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**The Right to Benefit from Scientific Progress** **and access to medicines for Drug Resistant TB**

Speaker: Professor Fons Coomans, Centre for Human Rights, Maastricht University  
 Dr Helen Cox, Division of Medical Microbiology, UCT

Date: 12th March 2015

Time: 12h00 to 13h00

Venue: Frances Ames Room, Barnard Fuller Building, UCT Health Sciences Faculty

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The **Right to Enjoy the Benefits of Scientific Progress** and its applications (REBSP) is included in Article 27 of the Universal Declaration of Human Rights and Article 15 of the International Covenant on Economic, Social and Cultural Rights. This human right is, despite increased attention from UN human rights bodies and academics, unknown and little explored. At the same time, today’s world is increasingly turning to science and technology for solutions to persistent socio-economic and development problems, whereby the human dimension of science demands increased attention.

In South Africa drug resistant tuberculosis (TB) is a major problem. TB is a neglected disease from the point of view of drug development, largely as a result of a lack of interest in the private sector to do so in the absence of a profitable market. As a result, when patients develop resistance to standard TB drugs, older drugs have to be prescribed because there are no alternatives. However, these drugs are notorious for their serious side-effects with many adverse health consequences. New drugs, desperately needed for many neglected diseases, may take decades to develop, and even when developed, may take further decades before they come on to the market in ways that enable those most in need to access these drugs and technologies.

Could an approach based on the **Right to Enjoy the Benefits of Scientific Progress** change that situation? Do individuals have the right to new medicine for TB? Given that the development of a new medicine is based on scientific research, who has obligations to engage in scientific research? Governments? The private sector? Joint ventures of universities and private companies? What exactly does the right to enjoy the benefits of scientific medical research entail?

So far little interdisciplinary research has been undertaken to explore and operationalize this human right. The exact entitlement and obligations resulting from the recognition of this right is the subject of a larger joint research activity involving researchers at Maastricht and UCT as part of ongoing research collaboration. The Learning Network for Health and Human Rights[[1]](#footnote-1) in the School of Public Health and Family Medicine at the University of Cape Town are pleased to host a discussion, which will be led by Professor Fons Coomans, Director of the Centre for Human Rights at Maastricht University, on the topic of the right to benefit from scientific progress. Dr Helen Cox from the Division of Medical Microbiologywill contexutalise the discussion by locating it within the example of the challenge posed by the lack of drugs for the treatment of DR TB. We hope the discussion will help shape a better understanding of the exact entitlement and obligations resulting from the recognition of this right, and provide a lever for strengthening the health system through operationalising the **Right to Enjoy the Benefits of Scientific Progress**.

Abbreviated CVs for Prof Coomans and Dr Cox are contained below.

Please RSVP to Carmen De Koker: 021 406 6300 or [carmen.dokoker@uct.ac.za](mailto:carmen.dokoker@uct.ac.za) (and ask Carmen for directions to the venue if you need).

**Abbreviated CV: Professor Fons Coomans**

Professor Coomans studied political science, especially international relations and international law at the University of Amsterdam. In 1992 he received a PhD degree from Maastricht University. He has been employed by Maastricht University since 1985. Currently he holds the UNESCO Chair in Human Rights and Peace at the Department of International and European Law at Maastricht University. He teaches international human rights law at the School of Law. He is the Director of the Maastricht Centre for Human Rights, and Senior Researcher at the Netherlands School of Human Rights Research. His fields of research include the international protection of economic, social and cultural rights in general and the right to education, health and food in particular, as well as international monitoring mechanisms in the field of human rights. From 1997-2013 he acted as coordinator of the courses on economic, social and cultural rights of the European Masters Degree in Human Rights and Democratisation in Venice (Italy). From 2010-2012 he was involved in revising the curriculum of the Faculty of Law of Udayama University in Denpasar (Bali – Indonesia). He has also taught at the universities of Utrecht, Sarajevo, Pretoria, Lund, Galway, Denpasar, Cape Town and Venda. He has worked as a consultant for UNESCO and an adviser for FIAN (Food First Information and Action Network). He is a member of the Netherlands section of the International Commission of Jurists (NJCM). He has a special interest in the extraterritorial application of human rights treaties providing for social, economic and cultural rights. He was a member of the Steering Committee of the Consortium on Extraterritorial Obligations (ETO’s) which is a network of academia, national human rights institutes, NGO’s and CSO’s that has been working on this subject since 2007. This consortium has prepared the development of the Maastricht Principles on the Extraterritorial Obligations in the Area of Economic, Social and Cultural Rights. These were adopted as the outcome of an expert meeting which took place from 26-28 September 2011 at Maastricht University. He is a member of the Netherlands Section of the International Commission of Jurists (NJCM). Since 2008 he has been involved in research cooperation between Maastricht University and the University of Cape Town as part of the Learning Network for Health and Human Rights funded by the South African – Netherlands Projects on Alternative Development (SANPAD). This collaboration is focused on, *inter alia*, researching health issues by using an interdisciplinary human rights based approach. In 2013 he was appointed Visiting Professor at the University of Cape Town in South Africa.

For an overview of his publications please visit:

<http://um-web2085.unimaas.nl:7777/metis/pk_apa_n.results?p_url_id=4075&p_onderzoekernummer=1013344>

**Abbreviated Profile: Dr Helen Cox.**

Dr Helen Cox is an epidemiologist specialising in drug resistant tuberculosis. She is based at the Division of Medical Microbiology at the University of Cape Town and holds a Wellcome Trust Fellowship. Specific research interests include: the molecular epidemiology of drug-resistant TB, models of care and optimising treatment regimens for drug-resistant TB, rapid diagnostics for tuberculosis drug resistance and developing sustainable interventions to improve TB infection control in health care facilities. She has previously worked with Médecins Sans Frontières in Khayelitsha, Cape Town, Central Asia and elsewhere in Africa.

1. The Learning Network for Health and Human Rights is a collaboration of 5 Civil Society Organisations and three University research groups working to identify best practice for realising the Right to Health. The participants are the Cape Metropolitan Healthcare Forum, Epilepsy South Africa (W Cape branch), Ikamva Labantu, The Women’s Circle (TWC) and Women on Farms Project (WFP). The participating universities involve the University of Cape Town, the University of the Western Cape, Maastricht University and Warwick University. [↑](#footnote-ref-1)