

The SOUTH CENTRE Monthly

January 2019, Issue 7

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

QUARTERLY REPORT

South Centre Quarterly Report, 1 October to 31 December 2018



This report summarizes the programmatic activities of the South Centre during the period 1st October to 31 December 2018. It is intended to provide information, organized by Program and themes, about recent developments in the areas covered by the South Centre's Work Program and publications made and meetings organized or co-organized by the Centre to examine particular issues or to provide analytical support for international negotiations taking place in various fora. It also informs about external conferences and other meetings where the Centre has participated.

Le présent rapport trimestriel résume les activités programmatiques du Centre Sud pour la période allant du 1^{er} octobre au 31 décembre 2018. Il présente, par programme de travail et par thème, des informations concernant les dernières évolutions dans les domaines de travail des programmes du Centre Sud, ainsi que les publications diffusées et les réunions organisées par le Centre Sud ou organisées en collaboration avec d'autres institutions en vue d'examiner des sujets particuliers ou d'apporter un appui analytique aux négociations internationales ayant lieu dans plusieurs instances. Il liste également les conférences et autres réunions auxquelles le Centre a assisté.

En este informe trimestral se resumen las actividades programáticas realizadas por el Centro del Sur entre el 1 de octubre y el 31 de diciembre de 2018. El informe presenta, por programas y temas, información sobre acontecimientos recientes en las diferentes áreas abordadas por el programa de trabajo del Centro del Sur, así como sobre las publicaciones difundidas y las reuniones organizadas y coorganizadas por el Centro para examinar cuestiones específicas o prestar apoyo analítico en relación con las negociaciones internacionales que tienen lugar en varios foros. También incluye una lista las conferencias y otras reuniones externas en las que el Centro del Sur ha participado.

Available from: <https://www.southcentre.int/south-centre-quarterly-report-october-december-2018/>

PUBLICATIONS

Policy Briefs

Policy Brief 57, January 2019: Will the Amendment to the TRIPS Agreement Enhance Access to Medicines?

SOUTH CENTRE
POLICY BRIEF
No. 57 | January 2019

Will the Amendment to the TRIPS Agreement Enhance Access to Medicines?*

By Carlos M. Correa**
Executive Director, The South Centre

Introduction

After the entry into force of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), all members of the World Trade Organization (WTO) were obliged to grant patents on pharmaceutical products. As a result, generic producers that in some countries were formerly able to supply low-cost generic pharmaceuticals to local and foreign markets could not continue to reverse engineer new, patented drugs and sell generic drugs. This new scenario affected not only the producing countries, but also those importing generic drugs that were left with the only option of purchasing them from the patent owner, often at unaffordable prices. While those countries could issue compulsory licenses, their grant would not provide a solution if there is no manufacturing capacity in the country and the needed pharmaceuticals cannot be imported from low-cost producers. The TRIPS Agreement did not allow the grant of compulsory licenses for exports only, thereby preventing generic manufacturers from eventually exporting the required products to countries unable to produce them.

The problem created by the limitations imposed by the TRIPS Agreement was addressed, in the context of the WTO, through paragraph six of the Doha Declaration on the TRIPS Agreement and Public Health (hereinafter 'the Doha Declaration'), which instructed the Council for TRIPS 'to find an expeditious solution' to address this serious public health problem: if a medicine is patented in a country where there is insufficient or no manufacturing capacities in the pharmaceutical sector, and the medicine is unavailable (because of high prices or other reasons),

Abstract

An amendment to the TRIPS Agreement by incorporation of the text of the decision of the WTO General Council on 30 August 2003 (as article 31bis) has been made in response to the problem identified in paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health. This paragraph sought a solution to situations where patented pharmaceuticals which are not available in a country with no or insufficient manufacturing capacity can be supplied by a foreign provider. As originally adopted, the TRIPS Agreement did not allow the grant of compulsory licenses for exports only, thereby preventing generic manufacturers from exporting the required products to countries unable to produce them. While the new article 31bis is a step forward as it reflects public health concerns, it would be necessary to streamline the procedures to effectively ensure broader access to pharmaceutical products at low cost and in a timely manner.

Le texte de la décision du Conseil général de l'Organisation mondiale du commerce (OMC) du 30 août 2003 a été ajouté (en tant qu'article 31bis) à l'Accord sur les aspects des droits de propriété intellectuelle qui touchent au commerce (ADPIC) afin de résoudre le problème soulevé au paragraphe 6 de la Déclaration de Doha sur l'Accord sur les ADPIC et la santé publique. Ce paragraphe visait à traiter les cas où des produits pharmaceutiques non disponibles dans des pays dont les capacités de fabrication sont insuffisantes ou inexistantes peuvent être obtenus auprès d'un fournisseur étranger. Tel qu'il avait été initialement adopté, l'Accord sur les ADPIC n'autorisait pas la délivrance de licences obligatoires pour l'exportation uniquement : les fabricants de génériques ne pouvaient pas exporter les produits nécessaires aux pays n'ayant pas la capacité de fabriquer. Si le nouvel article 31bis est un pas en avant car il prend en compte les préoccupations de santé publique, il est toutefois nécessaire de simplifier les procédures en vue de véritablement élargir l'accès aux produits pharmaceutiques à bas prix et en temps voulu.

El Acuerdo sobre los ADPIC ha sido modificado mediante la incorporación (como artículo 31bis) del texto de la Decisión del Consejo General de la OMC del 30 de agosto de 2003, en respuesta al problema identificado en el párrafo 6 de la Declaración de Doha sobre el Acuerdo sobre los ADPIC y la Salud Pública. Este párrafo buscaba una solución para situaciones en las que un proveedor extranjero pudo suministrar productos farmacéuticos patentados que no están disponibles en un país que no tiene capacidad de fabricación o una capacidad de fabricación insuficiente. Tal como se adoptó originalmente, el Acuerdo sobre los ADPIC no permitía la concesión de licencias obligatorias sólo para exportaciones, lo que impedía a los fabricantes genéricos exportar los productos requeridos a países que no podían producirlos. Si bien el nuevo artículo 31bis es un paso adelante ya que refleja las preocupaciones de salud pública, sería necesario simplificar los procedimientos para garantizar un acceso más amplio a los productos farmacéuticos a bajo costo y de manera oportuna.

* This piece was also published in Richard Parker and Jonathan Garcia, eds., *Routledge Handbook on the Politics of Global Health*, 1st ed. (London & New York, Routledge, 2016).

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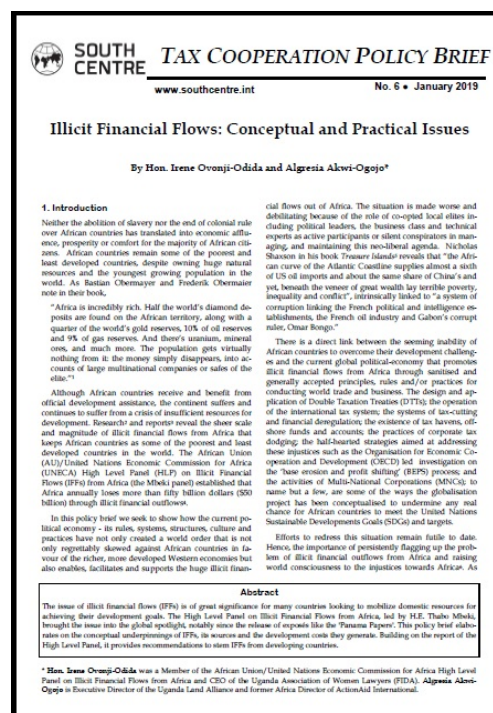
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Available from: <https://www.southcentre.int/policy-brief-57-january-2019/>

Tax Cooperation Policy Brief 6, January 2019: Illicit Financial Flows: Conceptual and Practical Issues



The issue of illicit financial flows (IFFs) is of great significance for many countries looking to mobilize domestic resources for achieving their development goals. The High Level Panel on Illicit Financial Flows from Africa, led by H.E. Thabo Mbeki, brought the issue into the global spotlight, notably since the release of exposés like the 'Panama Papers'. This policy brief elaborates on the conceptual underpinnings of IFFs, its sources and the development costs they generate. Building on the report of the High Level Panel, it provides recommendations to stem IFFs from developing countries.

SouthViews

SouthViews No. 173, 23 January 2019: E-commerce and Developing Countries: The South Asian Experience

The evolution of Electronic Commerce or E-Commerce has brought about a significant change in the way business is conducted across the globe. The e-commerce which emerged during early 2000 in the United States and other developed parts of the world has expanded to almost all the developing countries by now. Developing countries like India, Brazil, and Indonesia have provided a fertile ground for the growth of this sector and even surpassed many developed countries in terms of market size. There exist a lot of differences in the e-commerce market in South Asian countries. Although there has been a significant growth in this sector in the South Asian region, still it has a way to go.

Available from: <https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=3fb4cb574b>

Social Media

Twitter Highlights:

Top Tweet earned 2,065 impressions

We have launched a new dedicated web site (ipaccessmeds.southcentre.int) describing the various types of support the @South_Centre provides for full implementation of the #TRIPSflexibilities that can be used to foster legitimate competition and enhance #accesstomedicines.
pic.twitter.com/pHAf4Nu341



11 23

Top mention earned 102 engagements

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pic.twitter.com/pHAf4Nu341



11 23

Top media Tweet earned 1,938 impressions

Analysis on inequalities in the Intl. system by Carlos Correa, Exec Dir & Manuel Montes, Sr. Advisor at @South_Centre, published in 'International Policy Rules and Inequality: Implications for Global Economic #Governance' (editor J.A Ocampo, Columbia Univ. Press) #globeconomy pic.twitter.com/OK4qkjpWtu



8 9

South Centre @South_Centre · Jan 30
 Manuel F. Montes, @South_Centre Sr. Adviser, spoke on reform proposals toward New Intl. #Financial & #EconomicArchitecture at symposium "Financing for #SustainableDevelopment: Toward an #Economy of Life" on Role of Religion & Faith Based Orgs. in Intl. Affairs. #UN, NY, 29 Jan'19



Butch Manuel Montes

3 2

South Centre @South_Centre · Jan 30
 Dr. Carlos Correa, Exec. Director, @South_Centre discussed with Ambassador of Mozambique, Amadeu Da Conceição, development issues relevant for #Mozambique and possible activities in support of #nationalpolicies and Mozambique's participation in #internationalfora.

Translate Tweet



Carlos Maria Correa

1 1

JAN 2019 SUMMARY

Tweets

31

Tweet impressions

44.7K

Profile visits

3,881

Mentions

50

New followers

39

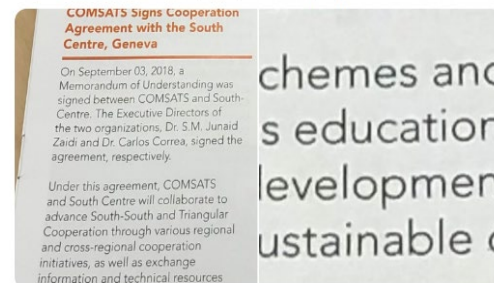
South Centre @South_Centre · Jan 30
 Dr. Carlos Correa, Exec. Director @South_Centre discussed with Algeria's Ambassador Boudjemaa Delmi issues covered by the South Centre's programs of particular interest for #francophone and for Arab countries, and how to enhance the Centre's cooperation with these countries.



Carlos Maria Correa

1 1

South Centre @South_Centre · Jan 29
 @South_Centre signed MOU with @COMSATS_en #SouthSouthCooperation Source: COMSATS Newsletter (Issue 5, Volume 10), September - October 2018



2 1

South Centre @South_Centre · Jan 29
 South Centre met Amb. Ramses Cleland & his staff to discuss developments in intl fora & further cooperation with #Ghana, including in IP, health & trade. The vision of Pres. Nyerere in promoting the creation of the @South_Centre as a research institution of the South was evoked.



1 2

South Centre @South_Centre · Jan 17
 The @South_Centre organized a briefing for the @WHO #EB144. 29 delegates from various developing countries participated.



German Velasquez and Nirmalya

2 6

South Centre @South_Centre · Jan 16
 At handover ceremony of chairmanship of #G77 & China. Special Advisor G. Velasquez thanked, on behalf of Exec. Dir. Carlos Correa, Amb. Farukh Amil of Pakistan, for his leadership & reiterated continuing support of the Centre to the group & new chair, Amb. Diego Aulestia, Ecuador



1 5

South Centre @South_Centre · Jan 24
 From 24 Jan-1 Feb 2019, the 144th session of the @WHO Exec Board #EB144 is taking place in Geneva. @South_Centre is following the deliberations particularly on issues of relevance for #developingcountries, including #AMR, #TB, #Accessmedicines and #UHC. who.int/news-room/even...



1 1 7

South Centre @South_Centre · Jan 17
 New analysis - #TRIPS amendment on compulsory licenses for #export of #medicines (article 31bis of TRIPS) by Exec. Dir. @South_Centre Carlos Correa, Publ. in Routledge Handbook on the Politics of #GlobalHealth (ed. by Richard Parker & Jonathan García)



Routledge Handbook on the Politics of Global Health...

In the early twenty-first century, key public health issues and challenges have taken centre stage on the global scene, and health has been placed at the heart of our...

routledge.com

1 5

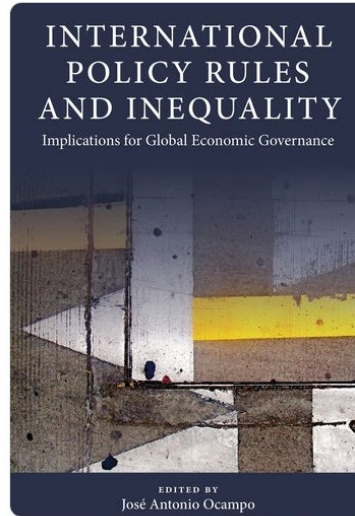
South Centre @South_Centre · Jan 15
 Recent analysis shows that returns from #cancerdrugs are much higher than what would be considered justifiable return for R&D costs; confirms need to develop new models for #drugresearch. See jamanetwork.com/journals/jaman...; who.int/phi/cewg/en/ #research #development #cancerresearch



Consultative Expert Working Group on Research a...
 WHO Member States requested the establishment of the Consultative Expert Working Group on Research and Development: Financing and Coordination (CEWG) in ...
 who.int

5 8

South Centre @South_Centre · Jan 10
Analysis on inequalities in the Intl. system by Carlos Correa, Exec Dir & Manuel Montes, Sr. Advisor at @South_Centre, published in 'International Policy Rules and Inequality: Implications for Global Economic Governance' (editor J.A. Ocampo, Columbia Univ. Press) #globaleconomy



Columbia's Initiative for Policy Dialogue, Carlos Maria Correa and Butch Manuel Montes

South Centre @South_Centre · Jan 24
#EuropeanParliament backs €120B #EU #research budget - example of State intervention to promote #industrialdevelopment. #Developingcountries' right to implement #industrialpolicies & achieve #SDGs need to be equally respected. sciencebusiness.net/framework-prog...; See southcentre.int/research-paper...

3 2

South Centre @South_Centre · Jan 4
It's time to seriously consider proposals for #developingcountries to withdraw consent - through unilateral declarations - for investor-state disputes under current BITs and move to a more balanced #investmentregime. See ccsi.columbia.edu/2018/04/24/cle... #ISDS #investments #investmentlaw

7 2

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