



CHANAKYA NATIONAL LAW UNIVERSITY
DPIIT-IPR Chair & CIRF-in-IPHD

Organizes

National Workshop

On

**RIGHT TO HEALTH & ACCESS TO
 PATENTED MEDICINES:
 Human Rights Perspective**

10th December, 2024 (Tuesday)

Time: 11:00 AM-2:00 PM

Online Mode: Microsoft Team

FREE REGISTRATION

Who can participate?

Academicians, Students, Human Rights Activists, Lawyers and open for all.

Registration Link:

<https://events.teams.microsoft.com/event/7094be69-eb2e-401b-982b-7e258cb3aeda@60c982bd-2bea-4257-83ea-27b3c7bd3bd7>



CONCEPT NOTE

Under Art. 25 of the UDHR, the Right to Health reads as “Everyone has the right to a standard of living that is adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” The Doha Declaration on TRIPS and Public Health addresses the issue of access to medicines, emphasizing that public health should take precedence over intellectual property rights (IPRs). It affirms that countries should prioritize public health and ensure access to essential medicines for all people, recognizing that access to medicines is a fundamental human right. Human rights are natural rights and to which every human being is entitled to enjoy right by birth. Human rights are also those fundamental rights which are inalienable and essential for every human being.

In India, the Right to Health is declared as a fundamental right under Article 21 of the Constitution, which guarantees the right to life. The Supreme Court of India has affirmed that the right to health is integral to this constitutional right, as seen in the *C.E.S.C. Ltd. v. Subhash Chandra Bose case (1992)*. However, the issue of patents on life-saving drugs presents a conflict between IPRs and human rights. While patents encourage innovation and research in the pharmaceutical sector, they also create monopolies that limit access to affordable medicines, especially during global health emergencies. This creates a tension between individual-oriented IPRs and collective human rights, as IPRs can restrict access to essential medicines for marginalized populations.

The conflict between IPRs and the right to health is particularly evident when patents prevent access to life-saving drugs, making human life a commodity. This dilemma requires careful examination of how IPRs can balance innovation with the universal right to health. A global platform involving scholars, activists, and stakeholders is essential to address these conflicts and find solutions for ensuring access to medicines as a human right, while respecting intellectual property protections.

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DISTINGUISHED RESOURCE PERSONS



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