

Preface

Biotechnology is a recognized research area that has increasingly advanced into new technologies and modern practices raising several legal, ethical and regulatory issues. In particular, the revolutionary speed of biotech innovations has had a significant impact on the protection of the rights of the individual. Fundamental rights provide a framework within which the justification of limitations and restrictions to biotechnology innovations and research results have to be assessed. The legal regulation of scientific research and scientific investigations impact more and more directly on the freedom of research and therapies as well as on the broad diffusion of knowledge. Closely related is also the much debated question of the technological manipulation of life and the boundary of scientific knowledge with regard to the topical question of genetic invention patents and their effects on access to scientific information and health care opportunities.

Today, interests antagonistic to freedom of scientific research and access to scientific knowledge are emerging distinctly requiring a careful balance between public and private domain.

A few questions may arise in this regard: how do technology and science affect law and vice versa? Do new biotech innovations affect constitutional rights? How does the protection of genetic inventions change the conditions of access to knowledge? What are the public interests considered to be so deserving of protection that they effectively counter-limit rights already embedded with the architecture of many constitutional systems?

Within this framework the book puts forward a critical analysis of the problems concerning the protection of fundamental rights in the field of biotechnologies with a multidisciplinary and comparative approach. Drawing on expertise from different disciplines, the volume comprises invited papers and plenary presentations given at the conference entitled "Biotech Innovations & Fundamental Rights" that took place on January 20-21 2011 at the Department of Juridical Sciences of the University of Ferrara. Each contribution covers a different aspect of the legal and scientific issues involved in regulation of biotechnology. In particular the focus of attention has been given to genetic research, genetic data, freedom of scientific research in genetics and biotech patents.

The contributions included in this book present a broad spectrum of different research approaches to the issues raised by biotech innovations. In particular the book aims to highlight challenges, opportunities and contradictions regarding the revolu-

tionary technological developments in the life sciences and their consequences for the constitutional protection of individual and collective rights.

We would also like to take this opportunity to thank the panel moderators (professors Carlo Casonato, Antonio D'Aloia and Davide Sarti) for their active and productive contribution.

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