

Ambassador M. Shameem Ahsa  
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Dear Ambassador Ahsa:

As a non-profit provider of generic drugs to low- and middle-income countries, IDA Foundation is committed to expanding access to essential medications. While much progress has been made in improving health outcomes globally, the health systems of least-developed countries (LDCs) continue to face challenges in securing affordable, high-quality medications.

To ensure these countries have access to the life-saving products their citizens need, IDA Foundation supports the LDC's recent request for an extension of the pharmaceutical waiver established in 2001, currently set to expire on 1 January 2016. The waiver allows LDCs an exemption from granting or enforcing medicines patents, and the requested extension would keep the current system in place until countries "graduate" to developing country status.

IDA Foundation's customers have benefitted from the pharmaceutical waiver for many years, as it allows LDCs to authorize the importation of generic medication regardless of patent status. This proved to be critical where licenses for anti-retroviral drugs to treat HIV were not available. The existence of the pharmaceutical waiver, and specifically the provisions of Paragraph 7, gave IDA the necessary legal protection to be able to supply ARVs on a large scale without fear of patent infringement suits.

Our LDC customers and partners have not limited the use of the pharmaceutical waiver to ARVs. It is exercised for essential medications and will be relevant for both the production and procurement of products increasingly needed in LDCs, such as those for the treatment of non-communicable diseases. In order to ensure that a comprehensive range of affordable drugs remains available to those most in need, IDA Foundation supports the extension of the pharmaceutical waiver, and joins those asking that the WTO honor the request made by the LDC members.

Respectfully,

Edwin de Voogd  
Managing Director  
IDA Foundation

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