

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:3814
ANSWERED ON:19.12.2006
DOHA DECLARATION
Owaisi Shri Asaduddin

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether the Doha Declaration technically allows poor countries to buy cheap copies of desperately needed drugs but the US is caused of trying to prevent countries such as India and Thailand which have manufacturing capacity and making and selling generic versions;
- (b) if so, the details thereof;
- (c) whether US at the behest of pharmaceutical companies is seeking higher levels of intellectual property protection in developing countries;
- (d) if so, the details thereof;
- (e) whether poor people in these countries are needlessly dying because rich countries are blocking the developing world from obtaining affordable medicines; and
- (f) if so, the steps taken or being taken by the Government at the WTO level to get these drugs at cheaper rate to save life of poor people in coordination with other developing countries?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI JAIRAM RAMESH)

(a)&(b) Recognizing the gravity of the public health problems afflicting many developing and least-developed countries, especially those resulting from HIV/AIDS, tuberculosis, malaria and other epidemics, the Fourth WTO Ministerial Conference of the World Trade Organisation (WTO) held at Doha in 2001 made a Declaration on the TRIPS Agreement and Public Health giving directions to the TRIPS Council in the WTO to find a solution to this problem, particularly for those WTO Members who have insufficient or no manufacturing capacity in the pharmaceutical sector. The Ministers also underscored the countries` ability to use the flexibilities that are built into the TRIPS Agreement, in particular compulsory licensing and parallel importing for making medicines available at affordable prices, and extended exemptions on pharmaceutical patent protection for the least-developed countries until 2016. These measures allow the developing and the least-developed countries with insufficient or no manufacturing capacity to buy cost-effective generic versions of patented drugs under compulsory licenses to address public health problems.

(c)to(e)No such information has been received.

(f) The Patents (Amendment) Act, 2005 has already incorporated the elements of the Declaration on the TRIPS Agreement and Public Health made at Doha in 2001. These amendments allow manufacturing and export of patented pharmaceutical products to any country, having insufficient or no manufacturing capacity in the pharmaceutical sector for the concerned product, to address public health problems.