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DOHA DECLARATION INEFFECTUAL ? THE NATIONAL AIDS COUNCIL IS CONCERNED THAT THE BANGUI AGREEMENTS WILL JEOPARDIZE HEALTH IN AFRICA

By acknowledging the primacy of public health requirements over trade rules in developing countries, the Doha Declaration of November 2001 raised the hopes of better access to affordable medicines for developing countries.

Implementation as of February 28th 2002 of the additional arrangements to the Bangui Agreements (revised in 1999) on patent rights in Western and Central Africa jeopardizes that hope.

Sixteen African countries¹, grouped in OAPI (African Organization of Intellectual Property) are affected by this document designed to establish new regional regulations on trade.

The National AIDS Council is particularly concerned about two items :

- Compulsory licenses (manufacturing licences granted by governments to a manufacturer other than the patent holder) are restricted to manufacturers capable of producing within the OAPI region. In practice, the regional manufacturing capacities do not permit this.
- Parallel importing of proprietary drugs are limited to trade among OAPI members. Such conditions do not permit access to affordable treatment from other countries.

By contributing to lower drug prices, the diversification of supply sources facilitates access of infected people to the cheapest medications.

While WHO is stressing the consequences of the HIV/AIDS pandemic on African countries' development, the dispositions involved are detrimental to the Doha breakthrough. The National AIDS Council expresses alarm at their possible effects and demands their withdrawal.

¹ Bénin, Burkina Faso, Cameroun, République Centrafricaine, Congo, Côte d'Ivoire, Gabon, Guinée, Guinée Bissau, Guinée Equatoriale, Mali, Mauritanie, Niger, Sénégal, Tchad, Togo.