

Forum: World Intellectual Property Organization

Question of: Improving Access to Generic Medicines in Developing Countries

Submitted by: China



Co-submitted by: Afghanistan, Argentina, Bangladesh, Brazil, Chile, Colombia, Croatia, Denmark, Finland, Hungary, India, Indonesia, Iran, Mexico, Namibia, Norway, Oman, Peru, Portugal, Russian Federation, Singapore, Spain, Sweden, Thailand, Tunisia, Yemen

The World Intellectual Property Organisation,

Desiring easy and affordable access to necessary treatments all over the world,

Reaffirming that access to basic medicine is a fundamental human right,

Recognizing the benefits of traditional medicines, although aware of the possible negative or even dangerous effects of inappropriate usage of them,

Realizing that more than 10 Million people per year die from curable diseases because of poverty,

Expressing its satisfaction regarding the decision of the Indian Supreme Court in favor of the generic production of the Novartis product Gleevec,

Recalling the TRIPS agreement,

Guided by the Doha Declaration on the TRIPS agreement and public health,

Alarmed by the wide spread of counterfeit drugs,

1. **Supports** the research and distribution of traditional medicines of which the efficiency has already been proved;
2. **Calls for** the revision of proper usage of traditional medicines and medical practices of indigenous tribes in tribal, mainly third world countries by the WHO and medical universities and hopes for their cooperation with the local healers;
3. **Calls upon** all member states to limit drug patent length to ten years starting from the beginning of the distribution of the medicine in question;
4. **Condemns** loopholes which allow extending duration of drug patents, such as Supplementary Protection Certificates (SPC);
5. **Encourages** the establishment of a foundation for pharmaceutical companies investment into

research and development

- a. To be named Fund for Drug Research (FDR),
 - b. Whose aims shall be
 - i. To balance the potential loss of profit caused by the actions mentioned in operative clauses 3 and 4 and,
 - ii. To encourage further research,
 - c. Contributors mainly financed by member states of the OECD and private individuals,
 - d. Further details of which shall be discussed at the official establishment of the fund
 - i. Which shall be held in the WHO headquarters in Geneva, Switzerland,
 - ii. The date of which shall be June 16th 2013,
 - iii. Where all members of the United Nations shall be represented;
6. **Supports** the expansion of pharmaceutical companies to the LDCs by
 - a. creating so called “brain-ports” in LDCs which
 - i. give people, who are not from the LDC where they want to establish or work in a company focused on medical research and/or production, all the rights of a civilian for the duration of their work,
 - ii. is established in one city of the LDC,
 - b. refunding a percentage of the taxes decided on by the FDR for these medical companies established in the “brain-ports” by the FDR;
7. **Suggests that** products of pharmaceutical companies shall only be licensed if they have obtained good manufacturing practice certification so that counterfeit production generic drugs will be eliminated;
8. **Further suggests** the foundation of bodies in all nations
 - a. financed by the FDR (mentioned in operative clause 5),
 - b. controlled by a separate UN body,
 - c. which shall observe drug trade and filter out all counterfeit drugs;
9. **Proposes** an international agreement between willing industrial and developing countries
 - a. to strengthen the economic power of these developing countries in order to guarantee the long-term liquidity of generic drugs sold there,
 - b. to support an assertive and effective sovereign government and political system to manage this development,
 - c. which shall be based on the exchange of resources that provide jobs in the developing country taking part in the agreement;
10. **Requests** the development of medical education in least developed countries to lay the fundamentals of their future pharmaceutical industry.