

International Trade



International Trade News Digest

TRADE POLICY UNIT

INTERNATIONAL TRADE DIVISION

MINISTRY OF FOREIGN AFFAIRS, REGIONAL
INTEGRATION AND INTERNATIONAL TRADE

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2. Entry into force of the Industrial Property (IP) Act 2019: What are the improvements?
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9. COMESA: Studies for the 2nd Round of Services Negotiations
10. National IP Capacity-Building Programme: More than 300 Mauritian nationals participated in the training sessions

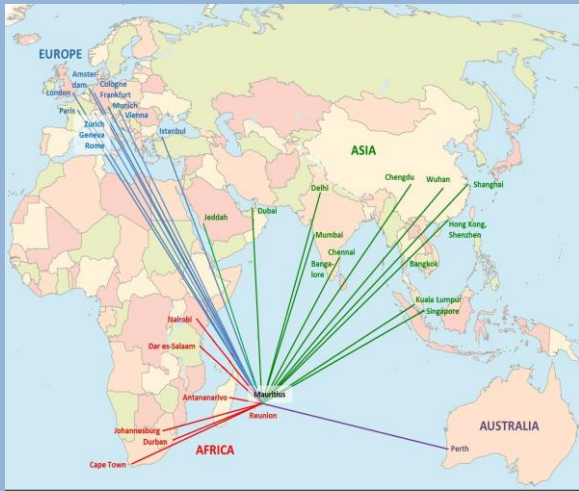


The 1st Inter-Ministerial Committee on the implementation of FTAs was chaired by Honourable Alan Ganoo on 16 February 2022.

Implementation of FTAs

Towards a more coordinated approach

On 04 March 2022, Cabinet took note of the outcome of the first meeting of the Inter-Ministerial Committee on monitoring and implementation of Free Trade Agreements (FTAs) signed by Mauritius which was held on 16 February 2022 at the Trade Policy Unit.



The draft concept paper on the implementation of FTAs would be amended to cover improved connectivity with key exports markets

The Inter-Ministerial Committee took note of a draft concept paper prepared by a Technical Coordination Committee, comprising representatives from both the public and the private sector. The draft concept paper outlines specific measures and actions to be implemented by various institutions in a more coordinated manner to unlock the opportunities under the various FTAs.

It was decided that the draft concept paper would be amended to take into consideration issues raised during the meeting including:

- (a) improved connectivity with key exports markets;
- (b) focused marketing strategy to boost exports and attract investment;
- (c) re-structuring of the manufacturing sector; and
- (d) promoting Mauritius as a manufacturing destination of high end products.

Entry into force of the Industrial Property Act 2019

What are the improvements?

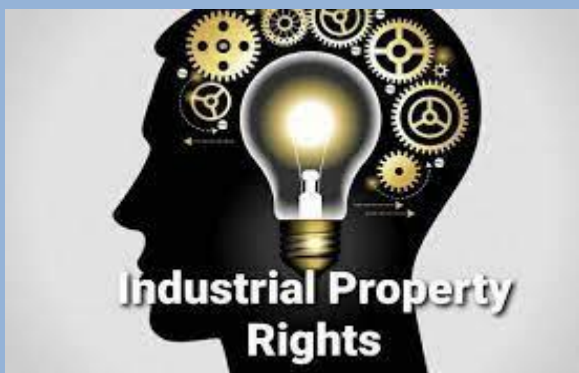


A sensitization session on the Industrial Property Act 2019 was chaired by Honourable Ganoo with the private sector on 20 January 2022

The Industrial Property Act 2019 entered into force on 31 January 2022. Below are the main changes brought by the law:

(A) New institutional framework

Enhanced institutional framework to administer the industrial



property legislation in Mauritius:



Intellectual Property (IP) refers to

- the creation of the mind:
- inventions,
- literary and artistic works, and
- symbols,
- names,
- images, and
- designs used in commerce.

Source: <http://www.wipo.int/about-ip/en/>

- The existing Industrial Property Office will be reorganized and revamped. The **new Industrial Property Office of Mauritius (IPOM)** will administer and implement the Act and assist in the protection, promotion and development of industrial property governed by the legislation.
- The Act makes provision for the **creation of an Intellectual Property Council** which will be an independent overarching institution looking at intellectual property issues in Mauritius. The Council will regroup representatives from various Ministries/Departments as well as representatives from the private sectors who are involved in the enforcement and generation of intellectual property assets.



What is a Patent?

- A patent is a document
- issued by a government authority (or a regional authority)
- granting the exclusive right to the applicant (normally the owner of invention)
- to exploit an invention to the exclusion of others,
- for a limited period of time.

Source: Mauritius Research Council IPR Booklet

(B) Patent: Employees are now eligible to a fair share of benefits

- **Previously**, as per the law, the right of the patent of any invention made in the execution of, or under, an employment contract belonged to the employer.
- **Under the Industrial Property Act 2019**, employees who are creative/innovative would be eligible to a fair share of benefits which the employer would derive from granted patents having a commercial value. Employees also have the right to file for patents in the event employers fail to do so.

(C) Utility model: A new right, A simple form of patent

- In order to motivate small and medium enterprises and small inventors to innovate, the Act makes provision for a new type of protection for small and incremental innovation. **This is called the utility model which can be described as a simple form of patent.**
- **A utility model is a fast and cheap option for protection of invention and has less stringent requirements that have to be met compared to patents.**

(D) Computer programs: Excluded from patent protection

- The Act explicitly stipulates that computer programs are excluded from patent protection.



UTILITY MODEL

Secure exclusive rights to your innovation.

Register your utility model.



Under the Industrial Property Act 2019, new sugar cane varieties can be protected. Exploitation of the protected variety require prior authorization of the new variety breeder.

List of Mauritian products which have Geographical Indication potential

- (1) 'Rum Mauritius'
- (2) Special Sugar
- (3) Bois Cheri Tea
- (4) Café de Chamarel

Products from Rodrigues Island :

- (5) Piment Rodrigues
- (6) Limon Rodrigues
- (7) Baie Topaz Red Beans
- (8) Rodrigues Honey

Source: Study undertaken by Pr Michael Blakeney and Dr Thierry Coulet in 2010: "The protection of GIs: Generating Empirical Evidence at Country and Product Level to Support African ACP Country Engagement in the Doha Round Negotiations"

(E) Protection of new plant varieties

- A novel feature of the Act is provision made for the protection of new plant varieties.
- A plant breeder's right is granted to the breeder of a new plant variety. Exploitation of the protected variety require the prior authorization of the breeder.

(F) Geographical Indications

- The Industrial Property Act 2019 repeals the Geographical Indications Act which was never proclaimed.
- The Industrial Property Act provides for the protection of Geographical Indications. Geographical indication means an indication which identifies a good as originating in the territory of a country, or a region or locality in that country, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.

(G) Genetic resources: Disclosure of source is now compulsory

- **Previously**, there was no legal requirement in Mauritius for the disclosure of genetic resources and prior informed consent.
- **The Industrial Property Act 2019** now provides for the disclosure of genetic resources and prior informed consent. In other words, a patent applicant in the field of biotechnology in Mauritius should now disclose the source of genetic resources which will eventually be used as raw material in the production of goods.

(H) Layout-designs of integrated circuits: New right to protect electronic components

- **Previously**, layout-designs of integrated circuits were not covered by the law Mauritius
- **The Industrial Property Act 2019** now provides for the protection of layout-designs of integrated circuits.
- A layout design is the three-dimensional layout of an integrated circuit, that is, the arrangement in a chip of

Layout-designs of integrated circuits of electric products created by Mauritian entrepreneurs are now eligible for protection in Mauritius:





active and passive electronic components. Integrated circuits are essential elements for a wide range of electrical products, including smart phones, watches, washing machines and medical apparatus.

(I) Accession of Mauritius to WIPO-administered Treaties

Now that the Industrial Property Act 2019 is effective, the International Trade Division of the Ministry of Foreign Affairs, Regional Integration and International Trade is initiating relevant actions (i.e. consult with WIPO, prepare relevant Instruments of Accession and inform Cabinet) for Mauritius to accede to the following three WIPO-administered Treaties:

- **Madrid Protocol**

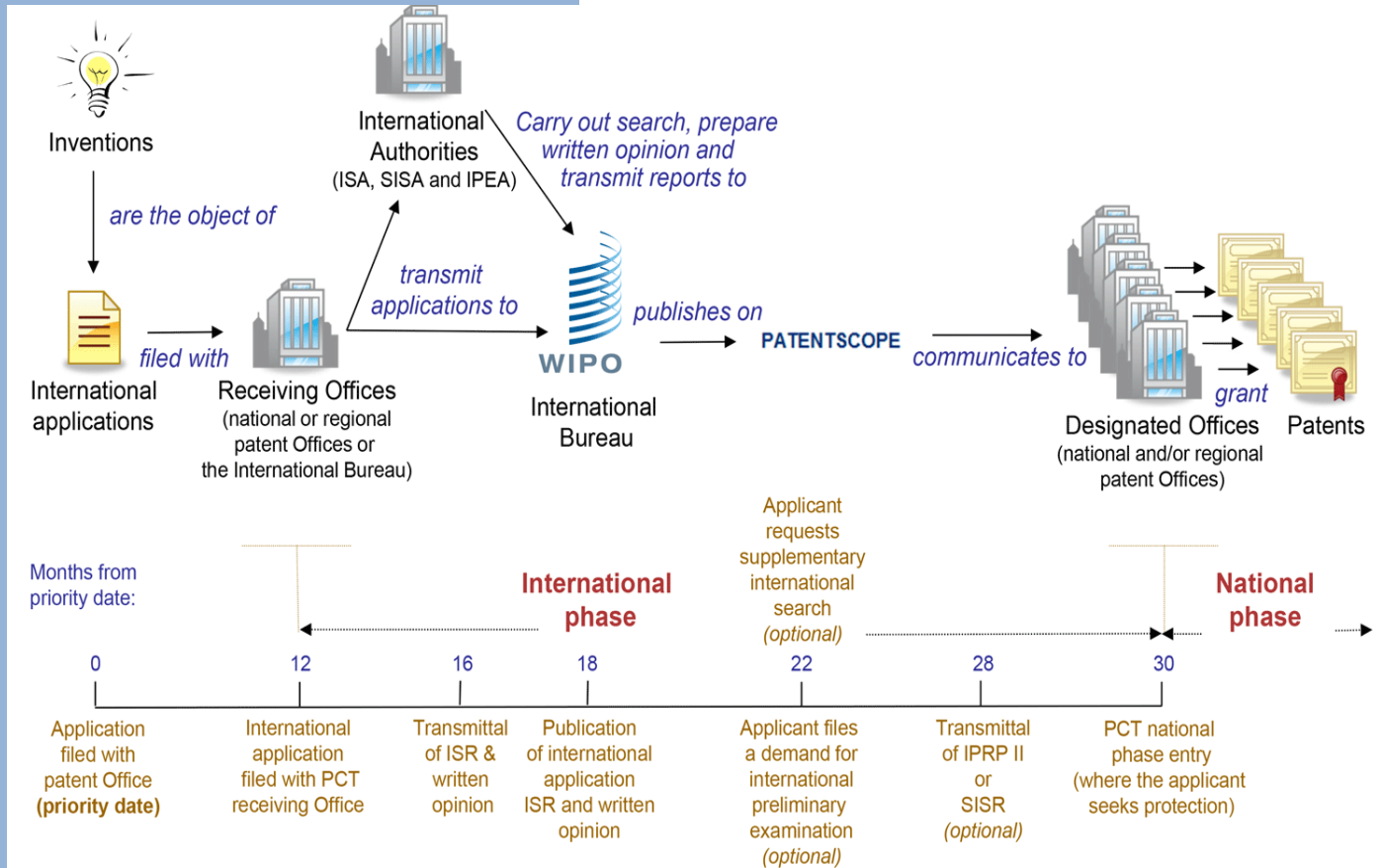
The Madrid System is a convenient and cost effective solution for registering and **managing trademarks worldwide**. Stakeholders will be able to file a single application and pay one set of fees to apply for protection in up to 120 countries. Modification, renewal or expansion of global trademark portfolio will be done through one centralized system (instead of filing separately in the Trademark Offices of different countries and paying a separate fee in each Office).

How the Madrid System works stage wise



How PCT works

(STAGES & TIMEFRAME)



- **Patent Cooperation Treaty (PCT)**

By filing one **international patent** application under the PCT in Mauritius, applicants would, upon entry into the national phase, have the possibility to seek protection of an invention in up to 152 PCT contracting parties.

- **Hague Agreement**

The Hague Agreement provides for the **international registration of industrial designs** and allows industrial designs to be protected in the 76 contracting parties with minimal formalities.



The Hague System for the international registration of industrial designs provides a practical business solution for registering designs, through the filing of a single international application.



Industrial Property Act 2019

Minister Ganoo chairs a sensitization session for private sector institutions



Minister Ganoo met with the DG of WIPO, Mr Daren Tang, in November 2021 in Geneva

In January 2022, the Minister of Foreign Affairs, Regional Integration and International Trade, Honorable Alan Ganoo chaired a sensitization session on the Industrial Property Act 2019, for the Economic Development Board, the Mauritius Research and Innovation Council and private sector institutions. These include the Mauritius Chamber of Commerce and Industry, Business Mauritius and the Mauritius Export Association.

Private sector highlights the importance of organizing a national and an international sensitization campaign on the new law

The session included a presentation on the Act delivered by the Industrial Property Office. Thereafter, discussions were held with representatives of the private sector. The latter stressed the importance of organizing a national and an international sensitization campaign on the new law in view of generating industrial property rights, commercializing them and attracting Foreign Direct Investment; especially in the field of biotechnology.

Minister Ganoo pointed out that “*the Act aims at modernizing the industrial property framework*”. “*It covers new industrial property rights that will render the Mauritian industrial property system more responsive to the needs of our development path where research, development and innovation lie high on our agenda*”, added Alan Ganoo.

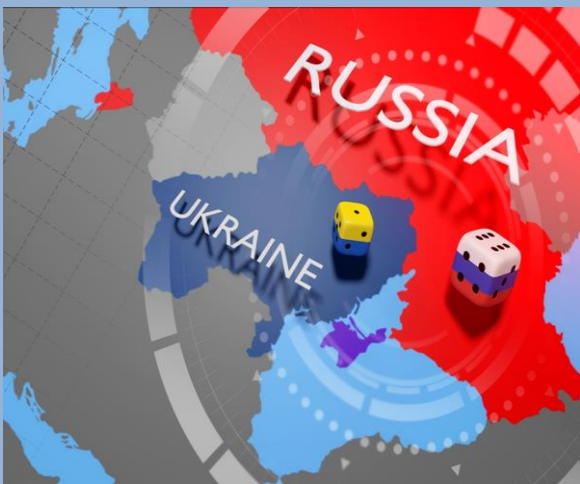
The Minister also highlighted that at the end of last year, he had a bilateral meeting with the Director General of WIPO, Mr Daren Tang to discuss the strengthening of our partnership with WIPO.

Russian invasion of Ukraine

Possible implications on trade in Mauritius

(i) Soaring oil prices

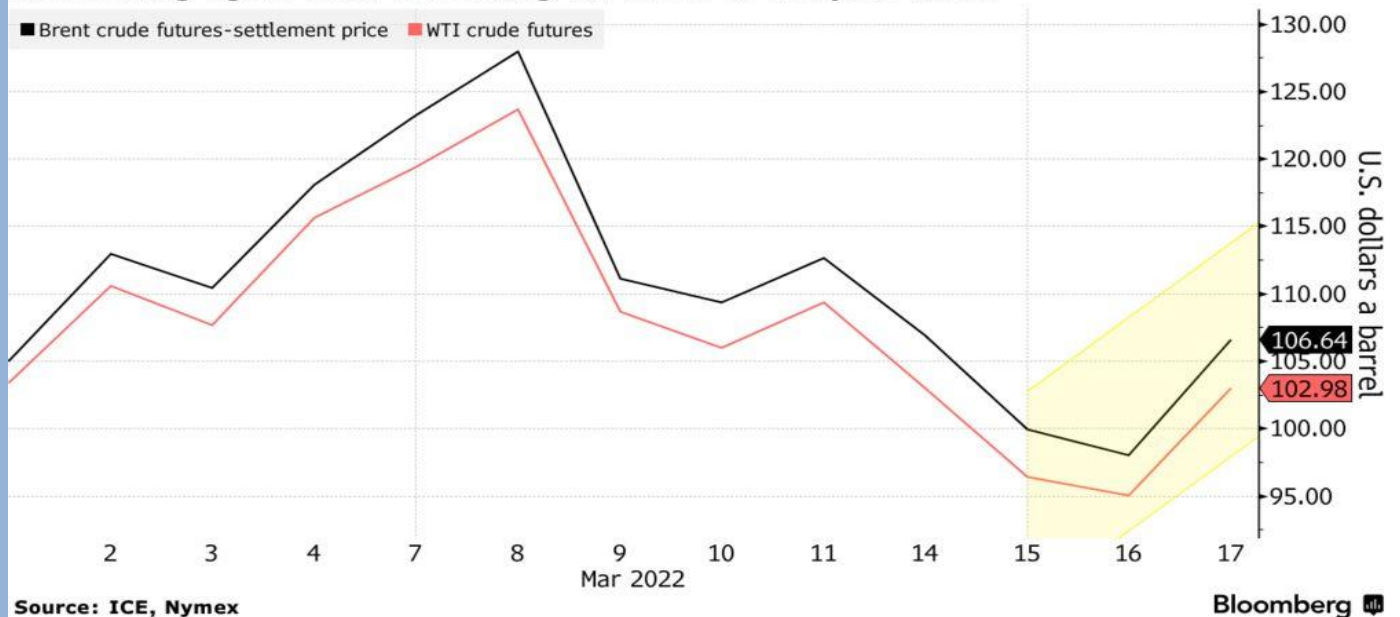
- Generally speaking, the Russian invasion of Ukraine will not only affect Ukraine’s trade flows with the world but also world trade as sanctions are placed on Russia.



- On 08 March 2022, US President announced that the US bans imported oil and other energy sources from Russia “to punish Russia as it intensified its military campaign in Ukraine.”. Relevant other banned goods from Russia include petroleum products, liquefied natural gas and coal.
- Rising oil prices will indeed impact the current account deficit of Mauritius.

Ticking Up

Oil is rising again after retreating for much of the past week



(ii) Higher energy costs

- Energy markets are reported to have been rocked in recent days over supply fears triggered by the Russian invasion of Ukraine. On the other hand, consumers are already feeling the impact of **higher energy costs** as fuel prices and household bills jump.
- From the Mauritian perspective and on the basis of a trade analysis conducted by the Trade Policy Unit, the Russia-Ukraine crisis might impact on our trade flows via two main channels i.e. in terms of:
 - a. higher prices for products which we source from Ukraine; and
 - b. supply-chain disruptions caused by the conflict (examples: destruction of ports in Ukraine, disrupted trade routes between Asia and Europe).

Products which Mauritius sources from Ukraine

OUR MAIN IMPORT: CRUDE SOYA-BEAN OIL



In 2020, Mauritius main import from Ukraine was crude soya-bean oil.

In 2020, Mauritius imported goods totaling US\$ 6,7 million from Ukraine compared to US\$ 3,4 million in 2019.

Our **main import from Ukraine** was crude soya-bean oil (which we mainly sourced from Argentina in 2020). Ukraine was our second most important supplier for this product, followed by Germany and Egypt.



Ukraine was our top supplier in terms of sunflower-seed or safflower oil.

In 2020, **Ukraine was our top supplier of sunflower-seed or safflower oil**, with US\$ 1,2 million worth imports from Mauritius. We also sourced sunflower-seed or safflower oil from Egypt, Turkey and Malaysia.

- The Russia-Ukraine crisis led to prices of vegetable oils and oilseeds skyrocketing. This includes not only sunflower and its immediate competitor, soya-bean. According to figures compiled by the Chicago Board of Trade, **the price of soya-bean which stood at 1,545.25 cents/bushel in February 2022 increased to 1,677.50 cents/bushel on 02 March 2022.**

Among our top 9 imports from Ukraine, the latter is the 1st world supplier of two specific products namely crude sunflower-seed or safflower oil and oilcake and other solid residues, whether or not ground or in the form of pellets.

Wheat: We do not import from Ukraine



According to the ITC, Mauritius did not import wheat from Ukraine in 2020.

In the case of wheat, prices jumped from 755 cents/bushel in February 2022 to 1,058.50 on 02 March 2022.

It is to be noted that Mauritius does not import wheat from Ukraine. According to the International Trade Centre, in 2020, we imported wheat from solely France and Germany.

However, it must be highlighted that countries such as France (*from which Mauritius sources wheat*), who, themselves, import wheat from Ukraine, are being impacted because of disruption to Black Sea shipments.

Russia's invasion of Ukraine has led to the closure of Ukrainian ports, while rumours that Bulgarian and Romanian authorities could slow exports to cool demand have also unsettled grain markets.



(iii) Impact on foreign exchange

- In view of the situation in Ukraine and its spillover effect on Europe, it is expected that the value of the **Euro** will decline vis à vis other currencies including the Mauritian Rupee. This could impact the competitiveness of Mauritius exports on the EU market.
- On the other hand, the value of the **US\$** is expected to soar, adding additional pressure on our import bills, especially for raw materials and production inputs and therefore further impacting our competitive edge.

African Continental Free Trade Area (AfCFTA)

8th Council of Trade Ministers



Creating One African Market

The 8th meeting of the AfCFTA Council of Ministers responsible for Trade was held in Accra, Ghana on 28-29 January, 2022. The meeting was chaired by Honourable Ebrahim Patel, Minister of Trade, Industry and Competition of the Republic of South Africa. The overall objective of the meeting was to assess the status of negotiations on outstanding issues and agree on the steps towards the start of commercially meaningful trading under the AfCFTA.

The Council of Ministers noted the progress made towards the conclusion of negotiations on Rules of Origin and agreed that trading under AfCFTA regime proceeds on the basis of agreed rules of origin covering 87.7% of total tariff lines and requested that necessary steps be undertaken by countries to gazette the schedules of tariff concessions, in accordance with their applicable national legislations.

The Ministers also directed that work on the SEZs Regulations be undertaken by the AfCFTA Committee on Trade in Goods at the earliest. The progress made towards harmonization of trading documents under the AfCFTA was also noted.

Trade in Services: Negotiations are in an advanced stage of completion

On Trade in Services, the meeting noted that the negotiations are in an advanced stage of completion with 46 member



Honourable Ebrahim Patel, Minister of Trade, Industry and Competition of the Republic of South Africa



Communication is one of the five priority service sectors whose negotiations are to be concluded by June 2022.

states having submitted their Schedules of Specific Commitments. The Council of Ministers directed that the negotiations on the **five priority sectors (Business, Financial, Communications, Transport and Tourism)** be concluded by 30 June 2022.

Progress made in operationalizing AfCFTA institutions

Moreover, Ministers noted the progress made in operationalizing AfCFTA institutions, including the Dispute Settlement Body (DSB) and the Establishment of the Appellate Body and adopted the Modalities agreed by the DSB.

The Council of Ministers further took note of the work of the Committees on Phase II Negotiations, namely: Investment, Competition Policy, Intellectual Property Rights (IPR), and directed that negotiations on the relevant protocols be concluded by September 2022 for subsequent adoption by Heads of State and Government.

Countries which have recently ratified the AfCFTA include the Republics of Burundi, Seychelles and the United Republic of Tanzania, and thus increasing the number of State Parties to 40.

Launching of the Pan-African Payment and Settlement System

A system to reduce cost and time of payments

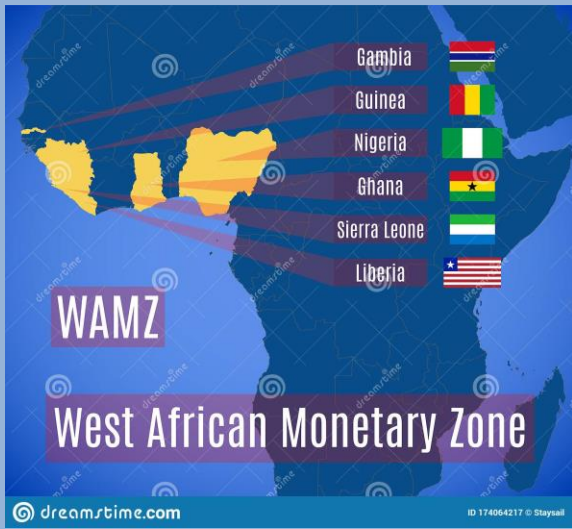
The much anticipated Pan-African Payment and Settlement System (PAPSS) was formally launched in January 2022 in Ghana. The system was developed by the African Export-Import Bank (Afreximbank) with the aim to reduce the cost and time of payments, lower the level of banking liquidity required to make payments, and improve central bank oversight of payments.

According to Afreximbank, PAPSS provides the solution to the disconnected and fragmented nature of payment and settlement systems that have long impeded intra-African trade.

Prior to PAPSS, over 80% of African cross-border payment transactions originating from African banks had to be routed offshore for clearing and settlement using international banking relationships. That posed multiple challenges, ranging from payment delays to operational inefficiencies and compliance concerns for the disparate regional payment



According to Afreximbank, PAPSS provides the solution to the disconnected and fragmented nature of payment that have long impeded intra-African trade.



PAPSS was successfully trialed in the six-member West African Monetary Zone.

systems.

The PAPSS will support the implementation of the African Continental Free Trade Area by enabling fast and secure payments in national currencies, thereby reducing foreign currency transfer costs

The PAPSS was successfully trialed in the **six-member West African Monetary Zone (Gambia, Gambia, Ghana, Guinea, Liberia, Nigeria, and Sierra Leone)** since last year.

Other African Union countries are expected to soon join the PAPSS.



MCCI's illustration

Mauritius-China FTA

WTO Committee on RTAs will examine the FTA on 28 - 29 March 2022

On 17 January 2022, the WTO announced the issuance of the factual presentation on the Mauritius-China FTA to Member States. The presentation was prepared by the WTO Secretariat on the basis of the joint notification of the FTA by Mauritius and China to the WTO and supplementary information provided by both countries in 2021.

The issuance of the factual presentation precedes the examination of the Mauritius-China FTA by the WTO Committee on Regional Trade Arrangements (RTAs) scheduled on 28 – 29 March 2022 in Geneva.

Mauritius is expected to make a statement on the Mauritius-China FTA, at the WTO Committee on RTAs and to provide replies to questions from WTO Members.



Mauritius is expected to make a statement on the Mauritius-China FTA, at the WTO Committee on RTAs

According to the factual presentation, based on 2020 data, China was Mauritius 9th largest export destination (1.5% of total exports) and the largest source of imports (70.2% of total).

For Mauritius, based on 2020 data, Mauritius was China's 97th largest export destination (0.027% of total exports) and the 132nd largest source of imports (0.001% of total).

Southern African Development Community (SADC)

Protocol on Trade in Services into force

The SADC Protocol on Trade in Services was signed and adopted by SADC Heads of States/ Government in August 2012, in Maputo, Mozambique. It entered into force after ratification by two-thirds of the SADC Member States on 13 January 2022.

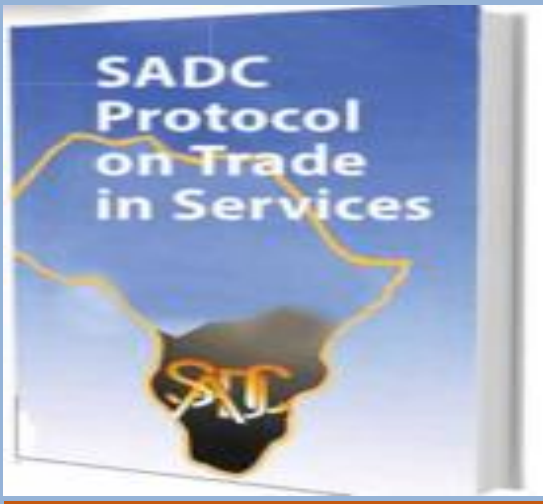
The Protocol aims to progressively liberalise intra-regional trade in services, promote sustainable economic growth and development, enhance diversification and foreign investment in the region, amongst others. It also provides for a mandate to progressively negotiate the removal of barriers to the free movement of services.

Six priority sectors were identified to kickstart the trade in services negotiations namely, Financial Services, Communications, Tourism, Transport, Construction and Energy-related services. These negotiations are expected to result in market access commitments that will provide a predictable legal environment for trade and investment in the sectors within the region.

The first round of negotiations focused on the first four priority sectors, namely in Communications, Financial, Tourism and Transport services. In July 2018, the Committee of Ministers of Trade approved the lists of commitments of 14 Member States, (except for Angola and Comoros) covering these four sectors. In addition, the following Annexes were adopted, namely the Annex on Financial Services, Annex on Telecommunication Services, Annex on Tourism Services and three cross-cutting Annexes on Substantial Business Operations, Interim Arrangement relating to commitments on Subsidies and on Movement of Natural Persons.

2nd round of negotiations

The lists of commitments in the two remaining sectors,



Tourism is one of six priority sectors identified to kick start the trade in services negotiations





SADC Member States are now engaged in the 2nd round of the negotiations covering business and distribution services as well as health; amongst others



namely Construction and Energy related services were adopted by the Committee of Ministers of Trade in June 2019 as well as the Annex on Postal and Courier Services.

SADC Member States are now engaged in the second round of the negotiations covering business and distribution services as well as all other sectors not prioritized in the first round namely educational; environmental; health; recreational, cultural and sporting services, amongst others. The negotiations are expected to be concluded by June 2023.

A SADC Business Guide is also available to explain the results of the first round of negotiations and the opportunities arising from the trade in services in the SADC region.

Common Market for Eastern and Southern Africa (COMESA)

Studies for the 2nd Round of Services Negotiations

In 2014, COMESA Member States completed the 1st round of trade in services negotiations which opened the regional market for communications, financial, tourism and transport services. Since then, Member States had committed to negotiate with each other to widen the scope of service sectors covered by the COMESA Regulations on Trade in Services.

However, the 2nd round of trade in services negotiations has been dragging for several years, and while some Members had submitted their draft offers for the new priority sectors, namely, business services, energy services and construction and related engineering services, several Members are still cautious to take commitments in these sectors.

Indeed, during previous COMESA Committees on Trade in Services, Member States had expressed their concerns about the lack of capacity by Members to take advantage of market access opportunities in the region. Some Members pointed to the fact that services commitments at the COMESA did not provide sufficiently higher market access than what was committed through the WTO GATS agreement.

In view of facilitating the negotiating process for Member States, the COMESA Secretariat has appointed experts to undertake studies on the said priority sectors to, inter alia:



One of the major issues flagged by Mauritian stakeholders include lack of market intelligence for Mauritian service providers to venture in regional markets



Mauritius suggested the creation of a platform to facilitate access to information regarding tenders in the region



- assess the state of trade in services in these sectors in the region;
- examine the commitments of Members under GATS and other RECs;
- analyze the regulatory regime, trade openness, structure of the sectors and level of competition and liberalization in the region;
- consider the possibility of negotiating mutual recognition agreements;
- propose recommendations drawing from best practices in other RECs.

The consultants retained for the exercise have already approached Mauritius for information gathering and a consultative meeting has already been undertaken with stakeholders in the construction and related services sector.

Lack of market intelligence for Mauritian service providers to venture in regional markets

Some of the major issues flagged by Mauritian stakeholders include lack of market intelligence for Mauritian service providers to venture in regional markets, lack of legal certainty and protection for service providers, and burdensome administrative processes.

Mauritius also suggested the creation of a common platform to facilitate access to information regarding tenders in the region and information about the policies and regulatory regimes in Member States. As a service provider in the said sectors, Mauritius mainly has the possibility to position itself as a provider for consultancy and engineering services rather than full-fledged services.

While negotiations on these new priority sectors are expected to resume this year, the trade in services environment remains uncertain and unpredictable due to the effects of the pandemic on the region. Nonetheless, Mauritius being a service oriented economy remains fully committed in the negotiations and Government views services as crucial to the economic recovery of the country.

National Intellectual Property Capacity-Building Programme

More than 300 Mauritian nationals participated in the training sessions since November 2021

The National Intellectual Property (IP) Capacity-Building Programme designed by IP experts appointed by the EU

The project to support Mauritius to implement the main recommendations of the Intellectual Property Development Plan (IPDP) was funded by the European Union .



Mr Getachew Alemu (left), IP expert and Team Leader discussing with Mr Arunsingh Ramduny, Project Manager at the Delegation of the EU in Mauritius



Site visits to the Mauritius Cane Industry Authority and to the Barkly Experiment Station (picture above) were carried out in light of the capacity-building programme



and by the Trade Policy Unit of the International Trade Division came to an end at the beginning of March 2022. It is to be noted that training sessions started in November 2021 with a break in November/December 2021 due to the Covid-19 pandemic.

More than 300 Mauritian nationals from various fields of intellectual property from the public and the private sector have been participating in the training sessions. Site visits to the Mauritius Cane Industry Authority and to the Barkly Experiment Station were also carried out.

The training sessions conducted by Mr Getachew Alemu, Pr Michael Blakeney, Mr Yuriy Kapitasa and Mr Ioannis Kikkis, were held in a hybrid format i.e. physically as well as virtually. The aim was to abide to the prevailing sanitary restrictions and to allow a larger audience to benefit from the capacity-building programme.

Modules covered a wide array of intellectual property rights, new industrial property rights catered by the Industrial Property Act 2019 and the implications of Mauritius joining WIPO-administered Treaties. A few examples of focused training modules include the following:

- Examination of applications and protection of new plant varieties;
- Civil enforcement of patents, utility models, trademarks and geographical indications;
- Implementation of the Madrid Protocol and Hague Agreement;
- Border enforcement of intellectual property rights;
- Workshop on “Developing IP generation, management and commercialization in universities and research organizations”;
- Developing IP education and IP generation and commercialization in Mauritius universities and research organizations.

Workshop on IP Generation, Development & Commercialization

In light of the National Intellectual Property (IP) Capacity-Building Programme designed by IP experts appointed by the EU and by the Trade Policy Unit of the International Trade Division, a workshop focusing on IP Generation, Development & Commercialization was organized in February 2022 at The Hennessy Park Hotel.

National workshop: “Developing Intellectual Property Generation, Management and Commercialization in Mauritius”

Honourable Alan Ganoo: “I wish to express my deepest gratitude to the EU for the strong support to implement the main recommendations of the IPDP.”

His Excellency Mr Vincent Degert, Ambassador and Head of the EU Delegation in Mauritius: “IP is at the heart of any successful business.”

28 February 2022



The panel sessions showcased the commercialization aspect of IP



The aim of the workshop was to:

- (i) promote the generation of intellectual property rights;
- (ii) create awareness around the imperativeness of protecting creations and innovations; and
- (iii) using the registered intellectual property right to earn more revenue upon commercialization of the innovative product.



From left to right: Mr N Boodhoo, Mr G Alemu, Hon A Ganoo and HE Ambassador Degert

The workshop targeted research institutions and universities, researchers and the academia as well as business operators of the private sector, who are involved in the development of intellectual property, on the use of their creation as a means to generate revenue through the commercialization of their IP-protected product.

Two targeted panel sessions were held. The **first one** showcased the commercialization aspect of intellectual property rights from the perspective of research institutions and the private sector, while the **second one** focused on the generation of IP rights in the universities and academia in Mauritius. The two sessions enabled fruitful discussions between participants and EU project IP experts with explanations of a practical nature provided to those who are willing to better exploit their IP rights.

Industrial Property Office of Mauritius to prepare guidelines to guide Mauritian nationals and foreigners wishing to file in applications to register and protect their intellectual property

The major outcome of the workshop relates to the experts' recommendation for the Industrial Property Office of Mauritius to prepare sets of guidelines and course of actions to guide Mauritian nationals and foreigners wishing to file in



applications to register and protect their intellectual property.

The experts highlighted the importance of such practical guiding documents, in terms of timeframe, costs and understanding of the whole process, to create awareness and predictability for inventors and creators. More linkage between intellectual property stakeholders as well as between research and industry was also advised.

The recommendations would be part of the final report to be submitted by the IP experts to the Government of Mauritius.

12th WTO Ministerial Conference (MC)

WTO members agree on mid-June dates for reconvening MC12 in Geneva

On 23 February 2022, WTO members agreed that the postponed 12th Ministerial Conference (MC12) will now take place during the week of 13 June in Geneva. The decision at a meeting of the organization's General Council was taken following the easing of Covid-19 pandemic restrictions in the host country Switzerland.

MC12 was due to take place from 30 November to 3 December 2021 but was postponed due to the outbreak of the Omicron variant of Covid-19, which led to the imposition of travel restrictions and quarantine requirements in Switzerland and many other European countries.

Ambassador Dacio Castillo of Honduras, the chair of the General Council, noted that fixing the dates for the eagerly awaited meeting should provide impetus to the WTO's work and focus for the discussion on ministerial outcomes. The exact dates of the meeting will be defined later, he noted.

"Let us work together, with the primary objective in mind, that the Conference will provide the WTO, and us here in Geneva, with an opportunity to demonstrate that the WTO can deliver," Ambassador Castillo declared. "Let us make this count."

The pandemic has twice forced the postponement of MC12. The meeting was originally scheduled to take place in June 2020 in Nur-Sultan, Kazakhstan.

The Ministerial Conference, which is attended by trade ministers and other senior officials from the organization's 164 members, is the highest decision-making body of the WTO.



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Ambassador Dacio Castillo of Honduras, the chair of the WTO General Council



Ambassador Dwarka-Canabady chairs the WTO Committee on Trade and Development

WTO: Mauritius chairs the Committee on Trade and Development

On the same date, the WTO General Council noted the consensus on a slate of names of chairpersons for WTO bodies for the Year 2022.

Her Excellency Mrs Usha Dwarka-Canabady, Ambassador and Permanent Representative – Mauritius Embassy and Permanent Mission to the United Nations – Geneva chairs the WTO Committee on Trade and Development.

Proposal to have a temporary TRIPS waiver

Compromise between the EU, India, South Africa and the US ?

According to the WTO, internal domestic consultations within the EU, India, South Africa and the US are ongoing in view of partly accepting and amending India and South Africa joint proposal to have a temporary waiver from certain provisions of the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement for the prevention, containment and treatment of Covid-19.

The WTO reports that EU, India, South Africa and the US are focusing on a waiver for the production of vaccines against the Covid-19 pandemic. *“This is a major step forward and this compromise is the result of many long and difficult hours of negotiations. But we are not there yet. We have more work to do to ensure that we have the support of the entire WTO Membership,”* the Director-General said.

While the agreement between the EU, India, South Africa and the US is an essential element to any final deal, WTO DG Okonjo-Iweala cautioned that not all the details of the compromise between the four Members have been ironed out. She stressed that work must commence immediately to broaden the discussions to include all 164 members of the WTO and to bring about a full agreement as quickly as possible.



It is reported that ‘consensus’ between the four WTO Members would apply only to patents for Covid-19 vaccines, which would be much more limited in scope than the proposed temporary broad TRIPS waiver by India and South Africa.

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