

**EMBARGOED UNTIL Fri, 12 March 2010, 10am CET**

**PEOPLE LIVING WITH HIV/AIDS:  
INDIA MUST NOT SACRIFICE US IN TRADE AGREEMENT WITH EUROPE**

*Geneva / New Delhi, 12 March 2010* – As the final round of closed-door negotiations for a Free Trade Agreement (FTA) between India and the European Union (EU) is about to start this month, people living with HIV/AIDS are protesting to ensure Indian negotiators do not give in to pressure to accept terms that will seriously hamper access to medicines for millions of people living in the developing world.

“We are marching to call on the Indian government not to trade away our lives,” said Loon Gangte, president of the Delhi Network of Positive People (DNP+). “Lifelong treatment for people living with HIV depends on continued access to newer AIDS medicines. Because of international trade rules that India has already signed in the past, some of our newer AIDS medicines are already patented and completely unaffordable. We are protesting against India’s accepting terms that would further compromise access to life-saving medicine.”

In 2005, in order to comply with the international trade rules, India was obliged to grant patents on medicines, but the country also introduced measures to protect public health and limit abusive patenting. But the bilateral trade agreement negotiated with the EU now threatens to impose even higher standards of intellectual property protection, enabling companies to maintain prohibitively high prices on medicines.

“As the source of 92 percent of the AIDS medicines used in developing countries today, India is the pharmacy of the developing world. So the impact of this also stretches far beyond India,” said Médecins Sans Frontières Campaigner Leena Menghaney. “In recent free trade agreements signed with the EU or the US, developing countries agreed to introduce very strict intellectual property rules that drastically restrict ability to produce or trade in affordable generic medicines. If India also gives in, access to treatment for people living with HIV/AIDS and other patients will have been sacrificed in the negotiation process.”

Specific measures that Europe is pushing like data exclusivity, which delays the registration of generic medicines, and an extension of the patent term beyond 20 years, are unnecessary under international rules. In addition, after multiple incidents of seizing Indian generic medicines in transit to other developing countries in Latin America, and Africa, the EU is now seeking to legitimise such measures by forcing India to adopt them in the FTA.

Informal talks between European and Indian negotiators are reportedly opening in New Delhi this week, before formal talks take place in Brussels in April. The EU says it wants to conclude the FTA negotiations ahead of the EU-India summit scheduled for October 2010.

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