Regulating Bioprospecting: Institutions for Drug Research, Access and Benefit-Sharing
Padmashree Gehl Sampath

Bioprospecting, or the search for useful biochemical compounds and genes in nature, has been the focus of international negotiations for more than a decade, yet the debate on the terms for access to genetic resources, traditional knowledge and benefit-sharing is far from settled.

This book examines the optimal property rights structures and institutional mechanisms for regulating bioprospecting for drug research. Focusing on the economics of contracts, it shows that the rights exchanged are complementary at each stage of drug discovery and the development of genetic resources.

Defining and enforcing rights for access to genetic resources and traditional medicinal knowledge should not be attempted in isolation from the realities of drug discovery and development; otherwise the potential of bioprospecting for sustainable development and biodiversity conservation in source countries will not be achieved. This analysis is substantiated by examples of bioprospecting collaborations in several countries and a critique of the institutional and contractual factors that led to their success or failure.

This is one of the first books to address the contractual complexities of bioprospecting for drug research and is thus a key text for policy makers, practitioners and scholars in the areas of law, economics, ethnobotany, anthropology and environmental sciences.

“The author examines, with outstanding analytical capabilities, complex economic issues of particular importance to developing countries and the drug industry. The book offers stimulating insights in a rigorous and accessible manner. It will be of great value for researchers, policy makers, managers and all those concerned with the protection and sustainable use of biodiversity.”
Prof. Carlos M. Correa, University of Buenos Aires, Argentina

“Dr Gehl Sampath’s book is a welcome contribution to an important but highly polarized debate. It offers an objective and academically rigorous treatment of what is a highly complex subject, and in doing so should contribute to fairer and more effective bioprospecting regulation.”
Graham Dutfield, Senior Research Fellow, Queen Mary Intellectual Property Research Institute, University of London

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