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## **LEGAL NETWORK RELEASES 13-POINT PLAN TO PARLIAMENT TO FIX CANADA'S ACCESS TO MEDICINES REGIME**

### ***Streamlined law would help get affordable drugs to developing countries***

**OTTAWA, April 18, 2007** — In a detailed brief to the House of Commons Standing Committee on Industry, Science and Technology released today, the Canadian HIV/AIDS Legal Network called on Ottawa to take concrete steps to fix Canada's Access to Medicines Regime and get affordable drugs to people in developing countries who desperately need them.

"Too many people in too many developing countries are needlessly suffering from treatable illnesses and diseases simply because they can't afford brand-name drugs," said Richard Elliott, Deputy Director of the Legal Network. "In the worst cases, they're paying the price of poverty with their lives. By fixing this law and making it work, we can help. This brief is a roadmap to achieving this."

Originally passed in May 2004 as the *Jean Chrétien Pledge to Africa*, the Regime was intended to allow generic drug companies in Canada to produce and export much-needed lower-cost versions of brand-name drugs to developing countries. To date, however, not a single pill has left Canada.

"We've tried to use the Regime, but the simple fact of the matter is there's too much red tape tying our hands," said Carol Devine of Médecins Sans Frontières. "What's needed now is a simpler, more straightforward process that gets cheaper, generic versions of brand-name drugs moving from Canada to patients in developing countries."

The cornerstone of the 13 recommendations in the Legal Network's brief is a proposal to authorize *any* pharmaceutical firm to produce generic versions of *any* drug patented in Canada for export to *any* eligible developing country listed in the law.

Adopting this proposal would:

- **allow any pharmaceutical product to be eligible for compulsory licensing** — right now, only a limited list of products are eligible for export and the list is just extra red tape;
- **simplify the exportation of a drug to any eligible country in any quantity** — currently, the law requires a company wishing to manufacture and export a generic version of a brand-name drug to apply for a separate licence for every drug order it receives (even if it's for the same drug); and
- **eliminate the 'expiry date' on a compulsory licence** — with the current two-year limit on the licence, if a developing country needs to continue buying a generic drug after the licence has expired, it must start the compulsory-licensing process from scratch; and
- **make it easier for developing countries to benefit from the Regime** — currently, the name of a developing-country purchaser must be disclosed even before it's certain that a drug can be exported by a generic manufacturer in Canada, exposing the country to pressure from governments or corporations opposed to compulsory licensing.

“The choices before us are clear. We can stand by and do nothing while people die completely preventable deaths, or we can do the right thing, the decent thing, by fixing this Byzantine law and getting it to achieve what it was meant to do in the first place — save people's lives,” said Stephen Lewis, former UN Special Envoy for HIV/AIDS in Africa.

The full text of the Legal Network's brief, entitled “Getting the Regime Right: Compulsory Licensing of Pharmaceuticals for Export,” is available at [www.aidslaw.ca](http://www.aidslaw.ca).

#### **About the Canadian HIV/AIDS Legal Network**

The Canadian HIV/AIDS Legal Network ([www.aidslaw.ca](http://www.aidslaw.ca)) promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research, legal and policy analysis, education, and community mobilization. The Legal Network is Canada's leading advocacy organization working on the legal and human rights issues raised by HIV/AIDS.

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