

Statement to the 69th World Health Assembly

Agenda item 16.3 Substandard/spurious/falsely-labelled/falsified/counterfeit medical products

Thank you, Chair, for giving me the opportunity to address the distinguished members of the World Health Assembly on behalf of Medicus Mundi International, People's Health Movement and the TWN.

At the heart of this discussion is the term “counterfeit”. This overly-broad phrase inappropriately conflates the public health problem of spurious and substandard medicines with asserted breaches of intellectual property rights. The confusion of safe, efficacious and affordable generics with substandard products has led Member States to adopt laws and treaties which reduce access to vital medicines.

We also recall that the nomenclature “Substandard/Spurious/Falsely-labelled/falsified/Counterfeit” had only been proposed as a temporary terminology. However, even though six years have passed, we are still using this terminology.

In fact, “substandard” refers to deviations from product specifications, “spurious” stands for medicines without any or with wrong active ingredients, “counterfeit” refers to products that imitates trademarks. Combining these together could lead to confusion and inflated figures of problems of medicines with compromised quality.

The absence of a clear definition results in propaganda, instead of evidence based policy response.

Further, we urge the Secretariat to publish the complete datasets and methodology applied in the recently commissioned socioeconomic impact study on SSFFC medical products. Transparency should be at the core of all collective approaches.

We urge the WHO to critically reflect its participation in the Global Fund led Global steering committee. The participation and influence of non-core members is not clear and could go against the interest of WHO to ensure impartial approaches to SSFFCs medical products.

Besides, limited access to medicines compounds the problem by creating a healthcare vacuum, in which medicines with compromised quality, safety and efficacy can thrive. The health threat posed by quality-compromised medicines can only be mitigated by increasing the availability of affordable medicines.

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