The South Centre Monthly

April 2019, Issue 10

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 January to 31 March 2019

This report summarizes the programmatic activities of the South Centre during the period 1st January to 31st March 2019. 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 1er janvier au 31 mars 2019. 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 enero y el 31 de marzo de 2019. 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.


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**PUBLICATIONS**

*Research Papers*

**Research Paper 94, April 2019: Tax Haven Listing in Multiple Hues: Blind, Winking or Conniving?**

*Tax havens are among the biggest challenges faced by developing countries in achieving their national development goals. States, international organisations, multilateral agencies and non-governmental organisations have all made several efforts at compiling ‘lists’ of tax havens at the multilateral and national levels, with varying levels of seriousness and outcomes. This research paper examines these efforts by analysing the objectivity of criteria used and the clarity of the final outcome in a comparative manner. The paper is organized into four sections dealing with the tax haven blacklisting by the Organisation for Economic Co-operation and Development (OECD), the countries of the South, the European Union (EU) and an analysis across lists. The concluding section offers some suggestions.*

Available from: https://www.southcentre.int/research-paper-94-april-2019/
This South Centre research paper discusses first, the limitations of the current research and development (R&D) model and its implications for access to medicines. Second, it considers the tension between intellectual property rights applied to medicines and States’ observance of the fundamental right to health. Third, it examines the case of access to medicines for the treatment of Hepatitis C, illustrating the barriers to access created by intellectual property and the high prices normally associated with its exercise. Fourth, it presents the background, main aspects and obstacles to the achievement of the objectives of the Doha Declaration on the TRIPS Agreement and Public Health (2001). To conclude, this paper examines the experiences of compulsory licensing and government use of patents in Latin America (particularly in Ecuador, Peru and Colombia).


Este documento de investigación del South Centre analiza primero las limitaciones del modelo actual de investigación y desarrollo (I&D) y sus implicaciones para el acceso a los medicamentos. En segundo lugar, considera la tensión entre los derechos de propiedad intelectual aplicados a los medicamentos y la observancia de los Estados del derecho fundamental a la salud. En tercer lugar, examina el caso del acceso a medicamentos para el tratamiento de la hepatitis C, ilustrando las barreras de acceso creadas por la propiedad intelectual y los altos precios normalmente asociados con su ejercicio. En cuarto lugar, presenta los antecedentes, los principales aspectos y los obstáculos para el logro de los objetivos de la Declaración de Doha sobre el Acuerdo sobre los ADPIC y la Salud.
Policy Briefs

Policy Brief 59, April 2019: The ‘obvious to try’ method of addressing strategic patenting: How developing countries can utilise patent law to facilitate access to medicines

The current patentability standards for pharmaceutical inventions, as well as strategic patenting used by pharmaceutical companies, have substantially impacted access to affordable medicines. This has been especially detrimental for developing countries, which are under significant pressure to remain compliant with their international and bilateral obligations, while also providing their people with essential drugs. In order to improve access to medicines, developing countries may choose from a range of various mechanisms that may help to facilitate such access, while also allowing them to remain compliant with their international and bilateral obligations. This policy brief suggests that one of such mechanisms is to strengthen the obviousness requirement by applying the ‘obvious to try with a reasonable expectation of success’ test to pharmaceutical follow-on inventions. It is argued that the application of this test may be an effective tool in addressing the negative effect of strategic patenting. It may help to prevent the extension of patent protection and market exclusivity of existing drugs by pharmaceutical companies and, as a result, may open such medicines up to generic competition.

Country experiences have revealed that international investment agreements (IIAs) could have an adverse policy impact on various policy areas that are generally important for developing countries in relation to the achievement of their development objectives. This policy brief gives an overview of challenges resulting from IIAs to major policy areas of concern to developing countries. These policy areas include industrial policy, tax reform, handling debt crisis, the use of capital controls, intellectual property rights, public-private partnerships, and climate change action in relation to investment in clean technologies.

Available from: https://www.southcentre.int/investment-policy-brief-17-april-2019/
The South Centre Statement was delivered by Mr. Carlos Correa, Executive Director, South Centre, to the Ministerial Meeting of the Group of 24, held at Washington D.C., on 11th April, 2019.

Available from: https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=0f43eed83b

The South Centre Statement was delivered by Mr. Carlos Correa, Executive Director, South Centre, to the Ministerial Meeting of the Group of 24, held at Washington D.C., on 11th April, 2019. The United Nations General Assembly endorsed the outcome document of the Conference on South-South Cooperation (BAPA+40) on 15 April 2019, which recognizes, inter alia, that ‘South-South and triangular cooperation contribute to the implementation of the 2030 Agenda for Sustainable Development’. It also recognizes that ‘South-South cooperation is conducted among countries of the South, including but not limited to the economic, social, cultural, environmental, and technical domains, that can take place in a bilateral, regional or inter-regional contexts, for developing countries to meet their development goals through concerted efforts, taking into account the principles of South-South cooperation’. It reiterated that ‘South-South cooperation is not a substitute for, but rather a complement to, North-South cooperation.’ The Group of 77 and China made a statement at the meeting that is accessible at https://www.g77.org/statement/getstatement.php?id=190415b

Available from: https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=7e9e68bf7b
The annual Spring meeting of the International Monetary and Finance Committee (IMFC) and the Development Committee consisting of the principals from capitals and the executive directors of the International Monetary Fund (IMF) and the World Bank took place in Washington DC from 8 to 14 April 2019. On the sidelines of the meeting of the Intergovernmental Group of Twenty-four on International Monetary Affairs and Development also known as G24, the 101st Meeting of Ministers and Governors was held on April 11. The group which represents the interests of developing countries in financial issues sent a strong message for reform in the international financial systems and called for a collective global response to resolve ongoing trade tensions within a rules-based trading system. The meeting was chaired by H.E. Julio Velarde, Governor of the Central Reserve Bank of Peru. Below is the Communiqué.

Available from: https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=3f1b14f038

SOUTHNEWS No. 251, 26 April 2019: Judges discuss intellectual property enforcement from a public health perspective in Paraguay
There is sufficient evidence to firmly engage in a process of fundamental reform of the international investment agreements (IIAs) and investor-State dispute settlement (ISDS) system. Developing countries’ negotiators and experts discuss the way forward during the 12th Annual Forum of Developing Country Investment Negotiators held in Cartagena, Colombia on 27 February -1 March 2019.

Available from: https://us5.campaign-archive.com/?u=fa9cf38799136b5660f367ba6&id=b6bece07de

Social Media

Twitter Highlights:

Top Tweet earned 2,203 impressions

The @South_Centre & the Supreme Court of Justice Paraguay @PoderJudicialPY will be jointly organizing a two day National Judges Training on Intellectual Property Rights, Enforcement & Public Health #publicinterestprotection #PropiedadIntellectual #CSJ See southcentre.int/sc-and-supreme... pic.twitter.com/Z9FTGiEcVn

Top media Tweet earned 1,998 impressions

Mr. Andres Tinajero Mullo, Ntl. Dir. #IndustrialProperty #Ecuador, signed w/ @South_Centre cooperation agreement & working prog on #IP & #accessstomeds, incl. analysis of #TRIPSflexibilities, normative reviews & trainings to be conducted by the Centre in Ecuador @SENADIEcuador pic.twitter.com/1LJfGr6dUI

APR 2019 SUMMARY

<table>
<thead>
<tr>
<th>Tweets</th>
<th>Tweet impressions</th>
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<tr>
<td>43</td>
<td>70.8K</td>
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<table>
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<tr>
<th>Profile visits</th>
<th>Mentions</th>
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<td>6,816</td>
<td>78</td>
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New followers: 35
Taller para jueces sobre “Flexibilidades del Acuerdo ADPIC con relación a la observancia” organizado por el Centro Sur y la Corte Suprema de Justicia fue declarado de interés nacional por la #CSJ #PropiedadIntelectual #publicintrepidprotection

El 11 y 12 de abril próximo se realizará el Taller para jueces sobre “Flexibilidades del Acuerdo ADPIC con relación a la observancia”, en sede Judicial de Ciudad del Este. La actividad fue declarada de interés por la #CSJ ...

Carlos Correa, @South_Centre Executive Director, presents at Smart IP Conference in Carthagena new research project on #technology transfer in #LatinAmerica to be carried out with the auspices of the #MauroPlanDiplomacy on #IntellectualProperty and #CompetitionLaw

Afsheen Kuro @Gender & #EqualEconomy panel: Trade policies have always been used to support #industrialisation. In digital economy, #datalocalisation regulations are new trade policies. What is good for #industrialisation & #employment is good for #women. Photo: @AfKuralica

Staminee Sivamathin Cheri, Osman (SWF) visited @South_Centre to discuss possible further collaboration between two institutions on health issues: AU-RHR vision-sharing #health4all & #SouthSouthcooperation in conducting R&D to address diseases prevailing in #developingcountries

South Centre @South_Centre - Apr 5

Students from the London School of Economics and Political Science (@LSEnews) visited the @South_Centre to discuss #Health and the Centre’s perspective on the #WorldHealthOrganization.

South Centre @South_Centre - Apr 5

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"Las disposiciones de observancia deben, al mismo tiempo, asegurar el ejercicio de los derechos legítimos de los titulares de propiedad intelectual y evitar el abuso de las mismas."  

CARLOS CORREA

"Uno de los factores más importantes para resolver los conflictos de propiedad intelectual en países en desarrollo es ofrecer a las personas la posibilidad de que obtengan los medicamentos necesarios que correspondan a su necesidad."  

CARLOS CORREA
Dr. Carlos Correa, Executive Director @South_Centre and Ambassador Henri El Monceau Permanent Representative @OIF francophones discuss the possibilities of strengthening cooperation to broaden the presence of the French language in the work of the South Centre.

The @South_Centre was pleased to host Ambassador Ms. Saja Majali, PR of the Hashemite Kingdom of Jordan to the UN & other int’l. orgs. in Geneva. We discuss further cooperation and interaction with the South Centre on policy matters relevant to Jordan.

Deputy Permanent Representative of the United Republic of Tanzania, Mr. Robert Kamunila Vedasto Kahengadaga and Dr. Carlos Correa, Exec. Director @South_Centre exchanged views on current developments and discussed further cooperation on #policy and other matters.

The @South_Centre was pleased to host Ambassador of the Dominican Republic to the WTO & other int’l. orgs. Ms. Karline Nault. The opportunity to discuss further cooperation at int’l. & regional levels. The Centre is eager to improve presence & expand activities in the Caribbean.
We significant progress in #systemicreform called for in Financing for Devt process. Domestic prd. Investment will be insufficient to achieve #SDG's due high financing costs arising from act. #EconomicCrisis - Dr. Manuel F. Montes @South_Centre St. Advisor, 2019 #FDForum NY.

The @South_Centre & the Supreme Court of Justice of #Paraguay delivered a national training to judges on #FD & #GlobalHealth with a focus on #FDmortgage. Participants assessed the workshop as excellent. @SouthCentreCom campaña-archivo?2f7f47799... 500 4z0 

#WorldFDDay: learn how the @South_Centre is promoting #Regimes that are supportive of #PublicHealth. Visit: @publicmed.southcentre.int

#Rights&Development is at the centre of discussions in Geneva this week. The @South_Centre will be attending and speaking at the 28th Session of the Working Group on the Right to Development, which is expected to launch discussions towards a legally binding instrument on the RBD

The expanding prominence of the #Articokeconomy creates challenges on the allocation of #sigtot for developing countries. The @South_Centre peer exchange meeting in #NY was an opportunity to identify opportunities and solutions that serve to developing countries' interests.