



INVESTMENT AND PUBLIC HEALTH

STRENGTHENING PUBLIC HEALTH SYSTEMS BY PROMOTING INVESTMENT



GLOBAL CONTEXT

Pharmaceutical research and development requires investment. In this regard, two challenges need to be overcome. First, while the pharmaceutical industry has developed effective treatment for communicable and non-communicable diseases such as HIV/AIDS, cancer and hepatitis, the related medicines are too expensive for developing countries' public health systems. Second, current research and development incentive structures have limitations and a rethink is required to channel investment for innovative responses to public health needs. There is, for example, an acute need to respond to the steep rise in antimicrobial resistance, affecting in particular Latin America, South and South-East Asia and sub-Saharan Africa.



HOW DOES THE INVESTMENT AND PUBLIC HEALTH PROGRAMME WORK?

UNCTAD provides technical assistance to developing countries in the promotion of investment in domestic public health systems, in pursuit of Sustainable Development Goal 3, through its Investment and Public Health Programme. The Programme emphasizes coherence between related laws and policies, including investment, intellectual property and health. UNCTAD also assists countries with the formulation of intellectual property-related policy and promotes stakeholder ownership to ensure the sustainability of its activities, for instance through the training of judicial academy trainers. The mandates for the Programme are in paragraph 55 (s) of the Nairobi Maafikiano, adopted at the fourteenth session of the United Nations Conference on Trade and Development; recommendation 40 under the Development Agenda of the World Intellectual Property Organization (WIPO); and elements 4 and 5 of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property of the World Health Organization (WHO).



RESULTS AND IMPACTS AT A GLANCE

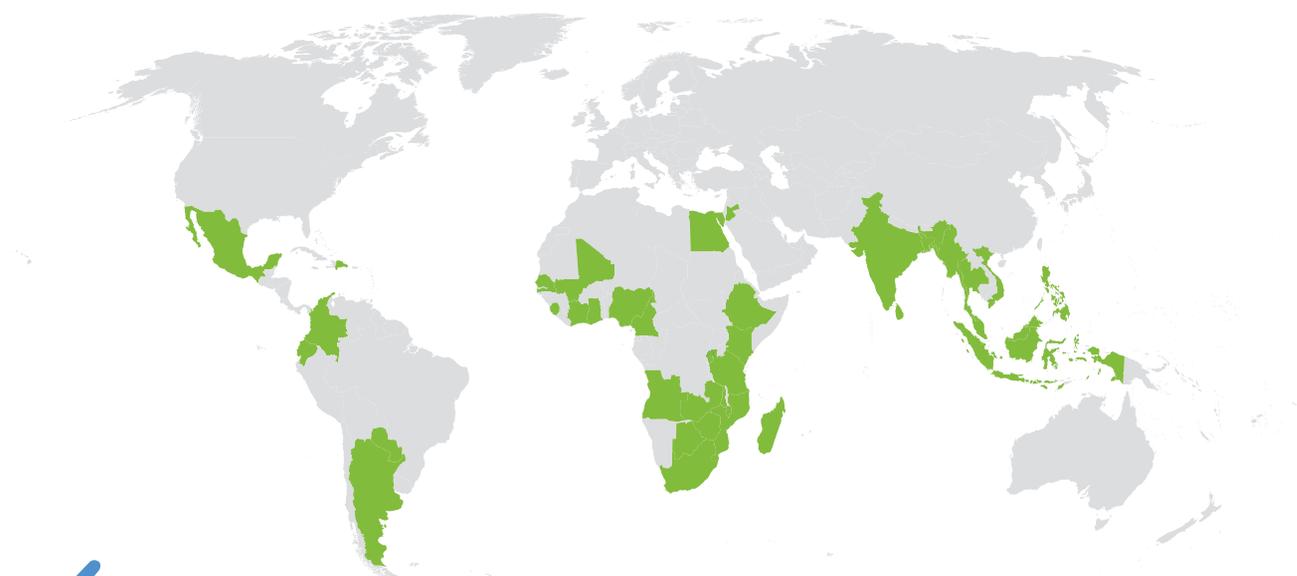
The Investment and Public Health Programme was launched in 2017, building on a wealth of experience under the long-standing Development Dimensions of Intellectual Property Rights Programme (since 2002). The Programme has achieved important results, as evidenced in the following examples:

- Training courses are held to equip judges with an understanding of the public health implications of their decisions. Workshop evaluations attest to the courses' benefits. For example, 96 per cent of workshop participants in the Philippines said they would apply the knowledge acquired in their daily work, all participants rated the course as excellent or good and 96 per cent said they would recommend the workshop to others.
- In July 2016, Indonesia enacted amendments to its national patent law, incorporating recommendations from UNCTAD.
- South Africa in 2018 released its Intellectual Property Rights Policy, which benefited from major substantive input from the Investment and Public Health Programme of UNCTAD.
- UNCTAD assisted Viet Nam in reviewing its patent examination guidelines and aligning the national intellectual property policy with recommendations to improve the policy environment to stimulate local pharmaceutical production and promote access to medicines.
- As a result of UNCTAD cooperation with WHO on local pharmaceutical production, UNCTAD was recognized as a stakeholder in transfer of technology in the revised WHO Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property. WHO Member States requested the WHO Secretariat to identify new opportunities for collaboration with other United Nations organizations (for example, the United Nations Industrial Development Organization and UNCTAD) to promote technology transfer as part of local health technology production programmes in developing countries in line with country needs.
- The 2016 Comprehensive Evaluation of the Implementation of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property published by the WHO Evaluation Office acknowledges the contributions of UNCTAD in the area of intellectual property, technology transfer and public health:



- “UN [United Nations] agencies, in particular UNCTAD, WHO and WIPO, played a pivotal role in promoting the transfer of health-related technologies between the owners of the technologies and lower middle-income and low-income countries.”
- “For example, a collaborative effort of WHO, UNCTAD and the International Centre for Trade and Sustainable Development ... initiated a European Commission-supported project to examine the main obstacles to the transfer of pharmaceutical-related technology and local production in lower-middle-income and low-income countries for health products.”
- “International organizations with a mandate in this field, such as WHO, WIPO, WTO and UNCTAD and UNDP [United Nations Development Programme], provide support for the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights in a way that facilitates access to affordable medicines.”

Investment and Public Health: Beneficiary countries (up to 2019)



“I would like to express my appreciation for the work conducted by UNCTAD. Participants are now in a better position to understand the implication of [Trade-Related Aspects of Intellectual Property Rights] plus provisions in trade and investment agreements on public health and to design potential negotiation strategies. ...our patent examiners [better understand] how to use public health considerations in the examination of pharmaceutical patent applications.”

Josephine Santiago, Director General, Intellectual Property Office, Philippines, 2017

“[The UNCTAD programme on access to medicines] has demonstrated its strength in policy analysis, facilitating consensus-building and stakeholder consultation and capacity-building.”

Lionel October, Director General, Department of Trade and Industry, South Africa, 2017



PROGRAMME FACTS AND FIGURES

Scope: Africa, Asia and Latin America
Start date: 2002

Activities implemented per year: 25 (average),
3 regional activities

Countries assisted: 39

Website: unctad.org/ddip

Sustainable Development Goals addressed:

Directly: 3, 9
Indirectly: 16,17



DONORS/FUNDING SOURCE (2014–2019)

China, Finland, Germany, Norway, Sweden, Switzerland, Rockefeller Foundation, United Nations Industrial Development Organization, United Nations Institute for Training and Research

