



European Commission supports better access to medicines in poorest countries

Brussels, 10 September 2015

The Commission agreed to support the least developed countries' call for easier access to cheaper medicines by means of an indefinite exemption from World Trade Organization (WTO) intellectual property rules for pharmaceuticals.

The Commission today agreed to support the least developed countries' (LDCs) call for easier access to cheaper medicines by means of an indefinite exemption from World Trade Organization (WTO) intellectual property rules for pharmaceuticals. This exemption allows generic medicines to be imported, and produced locally, regardless of patents, for example when licenses are not available. It means producers of generics and international programmes can supply drugs like HIV treatment in affected countries without fear of patent infringement suits.

Commissioner Malmström said: *"The poorest countries of the world need effective access to medicines. Although patents stimulate innovation in developed and emerging economies, intellectual property rules should be a non-issue when the world's poorest are in need of treatment. This exemption will give the least developed countries the necessary legal certainty to procure or to produce generic medicines. I am confident that the Council will support this approach, and that the EU will take the lead in the WTO in this field."*

The WTO granted a time-limited exemption before to these countries, but the Commission believes that extending it indefinitely would give legal certainty for long-term supply as well as enhance local production of much-needed medicines.

The Council must now decide on the Commission's proposal. This will determine the position to be taken by the Commission on behalf of the European Union in the WTO special Council on intellectual property – the TRIPS Council. That body will take a decision on the request from LDCs for an indefinite exemption at its 15-16 October 2015 session.

This step complements the Commission funded development programmes for supply of essential medicines in developing countries and reinforces the coherence of the EU approach on development policy.

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