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France Accuses the U.S. of AIDS Blackmail

Trade deal would hinge on drug patents, Chirac says in a statement. Protests at conference shut down booths of five major companies.

By Thomas H. Maugh II, Times Staff Writer

BANGKOK, Thailand - Tempers flared here Tuesday as France accused the United States of trying to blackmail small countries such as Thailand into upholding patents on anti-AIDS drugs.

Protesters shouted down speakers and drug company representatives as the few U.S. representatives here tried to defend President Bush's proposed \$15-billion program against the disease.

The large exhibition center, which has been bustling with the 17,000 attendees at the 15th International AIDS Conference, was more subdued Tuesday after five major drug companies - Bristol-Myers Squibb, Glaxo-SmithKline, Merck, Abbott Laboratories and Roche Group, by far the largest exhibitors at the meeting - closed their booths in the face of hecklers protesting the high prices of brand-name drugs.

Meanwhile, the scientific results that were the cornerstone of the 14 previous AIDS conferences have been largely absent as attendees have turned their attention to getting the drugs already available to larger numbers of people.

Since the last conference, in Barcelona, Spain, two years ago, the number of people in the Third World receiving treatment for HIV infection has doubled but is still only 440,000, a far cry from UNAIDS' goal of 3 million in treatment by the end of next year. UNAIDS estimates that 6 million people are in urgent need of antiretroviral therapy.

"By these measures of human life, the ones that really matter, we have failed. And we have failed miserably to do enough in the precious time that has passed since Barcelona," said Dr. Jim Yong Kim, the World Health Organization's director of HIV and AIDS programs.

Much of the progress in treatment has occurred because some countries - notably Brazil, Thailand and India - have begun manufacturing copies of drugs developed by large pharmaceutical countries. The World Trade Organization sanctioned the process last year, affirming that countries could declare drug patents invalid in times of health crises.

But critics charge that the United States is trying to work around the WTO agreement, which it signed, by negotiating free-trade agreements with individual countries that would extend drug patents while promoting trade.

In a statement read here Tuesday, French President Jacques Chirac said forcing countries "to drop these measures in the framework of bilateral trade negotiations would be tantamount to blackmail. We should implement the [WTO] generic-drug agreement to consolidate price reductions.... What is the point of starting treatment without any guarantee of having quality and

affordable drugs in the long term?"

A U.S. official who refused to identify himself called the French allegations "nonsense," saying a proposed agreement with Thailand would permit it to continue manufacturing copies of drugs. "There really is no issue," he said.

Thai Prime Minister Thaksin Shinawatra has promised that drug patents would not be included in the U.S. agreement, but critics fear he will cave in to pressure from Washington.

"The negotiations are carried out behind closed doors," said Jiraporn Limpananont of Chulalongkorn University in Bangkok. "We are still very much concerned."

Activists interrupted the French minister delivering Chirac's message, shouting, "Shame! Shame!" in protest of developed countries' failure to provide more funding for AIDS therapy.

Chirac also called on developed countries to increase their contributions to the Global Fund to Fight AIDS, Tuberculosis and Malaria, which has a goal of raising \$3.5 billion for AIDS treatment next year. So far, countries have pledged about \$500 million, with 40% of that coming from the United States.

Bush has pledged \$15 billion to AIDS treatment programs over the next five years through a series of bilateral agreements called the President's Emergency Plan for AIDS Relief. Most experts here have been highly critical of the plan, in part because it calls for purchasing only brand-name drugs. Such drugs can cost patients more than \$5,000 per year, compared with as little as \$150 per year for the copies manufactured abroad.

Dr. Anthony S. Fauci, head of the National Institute of Allergy and Infectious Diseases - and one of the few U.S. officials to appear at the meeting because the Department of Health and Human Services sharply limited the number of scientists who could attend - defended the requirement. He noted that there would be massive outrage if the money was spent to provide drugs that were "not good enough" to be used by American citizens.

Fauci said the generic drugs could be used in the program if their manufacturers submitted data to the U.S. Food and Drug Administration to support their efficacy. The FDA, he noted, has promised to fast-track the applications and said the drugs could be approved in as little as six weeks if the proper data were provided.

"But there have not been any submissions," he said.

In a televised interview, U.N. Secretary-General Kofi Annan said the U.S. should lead the war against AIDS with the same fervor it has shown in the war against terrorism.

He said the Iraq war was triggered by concerns about weapons of mass destruction that could kill thousands of people. "Here we have an epidemic that is killing millions," Annan said. "What is the response?"