

## Brazil Hopes Steep Fines Will Curb Biopiracy

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Brazil has introduced a law to regulate the development of commercial products from its native species.

Those who use indigenous resources without permission or without sharing the benefits with the state or local communities could face a fine of up to US\$ 20 million.

The money obtained by penalizing such 'biopiracy' will be used to fund conservation science in Brazil.

The law, which defines ten offenses and a range of penalties, was enacted on June 8. It prohibits, for example, the unauthorized export of Brazilian species.

The fines vary from 200 to 50,000,000 reais (US\$ 85 to US \$20 million). Cases involving endangered species will receive double the usual fine.

Other punishments include confiscation of samples taken without permission and the suspension of sales and registrations of, and patent rights over, products derived from living organisms.

The Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA) and Brazil's navy will enforce the law.

Biologist Eduardo Vélez, executive secretary of the Ministry of the Environment's Council for the Management of Genetic Patrimony says the law aims to ensure Brazil retains sovereignty over its biodiversity, whilst educating people about the importance of conserving it.

"First-time offenders that bring their activities into line with the law can have their fines reduced by up to 90 per cent, or even suspended," he says.

Fines will be used exclusively to conserve biodiversity, for instance by creating and maintaining gene banks, supporting scientific research and training personnel.

Brazil is a member of the 17-nation group of 'megadiverse' countries. According to the Ministry of the Environment, 22 per cent of the Earth's species are found in Brazil and the country has 18 per cent of the planet's fresh water and the biggest tropical forest.

Patented products originating in Brazil's native plants include medicines derived from the guaraná plant, *Paullinia cupania*. Medicinal products derived from guarana have been patented in the United States

The Convention on Biological Diversity, which Brazil has signed, includes tackling biopiracy among its aims.

The law was enacted on the same days as the Brazilian government launched a national campaign to raise public awareness about biopiracy.

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