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ACTA and access to medicines

A study by Sean Flynn and Bijan Madhani, commissioned by the Greens/EFA Group

The Greens/EFA Group in the European Parliament commissioned this analysis of potential impacts of the Anti-Counterfeiting Trade Agreement (ACTA) on access to medicines in developing countries.”

On the whole, ACTA negotiators created an agreement that shifts international “hard law” rules and “soft law” encouragements toward making enforcement of intellectual property rights in courts, at borders, by the government and by private parties easier, less costly, and more “deterrent” in the level of penalties.

In doing so, it increases the risks and consequences of wrongful searches, seizures, lawsuits and other enforcement actions for those relying on intellectual property limitations and exceptions to access markets, including the suppliers of legitimate generic medicines. This, in turn, is likely to make affordable medicines more scarce and dear in many countries. (...)

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