



## **POLICY STATEMENT ON TRADE AND HEALTH**

**Proposed by IFMSA-Quebec and AMSA-USA, Seconded by IMCC-Denmark  
Hammamet, Tunisia, March 2014**

### **Summary**

We, the International Federation of Medical Students' Associations, affirm our belief that trade agreements should promote public health and expand access to medicines. We believe that trade agreements, such as the Trans Pacific Partnership and the Transatlantic Trade and Investment Partnership, should not prioritize multinational corporate profits over patients and consumers around the world. We think it is unacceptable that trade agreements create barriers to access treatment and ultimately a healthy life. We believe as future health professionals that it is our mandate and duty to use our voice to improve health of populations around the globe by positively influencing the global economic system.

### **Introduction**

As the world becomes increasingly globalized and interconnected, trade and health have become inexorably linked. A joint study from the World Health Organization (WHO) and the World Trade Organization (WTO) [1] has shown that health and trade policy makers can benefit from closer collaboration to ensure coherence on important health issues in trade agreements: infectious diseases control, food safety and security, tobacco control, healthy environment, access to drugs, health services, and biotechnology and knowledge. The Lancet [2] reinforces this link between health and trade when stating that "trade directly and indirectly affects the health of the global population with an unrivalled reach and depth", undoubtedly making it a key health issue.

In last five years, several countries have initiated bilateral and multilateral free trade agreement negotiations outside of the World Trade Organization framework, signaling a new emerging global norm. Two of the largest multilateral agreements currently under negotiation, the Trans Pacific Partnership Agreement (TPP) and the Transatlantic Trade & Investment Partnership (TTIP), hold the potential to profoundly affect public health, the environment and access to medicines in negotiating countries and establish a new global model of trade agreements.

Based on leaked TPP text [3], it is clear that aggressive provisions being pushed by some negotiators would limit access to life-saving generic medications through enhanced patent protections and data exclusivity favoring brand-name pharmaceutical companies. Other concerning provisions also threaten the principles of evidence-based medicine as practitioners will be forced to choose not necessarily the best treatments for their patients due to fear of patent infringement for diagnostic, therapeutic, and surgical methods. Additionally, investor-state dispute settlement provisions may empower multinational companies challenge national laws. In the context of tobacco and alcohol, this may undermine public health measures and result in increased death and disease.

The TPP and TTIP are examples of how global trade agreements could jeopardize access to affordable medicines and deny millions of people around the world access to treatment, or threaten government public health initiatives to curb tobacco use and alcohol abuse.

## **Main text**

### IFMSA reaffirms that:

1. International trade agreements should prioritize public health and access to medicines above commercial interests.
2. Affordable and available medicines are essential to tackle, control and prevent the global burden of both communicable and non-communicable diseases.
3. Global decision-making, trade and economic institutions should become more transparent, accountable and democratic.
4. Strong international and national tobacco and alcohol control measures<sup>1</sup> are necessary to protect public health. [4]
5. Investor-state dispute settlement provisions are anti-democratic by allowing corporations to challenge government policies and actions and should not be incorporated in trade agreements.
6. International trade agreements should promote environmental protection and seek to curb climate change.
7. Medical students and health professionals play an essential and inevitable role in reducing health inequity and in promoting access to affordable medicines.

### IFMSA therefore calls on governments to:

1. Ensure any and all trade agreement negotiations are open and transparent with meaningful opportunities for stakeholder engagement.
2. Prioritize the health of nations and populations over commercial interests in all trade agreements.
3. Strengthen their respective capacity to work collectively to recognize and advance public health goals in trade policy.
4. Support research to assess and evaluate the impact of trade on health, and use this evidence to inform trade negotiations and policy.
5. Uphold TRIPS safeguards and allow the use of TRIPS flexibilities to promote access to medicines and public health while opposing TRIPS-plus protections.
6. Oppose any provisions that would further limit access to or affordability of medications including:
  - a. Extending market exclusivity or patent protection for minor modifications of existing drugs (“ever-greening”);
  - b. Providing data exclusivity for biologics;
  - c. Adjustment of patent terms for patent prosecution or regulatory periods that delay entry of generic drugs into the market;
  - d. Patent linkage provisions that compel early patent enforcement and serve as a barrier to generic drug entry into market; and
  - e. Compromising national pharmaceutical benefits schemes.
7. Ensure diagnostic, therapeutic and surgical procedures are exempt from patent protection when the machine, manufacture or composition of matter itself is not patented;<sup>1</sup>



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8. Encourage the exemption of tobacco and alcohol from trade agreements;
9. Oppose investor-state dispute settlement provisions in trade agreements
10. Ensure trade agreements promote environmental protection and seek to curb climate change.

IFMSA therefore calls on members of the Federation and medical students to:

1. Advocate for open and transparent trade agreement negotiations with meaningful and equitable opportunities for stakeholder participation;
2. Participate in trade agreement negotiations as stakeholders in support of the principles described in this policy statement.
3. Establish collaboration with MSF Access Campaign and the Universities Allied for Essential Medicines in promoting trade agreements that favors health and access to medicines over profits.
4. Consider holding workshops, trainings and courses on trade and health as to better understand the inequitable distribution of money, resources and power that underlies the major social determinants of health.

## References

- [1] WTO Agreements and Public Health - A joint study by the WHO and the WTO Secretariat, 2002.
- [2] Trade and Health Series, The Lancet, 2009.
- [3] Secret TPP Treaty: Advanced Intellectual Property chapter for all 12 nations with negotiating positions, Wikileaks, November 13 2013 [online] <http://wikileaks.org/tpp/>
- [4] World Health Organization, Tobacco Industry Interference: A Global Brief. 2012. Available at [http://www.euro.who.int/\\_data/assets/pdf\\_file/0005/165254/Tobacco-Industry-Interference-A-Global-Brief.pdf](http://www.euro.who.int/_data/assets/pdf_file/0005/165254/Tobacco-Industry-Interference-A-Global-Brief.pdf)
- [5] IFMSA Policy Statement on Non-Communicable Diseases (adopted in Denmark, August 2011)
- [6] IFMSA Policy Statement on Economic Governance and Health (adopted in Ghana, March 2012)
- [7] IFMSA Policy Statement Pharmaceutical Promotion Awareness (adopted in India, August 2012)
- [8] IFMSA Policy Statement on Tobacco Control (adopted in India, August 2012)
- [9] IFMSA Policy Statement on Access to Essential Medicines (adopted in USA, March 2013)
- [10] IFMSA Policy Statement on Climate Change and Health (adopted in USA, March 2013)