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### IP's impact on HIV drug development questioned

By GayNZ.com Daily News staff

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**UN Global Commission on HIV and the Law member Charles Chauvel has expressed concern about the impact Intellectual Property rights are having on the development of new HIV treatments.**

The Labour Law Spokesman and proud rainbow MP has offered an update on the Commission's work following its creation last year, to an audience at the Outgames Human Rights Conference in Wellington.

One of the three workstreams the group has created is on treatment access, which Chauvel says is a real issue. "We've been waiting for a vaccine for 20 years," Chauvel says, while adding there has been a significant increase in the global availability of anti-retroviral treatments, particularly in developing countries, although it's unclear whether that will continue.



Charles Chauvel

"But the concerning development, I think has been around what appears to be the intellectual property treaties and laws brought into being as a result. Again I'll just summarise this in this way, we have been more effective at driving the price down as far as existing retroviral treatments than we have been at bringing in new treatments onto the market. So we can get the price down for the things we already use, but there has been a major down tick in people coming up with the next level or the next step of treatments."

Chauvel says it needs to be established whether intellectual property law is causing this. He says if so there needs to be maintained downwards pressure on price and upwards pressure on availability, but a continued push for innovation "because we would appear to be falling down in that area," he says.

The MP says the other Commissioners are "fabulous individuals" from all over the world who have been vocal and hardworking in their own countries. They include former Presidents of Brazil and Botswana, current and former MPs, judges, academics and a former Al Jazeera journalist.

The first thing the group did at its inaugural meeting in Sao Paulo in October was look at the global profile of epidemic, including the impact on different genders, the rate of new infections and the mortality rate.

The first workstream they decided on was women and HIV, as while the overall incidence of HIV infection is around 50/50 for men and women, women are over-represented in the developing world, Sub-Saharan Africa in particular.

The second workstream was marginalised and criminalised populations, which includes gay and bisexual men, drug users and prostitutes or people who he says are "crazily" still prosecuted for having HIV. "One of the major issues here is the unavailability of evidence," Chauvel says. "Because there are no standardised requirements around reporting by particular nation states." He says the statistics available from Africa are not reliable, but show that if you are not dealing with sex workers, men who have sex with men (MSM) or drug users then you are failing in your duty to address the problem.

At this stage the Commission is holding a series of regional meetings, including a grouping in the AsiaPacific. Chauvel is not happy with the region being lumped together, saying "I think we need to do something that's specific to the Pacific."

After the meetings there will be a call for expert submissions from across the globe, then the full commission will meet in August in Johannesburg to review regional results and distil evidence to produce final report for December which will be finalised in New York that month, "then the hard work actually begins," Chauvel says.

"I hope this isn't just going to be another one of those UN projects that produces a lofty-sounding report and then doesn't go anywhere," Chauvel says. "But of course that's always the risk. And the only way that we'll have any hope of going some way to make sure that doesn't happen is to get my participation and your participation so we can actually demonstrate that we have looked at the evidence about what makes a difference," he told the audience.

"So my plea to you today in offering you my accountability in being on this Commission, is please participate."

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