

May 3, 2017

Re: Feasibility study of delinkage of R&D costs from cancer medicine prices

Dear WHA delegates,

We are writing to urge you to support the feasibility study of delinkage of R&D costs from cancer medicine prices, proposed in OP2.5ter in the draft resolution on cancer, which reads:

(OP2.5ter) [to conduct a [preliminary] (Brazil) feasibility study of creating a multi-country push and pull fund for cancer R&D, as an alternative to incentives-based intellectual property rights and/or regulatory monopolies and to progressively delink cancer R&D costs from product prices;] (India)

It is our understanding that some governments have objected to this text or more generally the notion of delinking R&D costs from cancer medicine prices.

Our position is as follows. Cancer medicine prices are too high, they are not affordable or sustainable, and access to new cancer medicines is unequal and unfair. None of the 56 novel cancer medicines approved by the US FDA from 2010 to 2016 are included in the WHO Model List of Essential Medicines (EML), and many are rationed or not reimbursed even in high income countries, because of the price. This includes very important and effective medicines, such as the breast cancer medicine Kadcyla/TDM-1, and severe limits on off label use of expensive medicines.

Delegates to the World Health Assembly need be open to alternative R&D models that do not rely on unaffordable medicine prices as the predominant way to fund cancer drug innovation.

To accomplish this, WHO should fulfill its leadership role as the appropriate global institution capable to initiate a feasibility study of alternative R&D modelling that invalidates the need for unaffordable high prices for cancer medicines. The alternative is to dismiss the proposal, and bend to the power of large pharmaceutical corporations and their agents, that have a vested interest in defending a system that puts the price of medicine above the interest of the patient. The WHA must not allow this to happen.

Sincerely,

## **Non governmental organizations working on access to medicine**

Access to Medicine Ireland  
AIDS Fonds, The Netherlands  
Alliance for Public Health (Ukraine)  
All-Ukrainian Network of PLWHA

Campaign for Affordable Trastuzumab (India)  
Chasing Zero (UK)  
Commons Network  
Corporación Innovarte (Chile)  
Dying for a Cure (UK)  
Health Action International (HAI)  
Health and Trade Network  
Health Poverty Action (UK)  
Health Projects for Latvia  
Hepatitis Scotland  
Just Treatment (UK)  
KEI Europe  
Knowledge Ecology International (KEI)  
La fundación IFARMA (Colombia)  
MdM (Médecins du Monde) / DotW (Doctors of the World)  
Misión Salud (Colombia)  
Oxfam  
People of Faith for Access to Medicine (USA)  
Public Eye (Switzerland)  
Salud por Derecho (Spain)  
Social Security Works (USA)  
STOPAIDS (UK)  
UAEM  
Union for Affordable Cancer Treatment (UACT)  
Wemos (the Netherlands)

## **The three co-chairs of the Lancet Commission on Essential Medicines Policies**

Hans V Hogerzeil, MD, PhD, `FRCP Ed, Professor of Global Health, University of Groningen, The Netherlands

Andy Gray. BPharm MSc(Pharm) FPS FFIP, Senior Lecturer, Division of Pharmacology, Discipline of Pharmaceutical Sciences, School of Health Sciences, Consultant Pharmacist (Research Associate), Centre for the AIDS Programme of Research in South Africa (CAPRISA), University of KwaZulu-Natal, South Africa

Veronika J. Wirtz, PhD, MSc, Associate Professor - Department of Global Health/ Center for Global Health and Development, Boston University School of Public Health

## **Other Health Professionals**

Gilberto de Lima Lopes Junior, MD, MBA, FAMS. Associate Professor of Clinical Medicine, Medical Director for International Programs, Associate Director for Global Oncology,

Co-Leader, Lung Cancer Site Disease Group, Sylvester Comprehensive Cancer Center at the University of Miami and the Miller School of Medicine, Editor in chief for the ASCO Journal of Global Oncology.

Ophira Ginsburg MSc MD FRCPC, Director, High Risk Program, Laura and Isaac Perlmutter Cancer, Centre at NYU Langone Medical Center, Department of Population Health, NYU School of Medicine

Reshma Ramachandran, MD MPP, Assistant Scientist (Research Faculty), Department of International Health, Innovation + Design for Enabling Access (IDEA) Initiative, ReAct-Action on Antibiotic Resistance Strategic Policy Program, Johns Hopkins Bloomberg School of Public Health

Dr. Dzintars Gotham, Imperial College. London, Greater London, United Kingdom

Joel Lexchin, Professor Emeritus, School of Health Policy and Management, Faculty of Health, York University, Toronto ON, Canada

Jorge Bermudez, MD, DSc, Senior Researcher in Public Health, National School of Public Health, Fiocruz, Brazil. Member of the United Nations Secretary-General High Level Panel on Access to Medicines (2015/2016), Former Vice-president of Health Promotion and Innovation, Fiocruz, Rio de Janeiro (2011/2016), Former Executive-Director of UNITAID, Geneva (2007/2011), Former Unit Chief of Essential Medicines, Vaccines and Health Technologies, PAHO/WHO, Washington (2004/2007).

Dr. Ilze Aizsilniece, Lecturer in Family Medicine, University of Latvia

Diane Singhroy, PhD, Scientific Advisor, Knowledge Ecology International, Montreal, (Canada)

## **Economists**

Joseph Eugene Stiglitz, University Professor, Columbia University, Chief Economist of the Roosevelt Institute, Co-Chair of the High-Level Expert Group on the Measurement of Economic Performance and Social Progress, Organisation for Economic Co-operation and Development (OECD), Awarded the Sveriges Riksbank Prize in Economic Sciences in Memory of Alfred Nobel 2001

Dean Baker, Co-Director and Co-Founder of the Center for Economic and Policy Research (CEPR)

Sakiko Fukuda-Parr, Professor, Graduate Program in International Affairs (GPIA), The New School, New York, NY (USA), Member of the United Nations Secretary-General High Level Panel on Access to Medicines (2015/2016)

Aidan Hollis, Professor of Economics, University of Calgary

James Love, Director, Knowledge Ecology International

## **Law Faculty and Legal Advisors**

Margo Andrea Bagley, Asa Griggs Candler Professor of Law, Emory Law (USA)

Sean Flynn, Director, LLM in Intellectual Property, Acting Director, Program on International Organizations, Law and Diplomacy, Associate Director, Professorial Lecturer in Residence, Program on Information Justice and Intellectual Property, American University Washington College of Law (USA)

Amy Kapczynski, Professor of Law and Faculty Director, Global Health Justice Partnership, Yale Law School

Ellen 't Hoen, Medicines Law & Policy and Global Health Unit, University Medical Center Groningen (The Netherlands)

Sunita Tripathy, Assistant Professor and Assistant Dean (Student Initiatives) and Assistant Director, Centre for Intellectual Property Rights Studies, Jindal Global University, (India)

T.G.Agitha, Professor in the Inter University Centre for IPR Studies, Cochin University of Science and technology. (India)

Leena Menghaney, Campaign for Affordable Trastuzumab (India)

Heesob Nam, patent attorney (Korea)

Swaraj Barooah, Senior Analyst, SpicyIP (India)

## **Other individuals, with identifications**

- Andrea Carolina Reyes Rojas, Misión Salud (Colombia)
- David Hammerstein, former MEP, Spain, Co-Founder of the Commons Network
- Dipnarayan Guha, Electronics and Computer Engineering Expert, Intellectual Property Management Strategist, Gamma Innovation and Technology Solutions Pty Ltd Melbourne Law School, Docklands, Victoria, Australia
- Germán Holguín, Director General, Misión Salud (Colombia)
- Manon Röss, Knowledge Ecology International, UACT
- Marcus Low (Author of the Novel 'Asylum', South Africa)
- Melissa Barber, Public health researcher and advocate (South Africa)
- Natalie Sharples, Head of Policy and Campaigns, Health Poverty Action, London
- Thiru Balasubramaniam, Geneva Representative, Knowledge Ecology International