

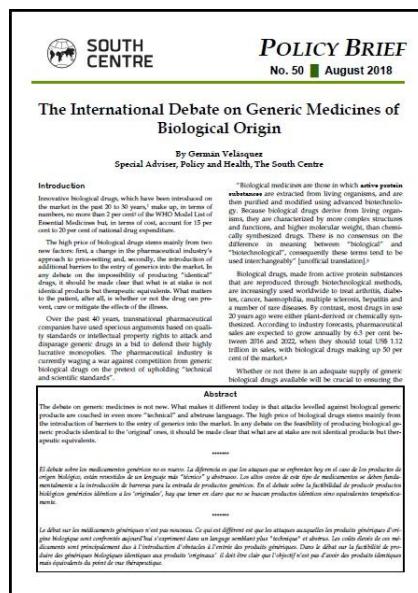
August 2018, Issue 2

The South Centre Monthly is a monthly update which provides a snapshot of the publications and social media activities of the South Centre

PUBLICATIONS

Policy Briefs

Policy Brief 50, August 2018: The International Debate on Generic Medicines of Biological Origin



POLICY BRIEF
No. 50 | August 2018

The International Debate on Generic Medicines of Biological Origin

By German Velasco
Special Adviser, Policy and Health, The South Centre

Introduction

Innovative biological drugs, which have been introduced in the market in the past 20 years or so, are, in terms of market value, the second largest part of the WHO's List of Essential Medicines but, in terms of cost, account for 15 per cent of total pharmaceutical sales.

The high price of biological drugs stems mainly from two new factors: first, a change in the pharmaceutical industry's approach to generic products, which has created additional barriers to the entry of generics into the market. In addition, the high price of biological drugs is due to the fact that, it should be made clear that what is at stake is not identical products but therapeutic equivalents. What makes the difference is that they are not identical products but therapeutic equivalents, i.e., they can cure or mitigate the effects of the illness.

Over the past 40 years, pharmaceutical companies have used various arguments based on quality standards or intellectual property rights to attack and disrupt the introduction of generic products into the market, launching a series of legal battles and legislative manoeuvres. The pharmaceutical industry is currently waging a war against competition from generic biological drugs by means of exploiting "technical and scientific standards".

Abstract

The debate on generic medicines is not new. What makes it different today is that attacks levelled against biological generic products are couched in even more "technical" and abstruse language. The high price of biological drugs stems mainly from the introduction of barriers to the entry of generics into the market. In any debate on the feasibility of producing biological generic products identical to the 'original' ones, it should be made clear that what are at stake are not identical products but therapeutic equivalents.

El debate sobre los medicamentos genéricos no es nuevo. La diferencia es que los ataques que se enfrentan hoy en el caso de los productos de origen biológico, están revestidos de un lenguaje más "técnico" y abstruso. Los altos costos de este tipo de medicamentos se deben fundamentalmente a la introducción de barreras para la entrada de productos genéricos. En el debate sobre la factibilidad de producir productos biológicos genéricos idénticos a los 'originales', hay que tener en claro que no se buscan productos idénticos sino equivalentes terapéuticamente.

The debate on generic medicines is not new. What makes it different today is that attacks levelled against biological generic products are couched in even more "technical" and abstruse language. The high price of biological drugs stems mainly from the introduction of barriers to the entry of generics into the market. In any debate on the feasibility of producing biological generic products identical to the 'original' ones, it should be made clear that what are at stake are not identical products but therapeutic equivalents.

Le débat sur les médicaments génériques n'est pas nouveau. Ce qui est différent est que les attaques auxquelles les produits génériques d'origine biologique sont confrontés aujourd'hui s'expriment dans un langage semblant plus "technique" et abstrus. Les coûts élevés de ces médicaments sont principalement dus à l'introduction d'obstacles à l'entrée des produits génériques. Dans le débat sur la factibilité de produire des génériques biologiques identiques aux produits 'originaux', il doit être clair que l'objectif n'est pas d'avoir des produits identiques mais équivalents du point de vue thérapeutique.

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Available from: <https://www.southcentre.int/policy-brief-50-august-2018/>

Tax Cooperation Policy Brief 3, August 2018: Interaction of Transfer Pricing & Profit Attribution: Conceptual and Policy Issues for Developing Countries

SOUTH CENTRE TAX COOPERATION POLICY BRIEF
No. 3 • August 2018
Interaction of Transfer Pricing & Profit Attribution:
Conceptual and Policy Issues for Developing Countries*
By Dr. Vinay Kumar Singh
Additional Commissioner of Income-tax, Government of India

1. Introduction
Last two decades have seen several significant developments in the transfer pricing (TP) and profit attribution (PA) literature. TP and profit pricing (PP), leading to two contradictory views. One views profits arising from future transactions as being apportioned to the place of origin, while the other does not. FAS based TP is still not applied universally, while FAS based attribution of profits is now well accepted. The new challenges are significant challenges for developing countries and necessitate a suitable response.

2. Conceptual issues related to Taxing Profits
Since TP and profit attribution are intricately linked to the issue of taxing profits of foreign enterprises, it is worthwhile to understand the conceptual basis underlying the international taxation regime.

2.1 Factors that Contribute to Profits of Enterprises
In the corporate tax regime, the tax base consists of profits, which are the result of sales revenue minus the cost of goods, as depicted by the following equation:

$$\text{Profits} = \text{Quantum of sales} \times (\text{Price} - \text{Cost}) = \text{Sales Revenue} - \text{Cost}$$

While sales is purely a function of supply, price and quantum of sales depends on the interaction of demand and supply, which apply independently of each other. Factors that affect sales revenue are the same as those affecting profits, while demand depends primarily on the consumer's attitude to the product. Price is a function of the cost of production, which itself is a function of the state of the economy. In a given market, their respective contributions depend upon the elasticities of demand and supply. Both supply and demand are influenced by a variety of factors.

Interestingly, in a perfectly competitive market, reduction in costs of supply, resulting from improvement in efficiency, will lead to lower prices and higher sales revenue. Profits of enterprises rise in such cases, mainly due to its positive effect on sales revenue. A higher demand resulting from a higher ability to pay, is likely to result in higher sales and increased profits for the enterprises, as apparent in the case of a perfectly elastic market too. The contribution of demand to sales revenue and profits cannot be ignored.

2.2 Justification of Taxation in a Globalized Economy: The Benefits Principle
Legitimacy of taxation of business profits is governed by the principle of justice, i.e., the right to receive public goods, including protection of property rights and enforcement of contracts, essential for economic development. The right to receive protection is also required for infrastructure, equity, addressing market failure and maintaining macro-economic stability, among others. The right to receive protection is also a basic liberty constituting to profits derived by enterprises from their economic activities. Protection of business profits constitute primary justification for their taxation.

Use of tax revenues for facilitating markets and economic growth sets into motion a virtuous cycle wherein tax supported economic growth augments business profits, leading to more revenues for the State.

* The views contained in the policy brief are personal to the author and do not represent the institutional views of the South Centre or its Member States.

Till 2010, model tax conventions treated profit attribution to permanent establishments and transfer pricing under different articles, and profit attribution under Article 7 allowed sales to be taken into account both in the direct accounting method as well as the indirect apportionment method. However, the revised Article 7 in the 2010 update of the OECD Convention approximated profit attribution with transfer pricing and omitted the option of apportionment, thereby undermining sales and contributions made by market jurisdiction to business profits. When a tax treaty retains Article 7 based on the UN Convention or the earlier OECD Convention, Contracting States can take sales into account and also opt for apportionment. Developing countries need to fully understand these implications of Article 7 in their tax treaties, and opt for informed choices for transfer pricing and profit attribution to permanent establishments, including apportionment that takes sales into account.

Jusqu'en 2010, les modèles de convention fiscale abordaient l'attribution de bénéfices aux établissements stables et les prix de transfert dans des articles distincts. En outre, les modalités d'attribution de bénéfices prévues au modèle d'article 7 permettaient de prendre en compte les ventes dans la méthode de comptabilité directe et dans la méthode de répartition indirecte. Cependant, la version révisée de l'article 7 dans la mise à jour de 2010 de la convention de l'OCDE rapproche les notions de répartition de bénéfices et de prix de transfert et ne prévoit pas la possibilité d'utiliser la méthode de répartition ; par conséquent les ventes et les contributions de la juridiction où se situe le marché ont moins d'importance dans le calcul des bénéfices des entreprises. En concluant une convention fiscale qui incorpore l'article 7 fondé sur la Convention des Nations Unies ou sur la version antérieure de la Convention de l'OCDE, les États contractant peuvent prendre en compte les ventes dans les calculs et opter pour la méthode de répartition indirecte. Les pays en développement doivent bien comprendre toutes les implications de l'article 7 dans leurs conventions fiscales et faire des choix en connaissance de cause en ce qui concerne les prix de transfert et l'attribution de bénéfices aux établissements stables, y compris en ce qui concerne la méthode de répartition qui prend en compte les ventes.

Hasta el 2010, los modelos de convenio tributario contenían artículos distintos para la atribución de beneficios imputables a establecimientos permanentes y para los precios de transferencia. Además, las modalidades de atribución de beneficios en virtud del modelo de Artículo 7 permitían tomar en cuenta las ventas tanto en el método de contabilidad directa como en el método de reparto indirecto. Sin embargo, el Artículo 7 revisado en la versión actualizada de 2010 del Convenio de la OCDE

aproxima la noción de atribución de beneficios con precios de transferencia y no prevé la posibilidad de utilizar el método de reparto indirecto, así que las ventas y las contribuciones de la jurisdicción donde se sitúa el mercado tienen menos importancia en el cálculo de los beneficios empresariales. Cuando un convenio tributario incorpora el Artículo 7 basado en el Convenio de la ONU o en el anterior Convenio de la OCDE, los Estados contratantes pueden tomar en cuenta las ventas en los cálculos y también optar por el método de reparto indirecto. Los países en desarrollo deben entender plenamente las implicaciones del Artículo 7 en sus convenios tributarios, y hacer elecciones con conocimiento de causa en lo que se refiere a los precios de transferencia y la atribución de ganancias a los establecimientos permanentes, incluido el método de reparto que toma en cuenta las ventas.

Available from: <https://www.southcentre.int/tax-cooperation-policy-brief-3-august-2018/>

SouthViews

SouthViews No. 170, 9 August 2018: The Imperative of Protecting and Respecting Indigenous Peoples' Rights to Their Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources in the Intellectual Property Rights Regime under the WTO and WIPO

Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples and Member of the South Centre's Board, made a presentation, reproduced below, about 'The Imperative of Protecting and Respecting Indigenous Peoples' Rights to Their Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources in the Intellectual Property Rights Regime under the WTO and WIPO' at the International Conference on the TRIPS-CBD Linkage: Issues and Way Forward, held at the Palais des Nations, Geneva on 7-8 June 2018. The conference was jointly organized by the South Centre, the Centre for WTO Studies, New Delhi and the Indian Institute of Foreign Trade, and co-sponsored by the Permanent Missions of Brazil, India, Indonesia and South Africa to the WTO.

Victoria Tauli-Corpuz, rapporteuse spéciale des Nations Unies sur les droits des populations autochtones et membre du Comité du Centre Sud, a fait un exposé (reproduit ci-dessous) intitulé "L'impératif de protéger et de respecter les droits des peuples autochtones à leurs connaissances traditionnelles, leurs expressions culturelles traditionnelles et leurs ressources génétiques dans le régime des droits de propriété intellectuelle à l'OMC et à l'OMPI" à l'occasion de la conférence internationale sur la relation entre l'Accord sur les ADPIC et la Convention des Nations Unies sur la diversité biologique, qui s'est tenue au Palais des Nations, à Genève, les 7 et 8 juin 2018. La conférence fut organisée par le Centre Sud en collaboration avec le Centre d'étude sur l'OMC de New Delhi et l'Indian Institute for Foreign Trade, et coparrainée par les missions permanentes du Brésil, de l'Inde, de l'Indonésie et de l'Afrique du Sud auprès de l'OMC.

Victoria Tauli-Corpuz, relatora especial de las Naciones Unidas sobre los derechos de los pueblos indígenas y miembro de la Junta del Centro del Sur, hizo una presentación (presentada a continuación) titulada "El imperativo de proteger y respetar los derechos de los pueblos indígenas a sus conocimientos tradicionales, sus expresiones culturales tradicionales y sus recursos genéticos en el régimen de derechos de propiedad intelectual en la OMC y la OMPI", durante la conferencia internacional sobre la relación entre el Acuerdo sobre los ADPIC y el Convenio sobre la Diversidad Biológica, que se celebró en el Palais des Nations, en Ginebra, los 7 y 8 de junio de 2018. La conferencia fue organizada por el Centro del Sur en colaboración con el Centro de Estudios sobre la OMC, New Delhi, y el Indian Institute for Foreign Trade, y fue copatrrocinada por las misiones permanentes de Brasil, de la India, de Indonesia y de Sudáfrica ante la OMC y la OMPI.

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SouthNews

SOUTHNEWS No. 223, 3 August 2018: Progress towards balanced work by the WIPO Committee on the Law of Patents

The 28th session of the WIPO Standing Committee on the Law of Patents (SCP) achieved positive outcomes advanced by developing countries, despite difficult negotiations. Reference documents will be produced on exceptions and limitations to patent rights such as the research exception and compulsory licensing, for discussion in its future sessions, and discussions will continue on issues of 'quality of patents' including opposition systems, patents and health, patents and transfer of technology, and client-patent advisor privilege.

La vingt-huitième session du Comité permanent du droit des brevets (SCP) a abouti sur des résultats positifs que les pays en développement ont réussi à obtenir malgré d'âpres négociations. Un document de référence sera produit sur les exceptions et limitations relatives aux droits de brevet, telles que l'exception en faveur de la recherche et l'exception relative à la concession de licences obligatoires, pour examen à l'occasion de la prochaine session. En outre, les discussions se poursuivront sur la qualité des brevets, y compris les systèmes d'opposition, sur les brevets et la santé, sur les brevets et le transfert de technologie et sur la confidentialité des communications entre clients et conseils en brevets.

La vigesimoctava sesión del Comité Permanente de la OMPI sobre el Derecho de Patentes (SCP) logró resultados positivos promovidos por los países en desarrollo a pesar de difíciles negociaciones. Se elaborará un documento de referencia sobre las excepciones y limitaciones a los derechos conferidos por las patentes, como la excepción con fines de investigación y la excepción relativa a la concesión de licencias obligatorias, para su debate en futuras sesiones. Además, se continuarán los debates sobre la "calidad de las patentes", incluidos los sistemas de oposición, sobre las patentes y la salud, sobre las patentes y la transferencia de tecnología y sobre la confidencialidad de las comunicaciones entre clientes y sus asesores de patentes.

Available from: <https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=4dede130b1>

SOUTHNEWS No. 224, 16 August 2018: Addressing antimicrobial resistance to advance the SDGs: The IACG briefs New York delegations at HLPF 2018 on its work

(This SOUTHNEWS was also released as SOUTH CENTRE NEWS ON AMR. See below.)

Available from: <https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=be175a4b52>

SOUTHNEWS No. 225, 27 August 2018: Energy for Development in a Carbon-constrained World



Energy constraints limit economic growth in many developing countries; there are over 2 billion people around the world that lack access to energy services. Energy systems, currently dominated by a supply oriented approach with centralized units, do not take advantage of current development of renewables and can hardly provide options for widening access to all in a foreseeable future. These are some of the issues addressed at 'Energy for Development in a Carbon-constrained World' (EDC2018) organized by the Carnegie Institution for Science, with the participation of Youba Sokona, Senior Adviser on Sustainable Development of the South Centre.

Les contraintes énergétiques ralentissent la croissance économique de nombreux pays en développement ; environ 2 milliards d'individus dans le monde n'ont pas accès aux services énergétiques. Les systèmes énergétiques, qui sont à l'heure actuelle majoritairement centrés sur l'offre et fondés sur des unités de production centralisées, ne tirent pas parti du développement actuel des énergies renouvelables et n'offrent guère de possibilités de rendre l'énergie accessible à tous dans un futur proche. Tels sont certains des problèmes qui ont été abordés à l'occasion de la session de réunions intitulée « Energy for Development in a Carbon-constrained World (EDC2018) » et organisée par la fondation Carnegie Institution for Science. Youba Sokona, conseiller spécial dans le domaine du développement durable pour le Centre Sud, a pris part à la réunion.

Las restricciones energéticas frenan el crecimiento económico en muchos países en desarrollo. Unas 2 000 millones de personas en el mundo no tienen acceso a servicios de energía. Los sistemas de energía, centrados actualmente en la oferta y basados en unidades centralizadas, no sacan provecho del desarrollo de energías renovables y las posibilidades que ofrecen para hacer la energía accesible para todos en un futuro cercano son limitadas. Estas son algunas de las cuestiones planteadas en la reunión titulada «Energy for Development in a Carbon-constrained World» (EDC2018), organizada por la Carnegie Institution for Science y en la que participó el asesor especial en materia de desarrollo sostenible del Centro del Sur, Youba Sokona.

Available from: <https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=9fe039aba4>

SOUTHNEWS No. 226, 31 August 2018: IPCC holds outreach in Sudan



In order to have a better understanding of the Intergovernmental Panel on Climate Change (IPCC) and the key findings of the IPCC Fifth Assessment Report (AR5), an outreach event on the role and activities of the IPCC was held in August in Khartoum, Sudan. Youba Sokona, Vice-Chair of the IPCC and Senior Adviser on Sustainable Development of the South Centre, participated in the event.

Pour faire mieux connaître les travaux du Groupe d'experts intergouvernemental sur l'évolution du climat (GIEC) et les principales conclusions de son cinquième rapport d'évaluation (AR5), une réunion d'information sur le rôle et les activités du GIEC a eu lieu au mois d'août, à Khartoum (Soudan). Youba Sokona, vice-président du GIEC et conseiller spécial dans le domaine du développement durable pour le Centre Sud, a pris part à la réunion.

A fin de dar a conocer mejor el trabajo del Grupo Intergubernamental de Expertos sobre el Cambio Climático (IPCC) y las principales conclusiones del Quinto Informe de Evaluación (AR5) del IPCC, tuvo lugar en agosto en Jartum (Sudán) una reunión de divulgación sobre el papel y las actividades del IPCC. Youba Sokona, vicepresidente del IPCC y asesor especial en materia de desarrollo sostenible del Centro del Sur, participó en esta reunión.

South Centre News on AMR

SOUTH CENTRE NEWS ON AMR No. 24, 16 August 2018: Addressing antimicrobial resistance to advance the SDGs: The IACG briefs New York delegations at HLPF 2018 on its work



A briefing on the status of the work of the Interagency Coordination Group on Antimicrobial Resistance (IACG) and a special presentation on environmental implications of antimicrobial resistance (AMR), organized by the IACG Secretariat in close collaboration with the Permanent Missions of China, Ghana, Mexico, South Africa and the United Kingdom, was held on 18 July 2018 at the United Nations Headquarters in New York, at the sides of the 2018 High-level Political Forum on Sustainable Development (HLPF). Dr. Viviana Muñoz Tellez, coordinator of the Development, Innovation and Intellectual Property Programme (DIIP) of the South Centre, participated in the briefing.

Une réunion d'information sur l'état d'avancement des travaux du Groupe spécial de coordination inter-institutions sur la résistance aux antimicrobiens (IACG), au cours de laquelle a eu lieu une présentation spéciale sur les conséquences environnementales de la résistance aux antimicrobiens, a été organisée par le Secrétariat du Groupe de coordination en étroite collaboration avec les missions permanentes de la Chine, du Ghana, du Mexique, de l'Afrique du Sud et du Royaume-Uni. La réunion s'est tenue le 18 juillet 2018 au siège de l'Organisation des Nations Unies à New York, en parallèle de la session de 2018 du Forum politique de haut niveau pour le développement durable. Viviana Muñoz Tellez, coordinatrice du Programme sur le développement, l'innovation et la propriété intellectuelle (DIIP) du Centre Sud a participé à la réunion.

El 18 de julio del 2018 se llevó a cabo una reunión informativa sobre el estado del trabajo del Grupo de Coordinación Interinstitucional sobre Resistencia a los Antimicrobianos (IACG) además de una presentación especial sobre las implicaciones ambientales de la resistencia antimicrobiana. Esta reunión fue organizada por la Secretaría del Grupo de Coordinación en estrecha colaboración con las Misiones Permanentes de China, Ghana, México, Sudáfrica y el Reino Unido, en la Sede de la Organización de las Naciones Unidas en Nueva York, paralelamente a la sesión del 2018 del Foro Político de Alto Nivel sobre el Desarrollo Sostenible (HLPF). Viviana Muñoz Tellez, coordinadora del Programa de Desarrollo, Innovación y Propiedad Intelectual (DIIP) del Centro del Sur, participó en la sesión informativa.

Press Releases

Press Release, 16 August 2018: A giant walks with us no more. Tribute to Dr. Samir Amin, 1931-2018



Professor Samir Amin passed away on Sunday, August 12, leaving a large gap among those luminaries of the South who offered critical thinking on the challenges facing developing countries and the alternative pathways to development.

Samir Amir est décédé dimanche 12 août, laissant un grand vide parmi les illustres penseurs du Sud qui ont apporté une vision critique des difficultés rencontrées par les pays en développement et des voies alternatives de développement.

Samir Amin falleció el domingo 12 de agosto, dejando un gran vacío entre los pensadores más grandes del Sur que ofrecieron una visión crítica sobre los desafíos que enfrentan los países en desarrollo y las vías alternativas para el desarrollo.

Available from: <https://www.southcentre.int/press-release-16-august-2018/>

Social Media

Twitter Highlights:

Top Tweet earned 3,720 impressions

The South Centre discussed examination standards applicable to pharmaceutical #patent applications at the Mumbai Patent Office. Flexibility available under the #TRIPSAgreement, importance of rigorous analysis & the role of section 3(d) of the Indian Patent Act were highlighted.
pic.twitter.com/sanhbFfME9



10 16

Top mention earned 325 engagements



Students! Are you interested in stopping #Antimicrobialresistance? Winning a trip to #Geneva to attend a workshop on #AMR organized by @ifmsa, @reactgroup, @WHO and @South_Centre? If yes, #Innovate4AMR is a perfect fit for you!

Get engaged at innovate4amr.org
pic.twitter.com/VUJoAy6kUJ



1 35 61

Top media Tweet earned 2,594 impressions

Carlos Correa, Exec. Director, met Amb. Tirumurti [@SecretaryER](#), Secretary (Economic Relations) [@MEAIndia](#), in Delhi to discuss current challenges for developing countries & the role of the Centre in supporting the Global South in intl negotiations & assessing policy choices.

pic.twitter.com/K4P20OluiL



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AUG 2018 SUMMARY

Tweets

53

Tweet impressions

66.2K

Profile visits

3,571

Mentions

76

New followers

90

South Centre @South_Centre · Aug 3

28 yrs ago on 3 Aug 1990, the #SouthCommission under the leadership of the late Tanzanian President #JuliusNyerere launched its outcome report The Challenge to the South, an important moment in the history of the #South marking a process of self-appraisal of their challenges.

to the South

The Report of the South

1 4 5

South Centre @South_Centre · Aug 3

One of the recommendations of the report was to establish a Secretariat for supporting #developingcountries in the various multilateral negotiating processes which led to the establishment of the @South_Centre, the multilateral think tank of the #South.

South Centre @South_Centre · Aug 3

The @South_Centre thanks its staff for its cooperation to renovate the offices, which will allow us to welcome new professionals, and Gavi, the Vaccine Alliance @gavi for the kind donation of equipment and furniture.

South Centre @South_Centre · Aug 6

The @South_Centre signed an MoU with @MundoSano to collaborate in the area of #accesstomedicines . Mundo Sano is a non-profit organization that aims to contribute to the transformation of the reality of populations affected by #neglecteddiseases such as #chagas , #STH & #dengue .

South Centre @South_Centre · Aug 9

On the occasion of the International Day of the World's Indigenous Peoples, the @South_Centre reaffirms its commitment to continue supporting the development of an international regime that recognizes their rights, including on #traditionalknowledge. #IndigenousPeoplesDay

South Centre @South_Centre · Aug 10

A report by @South_Centre Chair of the Board, President #ThaboMbeki , & his high-level panel on #illicitfinancialflows estimates that #Africa loses between 50 billion U.S. dollars and 80 billion U.S. dollars a year due to illicit financial flows. See xinhuanet.com/english/2018-0...

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South Centre @South_Centre · Aug 13

Carlos Correa, Executive Director of the @South_Centre @Correa_CEIDIE , and Vijay Kumar Singh, Minister of State for External Affairs, Government of #India @Gen_VKSingh @MEAIndia , meet in Delhi to discuss priorities for cooperation with the Centre @IndiaUNGeneva .



Carlos Maria Correa

11 19 3

South Centre @South_Centre · Aug 13

Dr. Udaya Bhaskar, Director General of the Pharmaceutical Exports Promotion Council of India @Pharmexcil , delivers the special address at the @South_Centre Conference on #Biomedical #RandD for #PublicHealth in #India .



3 2 3

South Centre @South_Centre · Aug 17

Carlos Correa, Exec. Dir., discussed in Delhi with Ramesh Abhishek, Secretary of Industrial Policy and Promotion @rabishek1982 , about #patent examination, #industrialpolicies in the context of the #digitaleconomy, and priority areas for the continued cooperation with the Centre



11 19 3

South Centre @South_Centre · Aug 15

Carlos Correa, Exec. Dir., discussed with Amb. JS Mukul, Dean of @FSI_MEA , and his team, @South_Centre 's future collaboration in courses for #diplomats organized by FSI. Dr. Correa expressed his appreciation for the important work done by FSI to enhance South-South cooperation.



4 5 3

South Centre @South_Centre · Aug 22

South Centre's Exec. Director & team discussed at Mumbai's #patent office with Controller General Mr. O.P. Gupta & Deputy Controller Dr. Dinesh P. Patil continuous cooperation with the Centre, including criteria to examine various types of claims on #chemicaldrugs & #biologicals



9 16 3

South Centre @South_Centre · Aug 14

Exec. Dir. Carlos Correa chairs panel discussion on Theoretical Framework of #SSC and TDC at the #DelhiProcess4 , commends the conceptual work done by @Sachin_Chat @RIS_NewDelhi in preparation of the event, & celebrates meeting Ambassador @AmbMcKumar , Chairman of @RIS_NewDelhi



3 4 3



South Centre @South_Centre · Aug 20

The @South_Centre pays tribute to #KofiAnnan , former Secretary-General of the UN , a humanist & outstanding advocate of world peace & development. A great statesman of the developing world. Photo: @KofiAnnan with Julius Nyerere, former Chair of the South Commission & the Centre



Kofi Annan

1 6 11 11



South Centre @South_Centre · Aug 22

Carlos Correa, Executive Director, welcomed the visit of Ambassador M. Shameem Ahsan of #Bangladesh to the UN Geneva, and the discussion on #LDCs position in multilateral fora, Bangladesh's graduation and further interaction of Bangladesh with the Centre.

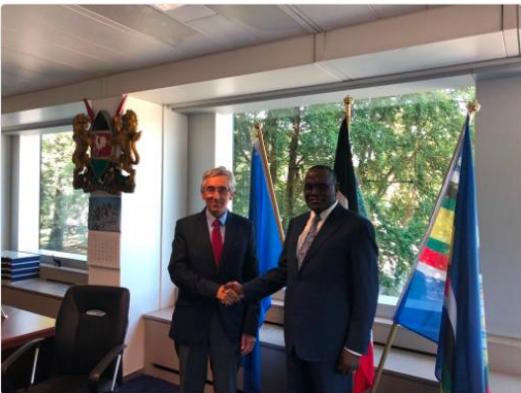


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South Centre @South_Centre · Aug 22

Executive Director Carlos Correa discussed with Ambassador Cleopa Kilonzo Mailu of #Kenya to the UN Geneva value addition through local production, e-commerce, health policies, antimicrobial resistance and other issues relevant to Kenya's development and to the Centre's work.



1 2 2 11



South Centre @South_Centre · Aug 23

Carlos Correa, Exec. Director, discussed with Ambassador Yu Jianhua @ChinaMissionGva current challenges in the international scenario, the need for a united South & the work of the @South_Centre in various areas, including IPRs, right to development & South-South cooperation.



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South Centre @South_Centre · Aug 23

It was a great honour to meet the President-elect of the 73rd session of the UN General Assembly, Ms. María Fernanda Espinosa @mfespinosaEC at the #DelhiProcess4 . An outstanding diplomat & exemplary leader of the #South . The @South_Centre gives full support for her presidency.



South Centre @South_Centre · Aug 23

#AfCFTA negotiations on #IP rights starting this month offers an opportunity for developing an integrated regime adapted to African needs, w/ full use of TRIPS flexibilities & the LDCs' exemption. @_AfricanUnion The Centre will continue to provide support. bit.ly/2MqRsmW

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South Centre @South_Centre · Aug 24

US imposes new set of tariffs on China. Our new study finds that #US #Section301 tariffs are illegitimate & aim at slowing down industrial development & technological catch up of #China . US is judging China based on its own standards, not @WTO 's. See tinyurl.com/yb7vyl3y

On 23rd August, the US Administration imposed yet another set of discriminatory tariffs on China under its Section 301 Trade Act covering US\$15 billion of its imports from China. This is in addition to the additional tariffs imposed on 6 July 2018 on US\$34 billion of its imports from China. According to the US, these actions are supposedly because of China's unreasonable or discriminatory practices relating to technology transfer, intellectual property and innovation.

US' Section 301 law allows the US Administration to unilaterally take retaliatory tariffs, contrary to its own WTO obligations in order to punish a country which it deems have practices or laws that are unreasonable and burden or restrict US commerce.

- US' Section 301 actions are illegitimate and misguided. Chief amongst these reasons include:
 - The WTO panel ruling in 1999 already established that unilateral actions under Section 301 are inconsistent with the rules of the WTO. However, the US has continued to impose such WTO obligations unless allowed to retaliate after their case has been heard in the WTO's dispute settlement system.
 - US' current disregard for rules could lead to very serious systemic implications.
 - US' Section 301 actions violate China on technology transfer, joint ventures or investments to be had on US' terms rather than WTO standards. Joint ventures are perfectly legal under the WTO regime and it is commonplace that companies in joint ventures negotiate their terms of engagement including those concerning the use of technology.
 - The US itself plays a very heavy active industry role in export its global conglomerates that may well be at a competitive edge. Why point fingers at China? Many aspects of US' hidden industrial policies include – supports to innovation programmes such as through its complex state-military-industry nexus; subsidies to industries; its use of venture capital funds to develop technologies; its role in the weapons industry; its role in the defence industry; its role in government procurement; and the government's role in reforming companies to prevent their failure; as well as tax breaks. All of these have allowed American companies to enjoy technological and economic dominance (or at least the first six decades) in many areas.
 - There are many causes for US' decline beyond competitive exports from China. These include US companies located in China producing for the US market; US' over-consumption patterns supported by a strong dollar, as compared to the Chinese who have a much higher savings rate; and the fact that the dollar is the world's reserve currency, allowing the US to enjoy a trade deficit without having to worry about the effects of overvaluation. But should these not be put on China for these structural issues for which US has made no efforts, especially its control of the world's leading reserve currency?
 - The US has violated the World Intellectual Property Protection, known as the WTO's Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. Furthermore, big strides are currently being made in China's intellectual property regime, in many areas even going beyond the WTO's own rules. In fact, the Chinese IP regime is considered by the US to have liberalized more "technological innovation" when it is still developing, borrowing from the UK and US.
 - China has made impressive progress in creating its own indigenous research and development (R&D) and innovation capacities. It is now a top innovator ranking #17 on the Global Innovation 500.



South Centre @South_Centre · Aug 31

Executive Director Carlos Correa met in Bangkok delegations for #climatechange negotiations, confirmed @South_Centre's support to #LikeMindedDevelopingCountries (#LMDCs) and #G77andChina #G77 in pursuing developing countries' objectives in implementing the #ParisAgreement.



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South Centre @South_Centre · Aug 27

The @WIPO #IGC37 has started. Work to focus on advancing treaty negotiations on #traditionalknowledge and cultural expressions, and draft recommendations to the General Assembly meeting from end September to advance treaty negotiations also on #geneticresources .



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South Centre @South_Centre · Aug 31

The @South_Centre & @FEonline, with the support of @UNCTAD, organized workshop for #G77andChina from Geneva & New York to exchange views & promote synergies on the #FFD review process, discuss how Southern perspectives have been reflected & prepare for #BAPA40 .



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