INTERFACE BETWEEN INTELLECTUAL PROPERTY RIGHTS AND HUMAN RIGHTS

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ABSTRACT

As per the positivist economic approach, development is only an economic issue and it excludes the social and cultural aspects of the concept. This is the reason that they have been undermining the significance of human rights friendly definition of IPRs. According to Article 1 of International Covenant on Civil and Political Rights 1966 “Self Determination is the right to freely determine Political status and to freely pursue... economic, social & cultural development.” The western approach concentrates more on progress of science and ignores totally the existence of science. So the study of IPRs without human rights approach is not complete in itself. As the new IP regimes will have wide ranging socio-economic, technological and political impact, so the study of IPRs in human rights context is inevitable. The paper concentrates on this very aspect while highlighting the human right to health and IPR related human rights aspects of indigenous communities including right to culture, self determination, food and subsistence etc.

Keywords: IPRs, human rights, indigenous people