



Save Lives Now: Amend Without Delay **Amending Canada's Patent Act to allow exports of generic medicines**

TORONTO, October 1 – Médecins Sans Frontières/Doctors Without Borders and the Canadian HIV/AIDS Legal Network joined with Stephen Lewis, the UN Special Envoy on HIV/AIDS in Africa, at a press conference today to urge the Canadian government to follow through quickly with amendments to the Patent Act to allow exports of lower-cost generic medicines to developing countries. They welcomed the government's announcement that it will take action, and stressed that the government must ensure the amendment is done in a way that benefits the most people possible.

"This amendment is great and let's get it done now. Canada can play a leading role and provide a model for other countries," said Dr. James Orbinski of Médecins Sans Frontières/Doctors Without Borders. "We can't wait another year for legal fineries and want this passed in Canadian Parliament within a week. Prevarication and unnecessary delays will continue to cost millions of lives. Our experience in delivering anti-retroviral medicines to treat patients living with HIV/AIDS in the developing world shows competition from generic manufacturers results in sustained, dramatic decreases in the cost of treating people in developing countries. Treatment and care also provides concrete clinical benefits and positive effects on the lives of individuals and their communities."

Orbinski said MSF and the World Health Organization just released a report documenting the successful use of ARVs in 10 countries, disproving oft-repeated claims that such treatment can't be effectively or safely delivered in poor countries.

The Canadian HIV/AIDS Legal Network also commended the government's commitment to take swift action, and urged the government to resist any pressure to limit the amendment in ways that would hinder efforts to get less expensive medicines to patients.

Richard Elliott, the Network's Director of Legal Policy & Research, cautioned against only allowing generic medicines to be exported to countries facing health emergencies or to treat only certain diseases. "Waiting until things reach a crisis point before getting affordable treatment to people is bad medicine and bad public policy. And which medicines enjoyed by Canadians should we say are off-limits to developing countries? Even under WTO patent rules, sovereign countries still get to decide how they balance patent protection against health protection. If another country's laws allow for the importation of lower-cost generic medicines, there is no reason why Canadian law should block companies here from supplying those medicines."

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Médecins Sans Frontières & World Health Organization. "Surmounting Challenges: Procurement of Antiretroviral Medicines in Low and Middle Income Countries." (Sep 2003).

At: <http://www.accessmed-msf.org/documents/Finalpre-publversonSept17.pdf>.

Canadian HIV/AIDS Legal Network. "Protecting global health & human rights: Why and how the Patent Act should be amended to allow generic drug exports to developing countries." (Oct 2003). At: www.aidslaw.ca.