



SABERES

BOLETÍN INFORMATIVO DE COOPESOLIDAR R.L.

The World Future Council has chosen the policies for the conservation of the biodiversity for a global recognition during the International Year of Biodiversity

The Costa Rican Biodiversity Law receives a global award for Future Policies in Nagoya, Japan

At the 10th Conference of the Parties of the UN Convention on Biological Diversity, 25 October 2010, the World Future Council has recognized the Costa Rican Biodiversity Law approved in 1998, with the Future Policy Award 2010.

The Future Policy Award honors exemplary laws that promote sustainability and equity. Celebrating visionary policies raises public awareness, encourages rapid learning and speeds up policy action towards just, sustainable and peaceful societies.

The nominated policies were screened by the WFC research department and apply the WFC Future Justice Policy Principles: 1. Sustainable use of resources; 2. Equity and eradication of poverty; 3. Precautionary approach; 4. Public participation; 5. Governance and human security; 6. Integration; 7. Common but differentiated obligations.

The political negotiation process was conducted since the beginning throughout the steps followed until the approval by the Ex-Congressman, Luis Antonio Martínez Ramírez and the technical assistance was given by two of our associates, M.Sc. Vivienne Solís Rivera and Lic. Patricia Madrigal Cordero.

CoopeSolidaR R.L. is very proud to announce the Future Policy Award 2010 to the Biodiversity Law and to recognize the work and vision of the Ex congressman, Luis Martínez, Vivienne Solís and Patricia Madrigal, among other people part of the process.

¡Congratulations!



M.Sc. Vivienne Solís Rivera and ExCongressman, Luis Antonio Martínez, with Holger Guessefeld from the World Future Council, during interviews and the video about the Law.

The Costa Rica Biodiversity Law of 1998 was the result of a two year participatory consultation process in which political parties, academic and private sector experts, environmental organizations, and indigenous and local community sectors participated.

An Award for Costa Rican Policies and the people that have worked to promote conservation of biodiversity and the equity of the distribution of benefits.

As the proponent of the Biodiversity Law, Lic. Luis Martínez, President of the Environmental Legislative Commission of the Legislative Power remembered, the conceptual framework of the law set forth the following elements:

- Equity in access and in the distribution of benefits derived from the use of the elements (genetic and biochemical elements) of biodiversity.
- Respect of human rights, especially of those groups that are marginalized because of their culture or socio-economic condition.
- Sustainable use of biodiversity, in order to respect the development options of the future generations.
- Biosecurity interpreted in the broadest sense to include technological, environmental, alimentary and sanitary aspects.
- Democracy as a guarantee of greater citizen participation in decision-making, in a peaceful environment and of development options.

The approval process of the Biodiversity Law was complex and polemical.

The presentation of the proposed law, the 18th of June 1996, generated a lot of debate at the national level on the possible implications that the law could have in the access to genetic resources and bio-prospection, activities that were already being developed in the country by different institutions.

In July 1997, for the first time in the legislative history of Costa Rica, a *Special Mixed Sub commission* was created in order to achieve consensus on the content of the proposed law. A diversity of sectors participated in this sub commission created by the National University's rector Jorge Mora: political parties, academic and private sectors, environmental organizations, indigenous and peasant sectors. The consensus was presented in November 1997 and the Law was approved five months later, in April 1998.

Some months later, a Unconstitutionality Appeal was presented against this law by the Ministry of Environment and Energy due to the fact that this law gave the coordination, management of independent funds and the personnel hiring responsibilities to the CONAGEBIO (Biodiversity Management National Commission) and SINAC (Conservation Areas National System), aspect that according to the Ministry's perspective affected the integrity of this institution.

However, this Appeal was rejected because it is a competence of the Legislative Assembly to regulate the competences of the institutions created by law.



Lic. Patricia Madrigal Cordero, Lic. Luis Martínez and Ph.D. Silvia Rodríguez with members of the World Future Council

The Biodiversity Law of Costa Rica, approved six years after de CDB, is a milestone for the development of policies in this matter at the national and international level.

The award ceremony included speakers like Dr. Ahmed Djoghlaif, Executive Secretary of the Biological Diversity Convention; Ashok Khosla, President of the International Union for Conservation of Nature IUCN and it was given to al H.E. Mario Fernández Silva, Ambassador of Costa Rica in Japan.

