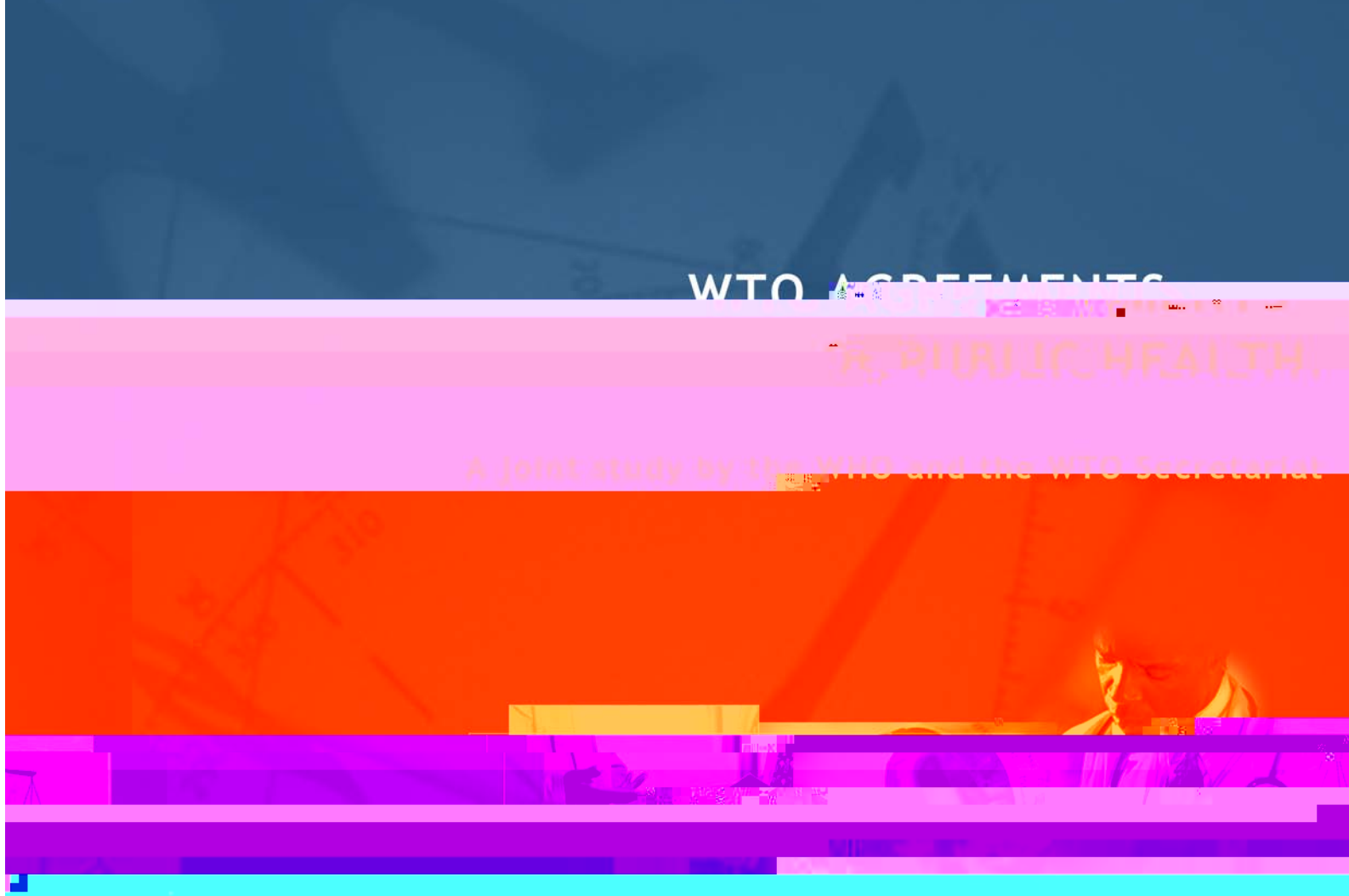

WTO AGREEMENTS & PUBLIC HEALTH

A joint study by the WHO and the WTO Secretariat

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FOREWORD BY
GRO HARLEM BRUNDTLAND AND MIKE MOORE

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INTRODUCTION

A. INTRODUCTION

Recognizing that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, and expanding the production of and trade in goods and services, while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development, …" [emphasis added]

Ministerial Conference

General Council meeting as Trade Policy Review Body

General Council meeting as Dispute Settlement Body

General Council

Appellate Body

Dispute Settlement Panels

Committees on

Trade and Environment

Trade and Development

Subcommittee on Least-Developed Countries

Regional Trade Agreements

Balance of Payments Restrictions

Budget, Finance and

2. The SPS Agreement

INTELLECTUAL PROPERTY AND TRADE (TRIPS)

D. INTELLECTUAL PROPERTY AND TRADE (TRIPS)

The protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations.

1. Members may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health and nutrition, and to promote the public interest in sectors of vital importance to their socio-economic and technological development, provided that such measures are consistent with the provisions of this Agreement.

2. Appropriate measures, provided that they are consistent with the provisions of this Agreement, may be needed to prevent the abuse of intellectual property rights by right holders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology.

SERVICES (GATS)

E. SERVICES (GATS)

F. SOLVING DISPUTES

Consultations
(Art. 4)

Panel established
by Dispute Settlement Body (DSB)
(Art. 6)

Terms of reference (Art. 7)
Composition (Art. 8)

Panel examination
Normally 2 meetings with parties (Art. 12),
1 meeting with third parties (Art. 10)

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INTRODUCTION

A. INTRODUCTION

how

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Safety of imported fish during a cholera outbreak

Box 7
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1. *For further information about food safety and trade issues, see the WHO publication, Food Safety and Globalization of Trade in Food, 1998 (revised), visit WHO's website on Food Safety: http://www.who.int/fsf, or go directly to the Codex website: http://www.fao.org/es/esn/codex/*

base SPS measures on a risk assessment.

Japan-Varietals

D. TOBACCO CONTROL

Box 10
WTO dispute: Thailand-Cigarette Case

Box 10
WTO Dispute: Thailand-Cigarette Case[1] (cont'd)

Box 11
United States - Standards for Reformulated and Conventional Gasoline (WT/DS2)

Box 12
European Communities - Measures affecting asbestos and asbestos containing products (WT/DS135)

Box 12
European Communities - Measures affecting asbestos and asbestos containing products (WT/DS135) (cont'd)

Box 14
Effect of the patent system in promoting the invention, development and marketing of new drugs

44. For instance, studies have shown that the US pharmaceutical industry devoted the largest fraction of its revenue to R&D from among 230 industries: this proportion has been increasing over time to reach a current level of around 20 percent (Scherer, 2000, 1302).

Box 14
Effect of the patent system in promoting the invention, development and marketing of new drugs (cont'd)

Box 15
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inter alia

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G. HEALTH SERVICES

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Table 1
WTO Members' commitments on medical, hospital and other health services, and on health insurance (number of Members), 3rd Quarter 2000

Table 1
WTO Members' commitments on medical, hospital and other health srvices, and on health insurance (number of Members), 3rd Quarter 2000 (cont'd)

* *In a few cases, Members may have specifically excluded health insurance from coverage under their insurance-related commitments, but this has not yet been tabulated.*

foreign

H. FOOD SECURITY AND NUTRITION

EMERGING ISSUES

I. EMERGING ISSUES

1. Biotechnology

2. Information technology

TOWARDS POLICY COHERENCE AT NATIONAL AND INTERNATIONAL LEVELS

B. TOWARDS POLICY COHERENCE AT NATIONAL AND INTERNATIONAL LEVELS

Box 19
Some trade and health issues in WTO bodies and other international fora (cont'd)

http://www.insidetrade.com

http://www.wto.org/english/res_e/focus_e/focus_e.htm

INTERGOVERNMENTAL TRADE AND DEVELOPMENT ORGANIZATIONS

http://www.wto.org

http://www.wto.org/english/thewto_e/teccop_e/teccop_e.htm#guide

http://www.wto.org/english/tratop_e/devel_e/listrc_e.doc

http://www.ldcs.org/

http://www.wto.org/english/tratop_e/tpr_e/tpr_e.htm

http://www.unctad.org/

http://www.unctad.org/en/posagen/index.htm).

http://www.intracen.org

http://www1.worldbank.org/wbiep/trade/TD_REG_ORG.html.

http://europa.eu.int/comm/trade/2000_round/issuegr.htm

http://europa.eu.int/comm/trade/.

http://www.oas.org/

http://www.worldbank.org

http://www1.worldbank.org/wbiep/trade/

http://www.itd.org/

http://www.oie.int

Website: www.oie.int

http://www.oecd.org/

http://www.oecd.org/ehs/icgb/

http://www.wipo.org/

http://www.cptech.org/ip/health/trade/

http://www.cptech.org/ip/health/country/.

http://www.epha.org/

http://www.epha.org/public/campaigns/wto.htm

http://www.haiweb.org/

http://www.medact.org/

http://www.msf.org/

http://www.accessmed.msf.org/

http://www.stakes.fi/gaspp/

http://www.cid.harvard.edu/cidtrade/

http://nt1.ids.ac.uk/eldis/

http://nt1.ids.ac.uk/eldis/trade/trade.htm.

http://nt1.ids.ac.uk/eldis/health/health.htm

Links to other trade-related institutes can be found at:

http://www1.worldbank.org/wbiep/trade/TD_INSTITUTIONS.html

http://www.globalpolicy.org/globaliz/websites.htm

GLOSSARIES OF COMMON HEALTH AND TRADE TERMS

http://www.wto.org/english/thewto_e/minist_e/min01_e/brief_e/brief22_e.htm

http://www.wto.org/english/res_e/booksp_e/book-

http://www.adelaide.edu.au/cies/orderform.htm.