



Wim Vandavelde, European Aids Treatment Group (EATG), ECAB chair  
UNAIDS roundtable « Are patent pools the answer to affordable second line HIV treatment ? »  
October 29th, 2009, Brussels

I welcome the opportunity to comment on behalf of the European HIV patient community and why our group has joined the Campaign to call on the pharmaceutical industry to join the UNITAID patent pool.

First of all, let me briefly introduce the EATG. The mission of the EATG is to achieve the fastest possible access to state-of-the-art medical products, devices and diagnostic tests, which prevent or treat HIV infection, or improve the quality of life of people living with HIV. The EATG consists of around 100 patient advocates from all over the WHO 53 European Region and we advocate not only for better HIV treatments but also for the frequent co-infections hepatitis and TB. Half of the countries of our region have considerable access problems and lower drug prices also mean greater access for these countries.

We appreciate the cautious welcome from the pharmaceutical industry but we all know that the devil will be in the detail. To work out these details, companies must come to the table now and discuss them openly. One not so minor detail of particular interest to us European patients is the inclusion of Middle Income countries in the UNITAID patent pool initiative. Why include MI countries, especially the ones with a high HIV burden and prevalence? Countries such as Thailand and Brazil, who committed to Universal Access continue to struggle to financially meet those laudable commitments. Should they now be punished because they are living up to their promise to provide the necessary medication to all of their patients?

Closer to us, the neighbouring countries of the EU, Russia, Ukraine, Moldova, to name but a few, are still far off from the Universal Access goals. These countries need all the support they can get to tackle their epidemics as was highlighted again by the Commission in its Communication this week. The EATG welcomes the current scope of the patent pool including MI countries and we urge UNTAID to stand firm on this point in the negotiations with the patent holders.

European AIDS Treatment Group – Secretariat  
Place Raymond Blyckaerts, 13  
B-1050 Brussels Belgium  
Registered German Charity No. 133/5906/0955

Tel: +32 2 626 96 40  
Fax: + 32 2 644 33 07  
<http://www.eatg.org>

EATG is also a non profit NGO in Belgium (AISBL)

## EUROPEAN AIDS TREATMENT GROUP

This principle of high burden countries with lower GDPs was also accepted within the Internal Market when the German Presidency launched the Affordable Medicines Initiative in Bremen 2 years ago, allowing for lower ARV drug prices in Romania, Estonia and Bulgaria.

More and more countries within the EU are having difficulties to provide ARVs at the current high prices. The economic crisis is putting an extra burden on their already strained health budgets and we fear that we will be seeing more and more ARV stock-out crises as we've seen in recent months in Romania.

Whilst we advocate for governments to fulfill on their financial commitments to Universal Access, even under the current economic crisis, we have also noted that our governments were able to dedicate 8 trillion to save the financial system, hence we want to see the same decisiveness when it comes to saving people's lives.

We welcome the different access initiatives from the individual companies but HIV Rx is usually a 3-drug combination Rx with compounds from different patent owners. No one company can, nor indeed should do this on its own, unless we would like to see everyone treated with Atripla or Trizivir. With UNITAID's patent pool, patents from different owners will be pooled so generic manufacturers can enter into one licensing agreement, rather than two or three, to produce generic antiretroviral drugs and particularly fixed-dose combinations.

The Commission's Communication this week also highlighted the co-infections, such as tuberculosis and hepatitis frequently associated with HIV infections, which represent another public health concern, in particular in neighbouring countries of the Union. The EATG is therefore also in favour of the use of access tools such as patent pools and CL for the particularly expensive HCV drugs. One may argue that current HCV drugs are so toxic that they are life-threatening, rather than saving, but the near future with less toxic combination Rx for HCV will call for more accessible and fairer drug pricing as well.

To wrap up and coming back to HIV drugs, we believe that the patent pool represents an additional and fair tool to further broaden access to the ARV drugs.

We urgently need to deal with the coming crisis of access to the expensive second-line and third-line drugs. The patent pool can be a voluntary solution to tackle this crisis, as well as for the pediatric formulations problem.

According to the current WHO guidelines criteria, more than 2/3 of HIV+ people who need to start treatment still do not have access to ARVs. With the current guidelines revision underway, hopefully raising the starting criteria to the 350 CD4 cell count, and thus eliminating the second-class world citizen syndrome, we can raise the Rx standards for patients from both LDC AND MI countries alike, to those of

European AIDS Treatment Group – Secretariat  
Place Raymond Blyckaerts, 13  
B-1050 Brussels Belgium  
Registered German Charity No. 133/5906/0955

Tel: +32 2 626 96 40  
Fax: + 32 2 644 33 07  
<http://www.eatg.org>  
EATG is also a non profit NGO in Belgium (AISBL)

## EUROPEAN AIDS TREATMENT GROUP

the first world. This also means that the absolute numbers of people needing to start Rx according to these criteria will skyrocket again.

On behalf of the European HIV patient community, we are urging the R&D-based pharmaceutical industry to continue to help alleviate this problem, to jump in the patent pool and to get yourselves wet, in order to prevent millions of avoidable deaths.

*The European AIDS Treatment Group (EATG) is a NGO at the forefront of the development of the civil society response to the HIV/AIDS epidemic in Europe. The EATG is a European patient-led advocacy organisation that represents and defends the treatment-related interests of people living with HIV and AIDS. Its mission is to achieve the fastest possible access to state of the art medical products, devices and diagnostic tests that prevent or treat HIV infection or improve the quality of life of people living with HIV, or who are at risk of HIV infection. For more information, please visit [www.eatg.org](http://www.eatg.org)*

European AIDS Treatment Group – Secretariat  
Place Raymond Blyckaerts, 13  
B-1050 Brussels Belgium  
Registered German Charity No. 133/5906/0955

Tel: +32 2 626 96 40  
Fax: + 32 2 644 33 07  
<http://www.eatg.org>

EATG is also a non profit NGO in Belgium (AISBL)