

Access and Benefit-Sharing Bibliography July 2008

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if you would like a copy.**

Achar, K. P. (1997). *People's Biodiversity Register: Documentation of People's Knowledge and Perceptions about Biodiversity and Conservation*, BCPP, KSCST, WWF.

Action Group on Erosion Technology and Concentration (ETC Group). *ETC website* at www.etcgroup.org.

The ETC Group is dedicated to the conservation and sustainable advancement of cultural and ecological diversity and human rights. The ETC Group supports socially responsible developments of technologies useful to the poor and marginalized and it addresses international governance issues and corporate power.

Andean Community (1996). *Decision 391: Common regime on access to genetic resources* at www.comunidadandina.org/ingles/treaties/dec/d391e.htm

Andean Community (2000). *Decision 486: Common Intellectual Property Regime* at www.comunidadandina.org/ingles/treaties/dec/D486e.htm.

Andean Community (2002). *Decision 523: Regional biodiversity strategy for the tropical Andean countries* at www.comunidadandina.org/ingles/treaties/dec/D523e.htm.

Anuradha, R. V. (1997). "In Search of Knowledge and Resources: Who Sows? Who Reaps?" *Review of European Community and International Environmental Law* 6(3): 263-273.

Discusses role of TK in research into genetic resources and includes analysis of Articles 8(j) and 15 of the CBD. Particular focus on how India has implemented these articles using Kani/TBGRI example as case study.

Anuradha, R. V. (2000). *Sharing the Benefits of Biodiversity: The Kani-TBGRI deal in Kerala, India*. Pune, Kalpavriksh and IIED.

Anuradha, R. V., B. Taneja, et al. (2001). *Experiences in biodiversity policy-making and community registers in India*. London, International Institute of Environment and Development. www.iied.org

Apte, T. (2006). *A Simple Guide to Intellectual Property Rights, Biodiversity and Traditional Knowledge*. Pune/New Delhi, Kalpavriksh, Grain and IIED.

This handbook introduces the world of IPRs, biodiversity and biodiversity-related traditional knowledge in clear simple language.

Artuso, A. (2002). "Bioprospecting, Benefit Sharing and Biotechnological Capacity Building." *World Development* 30(8): 1355-1368.

Discussion of measures taken in developing countries to attract and fully benefit from bioprospecting endeavours. These include efforts in Costa Rica and South Africa to promote value added bioprospecting and national programs in Korea, Taiwan, Singapore and Cuba to develop biotechnological capabilities.

Balick, M. J., E. Elizabetsky, et al., Eds. (1996). *Medicinal Resources of the Tropical Forest: Biodiversity and Its Importance to Human Health*. New York, Columbia University Press.

According to WHO estimates over 80 per cent of people in developing countries rely in some way on wild plants for health care needs. This book presents a wide spectrum of analysis of current literature on medicinal uses of tropical plants.

Balick, M. J. and R. Mendelson (1992). "Assessing the economic value of traditional medicines from tropical rainforests." *Conservation Biology* 6(1): 128-130.

The authors quantify the economic value of the tropical forests for their medicinal products using data from Belize. They estimate that the net revenue - market value of plants sold to healers and pharmacists less labour costs - compares favourably with that from agriculture.

Barber, C. F., S. Johnston, et al. (2003). *User measures: Options for Developing Measures in User Countries to Implement the Access and Benefit Sharing Provisions of the Convention on Biological Diversity*. Tokyo, United Nations University Institute of Advanced Studies.

Bass, S. P. and M. Ruiz Muller, Eds. (2000). *Protecting Biodiversity: National Laws Regulating Access to Genetic Resources in the Americas*. Ottawa, Canada, International Development Research Centre.

Compares laws and policies across a range of countries in North and South America. It presents legal viewpoints, conclusions and recommendations for future action.

Bellman, C., G. Dutfield, et al., Eds. (2003). *Trading in Knowledge: Development perspectives on TRIPS, trade and sustainability*. London, Earthscan.

Berlin, B. and E. A. Berlin (2003). "NGOs and the process of prior informed consent in bioprospecting research: The Maya ICBG project in Chiapas, Mexico." *International Social Science Journal* 55: 629 - 638.

Berlin, B. and E. A. Berlin (2005). "Community autonomy and the Maya ICBG project in Chiapas, Mexico: How a bioprospecting project that should have succeeded failed." *Human Organisation* 63: 32-99.

Bhatti, S., S. Carrizosa, et al. (2007). *Contracting for ABS: The Legal and Scientific Implications of Bioprospecting Contracts*. Environmental Policy and Law Paper: ABS Series. Volume 67. Series 4. IUCN Gland, Switzerland and Cambridge, UK.

Biber-Klemm, S. and S. Martinez (2006). *Access and Benefit-Sharing: Good practice for academic research on genetic resources*. Bern, Swiss Academy of Sciences.

A user-friendly booklet outlining good practice for academic research on genetic resources. Available online at <http://abs.scnat.ch/> in English, French and Spanish.

BioNET International. *BioNet International website* at www.bionet-int.org/.

BioNET International is the Global Network for Taxonomy and works to create sustainable mechanisms for developing countries to become self-reliant in taxonomy, by creating technical co-operation networks.

Blakeney, M. (1997). "Bioprospecting and the protection of traditional medical knowledge of indigenous peoples: An Australian perspective." *European Intellectual Property Review*: 298-310.

Botanic Gardens Conservation International (BGCI). *BGCI webpage* at www.bgci.org.uk.

Botanic Gardens Conservation International (BGCI) (2001). *An International Review of the Ex Situ Plant Collections of the Botanic Gardens of the World*. www.bgci.org.uk

Bragdon, S. (2004). *International Law of Relevance to Plant Genetic Resources: A practical review for scientists and other professionals working with plant genetic resources*. Issues in Genetic Resources. Rome, Italy, International Plant Genetic Resources Institute.

This useful review places the CBD in context with other international conventions and treaties

Bragdon, S. (2005). *Law and Policy of Relevance to the Management of Plant Genetic Resources*. CGIAR System wide Genetic Resource Programme (SGRP), the International Plant Genetic Resources Institute (IPGRI) and the International Food Policy Research Institute (IFPRI). IPGRI, Rome, Italy.

This learning module comes as a CD-Rom and intended primarily for those who have practical management or policy making responsibilities for plant genetic resources. It is available online at www.ipgri.cgiar.org

Brand, U. and C. Gorg (2003). "The state and regulation of biodiversity. International biopolitics and the case of Mexico." *Geoforum* 34(2003): 221-233.

Analysis of bioprospecting projects in Mexico

Brush, S. B. (2005). "Protecting traditional agricultural knowledge." *Washington University Journal of Law and Policy* 17: 59.

Buck, M. (2007). *The Science Commons Project Approach to facilitate the Exchange of Biological Research Material - Implications for an International System to Track Genetic Resources, Associated User Conditions and Traditional Knowledge*. European Regional Meeting on an Internationally Recognized Certificate of Origin/Source/Legal Provenance: Report of an International Workshop hosted by the German Federal Agency for Nature Conservation. K. Ute and K. Wolff. Isle of Vilm, Germany.

Cabrera, J. (2004). *A comparative analysis on the legislation and practices on access to genetic resources and benefit sharing (ABS)*. Bonn, Germany, IUCN/BMZ.

Cabrera Medaglia, J. and C. Lopez Silva (2007). *Addressing the Problems of Access: Protecting Sources, While Giving Users Certainty*. Gland, IUCN Environmental Law Centre.

In the context of the possible development of an international regime on ABS this book seeks to address the most relevant legal issues to provide certainty for users of genetic resources and at the same time safeguarding the rights of the providers.

Carlson, T. J., M. M. Iwu, et al. (1997). "Medicinal plant research in Nigeria: An approach for compliance with the Convention on Biological Diversity." *Diversity* 13: 29-33.

Carrizosa, S. (1996). *Prospecting for biodiversity: The search for legal and institutional frameworks*. The University of Arizona. Ph. D. Dissertation.
[hwww.lib.umi.com/dissertations.fullcit/9720602](http://www.lib.umi.com/dissertations.fullcit/9720602)

Carrizosa Santiago et al, Ed. (2004). *Accessing Biodiversity and Sharing the Benefits: Lessons from Implementing the Convention on Biological Diversity*. IUCN Environmental Policy and Law Paper. Gland, Switzerland and Cambridge, UK, IUCN Environmental Law Programme.

A comparative analysis of national ABS legislation and policies in the 41 Pacific Rim countries that signed up to the CBD.

Chen, J. (2005). "There's no such thing as biopiracy.... and it's a good thing too." *McGeorge Law Review* 36.

Chennells, R. (2002). "The Khomani San Land Claim." *Cultural Survival Quarterly* 26(1).

Cheyne, P. (2003). "Access and benefit-sharing agreements: Bridging the gap between scientific partnerships and the Convention on Biological Diversity" in *Seed Conservation: Turning Science into Practice*, R. D. Smith, J. B. Dickie and et al, Royal Botanic Gardens, Kew.

An example of a framework for access and benefit sharing agreements within the context of a botanic garden.

Chiarolla, C. (2008). "ABS: Lessons from ITPGRFA." *Asian Biotechnology Review* 10(3).

This article considers possible relationship between the emerging international regime on ABS and that of the ITPGRFA.

Chishakwe, N. and T. Young (2004). *Access to genetic resources and sharing the benefits: International and sub-regional Issues*. Bonn, Germany, IUCN/BMZ.

Climate Change Secretariat (1992). *United Nations Framework Convention on Climate Change*. <http://unfccc.int/2860.php>

Text of the UN Convention on Climate Change

Commission on Intellectual Property Rights (CIPR) (2002). *Integrating Intellectual Property Rights and Development Policy: Report of the Commission on Intellectual Property Rights*. London, Commission on Intellectual Property Rights.
www.iprcommission.org.

Commission on Intellectual Property Rights (UK). *Commission on Intellectual Property Rights (UK) website* at www.iprcommission.org.

Commonwealth State Working Group on Access to Australia's Biological Resources (CSWG) (1996). *Managing access to Australia's biological resources: developing a nationally consistent approach: a discussion paper*. Canberra.

CONABIO and Environment Canada (2004). *International Expert Workshop on Access to Genetic Resources and Benefit Sharing: Record of Discussion*, Cuernavaca, Mexico, October 24-27, 2004. www.canmexworkshop.com. International Expert Workshop on Access to Genetic Resources and Benefit Sharing, Cuernavaca, Mexico.

Conservation Commons. *Conservation Commons website* at www.conservationcommons.org.

'Conservation commons' is a movement to improve open access to and unrestricted use of data, information and knowledge related to biodiversity conservation.

Correa, C. (1999). "Access to plant genetic resources and intellectual property rights." from www.fao.org/ag/cgrfa.

Correa, C. M. (2001). *Traditional knowledge and intellectual property: issues and options surrounding the protection of traditional knowledge*, Quaker United Nations Office Discussion Paper 18.

Cox, P. A. (2001). "Ensuring equitable benefits: The Falealupo Covenant and the isolation of anti-viral drug prostratin from a Samoan Medicinal Plant." *Pharmaceutical Biology* 39 (Supplement): 33 - 40.

Cragg, G., M. R. Boyd, et al. (1994). "Ethnobotany and drug discovery: The experience of the US National Cancer Institute" in *Ethnobotany and the Search for New Drugs*. D. J. Chadwick and J. Marsh. Chichester, UK, Wiley and Sons.

Cragg, G. and D. J. Newman (2002). "Drugs from Nature: Past achievements, future prospects" in *Ethnomedicine and Drug Discovery*. M. M. Iwu and J. C. Wooten. Amsterdam, Elsevier.

Cragg, G. M., M. R. Boyd, et al. (1993). "Role of plants in the National Cancer Institute Drug Discovery and Development Program" in *Human Medicinal Agents from Plants*. A. D. Kinghorn and M. F. Balandrin. Washington DC, American Chemical Society Symposium Series 534.

Cragg, G. M., M. R. Boyd, et al. (1994). "Natural product drug discovery and development at the National Cancer Institute: Policies for international collaboration and compensation". In *Conservation of Plant Genes II: Utilization of Ancient and Modern DNA*. R. P. Adams and et al, Monogr. Syst. Bot. Missouri Bot. Gard. 48: 221-232.

Crucible Group (1994). *People, Plants and Patents: The Impact of Intellectual Property on Trade, Plant Biodiversity, and Rural Society*, IDRC.

Examines intellectual property and the patenting of life forms as bluntly and as fairly as possible. Identifies major issues and policy alternatives in this fast moving area. Now somewhat outdated.

Crucible Group (2001). *Seeding Solutions: Volume 1: Policy Options for Genetic Resources (People, Plants, and Patents Revisited)*. IDRC/IPGRI/DHF 2000.

Seeding Solutions brings readers up to date on what has changed - scientifically, politically, and environmentally - since the publication in 1994 of the landmark *People, Plants and Patents*

Crucible Group (2003). *Seeding Solutions: Volume 2: Options for national Laws governing access to and control over genetic resources*, IDRC/IPGRI/DHF 2001.

Cullinan, C. (2003). *Wild Law: A Manifesto for Earth Justice*. Totnes, Devon, Green Books.

The survival of life on Earth (including humans) requires us to radically change our understanding of the purpose of law and governance. Laws, treaties and policies adopted in recent years have failed to slow down environmental destruction. Cullinan argues a more 'earth' centred approach is needed, and this book outlines what 'earth governance' and 'earth jurisprudence' might look like, and how we may begin moving towards it.

Dalton, R. (2004). "Bioprospects less than golden." *Nature* 429: 598 - 600.

Dhar, B. and R. V. Anuradha (2004). "Access, benefit sharing and intellectual property rights." *The Journal of World Intellectual Property* 7(5).

Downes, D. (1997). *Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps*. Washington DC, Centre for International Environmental Law.

Downes, D., S. A. Laird, et al. (1993). "Biodiversity Prospecting Contract" in *Biodiversity prospecting: Using genetic resources for sustainable development*. W. V. Reid, S. A. Laird, C. A. Meyer et al. Washington DC, World Resources Institute: 255 - 287.

This contract is meant to be used as a model in the negotiation of contracts for the collection of biological samples. The parties are pharmaceutical companies and collectors. The draft contract includes requirements for local participants and benefits, environmental assessment and prior informed consent.

Dross, M. and F. Wolff (2005). *New Elements of the International Regime on Access and Benefit-Sharing of Genetic Resources - the Role of Certificates of Origin*. Bonn, Germany, Federal Agency for Nature Conservation (Germany).

Dutfield, G. (2002). *Intellectual Property Rights, Trade and Biodiversity*. London, Earthscan.

Dutfield, G. (2002). "Sharing the benefits of biodiversity: Is there a role for the patent system?" *Journal of World Intellectual Property* 5(6): 899-931.

Dutfield, G. (2003). *Intellectual Property Rights: Implications for Development*. Geneva, UNCTAD and ICTSD.

Dutfield, G. (2004). *Intellectual Property, Biogenetic Resources and Traditional Knowledge*. London, Earthscan Publications.

Dutfield, G. (2006). *Protecting Traditional Knowledge: Pathways to the Future*. ICTSD. Geneva, ICTSD Programme on IPRs and Sustainable Development.

Review of ideas and strategies for protecting traditional knowledge available on line at www.iprsonline.org

Dutfield, G. and U. Suthersanen (2005). "Harmonisation or differentiation in intellectual property protection? The lessons of history." *Prometheus* 23(2): 131-147.

Ekpere, J. A. (2001). *The African Model Law: The Protection of the Rights of Local Communities, Farmers and Breeders, and for the Regulation of Access to Biological Resources. An Explanatory Booklet*. Ethiopia, OAU, Scientific, Technical and Research Commission, The Gaia Foundation and the Institute for Sustainable Development.

Explanatory booklet on the model law adopted by the African Union for the 'Protection of the rights of local communities, farmers and breeders and the regulation of access to biological resources'.

European Patent Office. *European Patent Office website* at www.european-patent-office.org.

Falcon, W. P. and C. Fowler (2002). "Carving up the commons - emergence of a new international regime for germplasm development and transfer." *Food Policy* 27: 197-222.

Feit, U., M. von den Driesch, et al. (2005). *Access and Benefit-Sharing of Genetic Resources: Ways and means for facilitating biodiversity research and conservation while safeguarding ABS provisions*. Bonn Workshop on Access and Benefit Sharing, Bonn, Federal Agency for Nature Conservation.

Report of an international workshop on ABS held in Bonn, Germany, 8-10 November 2005. The workshop concentrated on the development of policies and codes of conduct by sectoral users of genetic resources in the academic research community.

Feit, U. and F. Wolff (2006). *European Regional Meeting on an Internationally Recognized Certificate of Origin/Source/Legal Provenance: Report of an International Workshop hosted by the German Federal Agency for Nature Conservation, Isle of Vilm, Germany, Federal Agency for Nature Conservation (Germany)*.

Finger, M. and P. Schuler, Eds. (2004). *Poor People's Knowledge: Promoting Intellectual Property in Developing Countries*, World Bank and Oxford University Press.

Food and Agriculture Organisation (FAO). (2004). *International Treaty on Plant Genetic Resources for Food and Agriculture* at www.fao.org/ag/cgrfa/itpgr.htm.

Fowler, B. J. (2004). "Preventing counterfeit craft designs" in *Poor People's Knowledge: Promoting Intellectual Property in Developing Countries*. J. M. Finger and P. Schuler. Washington DC. The World Bank.

Gamez, R., A. Piva, et al. (1993). "Costa Rica's conservation program and National Biodiversity Institute (INBio)". in *Biodiversity Prospecting: Using Genetic Resources for Sustainable Development*. W. V. Reid, S. A. Laird and C. A. Meyer. Washington, DC, World Resources Institute.

Garcia, F. L., C. Williams, et al. (2001). *Results of the Pilot Project for Botanic Gardens: Principles on Access to Genetic Resources and Benefit-Sharing, Common Policy Guidelines to assist with their implementation and Explanatory Text*. Board of Trustees, Royal Botanic Gardens, Kew.

Genetic Resources Action International (GRAIN). *Biodiversity Rights Legislation* from www.grain.org/brl/index-en.cfm.

Genetic Resources Action International (GRAIN). *GRAIN website* at www.grain.org.

Genetic Resources Action International (GRAIN) (1995). "Towards a biodiversity community rights regime." *Seedling* 12(3): 2-14.

As an alternative to IPR, GRAIN argues for a local community rights regime based on heritage, territoriality, and communality, which could be implemented through the CBD and the International Undertaking on Plant Genetic Resources.

Girsberger, M. A. (2004). "Transparency Measures Under Patent Law Regarding Genetic Resources and Traditional Knowledge: Disclosure of Source and Evidence of Prior Informed Consent and Benefit Sharing." *Journal of World Intellectual Property* 7(4): 451- 489.

Given, D. R., Ed. (1994). *Principles and Practice of Plant Conservation*, Timber Press, UK.

GlaxoSmithKline Plc. *Guidelines on Discovering New Medicines from Nature*. from <http://science.gsk.com/responsibility>.

Example of a private company policy on access to genetic resources and benefit sharing

Global Biodiversity Information Facility (GBIF). *GBIF homepage* at www.gbif.org/.

GBIF is an interoperable network of biodiversity databases. Its purpose is to make biodiversity data freely and universally available via the internet, working with the CBD's Clearing House Mechanism and participating institutions.

Glowka, L., et al., (1994). *A Guide to the Convention on Biological Diversity*. Gland, Switzerland and Cambridge, UK, IUCN.

Standard introduction to the text of the CBD.

Glowka, L. (1997). "The next rosy periwinkle won't be free: Emerging legal frameworks to implement Article 15." *Environmental Policy and Law* 27: 441- 458.

Glowka, L. (1998). *A Guide to Designing Legal Frameworks to Determine Access to Genetic Resources*. Gland, Switzerland and Cambridge, UK, IUCN.

Guide to legal and institutional aspects of the access issue. Combines lessons learned from the field with desk based research and comparative analysis of the emerging legal frameworks on access to genetic resources.

Glowka, L., B. Pisupati, et al., Eds. (1998). *Access to genetic resources and traditional knowledge: Lessons from South and Southeast Asia. Proceedings of the South and Southeast Asia Regional Workshop on access to genetic resources and traditional knowledge*. IUCN.

Gollin, M. A. (1993). "An Intellectual property rights framework for biodiversity prospecting" in *Biodiversity Prospecting: Using genetic resources for sustainable development*. W. V. Reid, S. A. Laird, C. A. Meyer et al. Washington DC, World Resources Institute.

Outlines how IPR can be applied to the new technologies, commercial practices, and ethical standards of biodiversity prospecting and discusses the merits of creating new biodiversity prospecting rights. The various IPR mechanisms are explained and analysed.

Government of Samoa (2000). *Conditions for access to and benefit sharing of Samoa's biodiversity resources*. Department of Lands Surveys and Environment (DLSE) and Government of Samoa.

Grajal, A. (1999). "Biodiversity and the nation state: Regulating access to genetic resources limits biodiversity in developing countries." *Conservation Biology* 13: 6-9.

Graves, G. R. (2000). "Costs and benefits of web access to museum data." *Trends in Ecology and Evolution* 15(9): 374.

Greaves, T., Ed. (1994). *Intellectual property rights for indigenous peoples: A source book*. OK, USA, Society for Applied Anthropology.

Greene, S. (2004). "Indigenous people incorporated? Culture as politics, culture as property in contemporary bioprospection deals." *Current Anthropology* 45: 211-237.

Grenier, L. (1998). *Working with Indigenous Knowledge: A Guide for Researchers*, IDRC.

This guidebook focuses on what indigenous knowledge can contribute to a sustainable development strategy that takes account of the potential of local environment and the experience and wisdom of the indigenous population.

Gross, T., S. Johnston, et al. (2006). *The Convention on Biological Diversity: Understanding and Influencing the Process. A Guide to Understanding and Participating Effectively in The Eighth Conference of the Parties to the Convention on Biological Diversity (COP8)*, United Nations University Institute of Advanced Studies, The Equator Initiative.

A simple guide for participants at COP 8, Curitiba, Brazil.

Gupta, A. K. (1999). "Compensating local communities for conserving biodiversity: How much, who will, how and when?" in *Rewarding Local Communities for Converging Biodiversity: The Case of the Honey Bee in Protection of Global Biodiversity: Converging Strategies*. L. D. Guruswamy and J. A. McNeely. Durham and London,, Duke University Press: 180 -189.

Gupta, A. K. (1999). "Making Indian agriculture more knowledge intensive and competitive: the case of intellectual property rights." *Indian Journal of Agricultural Economics* 54(3): 342-369.

Hansen, S. A. and J. W. VanFleet (2003). *Traditional Knowledge and Intellectual Property: A Handbook on Issues and Options for Traditional Knowledge Holders in Protecting their Intellectual Property and Maintaining Biological Diversity*. Washington, DC, American Association for the Advancement of Science.

Harry, D. and L. Kanehe (2005). "The BS in Access and Benefit Sharing (ABS): Critical Questions for Indigenous Peoples". In *The Catch*. B. Burrows. Washington DC, The Edmonds Institute.

Hodges, T. and F. Casas (2008). "The International ABS Regime Negotiations: A Business Opportunity?" *Asian Biotechnology and Development Review* 10(3): 81-84.

This article, by the co chairs of the ABS Working Group, discusses access and benefit sharing issues in the context of the growing trend in the pharmaceutical industry for developing plant based drugs.

Hodges, T. and A. Daniel (2005). "Promises and Pitfalls: First Steps on the Road to the International ABS Regime." *RECIEL* 14(2).

Holm-Muller, K., C. Richerzhagen, et al. (2005). *Users of Genetic Resources in Germany: Awareness, Participation and Positions regarding the Convention on Biological Diversity*, Bundesamt fur Naturshutz (BfN), Federal Agency for Nature Conservation.

This study focuses on German companies and research institutions which use genetic resources. The object is to identify German users and their level of awareness, experience and positions regarding CBD and ABS.

Honey Bee Network. *Honey Bee Network* website at www.sristi.org/honeybee.html.

Institution Nacional de Biodiversidad (INBio). *INBio website* at www.inbio.ac.cr/en/pdb/acuerdos.htm.

Information on the Merk/INBio agreement

International Cooperative Biodiversity Group. *ICBG Webpage* at www.fic.nih.gov/programs.

This website contains useful information on the process of negotiating ABS contracts and securing PIC in real situations

International Institute for Sustainable Development (IISD). (2008). *ABS-Management Tool: Best Practice Standard and Handbook for Implementing Genetic Resource Access and Benefit Sharing Activities*. At www.iisd.org/abs/.

The ABS Management Tool (ABS-MT) is a best practice standard and a handbook that provides guidance and tools on ABS practice to help companies, researchers, local and indigenous communities, and governments ensure compliance with the Bonn Guidelines and ABS requirements under the CBD. It provides users and providers of genetic resources with a structured process for participating in - and making decisions about - ABS negotiations and the implementation of ABS agreements for access to, and agreed use of, genetic resources.

Johnston, S. (1993). "Conservation Role of Botanic Gardens and Seed Banks." *Review of European Community and International Environmental Law* 2(2).

Johnston, S. and C. V. Barber (2004). *The Convention on Biological Diversity: Understanding and Influencing the Process. A Guide to Understanding and Participating Effectively in The Seventh Conference on Biological Diversity*. United Nations University, Institute of Advanced Studies and the Equator Initiative.

Kothari, A. and R. V. Anuradha (1999). "Biodiversity and intellectual property rights: can the two co-exist?" *Journal of International Wildlife Law and Policy* 2(2).

Laird, S. A. (1994). "Natural Products and the commercialisation of traditional knowledge" in *Intellectual property rights for indigenous peoples: a sourcebook*. T. Greaves. Oklahoma City, Society for Applied Anthropology: 145-162.

Describes three scenarios in which traditional knowledge is transferred to commercial interests and the types of benefits and levels of control over this process that are retained by the communities.

Laird, S. A. (2001). "Benefit sharing 'best practice' in the pharmaceutical and botanical medicines industries". Responding to Bioprospecting. In *From biodiversity in the South to medicines in the North*. H. Svarstad and S. S. Dhillon. Oslo, SPARTACUS.

Laird, S. A., Ed. (2002). *Biodiversity and Traditional Knowledge: equitable partnerships in practice*. People and Plants. London, UK, Earthscan.

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.

Latorre Garcia, F., Williams, C., ten Kate, K. and Cheyne, P. (2001). *Results of the Pilot Project for Botanic Gardens: Principles on Access to Genetic Resources and Benefit-Sharing, Common Policy Guidelines to Assist with Their Implementation and Explanatory Text*, Royal Botanic Gardens, Kew.

Le Prestre, P., Ed. (2003). *Governing Global Biodiversity: The Evolution and Implementation of the Convention on Biological Diversity*. Montreal, University of Quebec, Montreal.

Contributors from a variety of academic disciplines tackle discuss all aspects of implementation of CBD ten years on.

Leadley, E. and S. Jury, Eds. (2006). *Taxonomy and Plant Conservation: The Cornerstone of the Conservation and the Sustainable Use of Plants*, Cambridge University Press.

Illustrates the key role played by taxonomy in the conservation and sustainable utilization of plant biodiversity

Mackenzie, R., F. Burhenne-Guilmin, et al. (2003). *An explanatory guide to the Cartagena Protocol on Biosafety*. Gland and Cambridge, IUCN.

Marcelin, T. M. (2006). "Biodiversity Regulatory Options: Involvement of Rural Communities in Decision Making Processes in South Africa." *The Journal of World Intellectual Property* 8(6): 809-824.

Martin, G. J. (1995). *Ethnobotany: A people and plants conservation manual*. London, Chapman and Hall.

Classic manual that addresses the link between ethnoecology, conservation and community development

Mays, T. D., K. Duffy-Mazan, et al. (1997). "A paradigm for the equitable sharing of benefits resulting from biodiversity research and development". In *Biodiversity and Human Health*. F. Grifo and J. Rosenthal. Washington DC, Island Press.

McConnell, F. (1996). *The Biodiversity Convention: A Negotiating History. A Personal Account of Negotiating the United Nations Convention on Biological Diversity - and after*. London, The Hague, Boston. Kluwer Law International.

Interesting first hand account of negotiating history of the Biodiversity Convention

McGough, H. N., M. Groves, et al. (2004). *CITES and Plants: a user's guide*, Royal Botanic Gardens, Kew.

McGown, J. (2006). *Out of Africa: Mysteries of Access and Benefit-Sharing*. Washington DC. The Edmonds Institute, in cooperation with African Centre for Biosafety.

Series of case studies showing examples of 'biopiracy' (acquisition of genetic resources and/or traditional knowledge without prior informed consent) in Africa.

McGraw, D. M. (2002). "The story of the Biodiversity Convention: From negotiation to implementation". In *Governing Global Biodiversity: The Evolution and Implementation of the Convention on Biological Diversity*. P. Le Prestre. Burlington, VT, Ashgate.

McManis, C. (1998). "The interface between international intellectual property and environmental protection: Biodiversity and biotechnology." *Washington University Law Quarterly* 76: 225-279.

McManis, C. (2003). "Intellectual property, genetic resources and traditional knowledge protection: Thinking globally, acting locally." *Cardozo Journal of International and Comparative Law* 11: 547-583.

McManis, C. (2004). "Fitting traditional knowledge protection and biopiracy claims into the existing intellectual property and unfair competition framework". In *Intellectual Property and Biological Resources*. B. Ong; Tarrytown, NY, Marshall Cavendish Academic.

McManis, C., Ed. (2007). *Biodiversity and the Law: Intellectual Property, Biotechnology and Traditional Knowledge*. London, Sterling VA, Earthscan.

The four sections of this book examine 1/biodiversity, what we are losing, why and what is to be done, 2/ biotechnology, 3/traditional knowledge, 4/ Ethnobotany and bioprospecting. All sections include practical lessons from the vast and diverse experiences of the contributors.

Micro-Organisms Sustainable Use and Access Regulations International Code of Conduct (MOSAICC). *Code of Conduct of MOSAICC*. from www.belspo.be/bccm/.

This is the website of the MOSAICC project to develop a code of conduct for holders and users of microbial resources

Ministry for Sustainable Development Access to Genetic Resources (2004). *The Bolivian Experience in applying Decision 391: The Common Regime on Access to Genetic Resources*. Bolivia.

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POSSIBILITIES

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