Civil Society Urges Member States to Defend Need for Critical Review of IP System and Incentives for Medical Innovation

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BRUSSELS—The signing Civil Society organisations call on Member States to resist pressure from the pharmaceutical industry to eliminate critical elements of proposed European Union (EU) Council Conclusions that would improve the balance between innovation and patients' access to affordable medicines.

These Conclusions are scheduled for adoption by the Council on June 17, 2016. The Dutch EU Presidency has proposed an evaluation of EU mechanisms to encourage innovation for medicines. It now appears that specific recommendations that examine the suitability and impact of excessive intellectual property protection may be removed.

A coalition of public health organisations calls on Member States to support the latest Presidency's proposal, dated May 24 and, in particular, Articles 38-41 ("*regarding market and data exclusivity, the use of supplementary protection certificates, the scope of the patent "Bolar" and research patent exemption and other relevant instruments for intellectual property protection, in particular also regarding the orphan medicinal products regulation*").

Excessive and additional Intellectual Property Rights (IPR) do not contribute to genuine needs-driven medical innovation, and also delay generic competition, which results in unaffordable medicines prices that European health care systems struggle with today. It is an issue requiring urgent political action.

As outlined in Article 39 of the latest draft of the aforementioned Council Conclusions, it is of utmost importance that the European Commission conducts an in-depth independent evaluation of the impact of the IP-related incentives on medical innovation and affordability of treatments.

On June 17, EU Health Ministers should sign off meaningful Council Conclusions and not allow narrow commercial and political interests undermine public health needs.

We call on our representatives to consider their citizens, the future of health systems, and the general public interest.

See also, civil society statement of April 18, 2016.

Signed by:

1. AIDES, France
2. ARAS – Asociatia Romana Anti-SIDA
3. Berne Declaration
4. BUKO Pharma-Kampagne (Germany)
5. Coalition PLUS: Coalition Internationale Sida
6. Commons Network
7. EKPIZO – Greek Consumer Association “Quality of Life”
8. European AIDS Treatment Group
9. European Public Health Alliance (EPHA)
10. Global Health Advocates (GHA)
11. Health Action International (HAI)
12. Health Projects for Latvia
13. International Society of Drug Bulletins (ISDB)
14. Knowledge Ecology International (KEI) Europe
15. Médecins du monde – Doctors of the World International Network
16. Médecins Sans Frontières – Access Campaign
17. Medicines in Europe Forum (MiEF)
18. No Gracias (Spain)
19. PRAKSIS (Greece)
20. Salud por Derecho (Spain)
21. STOPAIDS (UK)
22. Transparency International, Pharmaceuticals & Healthcare Programme
23. Ukrainian Network of People Living with HIV/AIDS
24. Universities Allied for Essential Medicines – Europe
25. WEMOS Foundation