

# REGULATING BIOPROSPECTING

INSTITUTIONS FOR DRUG RESEARCH,  
ACCESS AND BENEFIT-SHARING

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PADMASHREE GEHL SAMPATH



# Regulating Bioprospecting

**Maria da Glória Garcia, António Cortês**



## **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

**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

**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      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

**The Continental Shelf Beyond 200 Nautical Miles** Joanna Mossop, 2016 This book discusses states rights and obligations concerning the extended continental shelf in international law including protecting the marine environment and regulating activities such as fishing marine bioprospecting and exploitation of non living resources

**Deep Sea 2003: Conference poster papers and workshop papers** Ross Shotton, 2006-01-01 This second volume of the Proceedings of the Conference on the Governance and Management of Deep sea Fisheries held in Queenstown New Zealand from 1 to 5 December 2003 contains papers developed from many of the presentations in the Poster Session of the Conference Poster papers presented in this volume address issues of deep sea oceanography ecology fisheries management and governance The second part of this volume of the Proceedings contains papers that were presented at the workshops held in Dunedin New Zealand from 27 to 29 November just prior to Deep Sea 2003 There were four workshops that addressed the topics of i Assessment and Management of Deepwater Fisheries ii Management of Small scale Deep sea Fisheries iii Conservation and Management of Deepwater Chondrichthyan Fishes and iv Bioprospecting in the High Seas

**Conserving medicinal species : securing a healthy future** , 2006

**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

**Global Governance of Genetic Resources** Sebastian Oberthür, G. Kristin Rosendal, 2013-10-30 This book analyses the status and prospects of the global governance of Access Benefit Sharing ABS in the aftermath of 2010 s Nagoya Protocol to the Convention on Biological Diversity CBD The CBD s initial 1992 framework of global ABS governance established the objective of sharing the benefits arising from the use of genetic resources fairly between countries and communities Since then ABS has been a contested issue in international politics not least due to the failure of effective implementation of the original CBD framework The Nagoya Protocol therefore aims to improve and enhance this framework Compared to the slow rate of progress on climate change it has been considered a major achievement of global environmental governance but it has also been coined a masterpiece of ambiguity This book analyses the role of a variety of actors in the emergence of the Nagoya Protocol and provides an up to date assessment of the core features of the architecture of global ABS governance This book offers a central resource regarding ABS governance for those working on

and interested in global environmental governance This is achieved by focusing on two broad themes of the wider research agenda on global environmental governance namely architecture and agency Furthermore individual chapter contributions relate and link ABS governance to other prominent debates in the field such as institutional complexes compliance market based approaches EU leadership the role of small states the role of non state actors and more Partly due to its seeming technical complexity ABS governance has so far not been at the centre of attention of scholars and practitioners of global environmental governance In this book care is taken to provide an accessible account of key functional features of the governance system which enables non specialists to gain a grasp on the main issues involved allowing the issue of ABS governance to move centre stage and be more fully recognised in discussions on global environmental governance

Transboundary Heritage and Intellectual Property Law Patricia Covarrubia, 2022-11-30 Since the Intangible Heritage Convention was adopted by UNESCO in 2003 intangible cultural heritage has increasingly been an important subject of debate in international forums As more countries implement the Intangible Heritage Convention national policymakers and communities of practice have been exploring the use of intellectual property protection to achieve intangible cultural heritage safeguarding outcomes This book examines diverse cultural heritage case studies from Indigenous communities and local communities in developing and industrialised countries to offer an interdisciplinary examination of topics at the intersection between heritage and property which present cross border challenges Analysing a range of case studies which provide examples of traditional knowledge traditional cultural expressions and genetic resources by a mixture of practitioners and scholars from different fields the book addresses guidelines and legislation as well as recent developments about shared heritage to identify a progressive trend that improves the understanding of intangible cultural heritage Considering all forms of intellectual property including patents copyright design rights trade marks geographical indications and sui generis rights the book explores problems and challenges for intangible cultural heritage in crossborder situations as well as highlighting positive relationships and collaborations among communities across geographical boundaries Transboundary Heritage and Intellectual Property Law Safeguarding Intangible Cultural Heritage will be an important resource for practitioners scholars and students engaged in studying intangible cultural heritage intellectual property law heritage studies and anthropology

**Marine Scientific Research and the Regulation of Modern Ocean Data Collection Activities under UNCLOS** Chuxiao Yu, 2022-10-17 The scope of marine scientific research has long been debated due to a lack of definition of the term in the United Nations Convention on the Law of the Sea UNCLOS The introduction of new forms and methods of ocean data collection adds another layer of legal uncertainty in this field Marine Scientific Research and the Regulation of Modern Ocean Data Collection Activities Under UNCLOS thus strives to identify the possible limits of the existing legal framework mainly the UNCLOS marine scientific research regime and the ways in which the identified gaps can be bridged In the analysis Chuxiao Yu carries out two case studies one on access to marine

genetic resources and the other on operational oceanographic activities

*Intellectual Property Rights Trade and Biodiversity* Graham Dutfield, 2000-03-01 This text examines the international agreements governing trade in genetic resources crucial resources for world agriculture food security and large industries such as pharmaceuticals Intellectual Property Rights IPRs in these resources are critical for those involved in the trade including industry and developing countries The book analyzes the Convention on Biological Diversity CBD World Trade Organization agreements and other agreements It explains how they can be integrated into an equitable trading regime

*Intellectual and Cultural Property Rights of Indigenous and Tribal Peoples in Asia* Michael A. Bengwayan, 2003-05-22 Indigenous and tribal peoples worldwide are faced with the appropriation of their collective heritage developed through the ages Their traditional songs and designs are being commercialized for the tourist industry and their traditional knowledge of crops and medicinal plants is being appropriated by multinational companies often without any recompense a phenomenon which has come to be known as biopiracy This report looks at efforts by the United Nations and governments to protect this heritage from exploitation the pressures on governments to allow the exploitation of indigenous knowledge and the effects of the General Agreement on Tariffs and Trade and the Trade Related Aspects of Intellectual Property Rights Agreement on indigenous peoples' intellectual property rights The many initiatives taken by Asian indigenous and tribal peoples to protect their heritage are also discussed and some strategies for the future are put forward in the Conclusion

**Protecting Biological Diversity** Carmen Richerzhagen, 2013-04-15 During the last ten years the enormous global loss of biodiversity has received remarkable attention Among the numerous approaches undertaken to stop or lessen this process access and benefit sharing ABS a market based approach has emerged as among the most prominent In theory ABS turns biodiversity and genetic resources from an open access good to a private good and creates a market for genetic resources It internalizes the resources positive externalities by pricing the commercial values for research and development and makes users pay for it Users benefits are shared with the resource holders and set incentives for the sustainable use and the conservation of biodiversity Carmen Richerzhagen however finds that in practice there are significant questions about the effectiveness of the approach in the protection of biodiversity and about the fair and equitable sharing of benefits arising from the commercialization Utilizing the empirical findings of three case studies of biodiversity providing countries Costa Rica the Philippines and Ethiopia and one case study of a community of user countries the European Union EU Richerzhagen examines the effectiveness of ABS through the realization of its own objectives

## Enjoying the Tune of Expression: An Emotional Symphony within **Regulating Bioprospecting**

In a global eaten by monitors and the ceaseless chatter of immediate interaction, the melodic splendor and emotional symphony created by the published term usually fade into the background, eclipsed by the relentless sound and distractions that permeate our lives. Nevertheless, set within the pages of **Regulating Bioprospecting** a stunning literary treasure filled with organic thoughts, lies an immersive symphony waiting to be embraced. Crafted by a wonderful musician of language, that interesting masterpiece conducts readers on an emotional journey, skillfully unraveling the concealed melodies and profound impact resonating within each carefully crafted phrase. Within the depths of this touching examination, we shall investigate the book is central harmonies, analyze its enthralling writing design, and surrender ourselves to the profound resonance that echoes in the depths of readers souls.

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