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## **IFPMA statement on the entry in force of the TRIPS “Paragraph 6” amendment**

IFPMA welcomes the “Paragraph 6” amendment to the World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) that entered into force yesterday. The amendment makes permanent previous waivers allowing countries with insufficient or no manufacturing capacity to import medicines from manufacturers in certain circumstances. IFPMA has supported the 30 August 2003 solution, including the General Council decision and the Chairman’s statement, and the subsequent biannual waivers. The mechanism entering into force gives more juridical certainty to countries which may intend to use the system, while ensuring anti-diversion measures are in place.

Any sustainable approach to addressing access to medicines must take into account not only the short-term goal of improving access to existing medicines, but also the equally critical goal of fostering innovation to meet the evolving needs of patients globally. The majority of essential medicines are not protected by patents and therefore intellectual property does not limit access to them. Variables that might impact on a patient’s potential access to a given medicine include the distribution system within a community or country, the quality of the healthcare system itself, general infrastructure, access to insurance, and government policies on import tariffs and taxes.

IFPMA supports the efforts of governments and civil society to increase access to medicines and vaccines in LDCs and other low and middle income countries. IFPMA members are involved in over 300 health partnerships in these countries, with thousands of on-the-ground operators in the field. Many of these programs facilitate access to medicines and vaccines through preferential pricing, licensing or donations. They also strengthen health systems by addressing issues of infrastructure, capacity building and awareness-raising. Access to medicines is a collective responsibility requiring collective action by public and private actors.

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