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Activists Lock Gore Out of His Office, Criticizing Proposed S. Africa AIDS Drugs Deal

PRESS RELEASE -- For immediate release

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Washington, DC, August 23 - Five activists were arrested today after locking down the Old Executive Office Building a block from the White House, the site of the office of Vice President Al Gore, to protest elements of a U.S.-South Africa deal on pharmaceutical access which has not yet been made public. The demonstration lasted for over an hour and firemen were called to cut the activists' chains. The protesters, members of the group AIDS Drugs for Africa, were handcuffed together with their hands inside pipes to make it difficult to remove them from the entrance of the building.

The proposed agreement would resolve a two-year dispute-during which the U.S. has brought trade sanctions against South Africa-over a 1997 South African law allowing the country to manufacture or import inexpensive versions of high-priced U.S.-patented drugs, powers which are fully legal under World Trade Organization rules. According to the activists, leaked information indicated that Gore-the Chair of the U.S.-South Africa Binational Commission-is insisting on an agreement which would only allow South Africa to use these cost-saving measures for drugs against AIDS, not for other diseases. While the deal has not been signed, it is in the final stages of negotiation. The protesters charge that the Gore proposal would unfairly limit South Africa's right to produce and import important drugs at affordable prices, critical for a country with very restricted health care funds.

"Gore has already tried to save his reputation by asking Congress to spend \$100 million on AIDS in Africa and other poor nations - none of which would even go for purchasing anti-HIV drugs," said protester Linda Lu. "This deal is a ruse as it is unlikely to pass Congress given budget caps and constraints, and is intended to appease human rights watchers while winking at pharmaceutical companies."

Since June, AIDS activists have been dogging Gore at campaign stops around the country. While Gore has repeatedly made public offers to meet with protesters, he has not responded to verbal and written requests for such a meeting.

According to the Wall Street Journal, talks to resolve the U.S.-South Africa dispute intensified soon after the first protests. The activists stated that leaked information in July had indicated that the U.S. was ready to offer South Africa a deal allowing that country to only do parallel importing (importation of

inexpensive versions of drugs from sources other than the manufacturer). Then a later leak—expanding on a public statement made by Gore a week after the controversy ignited—indicated that the Administration was willing to allow compulsory licensing (domestic manufacture of patented drugs), but only if South Africa signed an agreement pledging to comply with international trade law. As a result of these leaks, the Pharmaceutical Research and Manufacturers of America increased its lobbying and Gore recently reversed his position again, insisting on an agreement which would only allow South Africa to use the parallel importing and compulsory licensing for AIDS drugs.

Shortly after the second leak, an official of the U.S. Trade Representative's office, Joe Popovich, told a Congressional hearing that the administration is not willing to relax its trade policy to allow for compulsory licensing and parallel importing. He went on to say that because of the spread of HIV, the may be willing to relax the trade policy for HIV and AIDS drugs only.

Activists say the forthcoming deal implies that this concession will be granted only to South Africa.. In recent months, American trade officials have applied negative pressure to other developing nations attempting to access AIDS medications and other life-saving treatments under provisions of the World Trade Organization's TRIPS (Trade-Related Aspects of Intellectual Property) Agreement.

"The U.S. signed the TRIPS agreement, and now Gore is trying to limit the exercise of its provisions," said Marshal Weaver of AIDS Drugs for Africa. "South Africa has 3 million people with HIV, and infection rates are increasing exponentially. South Africa has the right to produce generic AIDS drugs and buy from generic manufacturers. The U.S. has curbed that right."

The United States, through Gore and US Trade Representative Charlene Barshefsky, has repeatedly claimed that the South African law violates intellectual property rights.

"No American official has been able to say exactly what part of international trade agreements are being violated by South Africa. Meanwhile, the US has not interfered with parallel importing of drugs by the UK, Canada and the Netherlands," said Anna Lynne of AIDS Drugs for Africa. "The TRIPS agreement states in clear language that patents for essential resources may be circumvented when it is in the public interest in the case of national emergency. And that same agreement in no way restricts parallel importation."

South Africa cannot afford AIDS treatments at name-brand prices. Generic versions of the same medications can be produced at about one-tenth of the cost. Pharmaceutical companies, whose lobbyists are close Gore associates and who donate generously to his campaign coffers, have sued South Africa to block the 1997 Medicines Law.

Activists from the group AIDS Drugs for Africa say they will escalate their protests until the United States stops pressuring developing nations to refrain from exercising their rights. In recent weeks, two open letters have been sent to the Vice President urging him to end U.S. government pressure on South Africa. One letter was signed by a global list of over 200 public health experts, AIDS leaders, human rights, religious, labor and development leaders, and concerned citizens; the other by South Africa's HIV/AIDS Treatment Action Campaign, a coalition that mounted two large demonstrations last month at

U.S. consulates in that country. Gore's obstruction of South Africa's efforts has been criticized by such prominent personalities as civil rights leader Rev. Jesse Jackson, consumer advocate Ralph Nader and syndicated columnists Arianna Huffington, Molly Ivins and David Corn. And today, an editorial in The New York Times called on the administration to change its position on this issue.

| [BACK](#) |

