

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; 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.



RESULTS AND IMPACT 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, as shown in the following examples:

- Training courses are held to equip judges with an understanding of the public health implications of their decisions. Workshop



PROGRAMME FACTS AND FIGURES

Scope: Africa, Asia and Latin America

Start date: 2002

Activities and countries assisted per year: 25 (average) and 3 regional activities

Countries assisted: 39

Website: unctad.org/ddip



Sustainable Development Goals addressed:

Directly: 3 and 9

Indirectly: 16 and 17

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;

- During the World Investment Forum in 2016, Kenya, South Africa, the African Union, the Joint United Nations Programme on HIV/AIDS and UNCTAD signed the Nairobi Statement on Investment in Access to Medicines, undertaking to facilitate investment in pharmaceutical production in Africa;
- In July 2016, Indonesia enacted amendments to its national patent law, incorporating recommendations from an UNCTAD report on the development dimension of intellectual property in Indonesia;
- 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, there is increased awareness of the implications of free trade agreements on the domestic pharmaceutical and health sector;
- The final report of the High-Level Panel on Access to Medicines, in its recommendations on Trade-Related Aspects of Intellectual Property Rights flexibilities, foresees a role for UNCTAD, along with other relevant agencies, in designing patentability criteria for pharmaceuticals in developing countries.

"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."

Ms. Josephine Santiago, Director General,
Intellectual Property Office, Philippines

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

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



DONORS/ FUNDING SOURCE

Current: Germany (Federal Ministry for Economic Cooperation and Development) and German Agency for International Cooperation

Past: Sweden (International Development Cooperation Agency), United Kingdom (Department for International Development) and Rockefeller Foundation

