

STATUS DOWNGRADE

Outrage grows at US trade pressure

Published on May 3, 2007

HIV groups to march on embassy; lobbyist linked to Thaksin PR firm

A rally will be held in front of the US Em-bassy in Bangkok today by the Thai Network of People Living with HIV/Aids, to protest the US Trade Representative's decision to downgrade Thailand's trade status.

Thailand's downgrade to the US Priority Watch List over copyright violations is widely seen as retaliation against the Public Health Ministry's move to enforce compulsory licensing on certain drugs - including an Aids medicine sold by a US-based company.

"We have found that the affected company hired a lobbyist firm - USA for Innovation - that recently spread false information about Thailand's compulsory-licensing process," Aids Access Foundation director Nimit Tienudom said yesterday.

He added that this lobbyist firm was also linked to ousted premier Thaksin Shinawatra. "However, I don't know whether Thaksin is involved in the misleading campaign," Nimit said.

The executive director of USA for Innovation is Ken Adelman, who is also a senior adviser to Edelman Public Relations, which is also used by Merck, Abbot Laboratories, Sanofi - and Thaksin Shinawatra.

The Aids Access Foundation and the Thai Network of People Living with HIV/Aids are among non-governmental organisations that relea-sed a joint statement supporting the Public Health Ministry's move to enforce compulsory licensing.

Many academics, including Samlee Jaidee and Chulalongkorn University lecturers Wittaya Kulsomboon and Jiraporn Limpana-nont, also signed the statement.

The statement urged all government units to be united in the compulsory licensing.

"In particular, the Foreign Affairs and Commerce ministries should fully cooperate with the Public Health Ministry in explaining that the compulsory-licensing process has been in line with Thai law and international rules ... don't alienate the Public Health Ministry," the statement read.

An informed source disclosed that USA for Innovation - which claims to be a non-profit organisation - recently launched a campaign about violations of US intellectual-property rights that contained misleading information.

For example, the campaign alleged that Thailand was going to enforce compulsory licensing "on 30 medicines".

"It's untrue," Public Health Minister Mongkol na Songkhla yesterday said in response to the allegation.

He insisted that his ministry had announced breaking the patents of three medicines only. Of them, only the compulsory-licensing process for the HIV/Aids drug efavirenz, sold by US-based global pharmaceutical giant Merck under the trade names Sustiva and Stocrin, had already been completed.

The Public Health Ministry has been in negotiations with the patent-holders of two other medicines.

"We have never aggressively enforced compulsory licensing. We've always asked for compassion for the patients," Mongkol said.

Compulsory licensing is permitted under World Trade Organisation rules in national emergencies or justified non-commercial cases. Patent-holders can receive some royalties.

Mongkol said he would fly to the US later this month to explain the rationale behind the compulsory licensing and meet with US drug companies, senators and the US Trade Representative, with arrangements to be made by the Foreign Ministry.

The public-health minister also confirmed that Thailand would join 15 other developing countries and the Clinton Foundation in the bulk buying of drugs, so that they could be bought cheaper.

All of the countries have enforced compulsory licensing.

"The government's compulsory-licensing move wins our full support. This is a move to manufacture life-saving medicines. Thailand needs to move on, because this is the hope of countries all over the world," Wirat Purahong, chairman of the Thai Network of People Living with HIV/Aids, said yesterday.

He believes other countries could lose ground in negotiations with the US if Thailand backs down.

Wirat yesterday led a group of HIV-positive people in offering moral support to Mongkol na Songkhla.

Mongkol thanked the supporters with a vow to push ahead with compulsory licensing. "I will carry on. I will never abandon the patients, and I definitely will not lose heart," Mongkol said.

The US Embassy in Bangkok, however, insisted the downgrade stemmed from widespread violations of copyrights on audiovisual products.

ที่มา : The Nation
May 3, 2007