WHO’s on First

The WHO has raised med hopes for millions. Will the WTO squash them?

December 1, 2003 By Cindra Feuer

Long criticized for its sleepy AIDS policy, the World Health Organization (WHO) has awakened under recently appointed Director-General Lee Jong-wook, MD. In September, WHO outlined an ambitious plan to treat three million people by 2005—insiders call it “3 by 5”—more than three times the goal of all other global programs combined. Declaring the world’s failure to bring HAART to the six million in need of a world health emergency, Lee said, “Business as usual will not work. Business as usual means watching thousands of people die every single day.”

WHO will need a breakneck stream of generic drugs to keep prices low—around $250 to $300 annually per person, experts say. That’s why, after two years of agonizing over the flexibility of international trade laws, August’s World Trade Organization (WTO) agreement on generics was widely hailed as a boon for treatment access. The WTO accord allows impoverished nations to import generics—and other countries to export them—without violating patent laws.

But activists dispute the fine print. Asia Russell of Health GAP Coalition points out that the agreement demands that exporters get additional licensing permission from patent-holders, which will slow delivery. It also forbids generic producers from using the agreement for commercial benefit. “If an Indian company exports to Zambia, and that dramatically expands the company’s market,” Russell said, “the Indian company is satisfying its commercial interests and would be forbidden to export.” Only time will tell if WHO’s renewal can ride the rulings of the WTO to save millions of lives.

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