

Fraudulent Medicine : A Civil Society Perspective

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Point of Departure : Right to Health

- General comment no 14 of right to health elaborates the content of Article 12 of ICESCR: availability,, accessibility , acceptability and quality
- Medicine is a critical component in fulfilling the right to health and part of the core obligation under Article 12
- Actions including the technical assistance should not hamper the enjoyment right to health

Current State of Play

- Multiple Forums (National and International)
- Multiple terminology
- Multiple approaches (Criminal law, IP , Health, technological fixes)
- Need a shared understanding on approaches and solutions

Fundamental Issues

- Address causes not symptoms
- Lack of adequate evidence and nuanced approach
 - Different terminologies in circulation
 - Absence of disaggregated data
 - Technology fixes
 - Conflict of interest
 - Deficit of participation

Towards an Evidence Based and Nuanced Approach

- Shared understanding on terminologies
- Independent and verifiable data
- Accurate ICE materials
- Complementary role of criminal law enforcement
- Expedite procedures
- Access to testing technologies
- Guiding principle: Transparency, Participation and Free of Conflict of Interest
- Access to affordable medicines should not be hampered and proactive measures on A2M.