

We, representatives of civil society organizations of Latin America gathered before the World Hepatitis Summit in São Paulo on October 31, 2017.

Considering that:

Governments and the WHO have had a timid response that prioritizes intellectual property rights and commercial rights of pharmaceutical companies over the people's right to health.

The abuses of the pharmaceutical industry have reached levels never seen before with the definition of prices of patented medicines, which lead to the violation of the human right to health by limiting health systems' ability to guarantee universal access to medicines.

In recent years there have been significant setbacks in the implementation of the health safeguards contemplated in the TRIPS Agreement in relation to medicines, as a result of political and commercial pressures, in the context of a deterioration of living and health conditions of people and the weakening of the response capacity of health systems.

In the specific case of hepatitis C, governments have not made sufficient efforts to purchase treatments at fair prices, and have neglected the epidemiological surveillance systems, the promotion of diagnosis and the prevention of infection, all needed to reach the goal of elimination of hepatitis C in 2030.

After 3 years of the entry into the market of direct acting antivirals (DAAS), as a result of the high costs of treatment, access is still limited to the most advanced cases. We defend the right of citizens to receive treatment, but this right must include all citizens and is only possible with strong health systems, which is not possible under the extortion to which we are subject because of patents.

In view of these considerations, the signatory organizations:

Propose to replace the current model of pharmaceutical innovation that includes patents and other forms of protection such as the test data exclusivity by a model that (a) seeks solutions to the relevant public health issues; (b) allows a real transfer of technology to developing countries; (c) does not allow the private appropriation of knowledge produced with public resources; and (d) does not lead to commercial interests systematically violating the people's right to health.

We demand that governments strengthen the mechanisms to guarantee the implementation of the health safeguards contemplated in the TRIPS Agreement, articulated with local production strategies that are transparent, guaranteeing sanitary sovereignty and affordable prices in the countries.

Although we recognize that centralized purchasing negotiations are a step forward in access to medicines, we observe that their scope is limited, and that it is necessary to include generic products and allow effective participation of civil society.

We reject trade agreements that put at risk the right to health and access to medicines, in particular TPP 11 and the Mercosur-European Union treaty. At the same time, we support the adoption of the binding Treaty to punish human rights violations by multinational companies, including violations of the human right to health.

We ask PAHO to support countries to strengthen databases of basic indicators on hepatitis C, to support the implementation of surveillance and the monitoring cascade, and to involve civil society in the discussion of methodologies for the development of prevalence studies (especially after major revisions/adjustments of estimates).

We demand Gilead to abandon its patent applications on medicines for the treatment of Hepatitis C and respect the sovereignty of countries, since studies have shown that the products do not demonstrate novelty and inventive step.

The signatory organizations:



Fundación Grupo Efecto Positivo Argentina



Asociación Comunidad Hepatitis C Uruguay



Red Latinoamericana por el Acceso a Medicamentos – RedLAM



Bem-me-quer - Brasil



Fórum de ONGs Aids do estado de São Paulo – Brasil



Rio Chagas – Brasil



NHR – Brasil



Associação Brasileira Interdisciplinar de AIDS ABIA.



Fórum Social Brasileiro de Enfrentamento de Doenças Infecciosas e negligenciadas.



Acción Internacional para la Salud Perú



Fundación IFARMA Colombia



Grupo de Incentivo à vida Brasil



Movimento Brasileiro de luta contra as hepatites virais – Brasil

Sonho nosso – Frente de apoio comunitário Brasil



Grupo pela vida – Brasil



Coalition Plus – Francia



Universidades Aliadas por medicamentos essenciais



Grupo de Trabalho em propriedade intelectual GTPI