

PREFACE

Life on Earth is dependent on the biological bounty of the natural world. The biological diversity of our planet's flora and fauna support our ecosystems, providing shelter, nourishment and medicines to its many inhabitants. Given its vital role in sustaining the existence of mankind, biological diversity deserves a lot more attention from the legal and policy-making communities of this planet – on a myriad of issues encompassing the protection, management and use of this resource. An interdisciplinary approach is needed to fully understand these issues. This book seeks to provide such a perspective by bringing together a diverse group of authors, experts in their own respective fields, to address a broad range of contemporary issues related to biological diversity. Hailing from 12 countries across the world's five main continents, the contributors to this collection of essays include legal scholars, social and physical scientists, environmentalists and an economist.

The purpose of this Handbook is to introduce the various international agreements and implementing domestic legislation concerned with the conservation, sustainable use and the fair and equitable sharing of the benefits deriving from the use of biological diversity. While the heart of what has come to be known as biodiversity law is to be found in the 1992 Convention on Biological Diversity (CBD) and the associated 2014 Nagoya Protocol on Access and Benefit-sharing, the international legal terrain governing biodiversity and the law, as we point out in more detail in Chapter 1, comprises a rich and varied landscape of international agreements and implementing domestic legislation both antedating and postdating the promulgation of the CBD.

Our purpose here is not merely to describe this legal landscape but also (as we will point out in more detail in Chapter 2) to critically evaluate the application and effectiveness of this overlapping skein of laws in promoting the conservation, sustainable use and the fair and equitable sharing of the benefits arising out of the use of biodiversity – the threefold objective of the CBD. Part I of this Handbook maps the legal terrain comprising “biodiversity law” and introduces the various topics discussed in each chapter of this Handbook. Part II of the Handbook focuses on the conservation and sustainable use of biodiversity, while Part III focuses on access and benefit-sharing. Parts IV, V and VI, in turn, discuss the specific topics of traditional knowledge protection, biodiversity and intellectual property protection, and the ethics, economics and the science-policy interface of biodiversity protection.

This Handbook owes its origin to an earlier book having a similar title and subject matter—namely *Biodiversity and the Law: Intellectual Property, Biotechnology and Traditional Knowledge*, Charles McManis ed. (Earthscan 2007). Although this Handbook is by no means a second edition of the earlier work, the Handbook does contain four chapters that are updated version of chapters appearing in the earlier volume (namely, Chapters 7, 8, 16 and 24). While the two works have a common objective and can be seen as companion volumes, what distinguishes the current Handbook from the earlier work is the sheer volume of legal developments that have occurred over the past ten years.

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