



STATEMENT

7 December, 2017

For immediate release

HEALTH ACTION INTERNATIONAL AND EUROPEAN PUBLIC HEALTH ALLIANCE REACTION TO LEAKED DOCUMENTS FROM EU-MERCOSUR TRADE TALKS

AMSTERDAM—Health Action International (HAI) and the European Public Health Alliance (EPHA) issued a joint reaction following Wednesday's publication of [leaked negotiating texts](#) from the European Union (EU) - Mercosur trade talks by Greenpeace.

HAI and EPHA made the following observations on the intellectual property (IP) chapters of the leaked text:

The leak of these documents serves to underline, once again, the importance of transparency, not just here, but in all free trade negotiations. As stated in our recent [joint letter](#) to EU-Mercosur chief negotiators, citizens have the right to know what is being discussed—and traded away—in their name.

While we positively note the acknowledgement of the Doha Declaration and the inclusion of language on the use of flexibilities and exceptions, the negotiating text is vague on critical points, such as data exclusivity, enforcement and supplementary protection certificates (SPC).

*Recognising that the leaked text refers to earlier negotiating rounds, we hope that subsequent language **explicitly rules out** the use of SPCs, the usefulness of which is currently under examination by the European Commission, itself.*

It is regrettable that the EU chose to remove language on competition and intellectual property, which would have prohibited the use of practices that distort competition, have adverse effects on trade, and/or impede the transfer of technology. In doing so, the parties open the door to monopoly practices that raise prices and have a negative impact on public health.

Following the publication of our letter, jointly signed by 25 civil society organisations, as well as a welcome [intervention](#) by Members of the European Parliament who are concerned that stringent IP measures in the deal will negatively impact access to medicines, and the latest mobilisation of civil society as a result of this leak, it is time for both parties to sit up and take notice.

The text of the deal must serve to protect access to safe and affordable medicines for EU and Mercosur citizens.

For interview requests and further information, please contact:

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Health Action International is the only non-governmental organisation entirely dedicated to strengthening pharmaceutical policy to improve public health. Our staff and global network of members have expertise in virtually all areas of medicines policy, including the price, availability and affordability of medicines, clinical data transparency, intellectual property and pharmaceutical marketing. We pursue advocacy at the patient level and up to the highest levels of government through our 'official relations' status with the World Health Organization and respected relationship with the European Medicines Agency. We are financially independent from the pharmaceutical industry.

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