

Protection of Agricultural Biodiversity through Prospecting, Community Rights and Biodiversity Convention

Anil Kumar Dular

*Department of Environmental Science
Maharaja Ganga Singh University, Bikaner, India*

Abstract: The ecological vulnerability of agricultural monocultures has made the conservation of agricultural biodiversity and environmental imperative. The convention on biodiversity, IPR's, farmer rights, breeder's rights and prospecting are the basis of conservation of agricultural biodiversity. These community rights are an important balancing concept for protecting the public interest in the field of food, agriculture, seeds and plant material to be patent. The biodiversity convention provides an opportunity to the Government to protect agricultural biodiversity, farmer's livelihoods and sovereign rights to biodiversity as a nation's asset. The agricultural biodiversity conservation is not only ecological insurance of agriculture but also an economic and cultural imperative which limits monopolies in agriculture and inevitable consequences of displacement, hunger and famine.

Keywords: *Agricultural Biodiversity, Prospecting, Intellectual property rights, Convention, Conservation*

I. INTRODUCTION

The sustainability of Indian agriculture based on to ensuring a continuum between wild and cultivated agricultural biodiversity can be sustainable if it is based on logic of biodiversity, so higher production and productivity of monoculture is serious threat on diversity (Shiva 1993) are more vulnerable to diseases, pest and environmental stress. There are two paradigm on agricultural biodiversity first is held by communities whose survival and sustenance is linked with utilization of diversity and second held by commercial interest whose profit are linked with global production system including pharmaceuticals, agricultural biotechnology. The extension of genetic technology and its limited genetic base to the centre of agro diversity, subsequent with extinction of local races and variety, is analogous to taking stones from the foundation to repair the roof (Wilkes and Wilkes 1972), the ultimate conflict between farmers and commercialization is to demand of protection of their resources and knowledge by farmers right, community rights intellectual property rights under the lens of biodiversity convention. These regimes as construed are the most important instrument for incapacitating communities in conservation of agricultural diversity. The conservation of agro diversity at most

fundamental level, is the ethical recognition that other species have rights and do not merely derive from economic exploitation by human species in domain of moral, cultural, and ecological rather than economical. The economic reductionism and epistemic is a basic threat to sustenance and survival of agricultural biodiversity conservation. In agricultural diversity conservation action is recognize by the help of prospecting, communities' rights and incorporation of biodiversity convention as the national instruments.

II. SUSTAINABLE PATHWAY FOR AGRICULTURAL PRODUCTIVITY AND CONSERVATION:

To conserve agricultural diversity and productivity there are the two facets of same the coin including environmentally compatible, economically viable and socially equitable for economic yield maximization with adequate job opportunities'. The credible and scientific defendable agriculture practice of alternative agriculture is blend with tradition and modernity for sustainability of yields with no harm to environment. The protection of domesticated biodiversity with frame work of management practices of farming communities (Dular,etal.2002) influence all factors of production that interact with symbiosis and synergy for economic yield maximization on sustainable basis.

III. THE PROTECTION AND PROSPECTING OF AGRICULTURAL BIODIVERSITY IN ERA OF BIOPIRACY OR GENETIC LOOT

The ecological vulnerability of agricultural monoculture has made the conservation of agricultural diversity an imperative in context of environment the convention on biodiversity has been one of the responses to world community to conserve and sovereignty on biological wealth. The convention provides an opportunity to government to protect agricultural biodiversity, farmers' rights, and sovereign right to biodiversity (Article 3). The convention on biodiversity recognizes that traditional knowledge, innovations and practices are important to conserve diversity emphasize in Article 10 - that contracting

parties are obliged to protect and encourage customary use of biological resources in accordance with traditional cultural practices to conserve and sustainably use these resources. In Article 18.4 the contracting parties are also obliged to develop and use indigenous and traditional technologies to conserve biological diversity and sustainably use its components the framework laws for the implementation of biodiversity conservation and the sui generis option in trade related intellectual property rights (TRIPs) can coverage in legal framework appropriate to the domain of biodiversity and indigenous knowledge and therefore adequate for the objective of protecting our biological and natural heritage. Community rights regime needs to be basis against patent and protected indigenous innovation in the era of biopiracy, trade related intellectual property rights and world trade organization. Farmers rights as community rights reflects the recognition of sovereignty in ownership and creativity in traditional breeding by farmers as well as alternative breeding strategies for protection of biodiversity base of agriculture, it is great tool for the third world countries to assert their sovereignty over agricultural biodiversity (Report on farmers rights 1996). The community rights recognize the creativity and to protect the livelihood of diverse communities on other hand, they set limits and boundaries on domain of monopoly protection shaped by IPRs including breeders' rights, patents and trademark by multinational corporations. Farmers' rights are a sub group of community rights of which other categories are indigenous people rights, or traditional knowledge rights. The idea of farmers' rights as a fund is the basic deficiency that farmers and local communities do not engage in decision about biodiversity and transaction of knowledge and biological resources embodying with sovereignty and creativity. In the preamble of the convention states that contracting parties recognize the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitable benefits arising from the use of traditional knowledge, innovation and practices which is relevant to conserve the biological diversity. The biodiversity convention thus offers avenues for the protection of farmers' right and national right related to the biodiversity. The prospecting of agricultural biodiversity by farmers' right includes their right to ecological security. This includes their right to cultivate diverse crops and their varieties to avoid ecological risk and vulnerability and protected agricultural biodiversity in situ. It also gives right as consumers to use seeds on basis of their sustainability, livelihood and agriculture ecosystem under bioprospecting or biosafety regulation for ensuring the food security to all.

CONCLUSION

This Phenomenal approach of conservation of agricultural biodiversity under assessment of prospecting, communities rights' and biodiversity convention provides privilege to

sharing the benefits arising from their innovation, knowledge and practices which is indigenously born. It also recognizes ethical and ecological imperatives of sustainable agriculture to ensure ecological as well as food security which is indispensable for the diverse food with health consumption for the civilization.

REFERENCES

- [1] Agrobiodiversity and farmer rights: 1996 The final milestone-report of technical consultation on an implementation framework for farmers rights. M.S. Swaminathan research foundation, Madras.
- [2] Dular, A.K., Khan, T.I, Kulhari, R.K. 2002 Management of domesticated biodiversity by farming communities. Indian Farming (ICAR) Vol.51 No.11, pp 28-30 ISSN.0019-4786.
- [3] Shiva, V. 1993. Monocultures of the mind: perspectives on biodiversity and biotechnology. Third World network, Penang, Malaysia. 184pp.
- [4] Wilkes, G. and Wilkes, S. 1972. The Green revolution. Environment 14(8).