



Civil society mobilization for the Compulsory License in Perú. ¹

In Peru, less than 5% of the 30,000 PLWH that receive ARV treatment are on a combination with atazanavir, but in 2014, the procurement of this drug cost more than half of the budget. In 2013, Peru paid the highest price for atazanavir 300mg, compared to all the other countries in the region, and 43.5 times the price of the generic version, also available in Latin America.

Description

Accion Internacional para la Salud (AIS) led meetings and demonstrations pressing the government to declare atazanavir public interest and apply the compulsory license in order to optimize resources, contributing to the sustainability of the response. This demand was supported by many civil society organizations from Peru, Latin America and the world including the significant participation of PLWH.

The Government refused to grant the Compulsory License and asked Brazil for donations until the end of 2017. AIS and other CSO, sponsored by the Congress of the Republic, developed a bill that declares atazanavir to be of public interest, which is expected to be soon debated in plenary.

The company, holder of the patent in Peru, responded to civil society pressure with bias communication campaign. However, in 2015, it had to reduce its price by 35%.

LEARNED LESSONS

The compulsory licensing process can have as an intermediate result, significant savings in the purchase of medicines. Between 2015 and 2017, due to donations and price reduction, Peru saved more than US 13 million in the purchase of atazanavir.

During the company campaign to distort information, it was key to strengthen civil society organizations to maintain the pressure for compulsory licensing. The support of international organizations from developed and developing countries, was also of critical importance.

We work on intellectual property literacy, in particularly on TRIPS flexibilities with Government officials, politicians, and other stakeholders.

CONCLUSIONS AND NEXT STEPS

In countries such as Peru, active engagement of civil society organizations should encourage the use of TRIPS flexibilities as the compulsory license to promote competition in the market, in order to have more affordable prices for ARVs and contribute to the sustainability of HIV response.

1. Track D - Social and Political Research, Law, Policy, and Human Rights
Policy development, implementation, and analysis/evaluation
D 86: Policies related to treatment access, including intellectual property policy
Track E - Implementation Research, Economics, Systems and Synergies with other Health and Development Sector
Cost Effective – Affordability
E16: economics of affordability

