

Guatemalan HIV Patients Slam New Trade Rules

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By Frank Jack Daniel

GUATEMALA CITY, March 30 (Reuters) - Dozens of Guatemalan HIV patients, many with paper bags over their heads to protect their identities, protested on Wednesday at new U.S.-backed trade rules they say rob them of access to medicines.

Under pressure from the United States, Guatemala approved a new law offering greater protection from cheap competition to drugs marketed by international pharmaceutical firms.

Guatemala passed the new rules in early March to facilitate approval of the U.S.-Central America Free Trade Agreement, or CAFTA, regional trade deal.

Companies can now protect drug trial data for five to 10 years, slowing the rate at which cheaper generic copies of brand medicines are made.

"If a medicine is protected for five years and it's the one I need to buy, what will happen? I'll die," said Rosa, a protester from eastern Guatemala, where AIDS deaths are often attributed to witchcraft.

In December, Guatemala relaxed the rules governing generic drugs, but revoked the law amid protest from the U.S. government which feared CAFTA would not be passed without the support of U.S legislators favorable to pharmaceutical companies.

"It's outrageous to see a government intervening to that level in a decision of Guatemala especially where a law had been passed with overwhelming majority and signed by the president," said Stephanie Weinberg of aid group Oxfam.

The Bush administration has been expected to submit CAFTA to Congress for a vote sometime this spring, but has stalled so far in the face of opposition from lobby groups including labor organizers, sugar producers and much of the textile industry.

Recent bilateral U.S. trade agreements in Singapore and Jordan and new patent laws in India make it harder for producers of generic medicines to copy new drugs.

Pharmaceutical companies like Bristol-Myers Squibb <BMY.N>, which makes an HIV medicine protected in Guatemala under the new rules, say the changes are needed to protect innovation.

"Intellectual property is the fuel of innovation. Having the main protection on your intellectual property and your data exclusivity is important because it gives us the motivation to be innovative," said company spokesman Brian Henry.

Of an estimated 80,000 HIV-positive Guatemalans, only 3,600 receive life-prolonging antiretroviral treatment.

