



International Conference on Trade and Healthcare

10 December 2009

HEALTHCARE & TRADE IN HEALTH INSURANCE SERVICES

Session I: The WTO Perspective on Healthcare and Health Insurance Services

Keynote Address: Economic Globalisation and its Consequences to Health Systems

Speaker to be announced

Domestic Health Policies and International Trade: the Framework

Dr. Mark Crawford, Centre for State and Legal Studies, Athabasca University

Public Services, Health Services and the GATS

Speaker from the Centre for International Public Health Policy, University of Edinburgh

Insurance Services and Health Insurance Services under the GATS

Dr. Rudolf Adlung, Trade in Services Division, WTO Secretariat

WTO Implications of National and Cultural Differences in Understandings of Health Risk

Professor Gregg Bloche, Georgetown University & University of Chicago

Session II: The European Union Perspective on Healthcare and Health Insurance Services

Keynote Address: Public Services, Citizenship and Solidarity in the Union

Professor Malcolm Ross, Sussex Law School, University of Sussex

Services of general economic interest in services trade

Professor Erika Szyszczak, University of Leicester

Health insurance services and EU competition law

Mr. Giorgio Monti, The London School of Economics and Political Science (to be confirmed)

EU Law and the Netherlands Act on Health Insurance; the Current State of Affairs

Mr. Berend Jan Drijber, Partner, Pels Rijcken & Droogleever Fortuijn

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HEALTHCARE & TRADE IN PHARMACEUTICALS

Session III: Intellectual Property in Trade Agreements and Pharmaceuticals

Keynote Address: *IP Rights and Access to Pharmaceuticals*

Mr. Anand Grover, UN Special Rapporteur on Health

The TRIPS Agreement and Public Health

Mr. Roger Kampf, Counsellor, Intellectual Property Division, WTO Secretariat

IP, FTA/BITs and Public Health

Dr. Holger Hestermeyer Esq., Senior Research Fellow, Max Planck Institute for Comparative Public Law and International Law & European University Institute

IP and Trade; an Economic Analysis

Dr. Xuan Li, Lead Economist and Coordinator, Innovation & Access to Knowledge Programme (IAKP) South Centre

Session IV: Parallel Imports a Panacea for Public Health and Pharmaceutical Competition?

Parallel Imports in the Jurisprudence of the European Court of Justice

Mr. Antonio Perez van Kappel, Référendaire, Cabinet of Advocate General M. Ruiz-Jarabo, European Court of Justice

Auditing the Public Health impact of Parallel Imports in the EU

Dr. Joan Costa-i-Font, The London School of Economics and Political Science

Closing Address: *Common Elements and Concluding Remarks*

Professor Joost Pauwelyn, Centre for Trade and Economic Integration, Graduate Institute of International and Development Studies

Session I – The WTO Perspective on Healthcare and Health Insurance Services

Within the WTO in general, and in relation to the GATS in particular, the distinction between the goal of liberalization of trade and the goal of allowing Members to pursue their own health policies has always been at the forefront of attention. This session will look at some of the areas in which the relation between trade and health becomes evident.

Session II - The EU Perspective on Healthcare and Health Insurance Services

The internal market of the European Union has already had a significant impact on the regulation of national health systems and of health insurance services. Discussion in this session will focus on the broader implications of EC competition regulations in general, and of the concept of services of general economic interest in particular, on the regulation of health and health insurance services, both at the level of the Union and that of its Member States.

Session III - IP in Trade Agreements and Pharmaceuticals

Changes in the TRIPS Agreement promise increased use of the flexibilities in pursuit of public health needs for all WTO Members. At the same time there is a growing trend in the use of measures that are described as TRIPS Plus mechanism within trade agreements which are increasingly challenged for producing the reverse effect. How are these contradictory developments being reflected in law and what economic outcomes are they producing? What does this mean for public health? Discussion will be centered on exploring this dichotomy and issues surrounding it in reference to public health.

Session IV – Parallel Imports a Panacea for Public Health and Pharmaceutical Competition?

Parallel Imports, whilst accepted as one of the legitimate tools within the arsenal of flexibilities on public health within TRIPS, remain hotly contested. The controversy largely lies in the tension between IP law on the one hand and competition and free movement of goods on the other. Nowhere is this conflict more pronounced than through the diverse jurisprudence of the European Court of Justice. This session will take an in-depth look into the experiences of the European Union in this area and seeks to draw out lessons which can be learnt for general application within the wider WTO setting for public health.