



**INDIA TAKING LEADERSHIP ROLE IN BIODIVERSITY CONSERVATION,  
TO HOST 'RIO + 20' SUMMIT IN 2012**

**Convention on Biological diversity**

1. The Convention on Biological Diversity (CBD), one of the key agreements adopted during the historic Earth Summit held in Rio de Janeiro in 1992, is the first comprehensive global agreement which addresses all aspects relating to biodiversity. The Convention, while reaffirming sovereign rights of nations over their biological resources, establishes three main goals: the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits from the use of genetic resources.

**Towards Nagoya CBD Conference in October 2010**

2. The tenth Conference of Parties (COP) to the CBD is scheduled to be held in Nagoya in October 2010. The major item for consideration at this COP is the adoption of an international protocol on Access and Benefit Sharing (ABS). This provides an opportunity to biodiversity-rich countries such as India to realise benefits for its people from the use of this biodiversity.

**India to host the 'Rio + 20' CBD Conference in October 2012**

3. India will be hosting the eleventh Conference of Parties (COP) to the CBD in October 2012 in New Delhi. This would mark the twentieth anniversary of the Rio Earth Summit. The hosting of this COP shows not only India's role as a major mega-diverse country, but also its commitment to playing a global leadership role in biodiversity conservation.

**India's Actions to Combat Biopiracy**

4. At the national level, India has been taking a number of proactive measures related to biodiversity conservation. India was one of the first few countries in the world to enact a national legislation, called the Biological Diversity Act in 2002, which contain provisions for access and benefit sharing. A National Biodiversity Authority has also been set up in Chennai.

5. Most importantly, India has created a database of traditional knowledge – called the Traditional Knowledge Digital Library (TKDL) – managed by the CSIR. The TKDL is a computerised database of documented information available in published texts of Indian systems of medicine. The objective of the TKDL is to make documented information easily accessible to patent examiners to prevent grant of patents on non-original inventions, in a format and language understood by them. TKDL has been created in five international languages, i.e., English, French, Spanish, German and Japanese from the information available in languages such as Sanskrit, Urdu, Arabic, Persian, Tamil etc.

6. So far over 2 lakh formulations of Ayurveda, Siddha, Unani and Yoga have been documented into the TKDL on 34 million pages of information, over a period of 10 years at an estimated cost of Rs 7 crores. About 2,000 patents related to the Indian System of



Medicine are granted every year in the US Patent & Trademark Office (USPTO), the European Patent Office (EPO) and other overseas Patent Offices.

7. To address this issue, India is signing agreements with other Patent offices for access to the TKDL. These agreements are enabling search by international patent offices to prevent biopiracy of India's traditional knowledge. However, no third party disclosure is permitted unless it is necessary for the purposes of citation. An agreement has been signed with the EPO in February 2009, and very recently with the USPTO during the Summit between President Obama and Prime Minister Manmohan Singh in November 2009. Similar agreements are being negotiated with other countries. 36 cases have been identified so far by the EPO using TKDL, of which 8 have already been resolved in favour of India, while the rest are being processed. Similarly, 40 cases have been cited by the USPTO.

8. In the past, patents were secured in USA and Europe, for e.g., on use of *neem* and on the wound healing properties of *haldi*, although the therapeutic properties of these biological materials were already known in India. The patent on turmeric, challenged by CSIR, was upheld by the USPTO which revoked patent in 1997. This was for the first time that a patent based on traditional knowledge of a developing country was successfully challenged. The patent on neem was also revoked by the EPO in 2000, in the face of legal opposition filed against the patent by an NGO and group of Indian farmers. However this involved litigation over a ten years period and involved huge legal costs and other expenses. In contrast EPO has been able to settle cases in India's favour at no cost to EPO or India and in a period of 2 to 10 weeks through TKDL route.

9. An important next step is to set up a People's Register of Biodiversity, so that traditional knowledge passed down through the oral tradition can also be documented and protected. In addition, the MoE&F is actually seeking inputs from civil society groups to ensure that the Biological Diversity Act, 2002 is implemented in a manner that upholds the spirit of conservation and community control prior to grant of access.

### **India and the International Year of Biodiversity 2010**

10. The United Nations General Assembly has proclaimed 2010 as the International Year of Biodiversity (IYB) to raise awareness about the underlying threats to and the need for biodiversity conservation. As a mega-diverse country and as a Party to the International Convention on Biological Diversity (CBD), India had committed itself to achieving the 2010 Biodiversity Target, adopted by the sixth Conference of the Parties (CoP) to the CBD, to significantly reduce the rate of loss of biodiversity. The 2010 target is in relation to eleven goals that are highlighted in the attached brochures.

11. A calendar for the year 2010 with 12 award-winning paintings by school children on the theme 'Our Rich Biodiversity', is also being released. These paintings were chosen from a national-level competition organised by the National Museum of Natural History during the Wildlife Week in October 2009. Several awareness raising events are being planned all over the country throughout the year. The MoE&F is undertaking plantation drives all along the route of Queen's Baton Relay of 20,000 km covering 28 States and 7 UTs on the occasion of the Commonwealth Games in October 2010.