

## Turmeric

US patent for use of turmeric in wound healing cancelled after CSIR cited sources more than 100 yrs old, documenting usage on wounds, rashes



## Neem

European patent for use of neem as a fungicide revoked after Indian farmers were shown using neem oil to prevent fungus for centuries



## Basmati

US firm loses right to call its aromatic rice 'basmati' after India cites geographical pointers



IT'S NOT COPENHAGEN. THE SCALES ARE TURNED AS RICH NATIONS CLAIM A SHARE IN THE GENETIC RESOURCE MARKET FROM THE POOR, THE CUSTODIANS OF ECOLOGICAL WEALTH

# Talking shop on BIODIVERSITY

With Sethi | TNN

When it comes to their new clean technologies, the rich countries jealously guard their intellectual property rights but at the UN talks on biodiversity they are dead set to keep the IPR regime loose enough to commercialize the traditional knowledge of countries like India.

The rich countries have shown their Janus face at the UN Convention on Biodiversity in the Colombian city of Cali, where the international fights for sharing rights over the world's genetic resources is right now occurring.

The convention, less known than the UN Framework Convention on Climate Change, is an international compact of 192 countries. It too will have its Copenhagen-style meet of all countries in 2010. In October, all countries will send their negotiators to Nagoya, Japan, in an attempt to hammer out rules for access to genetic resources and how the benefits of commercial exploitation of these resources should be shared.

The next meet would be held in Delhi in 2012.

The negotiations, which have been on for a while, may not be as widespread in their impacts as climate change, but the massive global business interest in the pact is no less. Therefore, the negotiations are going to be as hard fought as those on climate change.

One might have already heard of the battles India has fought over Neem, Turmeric and Basmati but that is only one of a million examples of the war for access to genetic resources that developing world is fighting. The pharmaceutical and biotech industry for one depends highly on the genetic resources that are found in higher density in the tropical and poorer countries than in the temperate and richer nations of the world. The agricultural and plant diversity of countries like India too has always made happy pickings for bio-prospectors—specialists looking for rare species that contain some property worth commercializing.

The underlying issues for the negotiations seem simple but the talks, as expected would happen when nearly 200 countries sit together to find consensus, have been less than simple.

So goes the argument: much of the biodiversity in the world has been preserved by the poorest—the tribals protecting the forest, the farmers creating and protecting seed diversity. But when the pharma giant from the rich country gets hold of the specimen and turns it into a hot selling patented commodity—say an anti-cancer drug—it doesn't share a fair share of the millions it earns with the people who protected it in the first place. In many cases these are the peo-

ple who understand the medicinal or other special properties of the resource.

Take the case of just the formalized traditional medicines in India. So far over 2 lakh formulations of Ayurveda, Siddha, Unani and Yoga have been documented into the a digital library. About 2,000 patents related to the Indian System of Medicine are granted every year in the US Patent & Trademark Office, the European Patent Office and other overseas Patent Offices.

Evidently the battle lines between the rich and the developing countries are drawn as deep as in the climate talks but the roles have got reversed.



**WELL  
BEGUN  
HALF  
DONE**

► Recognizing the depletion of their ecological wealth, in 2002, world leaders set their goal of **stemming biodiversity loss** under the Convention for Biological Diversity. The **target year** for achieving these reductions was **2010**

► As of last month, negotiators in Cali, Colombia, agreed on a draft protocol on access to genetic resources and the **fair and equitable sharing** of the benefits from their use. This document will be the basis for further negotiation, in Nagoya, Japan, in October

► A study led by a researcher with the UN Environment Program and published in the journal Science during the Cali meet, reported **alarming declines** in species populations across the world, habitat conditions and other eco-health indicators

► Between 1970 and 2005, on 31 indicators of biodiversity health, **the risk of a species going extinct** has accelerated, **pressures on biodiversity** have increased, including consumption of ecological assets and impact of **climate change**