

Oxfam urges the World Health Assembly to adopt resolutions to ensure access to medicine for poor countries.

1. Commission on Intellectual Property Rights' Innovation and Public Health (CIPH) Report

The CIPH report recommends transparent and consistent pricing policies by originator and generic companies in both middle income and least developed countries, since vast numbers of very poor people live in the former as well as the latter. It affirms that governments should promote competition; strengthen regulation; encourage viable local and regional markets, and engage in South/South cooperation to enhance generic competition, including through local production of quality products. Oxfam believes that generic competition is crucial to price reduction as shown in the case of Antiretrovirals where price dropped from \$ 10,000 to \$ 140 per person per year.

Over and above TRIPS compliance, the issue of TRIPS Plus measures introduced in the bilateral and regional Free Trade Agreements is a particular concern. These agreements have devastating implications for countries faced with overwhelming health challenges, and the need to access relevant affordable first and second-line medicines, now and in the future. We strongly welcome the fact that the report highlights that adverse health consequences must be explicitly recognised before any such binding agreements are entered into.

As the report notes, the flexibilities in the WTO TRIPS agreement, and in particular the use of compulsory licenses and the amendments for production for export are not - in practice - assisting countries to access patented medicines. It is clear that the flaws in the TRIPS Agreement merit review of the agreement. Oxfam recommends that the WHA adopts the recommendations of the CIPH report.

2. The Global framework on essential health research and development

The report notes: "There is no evidence that the implementation of the TRIPS agreement in developing countries will significantly boost R&D in pharmaceuticals on Type II (such as HIV/AIDS and TB) and particularly Type III (such as African sleeping sickness and African river blindness) diseases. Insufficient market incentives are the decisive factor" Thus the report adds to the mounting evidence of the ineffective Intellectual Property Rights system in ensuring R&D for medicines for poor people.

The current massive public health challenges from both communicable and non-communicable diseases require new mechanisms for promoting R&D. Oxfam supports the WHA resolution calling for an international mechanism to increase global coordination and funding of medical R&D. The proposed R&D framework enables countries to focus the R&D agenda to the public health needs of their citizens and avoids the market failure in filling the medicines research gap.

Conclusion

These two resolutions provide an opportunity for revision of the global public health agenda in ways that recognise the extreme urgency of achieving access to medicines that are relevant to global public health, and that support long-term, sustainable production of low priced public health goods through reinforcing competition, and by introducing innovative ways to finance R&D.