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CENTRE**

## **South Centre Statement for the Informal Consultation on the Roadmap on Access to Medicines**

**September 2018**

The draft roadmap is an important work in progress that needs to be further detailed with clear deliverables and timelines. The roadmap will need to ensure complementarity of its work and the implementation of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property (GSPOA).

In 2006, the report of the Commission on Intellectual Property Rights, Innovation and Public Health (CIPRH) recognized “the need for an international mechanism to increase global coordination and financing of R&D medications”, and recommended that work toward the adoption of an R&D agreement should continue. Following the adoption of the GSPOA, by the World Health Assembly (WHA) in 2008, in 2010 the WHA established the Consultative Expert Working Group on Research and Development: Financing and Coordination (CEWG) which recommended WHO member States to start negotiations on a binding international instrument on health R&D, as the best way to create an appropriate framework to ensure priority setting, coordination, and sustainable financing of affordable medicines for developing countries. However, this recommendation has not been considered by the WHO member States. In 2016 the United Nations Secretary-General established a High-Level Panel on Access to Medicines that recommended initiating a process for governments to negotiate global agreements on the coordination, financing and development of health technologies, including negotiations for a binding R&D convention that delinks costs of R&D from end prices to promote access to good health for all.

It should also be stressed that one of the critical aims of this roadmap should be to support R&D of vaccines and medicines for diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement and Public Health, which affirms the right of developing countries to use to the fullest the provisions in the Agreement regarding flexibilities to protect public health, and, in particular, provide access to medicines for all. The HLP on access to medicines has also made a recommendation for the WHO to establish and maintain an accessible international database on prices of patented and generic medicines and biosimilars in the private and public sectors of all countries where they are registered. This key recommendation should be taken up in this road map. Moreover, it will be important that clear milestones and timelines for deliverables of the activities are clearly established. In the discussions on fair pricing, affordability of medicines should be at the centre of any understanding of fair pricing.

On intellectual property (IP), the roadmap focuses on management of IP for supporting innovation for public health. IP management is not the role of WHO. On the contrary, the focus should be on use of flexibilities in the IP system to support realization of public health goals, providing training and capacity building to countries for the same and undertaking health impact assessment of work of WIPO and WTO.

WHO should also help build capacity of countries for proper implementation of IP laws in line with the TRIPS Agreement and make full use of its flexibilities. The South Centre offers to work in partnership with WHO to provide developing countries with training programmes on the use of IP flexibilities for public health.