



Facts on the Doha Round

Office of the United States Trade Representative

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Doha Development Agenda Policy Brief – December 2005

United States Leadership in Providing Access to Medicines

The United States has been a leader in efforts to harness international trade rules to help countries gain access to life-saving drugs and successfully fight pandemics such as HIV/AIDS.

- In February 2001, the Bush Administration expressed its commitment to formulating and applying trade rules flexibly in order to be sensitive to health crises and protective of intellectual property rights. The Administration has stated that it supports efforts by WTO Members to avail themselves of the flexibility afforded by the TRIPS Agreement to address major health crises, such as the HIV/AIDS crisis in sub-Saharan Africa and elsewhere.
- In November 2001, the United States provided critical leadership in developing support for a separate, landmark political declaration on public health and international trade rules. This declaration helped pave the way for a successful conclusion of the Doha Ministerial.
- In December 2002, the United States announced a unilateral moratorium on the enforcement of TRIPS rules to allow countries to export drugs under compulsory license to those in need. That is, the United States announced that it would voluntarily waive its right under dispute settlement to allow countries to export drugs under compulsory license, even before formal agreement on an amendment or waiver had been reached in the WTO.
- The United States was instrumental in creating a consensus to reach the August 2003 agreement on a mechanism to allow drugs to be exported under compulsory license.
- The United States played a vital role in reaching an agreement on December 6, 2005 to make the August 2003 mechanism a permanent part of the TRIPS Agreement.

The United States is a leader in the global fight against HIV/AIDS and other infectious diseases. The President's Emergency Plan for AIDS Relief (PEPFAR) is the largest commitment ever by a nation toward an international health initiative for a single disease. PEPFAR is a five-year, \$15 billion, multifaceted approach to combating the disease in more than 100 countries around the world.

We are pleased that several U.S. pharmaceutical companies have formed partnerships with African countries and are working together to address many of the problems related to providing treatment to those in need. This includes the sale of critical medicines at very low prices, as well as the building of an improved infrastructure for getting these medicines to those in need.

Finally, we are reaching out to the public health and health care communities to ensure that their views are formally represented on our trade advisory committees where significant trade and health issues may arise. Specifically we are seeking, through a Federal Register Notice that we expect to be published this week, qualified applicants from the public health and health care communities to serve on the Industry Trade Advisory Committee on Chemicals, Pharmaceuticals, Health Science Products and Services (ITAC-3) and the Industry Trade Advisory Committee on Intellectual Property (ITAC-15). Earlier, we invited representatives of the generic pharmaceutical industry to join those committees. We look forward to the advice of these representatives.