

# **South Centre Publications January - June 2025**



## RESEARCH PAPERS

### **International Regulation of Industrial Designs: The TRIPS Agreement in the Light of European Union Law (Research Paper 212, 9 January 2025)**

*By Adèle Sicot*

This paper analyzes the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) on industrial designs, and the manner in which the narrow aspects dealt with by the Agreement have been addressed by European Union (EU) legislation. The paper highlights the absence of a definition of protectable subject matter, and the considerable flexibility left to the member countries of the World Trade Organization to determine the framework of protection, notably on the basis of copyright. The paper also notes certain areas in which European legislation is more elaborate, and others which could be considered incompatible with the TRIPS Agreement.

<https://www.southcentre.int/research-paper-212-9-january-2025/>

### **Application of the Bolar Exception: Different Approaches in the EU (Research Paper 214, 15 January 2025)**

*By Dmytro Doubinsky*

This Research Paper addresses the growing problem of access to essential medicines, focusing on the role of intellectual property rights, particularly patent rights, in restricting access by enabling pharmaceutical market monopolies that keep drug prices high. The paper explores the Bolar exception, a legal mechanism designed to allow generic drug manufacturers to seek regulatory approval before a patent expires, thus preventing the de facto extension of patent monopolies. The study examines the transformation of the Bolar exception from a specific legal case into a significant tool of intellectual property, commercial, and pharmaceutical law. The paper analyzes key international legal frameworks and European directives related to the Bolar exception and highlights divergent interpretations of the Exception in German and Polish case law. Through this comparative analysis, the paper argues for the broader implementation of Bolar exceptions to improve access to affordable medicines and reduce healthcare costs.

<https://www.southcentre.int/research-paper-214-15-january-2025/>

### **Assessing Five Years of the African Continental Free Trade Area (AfCFTA): Proposals on Potential Amendments (Research Paper 215, 23 January 2025)**

*By Kiiza Africa*

On 30<sup>th</sup> May 2024, the African Continental Free Trade Area (AfCFTA) celebrated its fifth anniversary, which legally implied that the agreement is up for review for possible amendments. To kickstart this review, the Thirty-Seventh Ordinary Session of the African Union Summit (held in February 2024) directed the AfCFTA Secretariat to take necessary measures for the start of the review of the Agreement. This review comes at a moment when the AfCFTA implementation and its vehicle, the Guided Trade Initiative (GTI), have been fraught with challenges. Broadly, these challenges include the slow submission of tariff liberalization schedules by State Parties, infrastructure deficits, persistent non-tariff barriers and trade wars in regional economic communities, and overlapping regional trade commitments. Thus, the upcoming AfCFTA review provides an opportunity to assess progress, identify implementation bottlenecks, and propose actionable amendments. This paper examines these challenges through a comprehensive analysis of the AfCFTA's state of play, illuminating the progress while highlighting the slow momentum registered for the past five years of its operation. Proposals for the agreement's amendment revolve on accelerating infrastructure development, harmonizing rules of origin, integrating labor rights, and fostering industrial diversification. By moving beyond liberalization as its *raison d'être* and prioritizing the scaling up of State Parties' productive capacities, the AfCFTA can evolve from a mere trade liberalization agreement into a transformative driver of Africa's economic

renaissance. It is hoped that this timely assessment underscores the urgency of reorienting the AfCFTA to unlock its full potential for propelling intra-Africa trade.

<https://www.southcentre.int/research-paper-215-23-january-2025/>

### **Will the Pact for the Future Advance a Common Global Agenda on the Challenges Facing Humanity? (Research Paper 216, 27 February 2025)**

*By Viviana Munoz Tellez, Danish, Abdul Muheet Chowdhary, Nirmalya Syam, Daniel Uribe*

At a time when multilateralism is needed more than ever to address the global challenges and rising geopolitical tensions, paradoxically, the capacity and delegated power of the United Nations (UN) to uphold a rule-based order to keep peace and security is being weakened. Even in an increasingly multipolar world, a retreat towards unilateralism by world powers masked as national sovereignty is dangerous and highly unfavourable for developing countries. In this light, the United Nations Pact for the Future, a new forward-looking agenda of commitments adopted by consensus by UN Member States in September 2024, is a welcome initiative. The Pact for the Future, nonetheless, is short in delivering commitments on transformative changes in global governance and solutions to the most pressing global challenges. This document briefly examines some of the actions and high-level commitments in the Pact of the Future to strengthen multilateral cooperation and provides recommendations for their implementation.

<https://www.southcentre.int/research-paper-216-27-february-2025/>

### **Application de l'Exception Bolar: Différentes approches dans le droit de l'UE (Document de Recherche 214, 20 mars 2025)**

*Par Dmytro Doubinsky*

Ce Document de recherche aborde le problème toujours plus aigu de l'accès aux médicaments essentiels, en se concentrant sur le rôle des droits de propriété intellectuelle, en particulier les droits de brevet, qui restreignent l'accès en permettant des monopoles sur le marché pharmaceutique qui maintiennent les prix des médicaments à un niveau élevé. Le document explore l'exception Bolar, un mécanisme juridique conçu pour permettre aux fabricants de médicaments génériques de demander l'approbation réglementaire avant l'expiration d'un brevet, empêchant ainsi l'extension de facto des monopoles de brevets. L'étude examine la transformation de l'exception Bolar d'un cas juridique spécifique en un instrument important en matière de droit de la propriété intellectuelle, de droit commercial et de droit pharmaceutique. Elle analyse les principaux cadres juridiques internationaux et les directives européennes relatifs à l'exception Bolar et met en évidence les interprétations divergentes de l'exception dans les jurisprudences allemande et polonaise. Grâce à cette analyse comparative, le document encourage une mise en œuvre plus large des exceptions Bolar afin d'améliorer l'accès à des médicaments abordables et de réduire les coûts des soins de santé.

<https://www.southcentre.int/document-de-recherche-214-20-mars-2025/>

### **Cross-Border Enforcement of Copyright: A Special Emphasis on Court Decisions and Arbitral Awards (Research Paper 217, 20 May 2025)**

*By Hany Salem*

In today's digitally interconnected world, copyright infringement frequently crosses national borders, presenting complex legal challenges for effective enforcement of intellectual property rights in general, and copyright in particular. This paper examines the challenges associated with cross-border copyright enforcement, particularly the critical role of Private International Law (PIL) in the recognition and enforcement of foreign court decisions and arbitral awards. Although foundational treaties such as the Berne Convention, the TRIPS Agreement, and the WIPO Copyright Treaty establish essential principles



of international copyright protection, they offer very limited guidance on resolving procedural and jurisdictional issues that arise in cross-border Copyright disputes.

The analysis contends that the territorial nature of copyright law, compounded by fragmented and insufficiently developed PIL frameworks, creates legal uncertainty and inefficiency for rightsholders to secure effective remedies. To address these shortcomings, the study underscores the need for a more coherent and harmonized international PIL approach. It further explores the potential of soft law instruments – particularly the 2020 Kyoto Guidelines – as a constructive step toward resolving PIL issues related to international copyright disputes. By narrowing the gap between domestic legal systems and international enforcement mechanisms, these developments could significantly enhance legal predictability and access to justice in the global digital environment.

<https://www.southcentre.int/research-paper-217-20-may-2025/>

### **Winds of Change: The BRICS Club of Nations Chipping Away at Western Dominance – The Dawn of the New South (Research Paper 218, 12 June 2025)**

*By Len Ishmael, PhD*

This era of polycrises, a global health pandemic coupled with wars in Europe and the Middle East, against the backdrop of Great Power rivalry and climate related emergencies, has profoundly affected all countries, rich and poor alike. Disproportionately affected have been those of the Global South for whom the World Bank has cautioned a ‘decade of lost development.’ As rising geopolitical tensions fuel security concerns, the nature of economic ties between countries is changing. Several countries – spearheaded by BRICS members – have started to consider alternatives to the Western financial institutional architecture in a bid to safeguard their own interests. These measures risk fragmenting the existing global financial infrastructure and derailing benefits derived from decades of economic integration in the face of new barriers to cross border investment, commerce, and trade. Recent research shows that trade restrictions have more than tripled since 2019, financial sanctions have expanded and the geopolitical risk index has also spiked, following Russia’s invasion of Ukraine. After decades of accepting the West’s rules, there is a sense that the era of the Global South is dawning, and that Western interests are no longer *de facto* those of the rest of the world. It is in this milieu that the BRICS and their initiatives take on heightened economic and political significance.

<https://www.southcentre.int/research-paper-218-12-june-2025/>

### **Reducing the Cost of Remittances – A Priority for the Global South (Research Paper 219, 16 June 2025)**

*By Danish*

Remittances are a lifeline for many households in low and middle income countries (LMICs), and have emerged as an important source of external financing for sustainable development. With over 800 million people dependent on remittances worldwide, their importance for developing and least developed countries is well established. However, the high cost of remittances remains a significant challenge, and despite global commitments to reduce these costs, progress has slowed down.

This paper thus provides an assessment of the current drivers of remittance costs and explores the relevant policy discussions and initiatives at the United Nations (UN) and Group of Twenty (G20). It further highlights the continuing challenges as well as the innovative solutions such as increasing digitalisation and development of cross-border fast payment systems in different regions of the global South. The upcoming Fourth International Conference on Financing for Development (FfD4) and G20 initiatives under South Africa’s Presidency present important opportunities for the international community to redouble its efforts and make concrete, ambitious commitments to lower the cost of remittances. Finally, the paper provides some relevant policy considerations and recommendations, especially to accelerate the implementation of existing commitments, leverage digital public infrastructure and to discourage levying of taxes on remittance flows to developing countries.

<https://www.southcentre.int/research-paper-219-16-june-2025/>

## **Harnessing Open Account Trade — A Major Enabler for Illicit Financial Flows from Developing Countries**

***Can blockchain technology come to the rescue? Will the African Continental Free Trade Area leverage its Digital Trade Protocol? (Research Paper 220, 25 June 2025)***

*By Yuefen Li*

The current geopolitical landscape has made domestic resource mobilization an even more important imperative for developing countries. In this context, it is more urgent than ever to combat illicit financial flows (IFFs) whose staggering amount from developing countries has outstripped the combined sum of official development assistance (ODA) and foreign direct investment (FDI) going into the developing world. The IFFs from the financial channel is significant, but the greater proportion of IFFs actually stems from trade channels rather than from financial channels. It is particularly concerning that the flexibility and legitimacy of international trade have been exploited to cover IFFs. Trade mis-invoicing is the largest component of IFFs from developing countries. A major reason for trade being used to undertake illicit, fraudulent or criminal activities is because 80%-85% of the more than US\$ 24 trillion international trade is conducted via open account trade (OAT), which has minimum scrutiny as it is conducted on a bilateral basis between the importer and exporter, not transparent and with minimal involvement of the financial institutions and customs authorities. OAT payment does not require documents to prove quality, quantity and other information about the product being shipped and is made through automatic payment systems which lack the oversight provided by any third party. OAT gives trade mis-invoicing great ease, flexibility, minimal cost and minimal risk. Therefore, if the world is serious about combatting IFFs, it is urgent and imperative to close loopholes in the OAT for IFFs, making it transparent, trackable and involving third party monitoring and scrutiny. The functionalities and features of Blockchain technology (BCT), though its implementation is still nascent, can be a good candidate to make OAT more modern, transparent to regulators, traceable, more efficient and above all minimize IFFs. The goals of the African Continental Free Trade Area (AfCFTA)'s Digital Trade Protocol (DTP) include boosting intra-African trade through unifying and harmonizing regulatory framework for Africa's digital economy and regional trade, promoting cross-border data flows and paperless trade, and enhancing cybersecurity measures. The exploration of Blockchain adoption to reduce OAT's risks for IFFs and make trade more effective aligns well with DTP's goals.

<https://www.southcentre.int/research-paper-220-25-june-2025/>

## **POLICY BRIEFS**

### **The WIPO Development Agenda: Progress and Challenges in 2025 (Policy Brief 134, 28 January 2025)**

*By Nirmalya Syam*

The World Intellectual Property Organization (WIPO) Development Agenda (DA), adopted in 2007, seeks to align intellectual property (IP) policies with the development priorities of member States. Enduring challenges persist despite some progress including the adoption of treaties to facilitate access to copyright protected works for visually impaired and print disabled persons, and the recent treaty on IP, genetic resources and associated traditional knowledge, and the adoption of several projects for implementing different DA recommendations. DA projects, however, have had limited impact on mainstreaming a development orientation in WIPO, there is limited promotion of use of IP flexibilities for development, and WIPO's technical assistance continues to lack a development orientation. There is also a sustained absence of consideration and reporting of development related issues across WIPO bodies. Divergent interpretations of "development", weak coordination and monitoring systems, and governance inequities have hindered the DA's transformative potential. This brief examines these issues and advances recommendations to address the challenges to establish an effective DA.

<https://www.southcentre.int/policy-brief-134-28-january-2025/>

### **The Riyadh Design Law Treaty: Harmonizing Global Design Procedures with Mixed Implications (Policy Brief 135, 20 February 2025)**

*By Nirmalya Syam*

The Riyadh Design Law Treaty (DLT), adopted on November 22, 2024, aims to harmonize and simplify the global registration procedures for industrial designs. By standardizing procedural requirements across jurisdictions, the treaty seeks to create a more predictable and accessible system for designers, particularly benefiting small-scale designers and small and medium-sized enterprises (SMEs). However, the DLT can have implications for developing countries, as many lack significant design-intensive industries. Key provisions in the DLT include a 12-month grace period, deferred publication, divisional applications, and the option to require disclosures regarding traditional knowledge and cultural expressions used in a design. While the treaty enhances global design protection, concerns persist regarding its impact on local designers, market competition, and procedural fairness. The immediate advantages of the DLT for developing countries are limited, highlighting the need for continued technical assistance and capacity-building efforts.

<https://www.southcentre.int/policy-brief-135-20-february-2025/>

### **Lessons from COVID-19: Strengthening Antimicrobial Stewardship Prior and During Pandemics (Policy Brief 136, 25 February 2025)**

*By Dr Rasha Abdelsalam Elshenawy*

The COVID-19 pandemic has had a complex impact on the silent pandemic of antimicrobial resistance (AMR). While increased antibiotic misuse and disrupted antimicrobial stewardship (AMS) programs exacerbated AMR in some settings, heightened awareness and improved infection prevention measures implemented to control COVID-19 provided valuable lessons on sustaining these practices in the fight against AMR. This brief highlights lessons learned from the pandemic, such as the importance of access to antimicrobials and the urgent need for resilient and sustainable AMS integrated into pandemic preparedness, strengthening infection prevention and surveillance systems, enhancing access and use of diagnostics, and promoting a One Health approach. By leveraging these lessons, policymakers can build more resilient health systems, maintain the effectiveness of antimicrobials and be better prepared for future pandemics, particularly in developing countries. Immediate action is essential to protect public health and combat AMR effectively.

<https://www.southcentre.int/policy-brief-136-25-february-2025/>

## **Leveraging the Antimicrobial Resistance Declarations of 2024 to Reduce the Burden of Drug-Resistant Infections (Policy Brief 137, 14 March 2025)**

*By Afreenish Amir & Viviana Munoz Tellez*

In 2024, two significant events highlighted the global concern about antimicrobial resistance (AMR). AMR is a pressing global health issue, imperiling public health, economic stability, and societal well-being. The 79<sup>th</sup> United Nations General Assembly (UNGA) in its special session on AMR and the 4th Ministerial Meeting on AMR have emphasized the need for collective action and international cooperation to mitigate the impact of AMR. The UNGA Declaration has set some targets including reducing global deaths associated with bacterial AMR by 10% by 2030 and enhancing the antimicrobial usage from the World Health Organization (WHO) AWaRe (Access, Watch, Reserve) Access category to 70% by 2030. Accomplishing these targets requires enhancing the inter-ministerial and inter-sectoral collaboration within countries, and the development of strategies reflected in national action plans (NAPs) tailored to each country's unique dynamics. There are several important commitments made that now need to be implemented, including increased support to countries to develop funded NAPs, the establishment of an Independent Panel on Evidence for Action against AMR, capacity building for local manufacturing of vaccines, therapeutics, diagnostics and essential supplies, developing a new Global Action Plan on AMR by 2026 with a focus on a people centered approach, and advancing cross-sectoral behavioral change interventions. However, these fell short of ambition, particularly in key areas such as financing, reduction of misuse and overuse of antimicrobials in human and animal health and the environment as a vector for AMR. This Policy Brief reviews the new commitments on AMR made in 2024 under the light of current challenges in developing countries and advances recommendations to accelerate progress on AMR.

<https://www.southcentre.int/policy-brief-137-14-march-2025/>

## **Will the Global Digital Compact ensure an equitable future for Developing Countries? (Policy Brief 138, 27 March 2025)**

*By Daniel Uribe*

The Global Digital Compact (GDC), adopted by the United Nations General Assembly in 2024, aims to establish a framework for equitable digital transformation, particularly for developing countries. While the GDC acknowledges the importance of human rights, bridging the digital divide, and ensuring a just transition, it faces significant challenges in addressing structural inequalities and implementing robust accountability mechanisms. This paper examines the GDC's potential to foster an inclusive digital future, highlighting the necessity of addressing fundamental rights, promoting business accountability through a legally binding instrument, and recognising the interconnectedness of digital inclusion with access to essential resources like energy, education, and healthcare.

<https://www.southcentre.int/policy-brief-138-27-march-2025/>

## **Advancing Women's, Children's and Adolescents' Health and Inequalities in Sexual, Reproductive, Maternal, Newborn, Child and Adolescent Health: Highlights from the 156th Meeting of the World Health Organization's Executive Board (Policy Brief 139, 23 April 2025)**

*By Bianca Carvalho, Viviana Munoz Tellez*

This policy brief examines discussions from the WHO's 156th Executive Board meeting (February 2025) on the Global Strategy for Women's, Children's and Adolescents' Health. The Director-General reported many countries falling behind on SDG targets for maternal and child mortality, with persistent inequalities in healthcare access. Member States emphasized the urgent need to accelerate progress through universal access to comprehensive sexual and reproductive health services and rights,

including the right to make informed decisions about reproduction free from discrimination, coercion, and violence. Recommendations focused on priorities for updating the Global Strategy and increasing investments. Two resolutions were advanced: one on regulating digital marketing of breast-milk substitutes (proposed by Brazil and Mexico) and another on World Prematurity Day (proposed by Tanzania). These will be considered for adoption by the World Health Assembly in May 2025.

<https://www.southcentre.int/policy-brief-139-23-april-2025/>

## **Global Digital Compact: Charting a New Era in Digital Governance? (Policy Brief 140, 30 April 2025)**

*By Aishwarya Narayanan*

The Global Digital Compact, adopted during the Summit of the Future in September 2024, is the first truly multilateral instrument which addresses issues relating to global digital governance in a comprehensive and systematic manner. While this is a remarkable step forward in terms of increasing representation, enhancing coordination and addressing fragmentation in digital governance, consensus was difficult to achieve and there remains considerable confusion around its interplay with existing initiatives and mechanisms within the United Nations system. Despite implementation efforts already being underway, its true impact and potential to bridge digital divides will only be revealed in the time to come.

<https://www.southcentre.int/policy-brief-140-30-april-2025/>

## **Scaling Up the Health Response to Climate Change: Highlights from the World Health Organization Executive Board's 156th Meeting on the Global Action Plan on Climate Change and Health (Policy Brief 141, 15 May 2025)**

*By Bianca Carvalho*

The Executive Board of the World Health Organization (WHO), during its 156th meeting held from 3-11 February 2025, discussed a draft Global Action Plan on Climate Change and Health (2025 – 2028) (EB156/40). This policy brief explains the content of the draft Global Action Plan and summarises the feedback provided by Member States during the Executive Board meeting.

Member States at the 156th WHO Executive Board meeting made recommendations for the Global Action Plan, including to ensure that equity remains central, to foster collaboration across sectors, and to enhance support mechanisms—both technical and financial—for developing countries addressing the intersection of climate change and health challenges. Member States also called for more consultations before the draft Global Action Plan is considered for adoption at the 78th World Health Assembly in May 2025.

<https://www.southcentre.int/policy-brief-141-15-may-2025/>

## **Education & Learning and the Global Digital Compact (Policy Brief 142, 22 May 2025)**

*By Kishore Singh*

The Global Digital Compact, annexed to the Pact for the Future, adopted by the international community at the United Nations Summit of the Future in September 2024, is an ambitious move by the international community to leverage digital technologies for attaining the Sustainable Development Goals (SDGs). It embodies a series of decisions with political commitments for action, with a cautious approach, which relate *ipso facto* to Sustainable Development Goal (SDG) 4, with a focus on skills development.

Salient features of the Global Digital Compact, notably, a human-centric approach to the life cycle of digital and emerging technologies, along with human oversight of technology, treating digital as a



common good, the importance accorded to “equitable digital environment for all” and the need for common frameworks and standards for digital public infrastructure and services, etc., have far reaching implications for education and learning.

As a follow up to the Global Digital Compact, it is incumbent upon governments to recalibrate education and learning. This can stimulate policy measures for National Skills Development Strategies. In tune with the principles and policy directions in the Global Digital Compact, this can go a long way in tackling some key issues and challenges with which the education system is beset today. The creation of an equitable learning environment, envisaged by the Global Digital Compact, can be pivotal for bridging a deeply entrenched digital divide. The principle of making the digital subservient to a public good can be a bulwark against forces of privatisation and reverse the trend of flourishing ‘edu-business’, reinforced by ‘edu-tech’. This is invaluable for preserving education and learning as a public good. Similarly, it would be salutary if pursuant to the human-centric approach to technologies embraced by the Global Digital Compact, the risks that digital technologies carry, their pitfalls and perils and their dehumanizing consequences in education are fully addressed. While fostering a humanistic mission of education and learning, such action measures necessitate setting limits to digital technologies which are supplanting the education system.

High expectations placed by governments on international cooperation and multistate partnerships, especially for financial and technical support to developing countries, call for a prudent stance, bearing in mind a rather discouraging experience in this respect.

The challenges in operationalizing the Global Digital Compact are formidable. They require resolute action by governments for living up to their commitments, supported by necessary resources and robust public policies based upon the norms and principles established by the Compact.

<https://www.southcentre.int/policy-brief-142-22-may-2025/>

### **Impact of Global Trade Tensions on Developing Countries: How to respond to a reset of the global economic system (Policy Brief 143, 28 May 2025)**

*By Yuefen Li*

The recent unilateral, significant and broad-ranging tariff hikes by the new United States administration have triggered unprecedented trade tension in the world and led to significant downward revisions of the world’s economic and trade growth projections for 2025 and beyond. The main aims of the U.S.’ trade policies are complex and strategic, not only about reducing the trade and fiscal deficits, but also addressing the dollar overvaluation problem, “reconfig(ing) the global trading and financial systems to America’s benefit”, promoting economic “fairness” and “making America great again”. As what has frequently happened before, the poor countries are disproportionately affected by the negative repercussions of these policies, owing to their financial and capacity constraints and weaknesses to absorb the impact. This short paper analyses through which channels and to what degree trade tension would introduce economic, financial and political stability risks for developing countries, particularly in financially distressed developing countries. A few policy recommendations are also briefly mentioned.

<https://www.southcentre.int/policy-brief-143-28-may-2025/>

### **Sexual and Reproductive Health and Rights in the Context of International Human Rights (Policy Brief 144, 18 June 2025)**

*By Carlos Correa and Daniel Uribe*

This policy brief examines the growing recognition of sexual and reproductive health and rights (SRHR) within the framework of international human rights law. It traces the evolution of this consensus through key United Nations (UN) General Assembly and Human Rights Council resolutions, foundational documents like the International Conference on Population and Development (ICPD) Programme of Action and the Beijing Platform for Action, and the interpretative work of human rights treaty bodies.

These instruments increasingly affirm that SRHR are an integral component of the right to health and are essential for gender equality. However, this brief also highlights the challenges these common efforts face in line with other views, which prioritise national sovereignty in determining policies on reproductive health. The analysis highlights the tension between the evolving international human rights framework and state-centric approaches, concluding with the imperative for ongoing dialogue to solidify and implement SRHR as universal, inalienable human rights.

<https://www.southcentre.int/policy-brief-144-18-june-2025/>

## OTHER PUBLICATIONS

### **Combatting overcompliance with unilateral coercive measures – Discussions from South Centre Consultation (South Centre Report, January 2025)**

*By Yuefen Li and Danish*

In view of the severe negative impacts of unilateral coercive measures (UCMs) on targeted countries and the international community, and at the request of South Centre Member States, the South Centre organized a meeting on 18 November 2024 with the participation of senior diplomats from a number of developing countries, several of whom have been targeted by UCMs. The meeting focused on the trends and main drivers of overcompliance with UCMs among multinational firms and financial institutions, and the strategies that can be employed to mitigate overcompliance, especially in relation to humanitarian exemptions.

<https://www.southcentre.int/south-centre-report-ucms-overcompliance-consultation-january-2025/>

### **Submission by the South Centre to the Office of the United Nations High Commissioner for Human Rights on Inputs for the comprehensive report on ensuring access to medicines, vaccines and other health products (HRC resolution 50/13) (January 2025)**

The South Centre has provided input for the OHCHR report on new developments and challenges in ensuring access to medicines, vaccines and other health products.

<https://www.southcentre.int/sc-submission-to-ohchr-for-hrc-resolution-50-13-january-2025/>

### **Report on Antimicrobial Stewardship and AMR Surveillance: Insights from The South Centre WAAW 2024 Webinar (South Centre WAAW 2024 Webinar Report, February 2025)**

*By Dr Rasha Abdelsalam Elshenawy*

How can we enhance antimicrobial resistance (AMR) surveillance and antimicrobial stewardship (AMS) in resource-limited settings?

The South Centre World Antimicrobial Resistance Awareness Week (WAAW) 2024 Webinar Report highlights barriers, innovative digital tools, and global strategies to combat AMR effectively.

<https://www.southcentre.int/south-centre-waaw-2024-webinar-report-february-2025/>

### **South Centre Input on the update to the technical guidance on the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity pursuant to HRC resolution 54/16 (February 2025)**

Maternal mortality is a global crisis. The South Centre input calls for urgent action: addressing intersectional discrimination, improving the quality of care, and tackling root causes like poverty, and to guarantee that every woman has access to a safe childbirth.

<https://www.southcentre.int/sc-input-on-update-to-technical-guidance-pursuant-to-hrc-resolution-54-16-february-2025/>

### **South Centre Inputs to the Expert Mechanism on the Right to Development Study on Climate Justice, Sustainability, and the Right to Development (February 2025)**

The South Centre inputs to the Expert Mechanism on the Right to Development Study on Climate Justice, Sustainability, and the Right to Development makes a call for upholding Common but Differentiated Responsibilities and Respective Capabilities (CBDRRC) in ensuring a just transition,

protecting the human rights of the most affected populations and reforming Investor-State Dispute Settlement (ISDS) mechanisms that threaten climate action.

<https://www.southcentre.int/sc-inputs-to-the-expert-mechanism-on-the-rtd-study-february-2025/>

### **Fossil Fuel-based Economy and Human Rights**

#### **South Centre Inputs to Inform the Thematic Report of the Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change to the Human Rights Council 59th session (February 2025)**

The South Centre calls for a Just Transition away from fossil fuels, centering the rights of marginalized communities & the principle of common but differentiated responsibilities.

<https://www.southcentre.int/sc-submission-to-the-sr-on-climate-change-fossil-fuel-based-economy-human-rights-february-2025/>

### **Unifying Efforts against Antimicrobial Resistance: Supporting Collective Efforts During WAAW 2024 (South Centre Report, March 2025)**

*By Francesca Chiara*

Antimicrobial Resistance (AMR) is an escalating global health challenge, demanding urgent and coordinated efforts. During World AMR Awareness Week (WAAW) 2024, 27 impactful projects targeting more than 20 countries across Africa, Asia and Latin America amplified the theme “Educate, Advocate, Act Now.” The projects were selected by the South Centre for funding, with support of the United Kingdom Fleming Fund. This is the third year this financial support is offered to selected Civil Society Organization (CSO) projects, based on a call for applications.

These initiatives directly reached over 3000 individuals through training sessions, workshops, and targeted advocacy campaigns. Many more were engaged through social media and grassroots activities. This overview highlights the transformative impact of these campaigns.

<https://www.southcentre.int/south-centre-report-march-2025/>

### **Contribución del Centro Sur al Informe del Secretario General de las Naciones Unidas sobre la aplicación de la Resolución A/RES/79/7 de la Asamblea General sobre la “Necesidad de poner fin al bloqueo económico, comercial y financiero impuesto por los Estados Unidos de América contra Cuba” (South Centre Input to UNSG Report on Implementation of UNGA Resolution A/RES/79/7, March 2025)**

Esta contribución del Centro Sur se presenta en respuesta a la solicitud del Secretario General como un aporte al informe del Secretario General de acuerdo a la resolución **A/RES/79/7**, con respecto a la imposición de medidas económicas, financieras y comerciales unilaterales por parte de los Estados Unidos de América, contra Cuba, en violación de los principios básicos de la Carta de las Naciones Unidas y el Derecho Internacional.

<https://www.southcentre.int/south-centre-input-to-ungsg-report-on-implementation-of-unga-resolution-a-res-79-7-march-2025/>

### **Advancing National Action Plans on Antimicrobial Resistance amidst Health Financing Challenges (South Centre Webinar Report, April 2025)**

*By Afreenish Amir*



The South Centre held a webinar on advancing national action plans (NAPs) on Antimicrobial Resistance (AMR) amidst health financial challenges, on 20 March 2025. The webinar brought together various national focal point leads for NAPs on AMR and international experts.

<https://www.southcentre.int/sc-report-amr-naps-health-financing-april-2025/>

### **Advancing Antimicrobial Stewardship Policies: Lessons from the COVID-19 Pandemic and Priorities for Future Health Emergencies (South Centre Webinar Report, May 2025)**

*By Dr Rasha Abdelsalam Elshenawy*

Our recent South Centre webinar examined how the pandemic created a dual challenge for global health:

- MISUSE: 35-75% of hospitalized COVID-19 patients received antibiotics despite low bacterial co-infection rates.
- ACCESS BARRIERS: The pandemic disrupted supply chains and healthcare access, limiting antimicrobial availability in many regions.

This paradox—overuse alongside access challenges—must inform future pandemic preparedness.

Our experts call for:

- Integrating antimicrobial stewardship into emergency response
- AMS frameworks must be established BEFORE health emergencies
- Strengthening surveillance systems and diagnostic capacity
- Ensuring sustainable and equitable access to antimicrobials

<https://www.southcentre.int/sc-webinar-report-ams-covid-19-pandemic-preparedness-may-2025/>

### **Scope of Compulsory License and Government Use of Patented Medicines (Compulsory License & Government Use Table, June 2025)**

To meet public health needs governments can use compulsory licenses and government use as a tool for procurement and import of patented medicines. These mechanisms are provided for in most laws worldwide. The WTO TRIPS Agreement, as reaffirmed by the Doha Declaration on TRIPS and Public Health, recognises the right of WTO members to grant compulsory licenses and their freedom to determine the grounds upon which such licenses may be granted.

This table provides information of instances of their use.

<https://www.southcentre.int/compulsory-license-government-use-table-june-2025/>

### **Advancing Women and Girls' Health in a Time of Converging Crises (South Centre Briefing Report, June 2025)**

The South Centre hosted a high-level briefing session aimed at advancing the health rights of women and girls in the face of multiple global challenges. The meeting coincided with the South Centre's 30th anniversary and the 30th anniversary of the Beijing Declaration and Platform for Action, bringing together ambassadors, health experts, and representatives of international organisations to discuss the protection and advancement of sexual and reproductive health and rights (SRHR) in the Global South.

<https://www.southcentre.int/sc-briefing-report-on-srhr-june-2025/>

**Policy in Practice: Implementing Antimicrobial Stewardship Post-COVID-19  
Q&A and Commentary  
(South Centre Technical Report, June 2025)**

*By Dr Rasha Abdelsalam Elshenawy*

This report summarises the key questions and expert commentary for the South Centre, as well as the [South Centre Policy Brief](#) on lessons from the COVID-19 pandemic, to strengthen antimicrobial stewardship and provide practical recommendations discussed during the [South Centre webinar](#) on “Strengthening Antimicrobial Stewardship: Policy Insights from COVID-19 and Future Pandemic Preparedness.”

<https://www.southcentre.int/sc-technical-report-on-ams-post-covid-19-26-june-2025/>

## **SOUTHVIEWS**

### **Contract-based Arbitration: Lessons Learned from Bolivia's Extractives Industries (SouthViews No. 281, 31 January 2025)**

*By Daniel Uribe Teran*

Bolivia has undergone a significant shift in its approach to investment dispute resolution, moving away from reliance on Bilateral Investment Treaties (BITs) and international arbitration towards domestic mechanisms and contract-based arbitration. This shift, driven by a desire to assert greater state sovereignty over natural resources, seeks to align dispute resolution with national development priorities while reducing the costs associated with international arbitration. The recent *Shell Bolivia Corporation v. YPF Bolivia* case highlights the complexities inherent in contract-based arbitration within the extractive sector, emphasizing the need for meticulous contract drafting and a clear definition of arbitrable disputes within the framework of Bolivian law.

This article analyses Bolivia's transition from reliance on international investment treaties and arbitration to a domestic, contract-centred approach for resolving disputes in its extractive industries. The article examines how the legal framework adopted by Bolivia highlights the role of contract-based arbitration in addressing disputes related to investment, production, technology transfer, environmental and social impacts, labour relations, and contract interpretation. The article draws lessons from other developing countries' experience, recommending that Bolivia further strengthen its investment framework by adopting clear protection standards, prioritizing fair administrative procedures, and emphasizing domestic remedies. This approach seeks to balance attracting responsible investment with protecting state sovereignty and promoting sustainable development in Bolivia's extractive industries.

<https://www.southcentre.int/southviews-no-281-31-january-2025/>

### **America First, Trade Last: The Rise of Weaponised Tariffs (SouthViews No. 282, 13 February 2025)**

*By Vahini Naidu*

Donald Trump's return to the White House has reignited economic nationalism, transforming tariffs into instruments of political and economic coercion. His administration's four-phase strategy—setting policy objectives, conducting strategic reviews, imposing preemptive tariffs, and unpredictable brinkmanship—signals a shift towards unilateralism that bypasses traditional legal frameworks and undermines multilateral trade governance. The recent tariffs on Mexico, Canada, and China, imposed under the International Emergency Economic Powers Act (IEEPA) on security grounds, represent an unprecedented expansion of executive power in trade policy. As the U.S. weakens the WTO and prioritises economic nationalism, the Global South faces a decisive moment. The increasing use of trade measures for geopolitical leverage threatens to further marginalise developing countries. In response, the Global South must take a proactive role in shaping the global trade landscape—deepening South-South cooperation, enhancing regional trade frameworks, and advancing structural reforms to promote resilience and economic sovereignty in an era of growing trade uncertainty. This piece argues that Trump's trade strategy marks a broader shift towards a power-driven trade order, where economic dominance supersedes rules-based governance, and that the Global South must act decisively to prevent a future where trade is dictated by the strongest rather than negotiated through fairness and equity.

<https://www.southcentre.int/southviews-no-282-13-february-2025/>

### **Knowledge and Global Inequality (SouthViews No. 283, 28 February 2025)**

*By Dev Nathan*

This paper argues that the global capitalist economy has been and is built on the monopolization of advanced technological knowledge through trade secrets and intellectual property rights protection,

controlled by companies and countries of the Global North. Companies and countries in the Global South use commoditized knowledge or knowledge in the commons. In the colonial period this was largely confined to the production of agricultural commodities and now to carry out the bulk of production functions. This division of knowledge and the difference in returns to monopolized knowledge and knowledge in the commons drives global inequality. The paper points out that countries of the Global South that moved out of the middle-income trap did so by advancing from just using knowledge to also creating knowledge. Finally, it argues that there is a need to reform the system of intellectual property rights in order to promote inclusion and not exclusion.

<https://www.southcentre.int/southviews-no-283-28-february-2025/>

### **WTO at 30: A Reckoning or Just Another Review? (SouthViews No. 284, 21 March 2025)**

*By Vahini Naidu*

As the World Trade Organization (WTO) marks its 30th anniversary, Director-General (DG) Ngozi Okonjo-Iweala has called for a reflection process to assess the organisation's achievements and chart its future. For developing countries, this reflection presents a significant opportunity. A well-managed process could begin to address the structural imbalances embedded in WTO rules that constrain policy space, limit technology access, and restrict development pathways. Conversely, a poorly handled approach risks reducing it to a narrow review that fails to account for the broader economic realities shaping trade and the persistent development needs of the Global South. This paper argues that the DG's reflection process must be firmly member-driven, with clear governance principles, and rooted in a comprehensive development audit to assess how WTO rules have impacted developing countries over the past three decades. The paper contends that a meaningful reflection requires more than procedural introspection; it requires a serious conversation about the future of global trade governance and its relevance to development, ensuring that the WTO's evolution genuinely responds to the priorities of its majority membership.

<https://www.southcentre.int/southviews-no-284-21-march-2025/>

### **Advancing International Cooperation under the Global Digital Compact (SouthViews No. 285, 28 March 2025)**

*By Danish*

Bridging the global digital divide in new and emerging technologies, particularly Artificial Intelligence, will require developing countries to strongly leverage international cooperation to build digital skills, knowledge and gain access to these technologies which can accelerate their digital transformation and sustainable development. This emphasis on international cooperation is also deeply embedded in the Global Digital Compact, which was adopted as part of the Pact for the Future. This paper therefore looks at how international cooperation modalities have been included in the GDC across the different issue areas, how developing countries are already engaging with the GDC through their national initiatives, and provides some useful considerations going forward.

<https://www.southcentre.int/southviews-no-285-28-march-2025/>

### **Human Rights Council 58: Neurotechnology, Ethical Frontiers and Human Rights (SouthViews No. 286, 9 April 2025)**

*By Daniel Uribe*

The UN Human Rights Council's 58th session examined the impact of neurotechnology on human rights, with a particular focus on privacy. The Special Rapporteur guided discussions on the report on neurotechnology, which detailed risks to privacy, autonomy, and mental integrity, and proposed principles such as human dignity, informed consent, stringent security measures, rights-by-design, and precautionary approaches to the development of this technology. This *SouthViews* considers the



Member States' discussion during the presentation of this report, taking into account the profound ethical challenges, the need for safeguards, equitable access (especially for developing nations), and international cooperation, while voicing concerns about potential misuse. The relevance of UNESCO's ongoing work on the ethics of neurotechnology is also considered. The session underscored the pressing need for a proactive, holistic, and ethically grounded governance framework for neurotechnology, emphasizing core human rights principles and international collaboration to ensure the responsible development and use of this technology.

<https://www.southcentre.int/southviews-no-286-9-april-2025/>

### **Mali's Mining Shake-Up: Tax audits reveal massive revenue loss and lead to stringent policy changes (SouthViews No. 287, 28 April 2025)**

*By Anne Wanyagathi Maina and Kolawole Omole*

Mali's recent regulatory changes and tax dispute settlements highlight the government's determination to secure a greater share of economic benefits from its natural resources. Mali's approach presents a lesson for resource-rich developing countries. The article explores the country's mining tax reforms, ensuing tax disputes and settlements, and implications on revenue mobilization.

<https://www.southcentre.int/southviews-no-287-28-april-2025/>

### **Leaving the WHO? The US Just Shot Itself in the Foot (SouthViews No. 288, 9 May 2025)**

*By Germán Velásquez*

At the start of his second term, United States president Donald Trump has again announced that the US will formally leave the World Health Organization (WHO) in 2025. Leaving the WHO is a financial blow to the Organization, as many have pointed out, but it is much more than that. Trump's decision to abandon WHO is counterproductive and puts at risk the capacity of the organization to perform its role as the global health agency. The WHO has been central to responding to global health emergencies for more than seven decades. Its work in the fight against diseases such as smallpox, polio, Ebola and HIV/AIDS, or the binding international convention against tobacco use, has saved millions of lives.

The US' withdrawal from WHO will have a serious impact on various aspects of global health, and the US will itself be directly affected. WHO members should unite to strengthen the WHO and counteract this decision by the current US Administration.

<https://www.southcentre.int/southviews-no-288-9-may-2025/>

### **Book Review: What Do We Know and What Should We Do About Tax Justice (SouthViews No. 289, 30 June 2025)**

*By Abdul Muheet Chowdhary*

The book *What Do We Know and What Should We Do About Tax Justice*, written by Alex Cobham, CEO of the Tax Justice Network, is an excellent summary of the state of knowledge on tax justice and provides a clear direction on what should be the goals of the tax justice movement going forward.

<https://www.southcentre.int/southviews-no-289-30-june-2025/>

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