

## **THAILAND: Free Trade With US Will Hurt Health Care**

**Marwaan Macan-Markar**

**BANGKOK , Jan 31 (IPS) - Will the hands that save the lives of Thailand's sick be tied once a free trade deal between this country and the United States is signed, later this year?**

That unhealthy prospect is worrying doctors in this South-east Asian country as details trickle out of the secrecy-shrouded trade talks between Thai and U.S. negotiators here. The sixth round of the free trade agreement (FTA) talks between the two countries was held in mid-January in the northern Thai city of Chiang Mai.

"This is not correct. It goes against accepted medical practice and ethics," Dr. Somsak Lolekha, president of the Medical Council of Thailand, told IPS. "We are worried that if such terms are accepted it will have a negative impact on health care here."

Such a response stems from the new demands on Bangkok placed by Washington under the FTA's section on protecting intellectual property rights (IPR). The U.S. government wants patent protection extended to cover new medical treatments and diagnostic procedures.

"Each Party (the U.S. and Thailand) shall make patents available for the following inventions: plants and animals, and diagnostic, therapeutic, and surgical procedures for the treatment of humans or animals," states the text of the U.S. proposals viewed by IPS. "In addition, the Parties confirm that patents shall be available for any new uses or methods of using a known product."

For Somsak, that will amount to a major shift in the way patients will be treated in the future. It will go against the current trend in the medical community, he explained, where new treatment procedures that are published in international medical journals are considered public property to be used by doctors for any patient across the globe.

"Medicine is about saving lives, not making money," he was quoted as having told Tuesday's edition of 'The Nation' newspaper here. "If we let someone enjoy exclusive rights to certain medical procedures, it means we are making money on the health of people."

Giving priority to profit over the lives of sick people could dramatically erode the achievements Thailand has made since a universal health care programme was introduced four years ago. Last year, nearly 47.3 million Thais of the country's 64 million population availed of this programme, which guarantees treatment for any illness at public hospitals as long as patients pay 30 bahts (0.75 U.S. cents) per visit.

"The 30 baht scheme will be hit if this U.S demand is approved, since doctors will have to pay so much more for using the patent protected medical procedures," says Dr. Jiraporn Limpananont of the pharmaceutical department at Bangkok's Chulalongkorn University. "It is an unreasonable and very greedy demand."

She also admitted during an interview that it was the first time Thais opposed to this free trade deal have learnt about such a new twist the U.S. negotiators are giving to IPR. "This is came as a surprise to us. There was no mention about it before."

What is also irking the Thais is that such a sweeping new clause to protect patents is not evident in the FTAs the U.S. government signed with Singapore, Chile, Bahrain and Morocco.

In fact, till the sixth round of talks, anti-FTA critics here had been only concentrating on one detrimental feature to public health if a trade deal was signed -- the end to cheap generic drugs desperately needed by patients with HIV/AIDS to prolong their lives.

Even the international humanitarian agency Medecins Sans Frontieres (MSF) or Doctors Without Borders has joined the debate by throwing its weight behind the Thai activists opposed to any changes to the current IPR mechanism for drugs.

"MSF is concerned that the U.S., as it has succeeded in doing in other regional agreements, will push for provisions that could extend patent terms and limit Thailand's ability to protect the health of its people by producing low-cost generic versions of patented drugs," it declared in a statement on the eve of the trade talks.

U.S. negotiators are pushing for the life of patented drugs to be extended to 25 years before generic versions can be produced, as opposed to the 20-year protection period for brand name drugs according to current world trade rules.

Currently, over 80,000 Thais living with HIV/AIDS have access to the cheap life-prolonging anti-AIDS drugs produced by the state's pharmaceutical agency. The monthly cost of treatment is 1,200 baht (30 U.S.dollars).

But the cost of new, second-line drugs that HIV/AIDS patients will need in the future could be prohibitive if Washington gets its way, states MSF. "The current cost of second-line drugs is over 3,500 dollars per patient per year -- nearly ten times the cost of the most commonly-used first line (anti-AIDS drugs)."

Thailand currently has FTAs with three countries -- China, Australia and New Zealand -- all of them pushed through with little public scrutiny.

The outcry over the new twist the U.S. is giving to IPR is the latest in a long list of objections Thai opponents to the FTA have, despite the rosy pictures being painted by the government of Prime Minister Thaksin Shinawatra, that a trade deal with Washington is much needed.

To support its argument, the Thaksin administration is citing impressive trade figures. Last year, for instance, the volume of trade between the two countries reached 28 billion dollars, up from 21 billion dollars in 2003. In both years, Thailand had an edge with higher exports.