

Prioritising Healthcare in the Implementation of the AfCFTA

TRALAC Annual Conference 2021

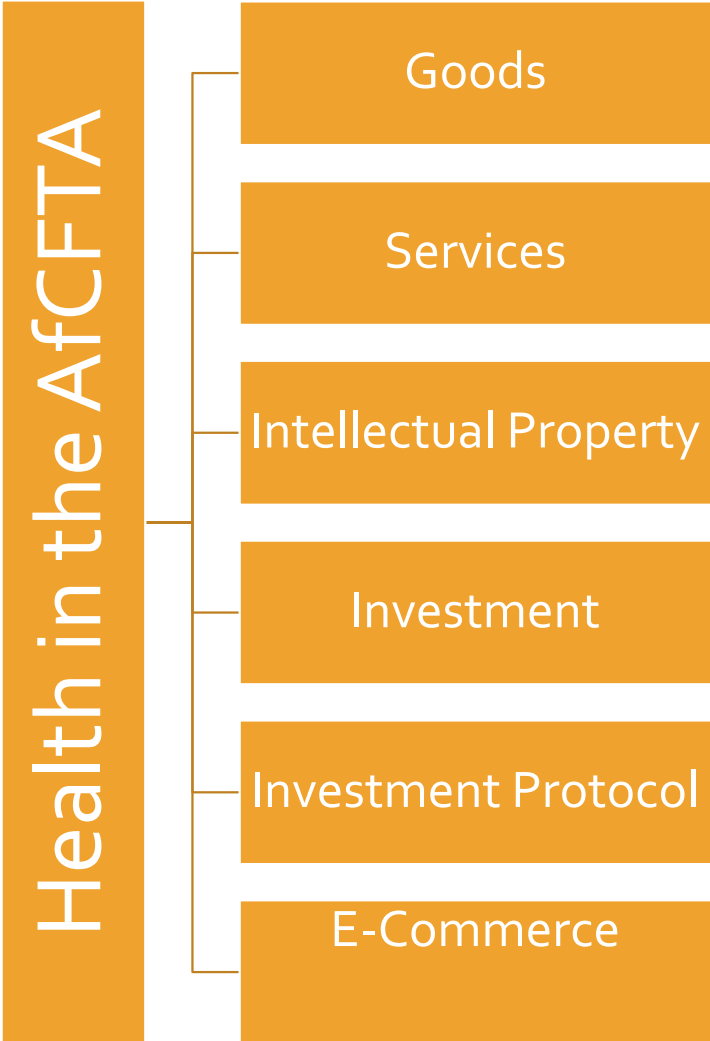
Dr. Ify Ogo

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Health in the AfCFTA

COVID – 19 health crisis led to economic contractions and social dislocations

Health considerations cut across implementation of the AfCFTA



Health in the AfCFTA: Goods

Tariffs

Medicines

Hospital/laboratory/personal
protective equipment

Non – tariff barriers

Eliminating/reducing
tariffs on made in
Africa health
+pharma products

Cooperation on
standards - mutual
recognition of
products by
standards authorities

Trade infrastructure:
cold rooms/cold
trucks, storage

Health in the AfCFTA: Services

Healthcare professionals in Professional Services – Business/Professional Services Sector

1. Business Services

- A.h. Medical and Dental Services
- A.i. Veterinary Services
- A.j. Services provided by Midwives, Nurses, Physiotherapists and Para-Medical Personnel.
- A.k. Other

16 Countries have made commitments at the World Trade Organisation

- Sierra Leone = commitments in all four sub – sectors.
- Botswana, the Gambia, Lesotho, Liberia, Seychelles and South Africa = commitments in three sub- sectors.
- Burundi, the Democratic Republic of the Congo, Malawi and Zambia = commitments in two sub-sectors.
- Cabo Verde, Eswatini, Guinea, Rwanda and Senegal = commitments in one sub-sector.



Healthcare sector

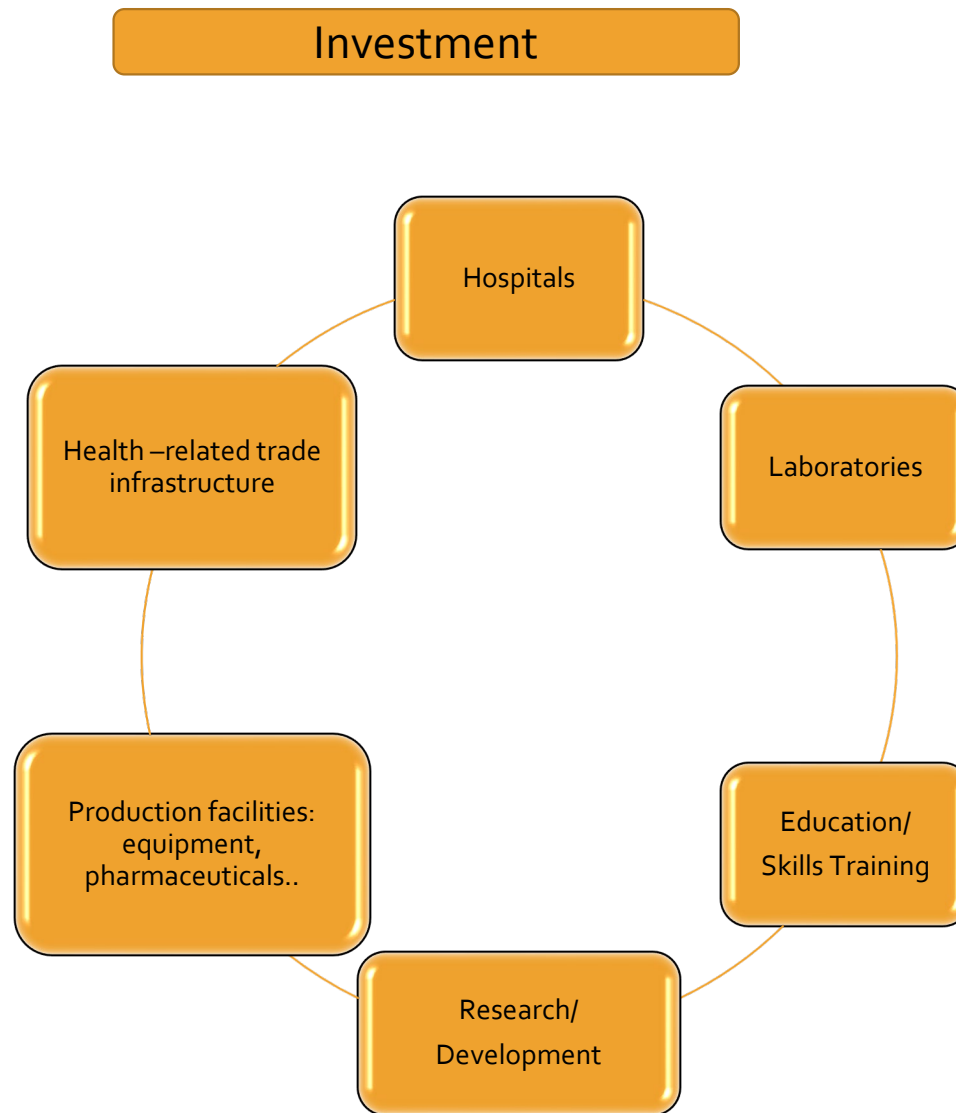
8. Health Related and Social Services

- A. Hospital services 9311
- B. Other Human Health Services 9319
- C. Social Services 933
- D. Other

9 Countries have made commitments at the World Trade Organisation

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- Eswatini and Guinea = commitments in one sub-sector.

Health in the AfCFTA: Investment and Competition



Competition Policy

Avoid predatory practices

Limit price fixing

Support fair competition between businesses

Promote good quality products

Descriptions of types of Intellectual property rights

- Source: World Intellectual Property Organization (WIPO). *What is Intellectual Property?* 2004. International Union for the Protection of New Varieties of Plants (UPOV); WIPO Utility Models

Health in the AfCFTA: Intellectual Property

Patents: exclusive right granted for an invention, a product or process that provides a new way of doing something, or that offers a new technical solution to a problem.

Industrial designs: ornamental or aesthetic aspects of an article, such as those applied to electric appliances, watches, jewelry, handicraft and textile goods.

Copyright and related rights: grant authors, artists and other creators protection for their literary and artistic creations, generally referred to as "works".

Trademarks: distinctive signs that identify goods or services of one enterprise as different from those of another.

Geographical indications: used on goods that have a specific geographical origin and possess qualities or a reputation due to that place of origin.

Plant variety protection: "plant breeder's right", is granted to the breeder of a new plant variety

Utility models: similar to patent for incremental inventions

World Trade Organisation Trade Related Aspects of Intellectual Property Rights

African Regional Intellectual Property Organization

Organisation Africaine de la Propriété Intellectuelle

Pan-African Intellectual Property Organization

Arrangements in Regional Economic Communities

Health in the AfCFTA: E- Commerce/ Digital Trade

E – Consultations

- 'Virtual' Doctor's Consultations - Mode 1 - Business/Professional Services

Cross – Border Trade in Medical Goods

- Import – export of products (medicines, equipment..) within Africa – transactions/payments on e-channels

Digital Services

- Health trackers, apps and software as a service used by individuals and businesses (e.g. hospital/pharmacy management, patient IDs..).

Summary

Goods:

- Prioritize medical/pharmaceutical products for elimination of tariffs
- Mutual recognition arrangements for medical products

Services:

Market access commitments affecting the mobility of health professionals and firms

Investment

- Incentives and protections for health – related investments

Digital Trade/E – Commerce:

- Digitally supplied services related to health - Goods purchased via e-channels

Intellectual Property

- Accounting for policy objectives, limitations and instruments

Competition Policy

- Clear rules
- Monitoring and enforcement

Building on progress at regional level/learning from limitations encountered

Regulation

Visa rules

Finance and Insurance

Cross – border data flows

Taxation



Thank you
for
listening

Any Questions?