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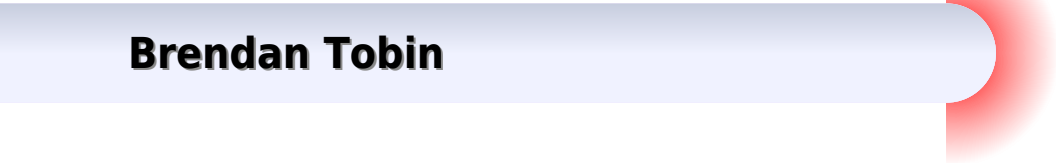
EQUITABLE PARTNERSHIPS IN PRACTICE



EDITED BY SARAH A LAIRD

Biodiversity And Traditional Knowledge Equitable Partnerships In Practice

Brendan Tobin



Biodiversity And Traditional Knowledge Equitable Partnerships In Practice:

Biodiversity and Traditional Knowledge Sarah A. Laird, 2000 **Biodiversity and Traditional Knowledge** Sarah A. Laird, 2010-09-23 Biodiversity research and prospecting are long standing activities taking place in a new legal and ethical environment Following entry into force of the Convention on Biological Diversity in 1993 and other recent policy developments expectations and obligations for research and prospecting partnerships have changed However to date there are few guides to integrating these concepts with practice This book offers practical guidance on how to arrive at equitable biodiversity research and prospecting partnerships Drawing on experience and lessons learned from around the world it provides case studies analysis and recommendations in a range of areas that together form a new framework for creating equity in these partnerships They include researcher codes of ethics institutional policies community research agreements the design of more effective commercial partnerships and biodiversity prospecting contracts the drafting and implementation of national access and benefit sharing laws and institutional tools for the distribution of financial benefits As part of the People and Plants initiative to enhance the role of communities in efforts to conserve biodiversity and use natural resources sustainably Biodiversity and Traditional Knowledge will be invaluable to students researchers and local communities academic institutions international agencies government bodies and companies involved in biodiversity research prospecting and conservation Biodiversity and Traditional Knowledge Sarah Laird, 2010 Biodiversity research and prospecting are long standing activities taking place in a new legal and ethical environment Following entry into force of the Convention on Biological Diversity in 1993 and other recent policy developments expectations and obligations for research and prospecting partnerships have changed However to date there are few guides to integrating these concepts with practice This book offers practical guidance on how to arrive at equitable biodiversity research and prospecting partnerships Drawing on experience and lessons learned from around the world it provides case studies analysis and recommendations in a range of areas that together form a new framework for creating equity in these partnerships They include researcher codes of ethics institutional policies community research agreements the design of more effective commercial partnerships and biodiversity prospecting contracts the drafting and implementation of national access and benefit sharing laws and institutional tools for the distribution of financial benefits As part of the People and Plants initiative to enhance the role of communities in efforts to conserve biodiversity and use natural resources sustainably Biodiversity and Traditional Knowledge will be invaluable to students researchers and local communities academic institutions international agencies government bodies and companies involved in biodiversity research prospecting and conservation Poor People's Knowledge J. Michael Finger, Philip Schuler, 2004-01-29 How can we help poor people earn more from their knowledge rather than from their sweat and muscle alone This book is about increasing the earnings of poor people in poor countries from their innovation knowledge and creative skills Case studies look at the African music industry traditional crafts and ways to prevent counterfeit crafts designs

the activities of fair trade organizations biopiracy and the commercialization of ethnobotanical knowledge the use of intellectual property laws and other tools to protect traditional knowledge The contributors motivation is sometimes to maintain the art and culture of poor people but they recognize that except in a museum setting no traditional skill can live on unless it has a viable market Culture and commerce more often complement than conflict in the cases reviewed here The book calls attention to the unwritten half of the World Trade Organization s Agreement on the Trade Related Aspects of Intellectual Property TRIPS TRIPS is about knowledge that industrial countries own and which poor people buy This book is about knowledge that poor people in poor countries generate and have to sell It will be of interest to students and scholars of international trade and law and to anyone with an interest in ways developing countries can find markets for cultural intellectual and traditional knowledge

Biodiversity and Traditional Knowledge Sarah A. Laird, 2010-09-23 Biodiversity research and prospecting are long standing activities taking place in a new legal and ethical environment Following entry into force of the Convention on Biological Diversity in 1993 and other recent policy developments expectations and obligations for research and prospecting partnerships have changed However to date there are few guides to integrating these concepts with practice This book offers practical guidance on how to arrive at equitable biodiversity research and prospecting partnerships Drawing on experience and lessons learned from around the world it provides case studies analysis and recommendations in a range of areas that together form a new framework for creating equity in these partnerships They include researcher codes of ethics institutional policies community research agreements the design of more effective commercial partnerships and biodiversity prospecting contracts the drafting and implementation of national access and benefit sharing laws and institutional tools for the distribution of financial benefits As part of the People and Plants initiative to enhance the role of communities in efforts to conserve biodiversity and use natural resources sustainably Biodiversity and Traditional Knowledge will be invaluable to students researchers and local communities academic institutions international agencies government bodies and companies involved in biodiversity research prospecting and conservation

"The" Legal Protection of Traditional Knowledge in the Pharmaceutical Field Tobias Kiene, 2009

Ethnobiology E. N. Anderson, Deborah Pearsall, Eugene Hunn, Nancy Turner, 2012-02-14 The single comprehensive treatment of the field from the leading members of the Society of Ethnobiology The field of ethnobiology the study of relationships between particular ethnic groups and their native plants and animals has grown very rapidly in recent years spawning numerous subfields Ethnobiological research has produced a wide range of medicines natural products and new crops as well as striking insights into human cognition language and environmental management behavior from prehistory to the present This is the single authoritative source on ethnobiology covering all aspects of the field as it is currently defined Featuring contributions from experienced scholars and sanctioned by the Society of Ethnobiology this concise readable volume provides extensive coverage of ethical issues and practices as well as archaeological ethnological and linguistic approaches Emphasizing basic

principles and methodology this unique textbook offers a balanced treatment of all the major subfields within ethnobiology allowing students to begin guided research in any related area from archaeoethnozoology to ethnomycology to agroecology Each chapter includes a basic introduction to each topic is written by a leading specialist in the specific area addressed and comes with a full bibliography citing major works in the area All chapters cover recent research and many are new in approach most chapters present unpublished or very recently published new research Featured are clear distinctive treatments of areas such as ethnozoology linguistic ethnobiology traditional education ethnoecology and indigenous perspectives Methodology and ethical action are also covered up to current practice Ethnobiology is a specialized textbook for advanced undergraduates and graduate students it is suitable for advanced level ethnobotany ethnobiology cultural and political ecology and archaeologically related courses Research institutes will also find this work valuable as will any reader with an interest in ethnobiological fields

Selling Forest Environmental Services Joshua Bishop,Stefano

Pagiola,Natasha Landell-Mills,2012 The risks posed by forest destruction throughout the world are highly significant for all Not only are forests a critical source of timber and non timber forest products but they provide environmental services that are the basis of life on Earth However only rarely do beneficiaries pay for the goods and services they experience and there are severe consequences as a result for the poor and for the forests themselves It has proved difficult to translate the theory of market based approaches into practice Based on extensive research and case studies of biodiversity conservation watershed protected and carbon sequestration this book demonstrates how payment systems can be established in practice their effectiveness and their implications for the poor

The Elgar Companion to Intellectual Property and the Sustainable Development Goals Matthew Rimmer,Caroline B. Ncube,Bita Amani,2024-02-12 Complex geopolitical debate surrounds the role of intellectual property IP in advancing and achieving the UN s Sustainable Development Goals SDGs Summarising and advancing this discourse this prescient Companion is a thorough examination of how IP law interacts influences and impacts each of the seventeen SDGs

Contracting for ABS Shakeel Bhatti,Tomme Young,Santiago Carrizosa,Patrick

McGuire,2009 Contracts relating to scientific technical development are effective only where they are enforceable or valid under relevant law can be practically implemented by the parties and address matters arising from the relevant scientific technical issues and practices Negotiators are often hampered by their lack of knowledge of contract law and of the biotechnological techniques used to derive new molecules and genes or genetic or biochemical formulas from biological samples This lack of knowledge means they may not make the best choices This book examines the special issues in applying contract law to the rights to take and utilize genetic resources and the scientific issues and the manner in which they affect the negotiation of ABS agreements

Indigenous Peoples, Customary Law and Human Rights - Why Living Law

Matters Brendan Tobin,2014-08-27 This highly original work demonstrates the fundamental role of customary law for the realization of Indigenous peoples human rights and for sound national and international legal governance The book reviews

the legal status of customary law and its relationship with positive and natural law from the time of Plato up to the present It examines its growing recognition in constitutional and international law and its dependence on and at times strained relationship with human rights law The author analyzes the role of customary law in tribal national and international governance of Indigenous peoples lands resources and cultural heritage He explores the challenges and opportunities for its recognition by courts and alternative dispute resolution mechanisms including issues of proof of law and conflicts between customary practices and human rights He throws light on the richness inherent in legal diversity and key principles of customary law and their influence in legal practice and on emerging notions of intercultural equity and justice He concludes that Indigenous peoples rights to their customary legal regimes and states obligations to respect and recognize customary law in order to secure their human rights are principles of international customary law and as such binding on all states At a time when the self determination land resources and cultural heritage of Indigenous peoples are increasingly under threat this accessible book presents the key issues for both legal and non legal scholars practitioners students of human rights and environmental justice and Indigenous peoples themselves

Access and Benefit Sharing of Genetic Resources, Information and Traditional Knowledge Charles Lawson,Michelle Rourke,Fran Humphries,2022-10-14 Addressing the management of genetic resources this book offers a new assessment of the contemporary Access and Benefit Sharing ABS regime Debates about ABS have moved on The initial focus on the legal obligations established by international agreements like the United Nations Convention on Biological Diversity and the form of obligations for collecting physical biological materials have now shifted into a far more complex series of disputes and challenges about the ways ABS should be implemented and enforced These now cover a wide range of issues including digital sequence information the repatriation of resources technology transfer traditional knowledge and cultural expressions open access to information and knowledge naming conventions farmers rights new schemes for accessing pandemic viruses sharing DNA sequences and so on Drawing together perspectives from an interdisciplinary range of leading and emerging international scholars this book offers a new approach to the ABS landscape as it breaks from the standard regulatory analyses in order to explore alternative solutions to the intractable issues for the Access and Benefit Sharing of genetic resources Addressing these modern legal debates from a perspective that will appeal to both ABS scholars and those with broader legal concerns in the areas of intellectual property food governance Indigenous issues and so on this book will be a useful resource for scholars and students as well as those in government and in international institutions working in relevant areas

Biodiversity Conservation Through Access and Benefit Sharing (ABS) Oommen V. Oommen,K. P. Laladhas,Prakash Nelliya,Balakrishna Pisupati,2023-01-18 This book deals with the economic potentials of biodiversity and its capacity to support its own conservation aiming to provide livelihood for millions engaged in conservation both now and for future generations The book highlights the potentials of natural resources which are characterized as capital wealth as defined in Convention on Biological Diversity CBD to finance

its own conservation and to provide livelihood means to people who conserve it The book is divided into five Parts PART I explains about the Premise of Access and Benefit Sharing ABS PART II describes about the Technology Transfer PART III will provide details about the Access to Genetic Resources and to Associated Traditional Knowledge and Benefit Sharing PART IV is the Implementation of ABS Mechanisms and PART V is about ABS and Its Economics This book will be of interest to biodiversity policy makers administrators university and college students researchers biodiversity conservationists **The World Intellectual Property Organization Traditional Knowledge Documentation Toolkit:** World Intellectual Property Organization,2015-03-15 The Documentation Toolkit assists holders of traditional knowledge in particular indigenous peoples and local communities in identifying and defending their intellectual property related interests when their traditional knowledge is documented or otherwise recorded Indigenous Peoples, Consent and Benefit Sharing Rachel Wynberg,Doris Schroeder,Roger Chennells,2009-09-30 Indigenous Peoples Consent and Benefit Sharing is the first in depth account of the Hoodia bioprospecting case and use of San traditional knowledge placing it in the global context of indigenous peoples rights consent and benefit sharing It is unique as the first interdisciplinary analysis of consent and benefit sharing in which philosophers apply their minds to questions of justice in the Convention on Biological Diversity CBD lawyers interrogate the use of intellectual property rights to protect traditional knowledge environmental scientists analyse implications for national policies anthropologists grapple with the commodification of knowledge and uniquely case experts from Asia Australia and North America bring their collective expertise and experiences to bear on the San Hoodia case

Genetic Resources, Justice and Reconciliation Chidi Oguamanam,2019 Presents the first comprehensive study of Indigenous perspectives on genetic resources traditional knowledge and access and benefit sharing in Canada This book is also available as Open Access *Traditional Forest-Related Knowledge* John A. Parrotta,Ronald L. Trosper,2011-10-14 Exploring a topic of vital and ongoing importance Traditional Forest Knowledge examines the history current status and trends in the development and application of traditional forest knowledge by local and indigenous communities worldwide It considers the interplay between traditional beliefs and practices and formal forest science and interrogates the often uneasy relationship between these different knowledge systems The contents also highlight efforts to conserve and promote traditional forest management practices that balance the environmental economic and social objectives of forest management It places these efforts in the context of recent trends towards the devolution of forest management authority in many parts of the world The book includes regional chapters covering North America South America Africa Europe Asia and the Australia Pacific region As well as relating the general factors mentioned above to these specific areas these chapters cover issues of special regional significance such as the importance of traditional knowledge and practices for food security economic development and cultural identity Other chapters examine topics ranging from key policy issues to the significant programs of regional and international organisations and from research ethics and best practices for scientific study of

traditional knowledge to the adaptation of traditional forest knowledge to climate change and globalisation *Speaking in Tongues* Brendan Tobin, International Institute for Environment and Development, 2001

Intellectual Property and Human Development Tzen Wong, Graham Dutfield, 2010-10-21 This book examines the social impact of intellectual property laws It addresses issues and trends relating to health food security education new technologies preservation of bio cultural heritage and contemporary challenges in promoting the arts It explores how intellectual property frameworks could be better calibrated to meet socio economic needs in countries at different stages of development with local contexts and culture in mind A resource for policy makers stakeholders non profits and students this volume furthermore highlights alternative modes of innovation that are emerging to address such diverse challenges as neglected or resurgent diseases in developing countries and the harnessing of creative possibilities on the Internet The collected essays emphasize not only fair access by individuals and communities to intellectual property protected material whether a cure a crop variety clean technology a textbook or a tune but also the enhancement of their own capabilities in cultural participation and innovation

Natural Resources and Human Rights Jérémie Gilbert, 2018 Examining the role human rights can play in the regulation of natural resource management this book shines light on the duties of states and private actors when exploiting natural resources and the procedural rights of affected citizens

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