

# CONTENTS

---

<b>1</b>	<b>Overcoming the TRIPS Restriction on Pharmaceutical Imports by and Exports to Countries with Insufficient Manufacturing Capacity</b>	<b>1</b>
(a)	Background to the “Paragraph 6” issue in the Doha Declaration on the TRIPS Agreement and Public Health	1
(b)	Problem of countries with insufficient or no manufacturing capacities	1
(c)	In search of a solution	2
(d)	The Decision and Statement	4
<b>2</b>	<b>Conditions and Measures for Implementing the Waiver to the TRIPS Restriction</b>	<b>5</b>
(a)	Countries and situations where the waiver is not required	5
(b)	General situation where the waiver is required	6
(c)	Measures required by the importing country	7
<b>3</b>	<b>Measures Required by the Exporting Country</b>	
(a)	Notify the WTO	10
(b)	Conditions of the compulsory licence	11
(c)	Payment of compensation	12
(d)	Regional arrangements	12
<b>4</b>	<b>Additional Requirements under the WTO General Council Chairperson’s Statement</b>	<b>13</b>
<b>5</b>	<b>Comment on the ‘Dampening Effect’ of the Conditions and Procedures in the Decision and Chairperson’s Statement</b>	<b>15</b>

<b>6</b>	<b>Limited Area of Applicability of the Decision</b>	17
<b>7</b>	<b>Conclusions</b>	19
	<b>References</b>	22
	<b>Annex 1</b>	23
	<b>Annex 2</b>	29
	<b>Annex 3</b>	30
	<b>Annex 4</b>	33

สำหรับเพื่อการศึกษาและการอ้างอิงเท่านั้น  
For educational use and reference only