



PAN AMERICAN HEALTH ORGANIZATION
WORLD HEALTH ORGANIZATION



47th DIRECTING COUNCIL

58th SESSION OF THE REGIONAL COMMITTEE

Washington, D.C., USA, 25-29 September 2006

RESOLUTION

CD47.R7

PUBLIC HEALTH, HEALTH RESEARCH, PRODUCTION AND ACCESS TO ESSENTIAL MEDICINES

THE 47th DIRECTING COUNCIL,

Having considered the Report of the Commission on Intellectual Property Rights, Innovation and Public Health;

Taking into account Resolution WHA59.24 entitled “Public health, innovation, essential health research and intellectual property rights: towards a global strategy and plan of action;”

Recalling that WHO shall soon convene an Intergovernmental Working Group to draw up a global strategy and plan of action to provide a sustainable reference framework for needs-driven essential health research and development, relevant to diseases that disproportionately affect developing countries;

Conscious of the need for adequate incentive for research and the development of treatment for diseases that disproportionately affect developing countries;

Conscious of the need to develop policies to make health a priority and facilitate production, purchase, distribution and quality control of essential medicines that interest the governments, the population, the scientists, and the industry;

Reaffirming that the Doha Ministerial Declaration on the TRIPS Agreement and Public Health confirms that the Agreement does not and should not prevent Members from taking measures to protect public health;

Observing that the Declaration, reiterating the commitment with the TRIPS Agreement, affirms that the Agreement can and should be interpreted and implemented in a manner supportive of WTO members' right to protect public health and, in particular, to promote access to medicines for all;

Recalling that there are medicines for the treatment of diseases that do not have the advantage of innovative financing mechanisms; and

Taking into account the necessity to make accessible to all the combined set of essential medicines,

RESOLVES:

1. To urge Member States to:
 - (a) actively participate in the Intergovernmental Working Group to draw up a global strategy and plan of action to provide a sustainable reference framework for needs-driven essential health research and development, relevant to diseases that disproportionately affect developing countries;
 - (b) work to guarantee adequate incentive to research and the development of treatment to neglected diseases or very neglected diseases;
 - (c) develop policies to make health a priority and facilitate production, purchase, distribution and quality control of essential medicines;
 - (d) examine the possibility to utilize innovative financing mechanisms, following the model of the Strategic Fund of PAHO, to further the production, purchase, distribution and quality control of essential medicines to recover and promote the health of the most needy population;
 - (e) continue initiatives of joint negotiation and joint purchasing of medicines to consider the needs of public health, thereby strengthening and enlarging the activities of the Strategic Fund of PAHO;
 - (f) to encourage trade agreements to take into account the flexibilities contained in the Agreement on Trade-Related Aspects of Intellectual Property Rights and recognized by the Doha Ministerial Declaration on the TRIPS Agreement and Public Health;

- (g) study the possibility to adapt, as needed, national laws to take full advantage of the flexibilities foreseen in the TRIPS Agreement.

(Sixth Meeting, 27 September 2006)