



United States Department of State

Washington, D.C. 20520

August 5, 2016

Andrew S. Goldman  
Counsel, Policy, and Legal Affairs  
Knowledge Ecology International  
Washington DC

Dear Mr. Goldman:

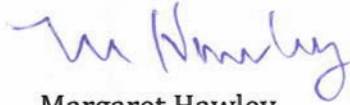
Thank you for your letter of July 20 concerning State Department views on intellectual property (IP) issues related to the UN High Level Panel (UNHLP) on Access to Medicines, as well as to Colombia and India.

The State Department appreciates the UN Secretary General's long-standing focus on health care issues and his goal of expanding access to medicines. We share these interests, and are committed to finding solutions to these complex issues. As the UNHLP on Access to Medicines has not issued its report, we cannot comment on it except to affirm the U.S. submission to the Panel referenced in your letter represents the views of the U.S. government. Given the complex and multifaceted challenge and the need for continued medicines innovation, we do not favor single global solutions. Rather, we are strongly committed to working with all sectors and partners in the context of differing national circumstances and health systems.

As affirmed in the Doha Declaration on the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the State Department, with the rest of the U.S. government, respects all our trading partners' rights to protect public health and, in particular, to promote access to medicines for all. As your letter noted, this long-standing position was most recently reaffirmed in the United States Trade Representative's 2016 Special 301 Report. The TRIPS Agreement affords countries sufficient flexibility to address serious public health challenges, including the right to issue compulsory licenses for pharmaceuticals in cases that meet all of the elements of Article 31 of TRIPS. We respect such rights when exercised in a manner consistent with TRIPS. We firmly believe countries can address public health challenges while promoting innovation through strong intellectual property rights regimes.

The State Department will continue to promote the above-noted views precisely because we share the interest of the UN Secretary General, and of all countries, in providing adequate access to safe, effective, and affordable medicines to all peoples.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Hawley", is positioned above the printed name.

Margaret Hawley  
Deputy Special Representative  
Commercial & Business Affairs

IPE/ State Department