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Principal Scientist

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To
Braulio Ferreira de Souza Dias
Executive Secretary
Secretariat of the Convention on Biological Diversity, United Nations Environment Programme
413 Saint-Jacques Street, Suite 800, Montreal, QC, H2Y 1N9, Canada

India is a treasure house of tremendous genetic resources such as medicinal and aromatic plant, and other genetic resources. The traditional knowledge associated with these genetic resources is either undocumented, documented in regional languages, and in most instances the documents have been missing due to long history of colonization, poverty, and other bottlenecks. Thus, though the country is rich in genetic resources, it largely fails to claim rights on these genetic resources and the associated traditional knowledge. In the 15 agro-climatic zones of India, more than 47,000 different plant species resides, of which about 15,000 are of some medicinal value. Many of them are at the verge of extinction, but the relevant act in force in the country (Wildlife Protection Act, 1972) provides the protection to merely six species. In the absence of the legal protection, and the proper documentation, the country is facing a major challenge to protect its rights on its genetic resources and the associated traditional knowledge.

Article 10 of Nagoya Protocol talks about the evolution of global multilateral benefit-sharing mechanism to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with the genetic resources. In the absence of the proper documentation, or the capacity to enforce the rights on the content of the documentation (in isolated cases where some documents are available), the fair implementation of the GMBSM in India would be a challenging task. Thus, as a matter of urgency, a dedicated team of experts, scientists, legal experts and other scholars need to be evolved by systematic capacity building program in the country. Simultaneously, a proper documentation of the available knowledge and creation of reference databases and libraries need to be done on priority basis; without which the aims of the Article 10 of the Nagoya Protocol will remain incomplete.

Another major issue India is facing is the corruption at various levels. A more effective, highly regulated benefit sharing system has to be evolved to make sure that the benefits are reaching to the real owners of the knowledge in a most simplified manner. Until the system for the GMBSM is made effective to the level of communities, or even individuals, achieving the overall aims and goals of the protocol would be impossible in real sense. Such constraints and possible solutions need to be discussed and worked out in detail.

Thanking you

Yours sincerely,

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[Sunil Kumar Verma]

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