

**FROM TRIPS-PLUS TO RIGHTS-PLUS?  
EXPLORING RIGHT TO HEALTH IMPACT  
ASSESSMENT OF TRADE-RELATED  
INTELLECTUAL PROPERTY RIGHTS  
THROUGH THE THAI EXPERIENCE**

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**ABSTRACT**

*Current international trade rules such as the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) may restrict domestic policy options to increase access to affordable medicines. This impact is amplified in bilateral and regional free trade agreements containing stronger “TRIPS-Plus” intellectual property rights. These rules may run counter to the human rights imperative to increase access to affordable medicines, with deleterious impacts on individual and population health. This paper explores the feasibility of implementing an impact assessment tool drawn from the international human right to health to measure and remediate these impacts. It explores the potential utility of this tool against the backdrop of law, theory and politics*

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*relevant to global pharmaceutical access, focusing on relevant policy experience in Thailand.*

**KEYWORDS:** *TRIPS, TRIPS-Plus, right to health, right to health impact assessment tool, RTHIA, Thai-U.S. FTA negotiation, National Human Rights Commission of Thailand*