Book Review II: Intellectual Property Rights and Sustainable Development Goals in Africa - African Voices in the “The Book on Intellectual Property Rights and Sustainable Development Goals in Africa”

By:

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1. Introduction

The relationship between intellectual property (IP) protection and sustainable development remains a topic of ongoing debate within global governance frameworks. For African economies, this debate is grounded in urgent, concrete challenges, including limited access to essential medicines for millions,

persistent barriers to agricultural innovation that affect food security, and the need to safeguard traditional knowledge from exploitation while fostering pathways for local entrepreneurship. While the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) established minimum standards of protection, its developmental implications for African economies continue to spark scholarly and policy discussion. The adoption of the United Nations Sustainable Development Goals (SDGs) and African Union (AU) Agenda 2063 have heightened this conversation by reframing development as multidimensional, rights-oriented, and innovation-centered.

What sets this collection apart is its drive to go beyond mere descriptions of IP frameworks in Africa and engage in a more thoughtful normative discussion. The contributors reject the notion that global IP norms are the unavoidable end goals. Instead, they critically examine these standards. This is especially relevant considering the powerful influence of the TRIPS Agreement (World Trade Organization [WTO], 1994), which has largely dictated the contours of IP policy for African nations. The central thesis of the book—that IP should be regarded as a policy instrument rather than an unchangeable law—resonates with longstanding critiques, such as Peter Drahos and Joseph Stiglitz, but grounds them in the realities faced by contemporary African nations.

Intellectual Property Rights and Sustainable Development Goals in Africa, published by CRC Press in 2025, addresses these issues by examining how African IP regimes intersect with, support, or complicate the achievement of the SDGs.

2. Book Thematic Analysis

Edited by Desmond Osaretin Oriakhogba, Charlene Tsitsi Musiza, and Sand Mba-Kalu, the volume features contributions from just under 30 authors representing diverse jurisdictions and disciplines, including detailed analyses of Cameroon, Egypt, Gambia, Ghana, Morocco, Nigeria, Kenya, South Africa, Tanzania, Zimbabwe and regional organizations such as ARIPO and OAPI. It engages in this analysis within sectors such as agriculture, food security, access to medicines and public health, SME development, financing, data protection and Artificial Intelligence, amongst others. It explores the intersection of IPRs and SDGs 1-9, 11, 12, 16 and 17. This breadth grounds the

volume’s approach in regionally specific experiences and perspectives.

The editors organize the volume on the premise that IP law should be understood not solely as a system of private rights but also as a tool for sustainable development. By placing the SDGs at the center as a primary interpretive framework for reassessing African IP regimes, the volume offers readers a practical lens for analysis that extends beyond theory. For policymakers and researchers, this contextually grounded approach can inform more tailored policy design, recalibrate patent policy debates in specific jurisdictions, and provide actionable pathways for aligning IP systems with development priorities. In this way, the editorial framing directly enables readers to apply new insights to their own work and decision-making.

A. Public Health, Access to Medicines, and SDG 3:

The volume devotes significant attention to the interface between IP protection and public health, particularly to access to medicines. These chapters consider TRIPS flexibilities, compulsory licensing, and the practical challenges African states face in pursuing pharmaceutical autonomy. The section addressing access to medicines is particularly rich in insights. While the use of TRIPS flexibilities, such as compulsory licensing, has been well documented by scholars, such as Carlos Correa, the authors situate these strategies within the operational challenges that African countries face. For instance, South Africa's drawn-out attempts to reform its patent regime, which include discussions of substantive examination and the pitfalls of patent evergreening, highlight how legal reforms often become mired in political and economic factors, as well as in foreign influence.

B. Agriculture, Traditional Knowledge, and Biodiversity (SDGs 2 & 15):

A further subset of chapters explores plant variety protection, traditional knowledge, and governance of biodiversity. This analysis is especially pertinent given Africa’s biocultural diversity and continuing concerns regarding biopiracy and equitable benefit-sharing. The segments on agriculture and food security effectively demonstrate how plant variety protection influences access to seeds and other agricultural resources. In many African settings, innovation often exists outside formal registration processes, raising important questions about which forms of knowledge are valued within IP systems. This critique is not

entirely new, but the book's integration of it within the sustainable development goals, particularly SDG 2 (Zero Hunger), is a noteworthy contribution.

C. Innovation, Industrialization, and SDGs 8 & 9:

Several chapters investigate the role of IP in fostering innovation ecosystems, facilitating technology transfer, and supporting the growth of small and medium enterprises (SMEs) in African economies. The contributors measure innovation success using concrete indicators, including trends in domestic patent filings and increases in SME participation in technology-driven sectors. In particular, some chapters draw on national innovation reports, which track technology transfer rates as a proxy for the effectiveness of IP in advancing broader progress toward SDGs 8 and 9. By specifying these metrics, the volume offers a more robust basis for evaluating the development impacts of IP policy reforms.

D. Regional Integration and Institutional Architecture:

The volume also reviews regional mechanisms, including harmonization efforts and institutional architecture at both continental and sub-regional levels. The book's strength shines through in its treatment of regionalism. It explores the functions of the African Regional Intellectual Property Organization (ARIPO) and the Organisation Africaine de la Propriété Intellectuelle (OAPI) not merely as administrative bodies, but as entities that could drive normative change. Still, the analysis encourages a more discerning evaluation. For example, while ARIPO's Harare Protocol facilitates patent registration across several jurisdictions, its design raises pertinent questions about how well it meets the diverse developmental needs of its member countries. OAPI's centralized approach creates its own set of challenges, particularly because nations have limited ability to diverge in policy. While the idea of harmonization is appealing, it often clashes with the need for adaptability.

The IP Rights Protocol to the Agreement Establishing the African Continental Free Trade Area (AfCFTA) is envisioned as a potential game-changer for developing a unified, development-focused IP framework across Africa. This is certainly an enticing idea. Yet the discussion hesitates over a crucial question: could harmonization inadvertently reproduce the constraints it aims to overcome? By aligning African IP frameworks to higher global standards, the

potential benefits for development may be constrained. Conversely, if harmonization is implemented more flexibly, the feasibility of such political manoeuvres becomes uncertain. While this tension is recognized, it is not fully addressed.

3. Conclusion

Like many regional or continental-focused studies, there is also a subtle inclination to portray "Africa" as one cohesive unit. While this may be inevitable in a work of this type, it risks oversimplifying significant distinctions. The IP issues faced by South Africa, or Kenya, with its relatively advanced legal system, differ greatly from those in smaller economies or in OAPI's integrated framework. A more detailed analysis here would enhance the discussion. In the end, the book excels in challenging complacency. It rejects the comfortable notion that simply aligning IP systems with global standards equates to developmental progress. Instead, it raises essential questions about alignment, objectives, and the implications of such efforts. In doing so, it paves the way for a more candid discussion regarding the role of IP in Africa's development path. In this light, the book serves not so much as a collection of definitive answers but rather as a call to engage in deeper, more critical, and, hopefully, more ambitious reflections on the purpose of IP law in African contexts.

All in all, it is a timely, regionally grounded contribution to contemporary IP scholarship. Although the depth of engagement with the SDG framework varies, the collection effectively foregrounds African institutional realities and reframes IP law as a developmental instrument. This volume stands as a foundational resource for scholars, policymakers, and regional institutions seeking to engage with the intersection of IP and sustainable development in Africa. Its critical insights support future efforts to shape IP systems that better serve regional development priorities.

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