

## Health groups call for moratorium on FTAs ,TRIPS-plus measures by developed nations

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Even as the global community meets in New York for the United Nations General Assembly High Level Meeting on HIV and AIDS from 8 to 10 June 2011, networks of People living with HIV, health groups and treatment activists from around the world are calling for an immediate moratorium on all Free Trade Agreements (FTAs) and TRIPS-plus measures.

The health groups are calling on the EU, US and Japan to immediately withdraw all their proposals in paras 20, 21 and 52 of the Draft Declaration for the UN High Level Meeting. According to the latest information, the positions of the EU, US and Japan on intellectual property, access to medicines and free trade agreements have led to a deadlock over the crucial negotiations on the UN declaration.

The 'Bangkok Declaration on Free Trade Agreements and Access to Medicines' endorsed by health groups and individuals from Asia, Africa and Latin America declares opposition to the increasingly rapid spread of FTAs that put the profits of multinational pharmaceutical companies ahead of people's right to health around the world. The Declaration states that these "agreements are threatening to fundamentally and permanently undermine access to affordable medicines for millions of people. New HIV/AIDS medicines, Hepatitis C treatments, cancer drugs and life saving medicines for chronic diseases are all under threat."

The 'Bangkok Declaration' comes at a crucial time as the EU, traditionally considered a champion of human rights, is taking aggressive positions on the draft Declaration of Commitment on HIV that is being negotiated among UN member states in New York. "We are seeing an unusual position being taken by the EU which is refusing to commit to any treatment targets and at the same time is working with the US to remove or significantly dilute any language in the text related to increasing access to safe, effective and affordable generic medicines," said Matthew Kavanagh of Health GAP (Global Access Project), who is following the negotiations in New York.

Language proposed by the nations facilitating the UN process, Botswana and Australia, on trade agreements and the removal of any and all TRIPS-plus measures from FTAs has been rejected by the EU. They are joined in this by the US and Japan. Japan has even stated that there is no evidence that greater patent enforcement in developing countries is creating barriers in access to medicines.

Globally, developing countries caught in the TRIPS regime are struggling to provide second line treatment. Countries have adopted absurd eligibility criteria or are rationing newer, expensive HIV drugs that are patented in their countries. "With funding drying up as well and fewer avenues for decreasing the prices of ARVs, many countries are reluctant to adopt the new WHO guidelines for treatment. Any policy options to get generic supply for developing countries are being taken away in FTA negotiations with the EU, US and Japan," said Lorena Di Giano of the Argentinean Network of Women living with HIV/AIDS.

An estimated 18.3 million people living with HIV will be in need of treatment by 2015. The need for treatment for co-infections like hepatitis-C and TB will also increase. Prices for newer HIV medicines like etravirine, darunavir, raltegravir are already in thousands of dollars per person per year while medicines for hepatitis-C like pegylated interferon and telaprevir start at \$10,000 and go up to \$49,000 per treatment per person. Countries must have every legal and policy option at their disposal to provide this treatment in the most affordable and sustainable manner.