

YOLSE's Statement to the UNHLP final report on access to medicines

Carouge, 16th September 2016

We applaud the United Nations Secretary-General's High-Level Panel on Access to Medicines final report.

We are happy that the Panel recognizes that it is not possible to achieve « the 2030 Agenda and its aspiration to leave no one behind » if the problem of access to innovative health technologies is not solved around the world.

The conflict between intellectual property law, international human rights law, trade rules and public health cannot be solved without, as the panel said, « using robust and effective accountability frameworks that hold all stakeholders responsible for the impact of their decisions and actions on innovation and access to health technologies.»

National Governments are called upon to put themselves in the front line to act immediately. The panel strongly recommends fully implementing the TRIPS flexibilities and the Doha Declaration. Thus, we urge Sub-saharan African Countries, particularly francophone countries, to follow this recommendation.

The transparency of R&D costs and the pricing of health technologies has also been highlighted. The panel recommends the WHO and the United Nations Secretary-General « to initiate a process for governments to negotiate global agreements on the coordination, financing and development of health technologies. This includes negotiations for a binding R&D Convention that delinks the costs of research and development from end prices to promote access to good health for all. The Convention should focus on public health needs, including but not limited to, innovation for neglected tropical diseases and antimicrobial resistance and must complement existing mechanisms. » In this connection, we urge Sub-saharan African Governments to commit to more investment on Health.

The report also mentions that the bilateral and regional free trade agreements (FTAs) exacerbate policy incoherence because they contain TRIPS-PLUS provisions that undermine the use of the Doha Declaration by governments to ensure their obligations on human rights and public health. We urge the African Union and the different regional economic organisations to abandon such provisions in the Pan African Intellectual Property Organization (PAIPO) and the *Accords de Partenariats Economique (APE)*.

The incoherencies between regional and national laws and practices that has been stressed by YOLSE's contribution to the High Level Panel is underlined in this report.

For more information on YOLSE's contribution to the High Level Panel:
<http://www.unsgaccessmeds.org/inbox/2016/3/4/safiatou-simpore-diaz-english-translation>