

WHO SEARO rejects counterfeit agenda of pharma MNCs

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The World Health Organisation's (WHO) South East Asia Regional Office (SEARO) has rejected the counterfeit agenda being propagated by developed countries and the multinational companies in the pharmaceutical sector. The SEARO asked the Member States to refrain from IP enforcement activities which compromise access to medicines in the developing countries.

The SEARO, at its 62nd Annual Regional Committee meeting held in Katmandu from 7 to 10 September, passed a resolution asking the regional director of SEARO to advocate that WHO does not support intellectual property policies that could potentially undermine availability of safe, efficacious, quality and affordable medical products. The meeting noted that the term and definition of 'counterfeit' relates to infringement of intellectual property rights and should not be equated with substandard medical products.

SEARO consists of 11 countries: India, Bangladesh, Nepal, Bhutan, Sri Lanka, Myanmar, Thailand, Indonesia, DPR Korea, Maldives and Timor-Leste. The annual meeting of SEARO is a forum to review progress made on health issues and to lay down the roadmap for future action relevant to the region and also preparation for the World Health Assembly.

One of the resolutions passed by the committee was on the quality, safety and efficacy of medical products. The resolution basically rejects the counterfeit agenda propagated by developed countries and pharmaceutical MNCs. The resolution takes note of the fact that there is an attempt to conflate IP enforcement issues with trade and substandard drugs and also recognize the need to separate IP issues from the availability of safe, efficacious and quality medical products.

Expressing concern over the numerous incidents of intellectual property enforcement measures that have resulted in unwarranted seizures of medicines affecting timely access to affordable medical products and generic production in developing countries, the resolution passed at the meeting asked the Member States to refrain from IP enforcement activities which compromise access to medicines. The resolution asked the member countries to refrain from applying measures to enforce intellectual property rights such as the seizure of medical products in transit, that result in creating barriers to legitimate trade and obstructing access to medical products, particularly in developing countries.

The resolution also asked the WHO regional director not to support any IP policy that undermine access to medicines.

This is viewed as a signal of rejecting the IP enforcement agenda advocated by International Medical Product Anti-Counterfeit Task-force (IMPACT), for which WHO is acting as the secretariat. Member States from SEARO like India and Thailand had opposed the IMPACT Agenda in the World Health Assembly 2008 and 2009 as well as in the WHO EB meeting in January 2009.