

Project Group Work: Least Developed Countries

Taifa Zuri is a Least Developed Country. In 2006 it acceded to the World Trade Organisation. Taifa Zuri's Minister of Trade has been approached by the United States Trade Representative who has offered technical assistance to Taifa Zuri to help it comply with the requirements of the TRIPS Agreement including by putting in place a patent law and setting up a patent office. The USTR has assured the Trade Minister that issues with access to medicines are unlikely to arise for Taifa Zuri and if they did, Taifa Zuri could always use Article 31bis of the TRIPS Agreement. According to the USTR if Taifa Zuri complies now with the TRIPS Agreement it is likely to see an increased inflow of foreign direct investment. Taifa Zuri's Ministry of Health procures all its medicines from imports but now both the Ministry of Trade and Ministry of Health have announced that they want to establish local production of medicines in Taifa Zuri.. The Ministry of Health is concerned that if Taifa Zuri complies with the requirements under the TRIPS Agreement, its ability to establish local manufacturing of medicines would come under threat.

1. Prepare a memo for the Minister of Health of Taifa Zuri explaining Taifa Zuri's options under the WTO rules and why they are important from a public health perspective. Also explore if other countries have any obligations vis-à-vis Taifa Zuri under TRIPS. Analyse Article 31bis and see how Taifa Zuri could use it and the process it would have to comply with to do so. Finally provide some guidance on key law and policy steps that Taifa Zuri should take to ensure that generic production is not only sustained but can also be expanded to make newer medicines.
2. Prepare a campaign strategy for public interest and public health groups in Taifa Zuri to ensure that the government makes full use of their options under the TRIPS Agreement.

Reference Documents in folder