GTSMI GRUPO DE TRABAJO SOBRE SALUD, MEDICAMENTOS E INNOVACIÓN
WORKING GROUP ON HEALTH, MEDICINES AND INNOVATION

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RECOMMENDATIONS

On access to medicines:

Despite the lack of accurate information or conclusive studies on the effects of the current economic crisis and austerity measures in health spending undertaken by the government, there is convincing evidence that it has substantially deteriorated access conditions to health goods and services for the most vulnerable groups.

Taking this into account, we consider that immediate and effective corrective measures need to be adopted in order to ensure the realization of the right to health and guarantee such access.

Furthermore, we believe that public authorities are responsible for establishing information systems that will help identify the extent of these effects. The introduction of any measure likely to affect access to health goods and services should be accompanied by a formal and independent impact assessment.

On transparency:

Transparency standards should be implemented or improved in most aspects related to medicines, especially those that refer to the characteristics and results of clinical research and economic aspects (consumption, actual transaction prices, relationships between industry and prescribers) and demand the publication and justification of regulatory decisions on sale authorizations, pricing and public funding.

On the current intellectual property system:

We recommend that necessary steps be taken to improve the quality of patents, preventing abuses such as the perpetuation (evergreening), anti-competitive uses of patents or inappropriate easing of criteria for patentability.
Also, EU governments should consider using, when appropriate, the use of compulsory licenses as a legitimate regulatory tool to ensure a balance between the rights of the innovator / owner of the title and those of society.

On new innovation models:

We urge R & D policies to be directed towards a sustainable model of biomedical innovation driven by health needs which incentivizes innovation with added therapeutic value while ensuring access to the generated products.
To this end:

- We recommend the development, both analytical and through real pilot exercises, of non exclusive or monopolistic innovation models; proposals identified by the Consultative Expert Group on Research and Development Financing and Coordinatio (CEWG)[1] and other bodies in order to complement the currently patent-dominated model.

- Affordability and accessibility of medical products generated by public investment in R & D must be guaranteed by establishing explicit conditions in this regard through socially responsible licenses.

1 Research and Development to Meet Health Needs in Developing Countries: Report of the Consultative Expert Working Group on Research and Development: Financing and Coordination http://www.who.int/phi/cewg_report/en/index.html WHO, 2012