

# Common Pools of Genetic Resources

## *Equity and Innovation in International Biodiversity Law*

Edited by **Evanson Chege Kamau** and **Gerd Winter**

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### **About the Book:**

The Convention on Biological Diversity (CBD) strives for the sustainable and equitable utilisation of genetic resources, with the final goal of conserving biodiversity. The editors' book of 2009 entitled 'Genetic Resources, Traditional Knowledge and the Law. Solutions for Access and Benefit Sharing' explored the bilateral model which is suggested by the CBD and has meanwhile further been elaborated by the Nagoya Protocol (NP, not yet in force). It was found that the exchange 'genetic resource for benefit sharing' could have disappointing results because providers are left out of the process of research and development, benefits are difficult to be traced to sources and providers owning the same resource may complain of being excluded from benefit sharing. Thus, the CBD objective of full utilisation plus equitability may become flawed. The present book suggests common pools as an alternative to bilateralism. Taking an inductive approach, it describes existing pools and analyses how they are organised and how they perform in terms of joint R&D as well as benefit sharing. It presents case studies of the most characteristic types of common pools, including pools of local, national, transnational and international scope and informal and formal institutionalisation, covering wild as well as domesticated varieties. The overall objective of the book is to provide suggestions for further developing existing pools to cope with the requirements of the CBD and NP and at the same time to use the clauses these conventions contain to open up for commons approaches.

Written by a team of expert academics and practitioners in the field, this innovative book makes a timely and valuable contribution to academic and policy debates in International Environmental Law, International Biodiversity Law, Intellectual Property, Climate Law and the Law of Indigenous Populations.

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