime Regulation and Enforcement Role of States and other International Actors in Maritime Regulation and Enforcement Regulation and Enforcement in Different Maritime Sectors Current Issues and Future Challenges This comprehensive reference work will be of interest to scholars and students of maritime law practitioners and non lawyers interested in the regulation of offshore areas as well as policy makers Transforming Biodiversity Governance Ingrid J.

Visseren-Hamakers, Marcel T. J. Kok, 2022-06-16 A multidisciplinary approach to transforming biodiversity governance to combat the failure of current efforts and halt biodiversity loss **Blue Planet Law** Maria da Glória Garcia, António Cortês, 2023-03-29 Blue Planet Law is the global and future oriented environmental law that is necessary to face the global environmental crisis in the Anthropocene assuming especially the link between climate action SDG 13 and ocean sustainability SDG 14 This open access book focuses on means of overcoming global environmental problems such as climate change ocean degradation and biodiversity loss and the consequent risks for human life health food and wellbeing It explores how environmental law at the international European and national levels might set economic and technological development on a more sustainable path Law must engage in dialogue with other areas such as philosophy economics ecology and biology This book highlights protection of the climate and the oceans and sustainable use of natural resources through new policies economies and technologies including biotechnology with a view to the preservation of life health food and a healthy environment for the present and future generations The book may be seen as a contribution to the UN Sustainable Development Goals 13 and 14 and a tribute to the Declaration of the United Nations Conference on the Human Environment also known as the Stockholm Conference 1972 on its 50th Anniversary Governing Marine Living Resources in the Polar Regions Nengye Liu, Cassandra M. Brooks, Tianbao Qin, 2019 Bringing together leading scholars from across a diverse range of disciplines this unique book examines a key question How can we best conserve marine living resources in the polar regions where climate change effects and human activities are particularly pressing **Handbook on the Politics of Antarctica** Klaus Dodds, Alan D. Hemmings, Peder Roberts, 2017-01-27 The Antarctic and Southern Ocean are hotspots for contemporary endeavours to oversee the last frontier of the Earth The Handbook on the Politics of Antarctica offers a wide ranging and comprehensive overview of the governance geopolitics international law cultural studies and history of the region Four thematic sections take readers from the earliest human encounters to contemporary resource exploitation and climate change Written by leading experts the Handbook brings together the very best interdisciplinary social science and humanities scholarship on the Antarctic and Southern Ocean **Genetic Resources, Traditional Knowledge and the Law** Evanson C. Kamau, Gerd Winter, 2009 The need to regulate access to genetic resources and ensure a fair and equitable sharing of any resulting benefits was at the core of the development of the Convention on Biological Diversity CBD

Legacies and Change in Polar Sciences Jessica M. Shadian, Monica Tennberg, 2016-04-22 Providing case study analyses of the politics of science in and around the International Polar Year of 2007 2008 this volume makes a distinct contribution to ongoing research focusing on the relationship between science international politics law and history The contributors combine both interdisciplinary and multi theoretical approaches to engage directly with the most recent debates in international relations scholarship to include discussions of arctic climate change governance issues reflections on the Antarctic Treaty and the science geopolitics interface amongst others This is the first comprehensive account to look

explicitly at the relationship between global politics and science through an account of the International Polar Years

International Environmental Law Compliance in Context Belen Olmos Giupponi, 2021-04-22 This book explores how compliance with international environmental law has changed over time offering a critical analysis of its current shifting patterns Beginning with an overview of compliance with international environmental law the book goes on to explore in detail compliance in the different legal regimes instituted by Multilateral Environmental Agreements MEAs the addition of new subjects of international law the legal relations between developed and developing countries and the emergence of new compliance mechanisms in global environmental law The analysis takes two key developments into consideration the evolution in forms of compliance and non state involvement in compliance with international environmental law In the final section three case studies are provided to demonstrate how these changes have occurred in selected areas climate change biodiversity and water resources Throughout the book topics are illustrated with extracts from specific international environmental law jurisprudence and relevant international environmental law instruments In doing so the book offers a comprehensive analysis of compliance with international environmental law providing original insights and following a clear and systematic structure supported by reference to the sources This book will be of interest to professionals academics and students working in the field of compliance with international environmental law

Biodiversity Usha Tandon, Mohan Parasaran, Sidharth Luthra, 2017-11-02 Conservation of biodiversity is a fundamental concern towards securing a sustainable future This volume argues that despite various domestic and international policies and legal frameworks on biodiversity conservation be it forest wildlife marine coastal etc their implementation suffers from many deficiencies It explores the factors that hinder effective implementation of these policies and frameworks It also analyses existing laws both international and domestic to identify inherent problems in the existing legal system The book maintains that careful adherence to established procedures and protocols public awareness filling the lacuna in legal framework and a strong political will are sine qua non for effective conservation of biodiversity and sustainable development The volume defends the protection of traditional knowledge and participation of indigenous communities along with reinforcements of intellectual property in this regard It also commends the role played by the Indian judiciary especially the Supreme Court of India and India's National Green Tribunal for the preservation and enhancement of natural resources by applying established as also evolving principles of environmental law This book will be useful to scholars and researchers of environmental studies development studies policy studies and law related to biodiversity and conservation

Common Currents H. Jordan Diamond, Holly Doremus, Hee Cheol Yang, 2022-07-18 The world's oceans play a vital role in everyday life from climate regulation to food provision and are widely recognized as a global commons But they also face daunting challenges in the form of climate change population growth escalating pollution and rapidly evolving technologies that speed the reach and pace of resource extractions Common Currents Examining How We Manage the Ocean Commons calls upon experts in international ocean law

policy and science to explore the question to what extent and to what effect we currently manage the oceans as a global commons This volume captures some key issues questions and lessons to help enhance understanding of current practices and opportunities to grow collaborative management efforts

Conserving medicinal species : securing a healthy future ,2006 *The Continental Shelf Beyond 200 Nautical Miles* Joanna Mossop,2016-12-15 Under the United Nations Law of the Sea Convention States have sovereign rights over the resources of their continental shelf out to 200 nautical miles from the coast Where the physical shelf extends beyond 200 nautical miles States may exercise rights over those resources to the outer limits of the continental shelf More than 80 States may be entitled to claim sovereign rights over their continental shelf where it extends beyond 200 nautical miles from their coast and the Commission on the Limits of the Continental Shelf is currently examining many of these claims This book examines the nature of the rights and obligations of coastal States in this area with a particular focus on the options for regulating activities on the extended continental shelf Because the extended continental shelf lies below the high seas the area poses unique legal challenges for coastal States that are different from those faced in respect of the shelf within 200 nautical miles In addition the United Nations Convention on the Law of the Sea imposes some specific obligations that coastal States must comply with in respect of the extended continental shelf The book discusses the development of the concept of the extended continental shelf It explores a range of issues facing the coastal State in regulating matters such as environmental protection fishing bioprospecting exploitation of non living resources and marine scientific research on the extended continental shelf The book proposes a framework for navigating the intersection between the high seas and the extended continental shelf and minimising the potential for conflict between flag and coastal States

The Law of the Seabed Catherine Banet,2020-01-29 The Law of the Seabed reviews the most pressing legal questions raised by the use and protection of natural resources on and underneath the world s seabeds While barely accessible the seabed plays a major role in the Earth s ecological balance It is both a medium and a resource and is central to the blue economy New uses and new knowledge about seabed ecosystems and the risks of disputes due to competing interests urge reflection on which regulatory approaches to pursue The regulation of ocean activities is essentially sector based and the book puts in parallel the international and national regimes for seabed mining oil and gas energy generation bottom fisheries marine genetic resources carbon sequestration and maritime security operations both within and beyond the national jurisdiction The book contains seven parts respectively addressing the definition of the seabed from a multidisciplinary perspective the principles of jurisdiction delimitation under the United Nations Convention on the Law of the Sea UNCLOS the regimes for use of non living living and marine biodiversity resources the role of state and non state actors the laying and removal of installations the principles for sustainable and equitable use common heritage of mankind precaution benefit sharing and management tools to ensure coexistence between activities as well as the protection of the marine environment

Biotechnology and International Law Francesco Francioni,Tullio Scovazzi,2006-06-15 As with any

rapid technological development the biotechnology revolution is putting great strains on the ability of law to adapt to new challenges and threats Although there is general agreement on the need to regulate biotechnology in many different fields of human activity agriculture life sciences forensic science domestic law remains deeply divided over the best approach to take This book is the first attempt at covering the most pressing legal issues raised by the impact of biotechnologies on different categories of international norms Through the contribution of a selected group of international scholars and experts from international organizations the book addresses 1 the international status of genetic resources both in areas of national jurisdiction and in common spaces such as the international sea bed area and Antarctica 2 the relevance of environmental principles in the governance of modern biotechnologies 3 the impact of biotechnologies on trade rules including intellectual property law 4 the human rights implications especially in the field of human genetics and 5 the intersection between general international law and regional systems especially those developed in Europe and Latin America The overall objective of the book is to provide an up to date picture of international law as it stands today and to stimulate critical reflection and further research on the solutions that will be required in years to come

Indigenous Cultural Heritage and Intellectual

Property Rights Jessica Christine Lai, 2014-01-08 Now more than ever indigenous peoples interests in their cultural heritage are in the spotlight Yet there is very little literature that comprehensively discusses how existing laws can and cannot be used to address indigenous peoples interests This book assesses how intangible aspects of indigenous cultural heritage and the tangible objects that hold them can be protected within the realm of a broad range of existing legal orders including intellectual property and related rights consumer protection law common law and equitable doctrines and human rights It does so by focusing on the New Zealand M ori The book also looks to the future analysing the long awaited Wai 262 report released in New Zealand by the Waitangi Tribunal in response to allegations that the government had failed in its duty to ensure that the M ori retain chieftainship over their tangible and intangible treasures as required by the Treaty of Waitangi signed between the M ori and the British Crown in 1840

Trading in Knowledge Graham Dutfield, 2013-06-17 An

unprecedented surge in the scope and level of intellectual property rights IPR protection has been engulfing the world This globalizing trend has shifted the balance of interests between private innovators and society at large and tensions have flared around key public policy concerns As developing nations policy options to use IPRs in support of their broader development strategy are being rapidly narrowed down many experts are questioning the one size fits all approach to IPR protection and are backing a rebalancing of the global regime Developing countries face huge challenges when designing and implementing IPR policy on all levels This book offers perspectives from a diverse range of developing country participants including civil society participants farmers grassroots organizations researchers and government officials Contributions from well known developed country authorities round out the selections

The 2010 Nagoya Protocol on Access and Benefit-sharing in

Perspective Elisa Morgera, Matthias Buck, Elsa Tsioumani, 2012-11-21 The Nagoya Protocol on Access and Benefit sharing is

an innovative multilateral environmental agreement that has significantly developed the international biodiversity regime. In addition, it has considerable implications for the rights of indigenous peoples and local communities for research and commercial development activities in various sectors as well as for food security, health, trade, oceans, and development cooperation. A prestigious group of international experts analyses the implications of the Nagoya Protocol for different areas of international law and its implementation challenges in various regions or of a cross-cutting nature. The volume thus combines the perspectives of legal scholars and of stakeholders involved in the negotiations of the Protocol and the preparations towards its entry into force.

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Table of Contents Regulating Bioprospecting

1. Understanding the eBook Regulating Bioprospecting
 - The Rise of Digital Reading Regulating Bioprospecting
 - Advantages of eBooks Over Traditional Books
2. Identifying Regulating Bioprospecting
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Regulating Bioprospecting
 - User-Friendly Interface
4. Exploring eBook Recommendations from Regulating Bioprospecting
 - Personalized Recommendations
 - Regulating Bioprospecting User Reviews and Ratings
 - Regulating Bioprospecting and Bestseller Lists
5. Accessing Regulating Bioprospecting Free and Paid eBooks
 - Regulating Bioprospecting Public Domain eBooks
 - Regulating Bioprospecting eBook Subscription Services
 - Regulating Bioprospecting Budget-Friendly Options

6. Navigating Regulating Bioprospecting eBook Formats
 - ePub, PDF, MOBI, and More
 - Regulating Bioprospecting Compatibility with Devices
 - Regulating Bioprospecting Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Regulating Bioprospecting
 - Highlighting and Note-Taking Regulating Bioprospecting
 - Interactive Elements Regulating Bioprospecting
8. Staying Engaged with Regulating Bioprospecting
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Regulating Bioprospecting
9. Balancing eBooks and Physical Books Regulating Bioprospecting
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Regulating Bioprospecting
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Regulating Bioprospecting
 - Setting Reading Goals Regulating Bioprospecting
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Regulating Bioprospecting
 - Fact-Checking eBook Content of Regulating Bioprospecting
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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