

Sixty-Third World Health Assembly

Geneva, Switzerland

17-21 May, 2010

Agenda item 11.20 Counterfeit medical products/WHA63 A63/1 Rev.1

World Health Professions Alliance (WHPA) intervention on Counterfeit medical products:

Speaker: Mr XUANHAO CHAN, from The International Pharmaceutical Federation (FIP) is representing also the World Dental Federation, World Medical Association, World Confederation for Physical Therapy and the International Council of Nurses

Thank you for the opportunity to speak on behalf of five health professions – nurses, pharmacists, physical therapists, dentists and physicians – which together represent national associations of health professions in more than 130 countries, and bring together more than 26 millions health professionals.

All of us have a common goal to protect the well-being of patients in all parts of the world from poor quality, substandard and counterfeit medical products. Pro-active steps must be taken in collaboration with Member States and WHO to ensure the quality, safety and efficacy of all medical products available in countries, in accordance with recognized international standards. This form of quality assurance applies to both branded and generic products, to both the private and public sectors, and to both imported and locally manufactured products.

A lot has been said in many discussions since the first draft resolution on counterfeit medical products was tabled in 2008, unfortunately there is still an urgent need for more to be done to close the gaps.

Our work supports the WHO to establish a comprehensive programme that includes providing technical assistance to strengthen regulatory capacity of Member States and public education on the dangers of counterfeit medicines. The report of the WHO survey on terminology of “counterfeit” medicines in national legislations demonstrates clearly that regardless of how it is named as fake, falsified, spurious or counterfeit, disputes in trademark infringement and other intellectual property related crimes should never ever be the basis on which to define if a medical product is counterfeit or not.

We would also like to caution Member States against adopting an overly-broad definition in their legislation that would consider factors such as similar name, color or shape as proof of counterfeit. This would likely hinder access to legitimate, safe, effective and affordable generic medicines.

In conclusion, WHO is the only global agency that recognizes the primary focus of combating counterfeit medical products as the protection of public health and that the main victims of counterfeiting are patients. Therefore, we remain very strongly supportive of WHO’s role to assume leadership in combating counterfeit medical products based solely on its mandate for public health interests. A new resolution to renew WHO’s mandate on this public health issue will definitely send out the right message to the rest of the world.