Cited treaties, legislation and similar legal documents

International Organisations

GATT/WTO

- The General Agreement on Tariffs and Trade (signed on 30.10.1947 entered into force on 01.01.1948) 55 UNTS 194 (the 'GATT Agreement').
- GATT Ministerial Declaration on the Uruguay Round (20.09.1986) MIN.DEC.
- GATT Note from Secretariat 'Activities in other International Organizations of Possible Interest in Relation to Matters Raised in the Group' (08.02.1988) MN.GNG/NG11/20.
- GATT Note from WIPO 'Existence, Scope and Form of Generally Internationally Accepted and Applied Standards/Norms or the Protection of Intellectual Property' (15.06.1988) MTN.GNG/NG11/W/24/Add.1.
- GATT Note Prepared by the International Bureau of WIPO (15.09.1988) MTN.GNG/NG11/W/24/Rev.1.
- GATT Proposal from the EC (07.07.1988) MTN.GNG/NG11/W/26.
- GATT Secretariat 'Synoptic Table Setting out Proposals on Enforcement and Corresponding Provisions of Existing International Treaties' (07.06.1989) MTN.GNG/NG11/W/33.
- GATT Note from Secretariat 'Meeting of Negotiating Group' (12.10.1989) MN.GNG/NG11/14.
- GATT Secretariat 'Synoptic Tables Setting Out Existing International Standards and Proposed Standards and Principles' (29.09.1989) MTN.GNG/NG11/W/32/Rev.1.
- GATT Communication from the EC (29.03.1990) MTN.GNG/NG11/W/68.
- GATT Note from Secretariat 'Meeting of Negotiating Group' (22.06.1990) MN.GNG/NG11/21.
- GATT Communication from Argentina, Brazil, Chile, China, Colombia, Cuba, Egypt, India, Nigeria, Peru, Tanzania and Uruguay (19.05.1990) MTN.GNG/NG11/W/71.
- GATT Chairman's Report to the GNG Negotiating Group on Trade-Related Aspects of Intellectual Property Rights, including Trade in Counterfeit Goods (23.07.1990) MTN.GNG/NG11/W/76 ('Anell Draft').
- GATT Draft Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations Draft Final Act Embodying (03.12.1990) MTN.TNC/W/35/Rev.1 ('Brussels Draft').
- Agreement Establishing the World Trade Organisation, 15.04.1994 ('WTO Agreement').

- Agreement on the Application of Sanitary and Phytosanitary Measures, 15.04.1994, Annex 1A to the WTO Agreement ('SPS Agreement').
- Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, 15.04.1994 ('Anti-Dumping Agreement').
- Agreement on the Trade-Related Aspects of Intellectual Property Rights, 15.04.1994, Annex 1C to the WTO Agreement ('TRIPS Agreement').
- Understanding on Rules and Procedures Governing the Settlement of Disputes, 15.04.1994, Annex 2 to the WTO Agreement ('DSU').
- WTO Communication from the US 'Remarks on Revocation of Patents and the TRIPS Agreement' (06.08.1996) IP/C/W/32.
- WTO Minutes of the TRIPS Council Meeting (30.10.1996) IP/C/M/9.
- WTO Ministerial Declaration on Trade in Information Technology Products (13.12.1996) WT/MIN(96)/16.
- WTO Ministerial Declaration on Global Electronic Commerce (25.05.1998) WT/MIN(98)/DEC/2.
- TRIPS Council Minutes (01.06.2001) IP/C/M/30.
- WTO Communication from the EC 'The Relationship between the Provisions of the TRIPS Agreement and Access to Medicines' (12.06.2001) IP/C/W/280.
- WTO Submission by Brazil and others to the TRIPS Council 'TRIPS and Public Health' (29.6.2001) IP/C/W/296.
- WTO Special Discussion on Intellectual Property and Access to Medicines in the TRIPS Council (10.07.2001) IP/C/M/31.
- WTO Secretariat note 'Proposals on Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health: Thematic Compilation' (11.07.2002) IP/C/W/363.
- TRIPS Council Minutes (19.09.2001) IP/C/M/33.
- WTO Proposal by Zimbabwe and others to the TRIPS Council 'Ministerial Declaration on the TRIPS Agreement and Public Health' (04.10.2001) IP/C/W/312.
- WTO General Council 'Draft Declaration on Intellectual Property and [Access to Medicines] [Public Health]' (27.10.2001) JOB(01)/155.
- WTO Ministerial Declaration (20.11.2001) WT/MIN(01)/DEC/1 ('Doha Ministerial Declaration').
- Declaration on the TRIPS Agreement and Public Health, 14.11.2001, WT/MIN(01)/DEC/2 ('Public Health Declaration').
- WTO Communication by Brazil and others to the TRIPS Council 'Paragraph 6 of the Ministerial Declaration on the TRIPS Agreement and Public Health' (24.06.2002) IP/C/W/355.
- TRIPS Council Minutes (22.03.2002) IP/C/M/35.
- WTO Secretariat note 'Available Information on Manufacturing Capacity for Medicines' (24.05.2002) IP/C/W/345.

- Decision of the TRIPS Council 'Extension of the transition period under Article 66.1 of the TRIPS Agreement for least-developed countries for certain obligations with respect to pharmaceutical products' (27.06.2002) IP/C/25 ('Extension').
- Decision of the WTO General Council 'Least-developed country Members Obligations under Article 70.9 of the TRIPS Agreement with respect to pharmaceutical products' (08.07.2002) WT/L/478 ('Article 70.9 Waiver').
- WTO Communication by the US 'Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health' (09.07.2002) IP/C/W/358.
- TRIPS Council Minutes (18.07.2002) IP/C/M/36.
- WTO Secretariat note 'Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health: Thematic Compilation' (11.07.2002) IP/C/W/363.
- WTO Secretariat note 'Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health: Information on Waivers' (24.10.2002) IP/C/W/387.
- WTO Non-paper by South Africa 'Substantive and Procedural Elements of a Report to the General Council under Paragraph 6 of the Declaration on the TRIPS Agreement and Public Health' (05.11.2002) JOB(02)/156.
- WTO Communication by the US 'Moratorium to Address Needs of Developing and Least-Developed Members with No or Insufficient Manufacturing Capacities in the Pharmaceutical Sector' (10.02.2003) IP/C/W/396/Corr.1.
- Decision of the General Council 'Implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and public health' (30.08.2003) WT/L/540 ('Decision').
- WTO General Council Minutes (13.11.2003) WT/GC/M/82.
- WTO Communication by Norway 'Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health' (17.09.2004) IP/C/W/427.
- WTO Communication by Nigeria and others 'Implementation of Paragraph 11 of the 30 August Decision' (10.12.2004) IP/C/W/437.
- WTO Communication by Rwanda and others 'The TRIPS Agreement and Public Health' (06.04.2005) IP/C/W/445.
- TRIPS Council Minutes (15.09.2005) IP/C/M/48.
- WTO Report to the General Council 'Annual Review of the Decision on the Implementation of Paragraph 6 of the Doha Declaration on the Trips Agreement and Public Health' (03.11.2005) IP/C/37.
- Decision of the General Council 'Amendment to the TRIPS Agreement' (08.12.2005) WT/L/641 ('Amendment').
- WTO Ministerial Declaration (22.12.2005) WT/MIN(05)/DEC ('Hong Kong Ministerial Declaration').
- WTO General Council 'Annual Report (2005)' (07.12.2005) WT/GC/101.
- TRIPS Council Minutes (31.01.2006) IP/C/M/49.
- WTO General Council Minutes (27.03.2006) WT/GC/M/100.

- WTO Notification from Rwanda 'Notification Under Paragraph 2(A) of the Decision of 30 August 2003 on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health' (19.07.2007) IP/N/9/RWA/1.
- WTO Notification from Canada 'Notification Under Paragraph 2(C) of the Decision of 30 August 2003 on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health' (05.10.2007) IP/N/10/CAN/1

United Nations

- Statute of the International Court of Justice (adopted on 26.06.1945, entered into force 24.10.1945) 59 Stat. 1031 ('ICJ Statute').
- International Covenant on Economic, Social and Cultural Rights (adopted on 16.12.1966, entered in to force on 3.1.1976) 999 UNTS 3 ('ICESCR').
- Convention on the Law of Treaties (adopted on 23.05.1969, entered into force 27.01.1980) 1155 UNTS 331 ('Vienna Convention').
- UNGA Res S-62/2 'Declaration of Commitment on HIV/AIDS' (02.08.2001) UN Doc A/RES/S-26/2.
- UNCHR Res 2004/26 'Access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria' (16.04.2004) UN Doc E/CN.4/2004/L.11/Add.3.
- UNCHR 'Economic, Social and Cultural Rights Report of the Special Rapporteur P Hunt' (01.03.2004) UN Doc E/CN.4/2004/49/Add.1.

WHO

- WHO World Health Assembly Resolution 'Global Health-sector Strategy for HIV/AIDS' (28.05.2003) WHA56.30.
- WHO World Health Assembly 'Scaling up treatment and care within a coordinated and comprehensive response to HIV/AIDS' (22.04.2004) WHA57.14 at 3-4.

WIPO

- The Paris Convention for the Protection of Industrial Property (adopted on 20.03.1883, last amended 28.09.1979) 828 UNTS 305 ('Paris Convention').
- Strasbourg Agreement Concerning the International Patent Classification (adopted on 24.03.1971, last amended on 28.08.1979) 1160 UNTS 483.

Bilateral Treaties

CAFTA Understanding Regarding Certain Public Health Measures (05.08.2004).

EC-South Africa Trade, Development and Cooperation Agreement, [1999] OJ L 311/3.

National Legislation

Canada

Patent Act RSC 1985 c P-4.

Food and Drugs Regulations C.R.C. 870.

The Jean Chrétien Pledge to Africa Act S.C. 2004.

Regulations Amending the Food and Drugs Regulations (1402 – Drugs for Developing Countries) SOR/2005-141.

Regulations Amending the Medical Devices Regulations (Developing Countries) SOR/2005/142.

Use of Patented Products for International Humanitarian Purposes Regulations to the Patent Act SOR/2005-143.

China (PRC)

Patent Law (12.03.1984).

EC Official Documentation

- EC-South Africa Trade, Development and Cooperation Agreement [1999] OJ L 311/3.
- EC Commission Communication on Parallel Imports of Proprietary Medicinal Products for Which Marketing Authorisations Have Already Been Granted COM/2003/0839 final.
- EC Directive Community code relating to medicinal products for human use EC 2001/83 (as amended by EC Directive 2004/27/EC L 136/34 (21.03.2004).
- EC Commission Proposal for a Regulation on Compulsory Licensing of Patents Relating to the Manufacture of Pharmaceutical Products for Export to Countries with Public Health Problems COM(2004)737 (29.10.2004).
- EC Regulation on Compulsory Licensing of Patents Relating to the Manufacture of Pharmaceutical Products for Export to Countries with Public Health Problems EC 816/2006 L 157/1 ('EC Regulation').

Germany

Patent Act RBGI II 1936 117.

Ghana

Ghanaian Patent Law (2003 amendment no. 657)

India

Patent Act, Act 39 of 1970.

Patents (Amendment) Act, Act 15 of 2005 ('Amendment Act').

The Netherlands

Patent Act for the Kingdom of the Netherlands

General Administrative Law Act

Policy rules on issuing compulsory licenses pursuant to WTO Decision WT/L/540 on the implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and public health, under section 57, subsection 1 of the Kingdom Act on Patents of 1995, Staatscourant (21.11.2004) nr. 246/p. 11 ('Policy Rules').

Norway

Patent Act of 15.12.1967 No 7.

Explanatory Notes: Regulations amending the Patent Regulations (implementation of the Decision of the WTO General Council of 30 August 2003, paragraphs 1(b) and 2(a)).

South Africa

Patent Act, Act 57 of 1978.

Medicines and Related Substances Control Act 101 of 1965 (as amended).

Medicines and Related Substances Control Amendment Act, Act 90 of 1997.

Switzerland

Botschaft zur Änderung des Patentgesetzes und zum Bundesbeschluss über die Genehmigung des Patentrechtvertrags und der Ausführungsordnung (23.11.2005).

Tunisia

Law on Patents No. 2000-84 (24.08.2000).

Circulaire N°13 du Ministère de la Santé Publique (18.02.2004), annulant et remplaçant les Circulaires CAB No.36 du 22.04.1991, No. 67 (29.06.1991) et 261 (22.04.1996) du Ministère de la Santé Publique.

United States

US Trade Act of 1974 (03.02.1975) L. 93-618 88 Stat. 1978.

Omnibus Trade and Competitiveness Act of 1988 (23.08.1988) L. 100-418 102 Stat. 1107.

Drug Price Competition and Patent Term Restoration Act of 1984 (24.09.1984) Pub. L. No. 98-417, 98 Stat. 1585 ('Hatch-Waxman Act').

Zimhahwe

Declaration of Period of Emergency (HIV/AIDS) Notice 2002 (24.05.2002).