



Patents, Human Rights and Access to Science

Aurora Plomer

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'Aurora Plomer explores international human rights, and its relevance to battles over intellectual property and science. Her work highlights the need for the benefits of scientific research to be fairly and equitably shared. Her work is an important original contribution to the literature on intellectual property, human rights, and the sociology of science.'

- Matthew Rimmer, Queensland University of Technology, Australia

'This remarkable book highlights and analyzes the inherent tensions and complementarities of patents with access to science, as materialized in the most prominent international human rights agreements. A must-read for anyone interested in one of the most crucial and debated questions of intellectual property, examined here from the perspective of its fascinating but complex interactions with human rights.'

- Christophe Geiger, University of Strasbourg, France

'The relationship between patents, human rights and science raises fundamental questions for innovation and for access to the benefits of scientific endeavour. Yet the complexities of the underlying science and legal environment in which it operates cannot be underestimated. Aurora Plomer deftly navigates this terrain with great clarity and skill. The resulting book is timely, accessible and a thorough scholarly work that demystifies and throws new light on the interface between science and the law.'

- Duncan Matthews, Queen Mary University of London, UK

The new millennium has been described as 'the century of biology', but scientific progress and access to medicines has been marred by global disputes over ownership of the science by universities and private companies. This book examines the challenges posed by the modern patent system to the right of everyone to access the benefits of science in international law.

Aurora Plomer retraces the genesis and evolution of the key Articles in the UN system (Article 27 UDHR and Article 15 ICESCR). She combines the historiography of these Articles with a novel perspective on the moral foundations of rights of access to science to draw out implications for today's controversies on patents in the life-sciences. The analysis suggests that access to science as a fundamental right requires both freedom from political and religious interference and the existence of enabling research institutions and educational facilities which promote the flow of knowledge through transparent and open structures. From this perspective, the global patent system is shown to fail spectacularly when it comes to the human rights ideal of universal access to science. The book concludes that a fundamental restructuring of patent institutions is required, in which democratic oversight of patent policies would ensure meaningful realization of the right of everyone to access the benefits of science.

Students and scholars of international law, particularly those focusing on intellectual property and human rights, will find this book to be of considerable interest. It will also be of use to practitioners in the field.

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Shawn Howe:

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