

REPORT OF THE TRAINING PROGRAMME ON LEGAL AND REGULATORY ASPECTS RELATING TO NATURAL RESOURCES MANAGEMENT

AT CHENNAI, 26 – 28th NOVEMBER, 2007

The training programme began on 26th November, at around 9.40 AM at the Senate Hall of Hotel Ramada Rajpark, Chennai with the invocation song by CIKS staff. Dr.K.Vijayalakshmi, Research Director of CIKS welcomed the gathering. The workshop was then formally inaugurated when Dr. D. Narasimhan, Dr.K.Vijayalakshmi, Ms.Kanchi Kohli and Dr.M.N.Balakrishnan Nair lighted the lamp. Mr.A.V.Balasubramanian, director of CIKS introduced the participants to the theme of the workshop. He stated that all the participants were involved in work relating to natural resources in a variety of ways. The objective of the workshop was to provide the delegates with an overview regarding the three major laws pertaining to their work namely The Biodiversity Act, The Protection of Plant Varieties and Farmers Rights Act and the Seed Act with the proposed new amendments. It was also envisaged that there would be a follow-up in the year 2008 where such training programmes are conducted in Tamil and Kannada (possibly also in Telugu) with the participants being field staff, farmers and local healers in the respective states. Following this, the participants introduced themselves and the institutes that they represent. Ten NGO's from Tamil Nadu, Puducherry, Andhra Pradesh and Karnataka, 2 advocates, 5 law students and 4 students of Plant Biology and Biotechnology participated in the training. The workshop was supported by COMPAS and HIVOS through generous grants.

The day's session was chaired by Dr. M.N. Balakrishnan Nair. The first speaker of the day was Dr.D.Narasimhan who dealt with the important aspects of Convention on Biological diversity (CBD) and also its subsequent implications. He highlighted how the CBD has converted Biological diversity into a tradeable commodity. The second speaker of the day was Ms. Kanchi Kohli who presented the Biological Diversity Act of India, 2002 in an easily understandable way. She also highlighted the need for greater transparency in granting permission to access biological resources, especially by trans-national establishments.



*Dr. Narasimhan, MCC, Ms. Kanchi Kohli, Kalpavriksh and Dr. Balakrishnan Nair
lighting the lamp to inaugurate the workshop*

In the afternoon, Dr. K. Venkataraman of National Biodiversity Authority of India made a presentation on Conservation and Utilisation of Biodiversity and the Role of NBA. He emphasised the importance of Biodiversity and the role of various organisms in their ecosystems and how NBA is working towards the protection of India's biodiversity. It was an elaborate presentation, but the energetic speaker never let it seem so. Some concerns were raised by the audience about the exact way in which the biodiversity heritage sites will be notified and administered and the low representation of NGO's and people's organisations in the various committees. Dr.K.Venkataraman suggested that a written representation could be made to voice these concerns for suitable improvements. Ms. C.A. Sahana made an informative presentation on Development of a Medicinal Plant Policy to be used within the

framework of Participatory Forest Management which gave an overview of forest legislations in place in the various states and the gaps existing at the policy level. Day I ended with Dr. D. Narasimhan's presentation on Intellectual Property Rights and Traditional Knowledge He presented his observations on traditional knowledge and the Impact of Intellectual Property Rights on it.



Participants taken around the CIKS farm



Participants taken around the CIKS farm

The second day of the training was held at the Technology Resource Centre of CIKS at Sukkankollai village of Kancheepuram District. The day's session began at around 10.00 AM with Dr.K.Vijayalakshmi introducing the participants to CIKS and its work in relation to biodiversity conservation. Also present in during this session were two representatives from HIVOS namely Ms.Carol Gribnau from the HIVOS Headquarters in the Netherlands and Mr.Bishwadeep Ghose from the India office at Bangalore. Following this, the participants were split into two groups and were taken to the CIKS farm on a guided tour. One group was guided by Mr. K. Senthil and Mrs. Subhashini of CIKS while the other was guided by Mr. S. Arumugasamy and Dr.K.Vijayalakshmi. This field trip was well received by the participants who complimented the on-farm conservation of Indigenous seeds carried out in the farm.

Following the field trip, organic traditional lunch was served for the participants. In the afternoon,

Ms. Carol Gribnau and Mr. Bishwadeep Ghose of HIVOS provided an overview regarding the kind of support that was provided to non-profit groups. Ms. B. Poongkhulali of National Law School of India University introduced the Legal Services Clinic and also her colleagues. Following this, Ms. Kanchi Kohli made a presentation the Community Biodiversity Register. She explained in detail the various processes involved in it and the role of Biodiversity Monitoring Communities (BMC's) in biodiversity conservation. She also re-iterated the need of BMC's to play a greater role than to restrict themselves to preparation of Biodiversity registers. Mr. Raman Jit Singh Cheema and Mr. Vikram Hegde explained the various steps involved in enacting legislations. The presentation gave an insight into the various legal processes. This was followed by a presentation by Dr. M. N. Balakrishnan Nair on Traditional Knowledge, Intellectual Property Rights and Benefit Sharing: An Indian Perspective. He explained the process of benefit sharing from the Indian perspective and the technical aspects involved in it. Following this presentation, the participants were taken on a trip to the Bird sanctuary at Vedanthangal. The day's session came to an end at 5.40 PM and the participants returned to Chennai. The day's programme was chaired by Mr. M. N. Dinesh Kumar of Timbaktu collective.

The final day of the training programme (28-11-07) began at 9.30 AM at the Senate hall of Hotel Ramada Rajpark with Dr. Suman Sahai's enlightening presentation on Seed Act and the Proposed new Seed Bill. The session was chaired by Mr. A. V. Balasubramanian. Dr. Suman explained the various aspects of the proposed seed bill and the apprehensions that she has about it. She also explained the gaps created in the new seed bill, by vested interests that may harm the farmer's interest. There was a short tea break after which Dr. Suman spoke on Protection of Plant Varieties and Farmers' Rights Act. She gave a comparative account of the Act and the reasons why it is superior to the new seed bill. Dr. Suman emphasised the need to take a balanced, fact-based position with respect to factors relating to these two legislations and not to romanticise but to respect the farmer's role in biodiversity conservation.

The afternoon session saw Ms. B. Poongkhulali, Ms. Bhargavi Mudakavi and Mr. R. S. Gowthaman explaining the various aspects of the newly enacted Right to Information Act and its applications. The session was aptly chaired by Mrs. Swapna Sundar who herself is an advocate. Mrs. Swapna also pitched in her viewpoints and clarifications. Following this, the participants split into three regional groups: one each representing Tamil Nadu, Andhra Pradesh and Karnataka. The session was facilitated by Mr. A. V. Balasubramanian who explained the follow-up activities and the need and expected outcome of the group exercise. The groups had a lively discussion among themselves with all the

participants contributing. Following this, Mr. G.Rajashekar presented the follow-up activities proposed by the Andhra Pradesh group, Dr.M.N.B.Nair the activities proposed by the Karnataka group and Mrs. Priya Nagesh on the follow-up activities proposed by the Tamil Nadu group

Mr. P.V.S.Giridhar shared his views on the need of such workshops and also emphasised the need of spreading legal literacy, especially among the NGO's and farmers on a priority basis. He felt that even though we may have strong reservations about some legislations in place, there is a great necessity to involve ourselves with the current legislations and the "dominant discourse" in the absence of which there is no meaningful way to engage with the present and help to shape it for a better future. The participants were requested to provide their feedbacks on all aspects of the training programme-academic content as well as organisation. The training programme came to an end at around 5.00 PM with a vote of thanks by Mr. Merlin Franco of CIKS.



Dr. Suman Sahai during her lecture

Participants List

Sl.No	Name	Organisation
1	Hema, D.,	Centre for Ecology & Rural Development
2	Sahana, C.A.,	Foundation for Revitalisation of Local Health Traditions
3	M.N.Balakrishnan Nair,	Foundation for Revitalisation of Local Health Traditions
4	Dinesh Kumar,	Timbaktu Collective
5	Brahmeshwar Rao, K	Timbaktu Collective
6	Arunakumar, V.K.	Krishi Prayog Pariwara
7	Ganapathi, M,	Krishi Prayog Pariwara,
8	M.Revathi,	Tamil Nadu Organic Farmers Movement
9	Agnes Isabella	Tamil Nadu Organic Farmers Movement
10	Balasubramanian, A.V.	Centre for Indian Knowledge Systems
11	Vijayalakshmi, K	Centre for Indian Knowledge Systems
12	Subhashini Sridhar	Centre for Indian Knowledge Systems
13	Arumugasamy, S	Centre for Indian Knowledge Systems
14	Nirmala Devi, T.D.	Centre for Indian Knowledge Systems
15	Abarna Thooyavathy, R	Centre for Indian Knowledge Systems
16	Ganesh, H	Centre for Indian Knowledge Systems
17	Merlin Franco, F	Centre for Indian Knowledge Systems

18	Meenakshi Venkataraman	The TVS Academy & The Center for Rural Training
19	N. Narasimlu	ANTHRA
20	Rajashekar, G	Centre for Sustainable Agriculture (CSA)
21	Poongkhulali, B	Legal Services Clinic, National Law School of India University
22	Gowthaman, R.S.	Legal Services Clinic, National Law School of India University
23	Vikram Hegde	Legal Services Clinic, National Law School of India University
24	Raman Jit Singh Chima	Legal Services Clinic, National Law School of India University
25	Bhargavi Mudakavi	Legal Services Clinic, National Law School of India University
26	Gnanasekharan, G,	PG student, Department of Plant Biology and Biotechnology, Madras Christian College
27	Anu Annamma Mammen	PG student, Department of Plant Biology and Biotechnology, Madras Christian College
28	Muthu Karthik, N	PG student, Department of Plant Biology and Biotechnology, Madras Christian College
29	Aharabanan, T	PG student, Department of Plant Biology and Biotechnology, Madras Christian College
30	Giridhar, P.V.S.	Advocate
31	Swapna Sundar	Advocate
32	Priya Nagesh	Samanvaya

Resource persons

Sl.No	Name & Details	Address
1	K. Venkataraman	Member Secretary National Biodiversity Authority
2	D. Narasimhan	Reader, Department of Plant

		Biology & Bio Tech. Madras Christian College
3	Kanchi Kohli	Kalpavriksh
4	Suman Sahai	Gene Campaign
