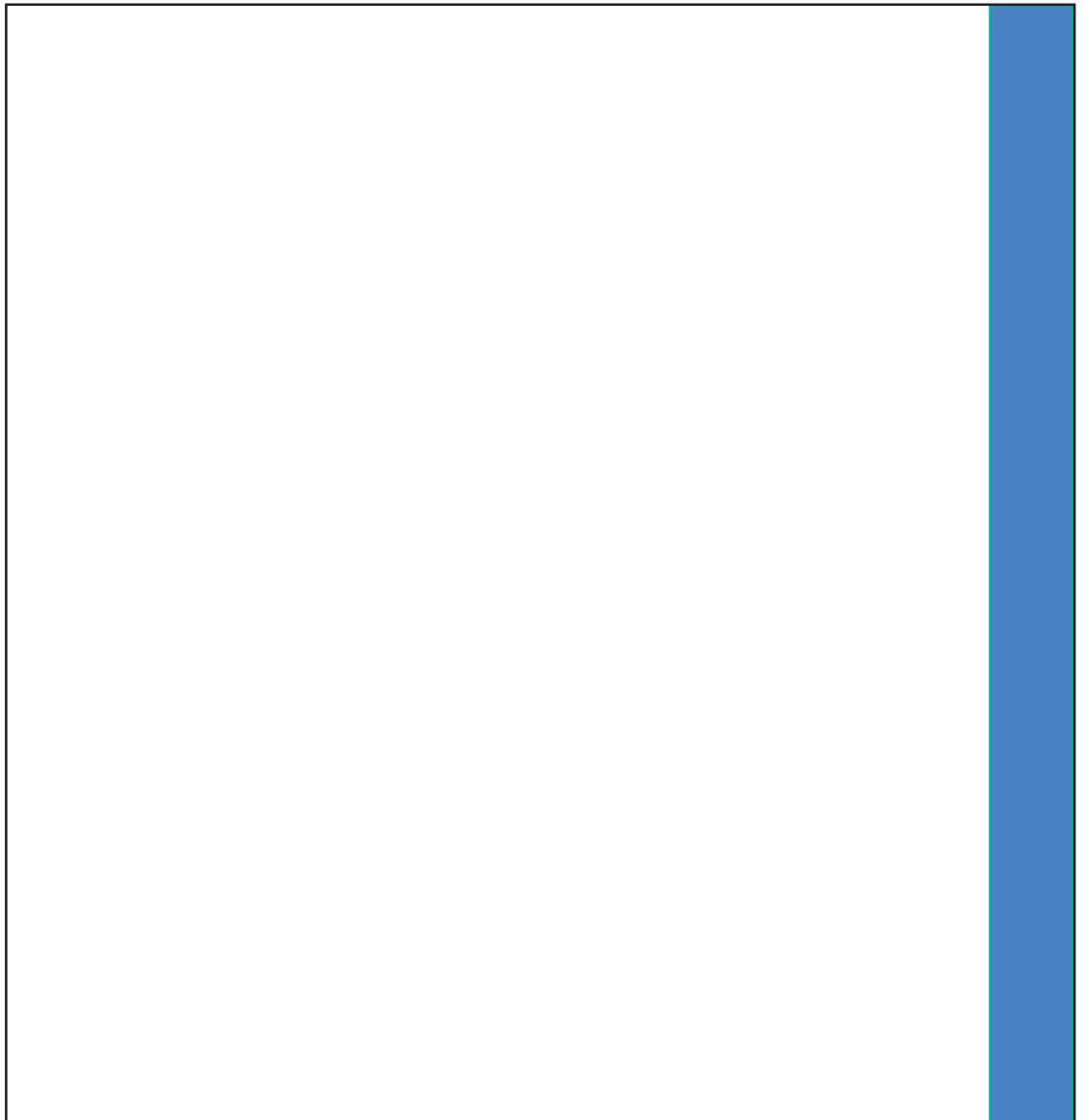




International Plant Genetic Resources Institute

Bibliography on Access to Plant Genetic Resources and Intellectual Property Rights

Dimary Libreros, compiler



International Plant Genetic Resources Institute

Americas Group

Bibliography on
**Access to Plant Genetic Resources and
Intellectual Property Rights**

*compiled by
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INTRODUCTION

Plant genetic resources constitute the biological foundation of humankind. Research systems and agricultural production also depend on them. Plant genetic resources result from natural evolution and human intervention, and are considered patrimony of the nations. Although their conservation, use and exchange are among the objectives of the Convention of Biological Diversity and have been recognized internationally, the threats against their safety continue to increase. On one hand are the social and environmental factors and economic difficulties national programmes face, and on the other the limitations to exchange them due to the complex political climate in which they prevail.

The political debate of the last years over ownership of genetic resources and the benefits derived from them has resulted in the appearance of national and international laws regulating access to these resources and intellectual property rights. This has modified the work environment of those who manage genetic resources because they must understand the legal environment surrounding their activities and become familiar with a series of agreements whose provisions are not always clear, do not always harmonize among each other and for whose fulfillment there is not always appropriate national legislation in place.

IPGRI has for long been interested in this topic, being its main objective to help plant genetic resources professionals understand the development and adoption of national and international policies. With this aim in mind, IPGRI publishes *Issues in Genetic Resources*, a series addressed to researchers and those responsible for setting up laws and policies on plant genetic resources. This bibliography, which contains work published all over the world since 1984, intends to contribute to IPGRI's goal on plant genetic resources policy.

The bibliography contains 433 references with local descriptors. The records are organized in 2 subjects—access to plant genetic resources (91) and intellectual property rights (342). It includes references on the status of intellectual property rights in several countries, the application of farmers' rights to local varieties and the consequences of limiting access in the development of seed production systems.

We hope this bibliography is useful to researchers and other professionals working with plant genetic resources and policy aspects. For further contributions and updates, please contact Ms. Dimary Libreros, Information Assistant, IPGRI - Americas Group (d.libreros@cgiar.org).

INTRODUCCION

Los recursos fitogenéticos constituyen la base biológica del sustento de la población mundial y de ellos dependen los sistemas de investigación y producción agrícola. Los recursos fitogenéticos son producto de la evolución natural y de la intervención humana y forman parte del patrimonio de los países.

Aunque la conservación, el uso y el intercambio de los recursos fitogenéticos figuran entre los objetivos de protección de la biodiversidad y han sido reconocidos internacionalmente en el Convenio de Diversidad Biológica, las amenazas contra la seguridad de ellos siguen aumentando. Por un lado están los factores ambientales, sociales y las dificultades económicas que enfrentan los programas nacionales y por otro las limitaciones para intercambiar los recursos fitogenéticos debido al complejo clima político.

La dinámica de los últimos años ha hecho aparecer leyes y políticas internacionales y nacionales aplicables al acceso a los recursos fitogenéticos y los derechos de propiedad intelectual, modificando el ambiente de trabajo de quienes administran los recursos fitogenéticos. Los investigadores y administradores han tenido que esforzarse por entender el ambiente legal que rodea sus actividades y familiarizarse con una serie de convenios cuyas disposiciones no siempre son claras y armonizan entre sí, y para cuyo cumplimiento no siempre se cuenta con legislación nacional apropiada o completa.

El IPGRI ha tenido interés en este tema, siendo su principal objetivo el ayudar a entender el desarrollo y la adopción de leyes y políticas de carácter nacional e internacional. Para tal fin el IPGRI ha publicado diversos trabajos en la serie *Issues in Genetic Resources*, dirigida a los investigadores y responsables de establecer las leyes y políticas en este tema de los recursos fitogenéticos. Para seguir contribuyendo en este campo se ha compilado esta bibliografía en la que se incluyen trabajos publicados en todo el mundo desde 1984.

La bibliografía contiene 433 referencias con descriptores locales. Los registros están organizados en 2 temas – acceso a recursos fitogenéticos (91) y derechos de propiedad intelectual (342). La bibliografía incluye referencias sobre las implicaciones de las limitaciones de acceso en el desarrollo de sistemas de producción de semillas, la situación de los derechos de propiedad intelectual en algunos países y la aplicación de derechos del agricultor a variedades locales.

Esperamos que esta bibliografía le resulte útil a investigadores y otros profesionales que estén trabajando con recursos fitogenéticos. Para información adicional, contactar a Dimary Libreros, Asistente de Información, IPGRI - Grupo Américas (d.libreros@cgiar.org).

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