

It is necessary to stop a draft decree of the Ministry of Trade of Colombia against the right to health and to medicines

Background

After the development of [an initiative promoted by the civil society organizations Misión Salud, Ifarma and CIMUN](#):

- The Ministry of Health and Social Protection of [Colombia declared in June 2016 that access to imatinib is of public interest](#).
- The [National Commission of Prices of Medicines and Medical Devices \(CNPMDM, from its initials in Spanish\)](#) controlled the price of this medicine [simulating conditions of competition last December](#), achieving a price reduction of 44% which, according to estimations of the Government, represents savings for the health system that exceed COL\$12.000 millions.

Pressure from multinational pharmaceutical corporations

Although in the media imatinib's process had apparently "calmed down", it was well known that pressures from Novartis, Afidro (the association that gathers most of pharmaceutical multinational corporations in Colombia) and even PhRMA, were still very strong. What worries them most is the precedent of the Government using the instruments considered in international regulations to promote competition and control the harm that an abusive monopoly causes to public health.

This time the pressure mechanism lies in the communication [addressed by Afidro to the General Secretary of the President of Colombia](#). It summarizes how the decisions made by the Ministry of Health in this issue and in others sensitive to the industry "*would do considerable but justified harm to Colombia's aspirations to get closer to the group of countries committed to the best policies to improve its citizens' lives*" (own translation), in other words, to Colombia's aspirations to become member of the OECD.

As a reply to this communication the Ministry of Health published the following press release: <https://www.minsalud.gov.co/Paginas/Declaratoria-de-interes-publico-de-imatinib-se-mantiene-en-firme.aspx> (Published on the 7th April 2017)

On the other hand, the two media with the highest coverage in Colombia published the following news:

- <http://www.elespectador.com/noticias/salud/imatinib-calienta-los-animos-entre-afidro-y-minsalud-articulo-688535>
(Published on the 8th April 2017 – online version)

- <http://www.eltiempo.com/vida/salud/mantienen-declaratoria-de-interes-publico-del-glivec-75700>
((Published on the 6th April 2017 – online version))

Consequence of the pressure: Draft decree proposed by the Ministry of Trade

As El Espectador mentions, with the objective of blocking future utilizations of the mechanisms of Declaration of Public Interest and price's control to medicines declared of public interest, Afidro has achieved that the Ministry of Trade starts a process of modification of these mechanisms through a [draft decree](#), developed in a non-transparent manner, without the participation of the organizations that promoted the process of imatinib (Misión Salud, Ifarma and CIMUN) nor civil society in general.

Last week we sent our comments on this draft decree, together with all the organizations that are members of the Committee of Oversight and Cooperation in Health, taking advantage of the fact that the draft decree finally had to be consulted with the public (find it below). We understand that other stakeholders submitted their comments.

Our goal is to stop this draft decree to ensure the validity of the mechanisms that it aims at blocking. In the coming future, these mechanisms should be used for other medicines of public interest, for the sake of public health.

We invite you to express your rejection to this initiative of the Ministry of Trade which addresses one of the requirements of Afidro, on behalf of the multinational pharmaceutical corporations present in Colombia.

Fundamental right to health and to generic medicines with affordable prices is above the greediness of pharmaceutical multinationals!