Media Statement: Health Action International Response to Report by UN High-level Panel on Access to Medicines

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AMSTERDAM—Responding to the Report of the United Nations Secretary-general's High-level Panel on Access to Medicines, published today, Health Action International's policy advisor, Tessel Mellema, stated:

"We commend the United Nations for addressing the critical issue of the policy incoherence between intellectual property (and related) rights and access to safe, affordable and effective and needed health technologies and welcome the High-level Panel's report.

We applaud the Panel for recommending alternative innovation models that embrace the concept of 'delinkage'. Delinking the costs of R&D from the price of a product would create innovation models that incentivise needs-driven R&D, and mandate data sharing and affordable access of resulting health technologies.

We also commend the Panel for adding to existing calls for a binding R&D Convention that includes a Code of Principles for Biomedical R&D. This international framework, also proposed in 2012 by the World Health Organization's Consultative Expert Working Group on Research and Development (CEWG), would improve the coordination of global R&D and secure sustainable financing mechanisms. It would also implement new incentives for R&D while managing outputs in a way that ensures both innovation and access.

We support the Panel's explicit calls for governments to develop strong, enforceable policies that: enable data sharing and data access as a condition of public grants for R&D; support open models of innovation and a public health approach to managing resulting intellectual property; and demand full transparency of R&D costs and the amount of public funding received from health technology manufacturers and distributors. Without this much-needed transparency, any discussion about sustainable medicine prices is not possible.

We also commend the Panel's clear call for governments to make better use of the flexibilities laid out in the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, including compulsory licensing and setting patent standards to prevent 'evergreening'. This recommendation is particularly important given the

ongoing pressure that low- and middle-income countries, in particular, receive from the European Union, United States, and other countries, such as Switzerland, to forego the flexibilities. TRIPS flexibilities help ensure all people, regardless of their socio-economic standing, can access the medicines they need.

People’s health should come before the profit-driven motivations of the pharmaceutical industry. We therefore encourage all government leaders to act on the Panel’s recommendations and implement ambitious policies that help ensure that access to medicines becomes a reality for everyone. The European Union, in particular, should consider these recommendations in its upcoming review of the Horizon 2020 research agenda.

We also encourage the UN to take these recommendations further and to ensure policy coherence with other innovation and access to medicines initiatives, including the UN High-level Meeting on Antimicrobial Resistance, the WHO Action Plan on Antimicrobial Resistance, and the WHO Global Strategy and Plan of Action on Public Health.