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As a representative of research-based biopharmaceutical companies, PhRMA welcomes this opportunity to comment on the draft plan of action prepared by Intergovernmental Working Group on Public Health, Innovation and Intellectual Property (IGWG). Many aspects of the plan could be usefully pursued by the IGWG. These include: identifying gaps in R&D for Type II and III diseases; developing concrete plans to address gaps; providing technological development capacity building; promoting effective cooperation between public and private sector research entities; and identifying and promoting complementary incentive mechanisms to existing intellectual property tools. The plan should promote cooperation, not compulsion, and should use methodologies based on objective evidence.

Several other proposals in the IGWG draft plan should not, in our view, be pursued. Fundamentally we believe these proposals will divert focus away from diseases that disproportionately affect developing countries; are unproven and potentially damaging to the existing R&D activity; are unlikely to work; or are politically infeasible. These include: placing Type I diseases in the scope of work; compelling contributions to patent pools; promoting an open-source research paradigm for the development of pharmaceutical products; imposing limits on the terms of bilateral treaties of Member States; expanding work into areas that are under the mandates of other international organizations; pursuing an R&D treaty; mandating open compound libraries.

PhRMA looks forward to working with the WHO as active stakeholders in this process.