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## **LIBERAL MP VOTES WITH CONSERVATIVES IN GUTTING ACCESS TO MEDICINES BILL**

**Ottawa, 1 November 2010** — Activists for affordable medicines for developing countries watched and listened in horror this morning as a majority of the House of Commons Standing Committee on Industry, Science and Technology destroyed the core reforms proposed by Bill C-393 to fix Canada's moribund Access to Medicines Regime (CAMR).

Liberal MP Marc Garneau and the five Conservative members of the Industry committee gutted the key clauses of Bill C-393 aimed at creating the "one-licence solution" that has been endorsed by dozens of Canadian civil society organizations and various international legal experts as a sensible alternative to the current, dysfunctional mechanism in CAMR. It also has the support of more than 80% of Canadians and a growing list of prominent individuals including former Prime Minister Paul Martin.

"This was a shameful display of putting the interests of the extraordinarily profitable brand-name pharmaceutical industry ahead of the lives of millions of poor people who need low-priced, affordable medicines," said Richard Elliott, executive director of the Canadian HIV/AIDS Legal Network. The Legal Network has campaigned for years to reform CAMR to make it workable and provided detailed analysis to the Committee outlining the rationale behind the various provisions of Bill C-393.

CAMR was created unanimously by Parliament in 2004 to facilitate the export of lower-cost, generic medicines to eligible developing countries. In more than six years, it has resulted in only one licence being issued to authorize the export of one order of only one AIDS drug to one country (Rwanda).

Elliott said the evidence before the Committee was unequivocal that CAMR needs to be fixed. "The generic manufacturer that has tried to use CAMR has indicated it won't try again unless the system is changed. Humanitarian organization Médecins Sans Frontières tried for months to use CAMR to purchase medicines, but ultimately abandoned the effort. No other developing country has sought to use CAMR. How much longer is the government going to wait before it accepts that the system doesn't work? How many more people have to die?"

The experience illustrates that the current system is operationally flawed. In particular, a major barrier has been the requirement that, in seeking a licence to export, a generic drug manufacturer must identify *in advance* a single developing country and a fixed 'maximum' quantity of a medicine for that country — and then repeat a cumbersome licencing process every single time. "The

current regime is not economically viable for generic manufacturers or procedurally user-friendly for developing countries,” said Elliott.

Bill C-393 as introduced sought to remove the current practical barriers to making use of the regime. The bill proposed putting in place a “one-licence mechanism” that would enable a generic drug maker to get a single licence authorizing exports of a medicine to any of the eligible countries already in the current law, and to supply the quantities of medicines required by countries as their needs evolve over time.

The five Conservative MPs who voted to gut Bill C-393 of its core provisions are: Mike Lake (Edmonton – Mill Woods – Beaumont); Peter Braid (Kitchener-Waterloo); Gordon Brown (Leeds – Grenville); Dave Van Kesteren (Chatham); and Cathy McLeod (Kamloops – Thompson – Cariboo), substituting for Mike Wallace (Burlington). The Conservative members then even voted, unsuccessfully, against the watered-down bill being sent on to the House of Commons.

The lone Liberal MP to join with the Conservatives in excising the key feature of Bill C-393 was Marc Garneau (Westmount – Ville-Marie).

Liberal MPs Dan McTeague (Pickering – Scarborough East) and Anthony Rota (Nipissing – Timiskaming) voted in favour of keeping the core provisions of Bill C-393 intact.

Bloc Quebecois MPs Luc Malo (Verchères – Les Patriotes) and Robert Bouchard (Chicoutimi – Le Fjord) voted in support of keeping the key clause in Bill C-393 intact, but stated that they anticipated some further issues to be raised at future stages.

NDP MP Brian Masse (Windsor West) is the primary champion of Bill C-393, taking over from his former caucus colleague Judy Wasylcia-Leis.

For more on Bill C-393 and Canada’s Access to Medicines Regime, see [www.aidslaw.ca/camr](http://www.aidslaw.ca/camr).

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