

EU's Intellectual Property agenda could impair access to medicines in the Andean region

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In Monday's press conference at the Residence Palace in Brussels, civil society organisations presented impact studies on the European trade agreements with Andean countries to MEP Bart Staes (Greens) and a representative of the European left party GUE/NGL, Paul-Emile Dupret. The groups presented studies revealing the damaging implications of the trade agreements in the areas of access to medicines and intellectual property (IP); human rights in Colombia; indigenous rights in agriculture and; the investment and services sectors.

The trade agreements currently being negotiated between the EU and Peru, Colombia and Ecuador include IP provisions that would seriously damage access to essential medicines in the Andean region. The EU-CAN Alliance and RED-CAN EU are looking to MEPs and policymakers in Europe to join the campaign to remove dangerous IP provisions that threaten the public health of citizens and the health budgets of the governments of the three negotiating countries.

New impact studies published this week reveal the potentially devastating consequences of the EU's IP agenda for access to medicines in Peru and Colombia. The study in Colombia found that 5 million people could lose access to medicines by 2030 unless there is an increase of 280 million USD in health spending. In Peru, the five year extension of patent protection would lead to an increase in spending of 250 million USD by 2030 or impair access to medicines for 6.2 million people in Peru. Together, the EU's proposals on patent protection and data exclusivity would increase the prices of medicines by up to 34%.

Though there are no figures for Ecuador, there is likely to be an even bigger impact because, unlike Peru and Colombia who have already signed free trade agreements with the United States, Ecuador still enjoys the relatively more flexible standards of the TRIPS agreement.¹

In this week's round of negotiations in Brussels, the EU-CAN Alliance, a civil society network of European and Andean civil society organisations, along with the RED CAN-EU, a European network of NGOs working specifically on these trade agreements, are hosting a series of events² to highlight the damaging provisions that the EU is pushing for in these agreements.

On hearing that the EU's position on IP is more uncompromising than the US, MEP Bart Staes commented, "I'm shocked to hear that the EU is more aggressive in its approach to intellectual property in trade agreements than the United States". Paul Emile Dupret added, "Europe should not be pushing Andean countries to sign provisions that contradict their national constitutions," as in the case of Ecuador and Bolivia (who left the negotiations in end of 2008).

In light of the current financial and flu epidemic crises, it is concerning that the EU is still promoting the interests of multinational pharmaceutical companies to the detriment of public health and development in the Andean region.

¹ The USA demanded IP standards that went beyond TRIPS, so the scenario is already more problematic. Ecuador does not have any data exclusivity provisions for example, while Peru and Colombia grant 5 years of extra protection through this mechanism. The EU is asking up to 11 years of data exclusivity of the Andean countries.

² On Thursday 7 May 2009 there will be a day of panels on the trade agreement in De Markten, Oude Graanmarkt 1000. Panel on Intellectual Property; Access to Medicines and Biodiversity at 11.15 - 12.15.

PRESS RELEASE

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