



# **Strategies for Implementation of Delhi Declaration on Agrobiodiversity Management in India**

**A perspective from Biological Diversity Act, 2002**

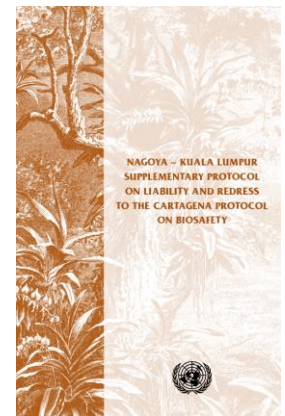
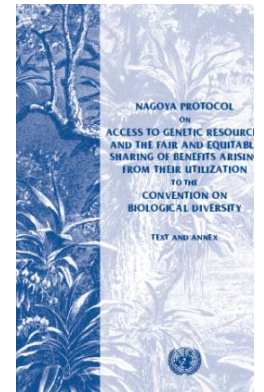
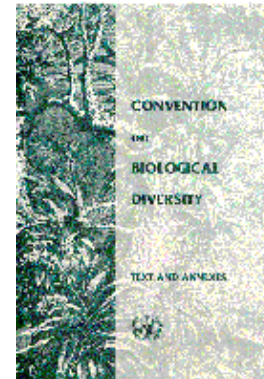
**Dr. B. Meenakumari D.Sc.,**  
Chairperson  
National Biodiversity Authority  
Chennai

**28 August, 2017, New Delhi**



# Convention on Biological Diversity

- **1992** The CBD is an International legally-binding treaty
- **196** Parties to date (near universal)
- **2003** Cartagena Protocol
- **2010** Nagoya - Kuala Lumpur and Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety
- **2010** Nagoya Protocol ABS – came into force on 12.10.2014

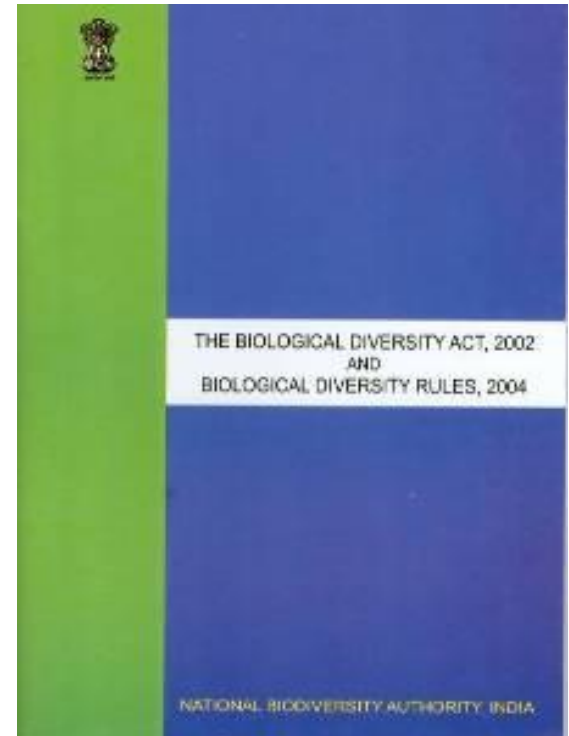


**INDIA IS A PARTY TO CBD, SIGNED ON 5<sup>th</sup> JUNE 1992,  
RATIFIED ON 18<sup>th</sup> FEBRUARY 1994**

## **BIOLOGICAL DIVERSITY ACT, 2002**

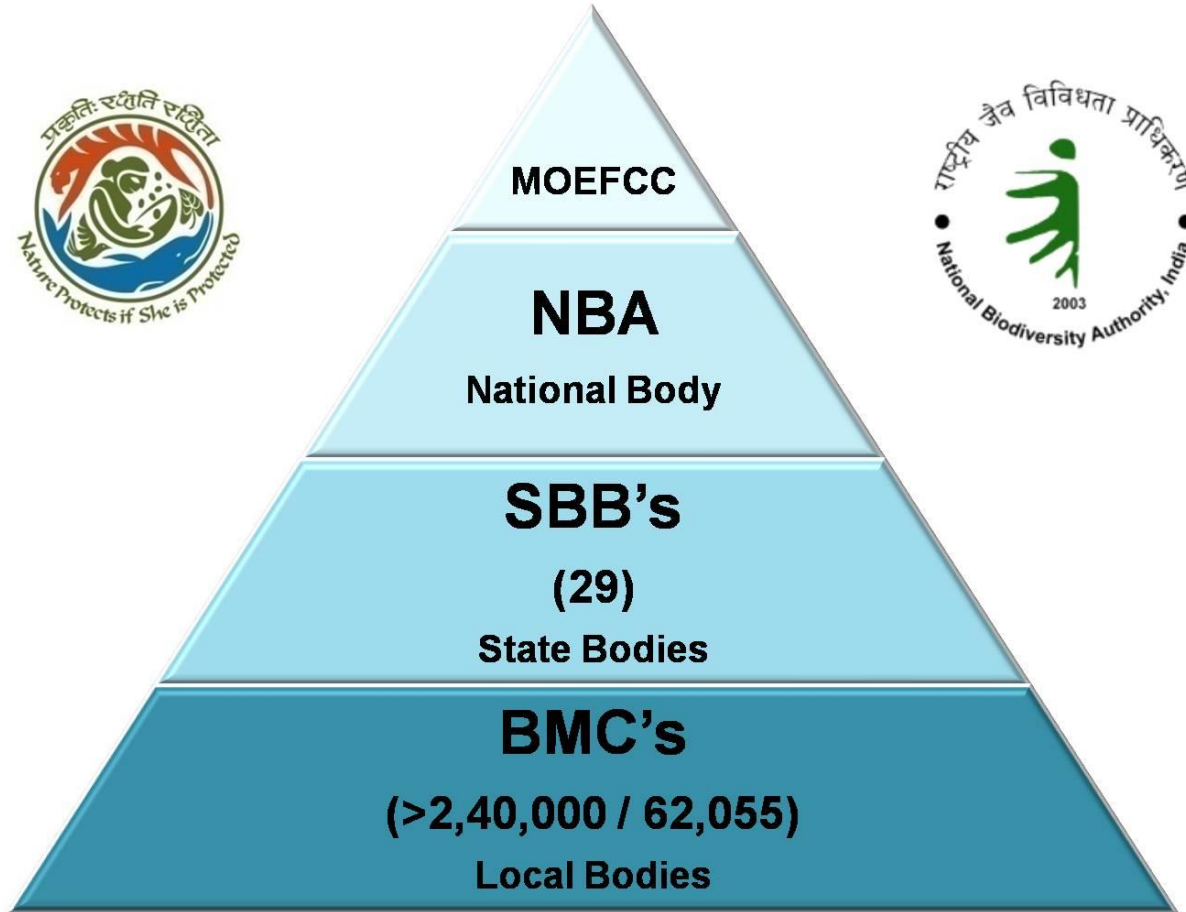
### **12 Chapters, 65 Sections:**

1. Preliminary (2)
- 2. Regulation of Access to Biological Diversity (5)**
3. National Biodiversity Authority (10)
4. Functions and Powers of the NBA (1)
- 5. Approval by NBA (3)**
6. State Biodiversity Board (4)
7. Finance Accounts and Audit of NBA (5)
8. Finance Accounts and Audit of SBB (5)
9. Duties of the Central and State Govt (5)
10. Biodiversity Management Committees (1)
11. Local Biodiversity Fund (6)
12. Miscellaneous (18)



# INSTITUTIONAL STRUCTURE FOR IMPLEMENTING BIOLOGICAL DIVERSITY ACT IN INDIA

## INSTITUTIONAL STRUCTURE





# Functions of National Biodiversity Authority

- ☐ Advise the Central government on matters relating to the biodiversity.
- ☐ Granting approval for access to biological resources and associated knowledge for
  - research / commercial utilization / bio-survey & bio-utilization
  - transfer of results of research
  - for obtaining IPR in and outside India; and
  - transfer of biological resources to third party
- ☐ NBA has power to oppose grant of IPRs in any other country on bioresources/TK obtained from India in an illegal manner.

## BIOLOGICAL DIVERSITY ACT, 2002

### DUTIES OF THE CENTRAL AND THE STATE GOVERNMENTS

**36.(5)** The Central Government shall endeavour to **respect and protect the knowledge of local people relating to biological diversity**, as recommended by the National Biodiversity Authority through such measures, **which may include registration of such knowledge at the local, State or national levels**, and other measures for protection, including sui generis system.

**Explanation – For the purposes of this section,-**

(a) **“ex situ conservation”** means the conservation of biological diversity outside their natural habitats;

(b) **“in situ conservation”** means the conservation of ecosystems and natural habitat and the maintenance and recovery of viable populations of species in their natural surroundings and, ***in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.***

# PBR - FORMATS (REVISED, 2013)

## (Documentation of Traditional Knowledge)

1.	2.	3.	4.	5	6	7.		8.	9.	10	11	12.
Plant Type	Local Name	Scientific Name	Variety	Land Scap/ Habitat	Source of plant/ seeds	Local status		Uses (usage)	Part used	Associat ed TK	Other details market/ own use	Community/ Know. Holders
						Past	Present					

### AGROBIODIVERSITY

Format 1: Crop Plants

Format 2: Fruit Plants

Format 3: Fodder Crops / Species

Format 4: Weeds

Format 5: Pests of Crops

Format 6: Markets for Domesticated animals

Format 7: Peoplescape

Format 8: Landscape

Format 9: Waterscape

Format 10: Soil type



### DOMESTICATED BIODIVERSITY

Format 11: Fruit Trees

Format 12: Medicinal Plants (Herbs, Shrubs, Trees etc.)

Format 13: Ornamental Plants/ Trees/Climbers etc.

Format 14: Timber Plants/Trees

Format 15: Domesticated Animals

Format 16: Culture Fisheries

Format 17: Markets / Fairs for Domesticated Animals, Medicinal Plants and other products





## **Other important provisions of BD Act** **(of relevance to agro-biodiversity conservation)**

**Section 37 (Biodiversity Heritage Sites)** - provides for notifying by State Government, in consultation with local bodies, areas of biodiversity importance as Biodiversity Heritage Sites.

**Section 38 (Threatened Species Notification)** - provides for notifying threatened species and prohibits or regulates their collection, taking steps to rehabilitate such species.

**Section 39 (Designation of Repositories)** - provides for designating institutions as repositories for different categories of biological resources to keep voucher specimens of biological material transferred, and of any new taxon discovered.



# Committees of NBA

*(Section 13(2) of the BD Act & r/w Rule 11 of the BD Rules)*







- ❑ Expert Committees have been constituted mainly to advise NBA on technical, techno-administrative, legal, scientific, statutory and miscellaneous matter.
- ❑ The role of Expert Committee is more or less similar to that of '*Amicus Curiae*' in the Court of Law.

## Expert Committee on Agro-biodiversity

- ❑ Section 13. (1) The National Biodiversity Authority may constitute a committee to deal with agro-biodiversity.
- ❑ Explanation – For the purposes of this sub-section, “agro-biodiversity” means biological diversity of agriculture related species and their wild relatives.

# INDIA'S NATIONAL BIODIVERSITY TARGETS

## (12 NBTs)

Icon	National Biodiversity Targets
	<b>By 2020</b> , a significant proportion of the country's population, especially youth, is aware of the values of biodiversity and its conservation and the steps they can take to conserve and use it sustainably.
	<b>By 2020</b> , values of biodiversity conservation are integrated in national and state planning processes, development programmes and poverty alleviation strategies.
	Strategies for reducing rate of degradation, fragmentation and loss of all natural habitats finalized and actions put in place <b>by 2020</b> for environmental amelioration and human well-being.
	<b>By 2020</b> , Invasive alien species and pathways are identified and strategies to manage them developed so that populations of prioritized invasive alien species are managed.
	<b>By 2020</b> , measures are adopted for sustainable management of agriculture, forestry and fisheries.
	Ecologically representative areas under terrestrial and inland water, and also coastal and marine zones, especially those of particular importance for species, biodiversity and ecosystem services are conserved effectively and equitably based on protected area designation and management and other area-based conservation measures, and integrated into the wider landscapes and seascapes covering over <b>20% of the geographic area of the country by 2020</b> .

# INDIA'S NATIONAL BIODIVERSITY TARGETS

## (12 NBTs)



**By 2020**, genetic diversity of cultivated plants, farm livestock, and also of their wild relatives, including other socio-economically as well as culturally valuable species, is maintained, and strategies have been developed and implemented for minimizing genetic erosion and safeguarding their genetic diversity.



**By 2020**, ecosystems services especially those relating to water, human health, livelihoods and well-being, are enumerated and measures to safeguard them are identified, taking into account the needs of women and local communities, particularly the poor and vulnerable sections.



**By 2015**, Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization as per Nagoya Protocol are operational, consistent with national legislations.



**By 2020**, an effective, participatory and updated national biodiversity action plan is made operational at different levels of governance.



**By 2020**, national initiatives using communities' traditional knowledge relating to biodiversity are strengthened, with the view to protecting this knowledge in accordance with the national legislations and international obligations.



**By 2020**, opportunities to increase the availability of financial, human and technical resources to facilitate the effective implementation of the Strategic Plan for Biodiversity 2011-2020 and the national targets are identified and Strategy for Resource Mobilization is adopted by 2020.

# Exemptions under the Act

- **BD Act provides exemption of certain activities from its purview :**
  - **To local people and community for free access to use bioresources within India.**
  - **To growers and cultivators, vaid and hakims (practitioners of traditional medicinal systems) to use bioresources.**
  - **To biological resources, normally traded as commodities notified by the Central Government under section 40 of the Act.**
  - **To collaborative research through government-sponsored institutes subject to overall guidelines and approval of Central Government.**
  - **To access value added products.**
  - **For research by Indians in India.**

**THANK YOU**