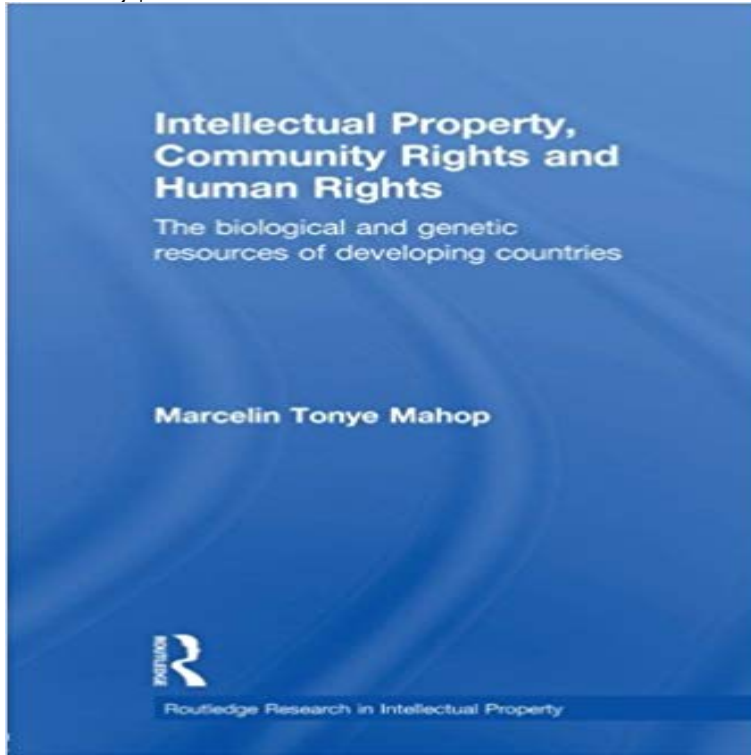


Intellectual Property, Community Rights and Human Rights: The Biological and Genetic Resources of Developing Countries



This book considers the issue of biodiversity in developing countries in relation to intellectual-property rights, community rights and human rights. Drawing together a number of case studies of developing countries rich in biological and genetic resources including India, South Africa and Brazil, the book examines the access to PGRs and their utilizations in the contexts of scientific and commercial oriented activities pursued both in the source and user countries. Exploring how community rights are protected in national biodiversity-related regulations and some international legal instruments, Marcelin Tonye Mahop also discusses the relationship between community rights and human rights in the context of biodiversity. The book looks at the issue of bio-piracy, asking whether this phenomenon should only be seen as a NorthSouth clash, whereby biodiversity rich countries of the Southern Hemisphere blame developed countries and their actors as its principal perpetrators. While recognizing that developing countries actors play a role in this bio-piracy phenomenon, the book goes on to suggest alternative measures for the legal protection of community rights at the national level with the possibility of national and international enforceability. Essential reading for students and scholars of intellectual-property rights, biodiversity regulations and human rights, this book will also be of great value to researchers and members of professional organizations working in these subject areas. National and regional negotiators in the international processes dealing with the issues covered in the book will find it a useful tool that can help them to understand various facets of these processes.

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