Acknowledgements

This research started four years ago with my registering as a student at the Centre for the Study of Law and Governance in the year 2004 when the then Director, Prof. Kuldeep Mathur and Chairperson, Prof. Niraja Gopal Jayal, encouraged me to apply for this course. I would like to extend my sincere thanks to all my professors at the Centre who helped develop a strong foundation for my research in cross-cutting subjects in the area of law and governance. The one-year period spent at the Centre pursuing my coursework was extremely beneficial in my field research.

Though the official research began four years ago, the understanding developed on this subject has been a result of knowledge generated through many years of work in the field amidst local, indigenous, forest-dwelling and farming communities.

I have benefited immensely from being a part of the project entitled ‘Protecting Community Rights over Traditional Knowledge: Implications of Customary Laws and Principles’ supported by IDRC, Canada and facilitated by IIED, UK. I would particularly like to thank Ronnie Vernooy and Liz Fajber for extending support by way of material generated internationally and also publications of IDRC from other projects relevant to my study. I would also like to thank Krystyna Swiderska and Michel Pimbert who have helped me understand the international law making process by facilitating participation at various international events such as at the meetings of the Working Groups on Article 8(j) and Access and Benefit Sharing of the CBD, Regional meetings of Intergovernmental Committee on IP, TK, GR and Folklore, and the Conference of Parties of CBD. I have benefited from the international partners in this project from Alejandro (Peru), Yiching and Jingsong (China), Doris and Peter (Kenya), Dr. Vedavathy and Jacob (India) and Heraclio (Panama) to learn from experiences in their countries. Khanh from IIED, Ashish and Kanchi from Kalpavriksh helped by filling in the gaps at the last minute by providing timely support through latest documentation.

I also benefited from being associated with Dr. Suman Sahai, and her team at the Gene Campaign while they were working on another IDRC supported project, Protection of Indigenous Knowledge of Biodiversity.

I would also like to place on record my appreciation for my friends and colleagues for being there and for constantly reminding me that I could and should do it: Meenakshi Kathel, Shraddhaa Mahapatra and Dipankar Bhanot.

A word of appreciation for my grandfather who foresaw the completion of my thesis in his dream before he passed away.

The field work would not have been as insightful and adventurous without the support of the members of the Centre for Mountain Dynamics: Yusuf Simick,
Priya Shrestha, Dorjee Bhutia, Anita, Nayan Pradhan and Dr. Pande. I shared light and joyful moments with them while crossing many *jhoras* (local streams) and enjoyed the shade of many tree ferns and screw pine trees trudging across paddy fields trying to avoid the leeches in the forested stretches and the slush in the fields interviewing people.

I express my gratitude to several institutions and individuals who have contributed in enhancing my understanding of this complex subject.

I would like to extend a warm and sincere thanks to my husband, Ajay Rastogi, who has not only been with me at the crucial stage of writing the thesis, but more importantly gave me the opportunity to travel with him and interact with the indigenous plant breeder communities in India and other agrarian economies to develop my understanding of the deeper nuances of their Collective Bio-Cultural Heritage. This helped strengthen my conviction in the need for protection and the empowerment of this category of farmer whose cultivation practices are not geared towards the market but are more to fulfil their cultural and livelihood needs. Traveling extensively has shown me the opportunities beyond law for empowerment of the indigenous plant breeder communities and protection of their knowledge systems.

I would like to place on record my appreciation for my colleagues from office, especially Sumeeta and Srinivasan for their timely support and cooperation.

Most importantly, I am indebted to the 100 households in the villages in Kalimpong sub-division that I have visited, engaged in various discussions. I have also greatly benefited from the group discussions with villagers which helped me grasp better their customary principles and social practices.

This research would have been delayed inordinately, had I not got the timely nudge and constant encouragement from my supervisor. My sincere and heartfelt gratitude to her – Prof. Amita Singh. Apart from being a thorough supervisor, she has also been a dear friend, constantly advising and supporting me in all my endeavours.

And finally a warm thanks to Raj who was an unjudging witness to the rough times I weathered and who saw my moments of distress and jubilation as I completed my journey of writing my thesis. He was also a great source of information on the customs and culture of Limbu community.

Ruchi Pant

July 2008