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ACTA Zombie bites back

EU-India free trade deal puts millions of lives at risk



As European Commission (EC) pressure mounts on India to rush into signing a free trade agreement (FTA), activists from across Europe mobilised in Brussels today to demand that the EC withdraw provisions that will harm people's access to medicines in India and across the developing world. Civil society organisations have learnt through leaked texts that the EC, in ACTA-like closed-door negotiations, is aggressively pushing for stronger industry control at the expense of public health, threatening millions of lives. Under pressure from public health groups, certain provisions damaging to access to medicines such as patent term extensions have been removed from the proposed deal. However, the intellectual property (IP) enforcement and investment provisions are still causing serious concern, particularly as an early April deadline to sign the agreement is imminent.



“This attack on the health of the world’s poorest is of serious concern, particularly as a deadline to sign the agreement draws ever nearer and could be days away”, said Greens/EFA MEP Carl Schlyter. “The EC cannot claim it supports access to medicines and is concerned about the lives of people in developing countries, and in the same breath be pushing harsh provisions around intellectual property enforcement on India.” “I’m urging the European parliament: don’t accept the provisions that will impact so many lives before you sign on the dotted line.” Dressed as zombies, wearing ripped and bloody suits representing European trade negotiators, the activists from organisations including Oxfam, Médecins Sans Frontières (MSF), the Stop AIDS Campaign, Health Action International (HAI) Europe and Act-Up Paris massed outside the European Parliament together with Greens/EFA MEPs. The harmful provisions are similar to those in ACTA, the anti-counterfeiting deal which was killed off thanks to [intense campaigning by the Greens](#) and public lobbying of MEPs. But now they are back from the dead, as the Greens warned they would be. Enforcement provisions could potentially block the production and export of generic medicines from India – a lifeline for millions of people across the developing world. Enforcement provisions would open the door to abusive practices from multinational corporations, by allowing medicines to be delayed, seized, detained and destroyed. Measures on investment could see the Indian government – as well as third parties like treatment providers such as MSF - sued by multinational companies for billions of dollars in private arbitration panels if national laws, policies, court decisions or other actions are perceived to interfere with their investments – for example, if an Indian patent office rejects or overrides a patent on a medicine to increase access. The anticipated conclusion of the EU-India FTA in early April has sparked protests across Asia, Europe and Africa – the continent that could stand to lose the most from an agreement. This FTA is just the latest in a long line of negotiations by the EU to impose stricter IP provisions on developing countries; The EU is currently in FTA negotiations with India, ASEAN, Malaysia and Ukraine, and is planning negotiations with Thailand, Morocco, Tunisia and Egypt to name just a few. The European Commission must once and for all stop imposing provisions on intellectual property that are stricter to the WTO rules and that threaten access to medical products. The EU-India FTA will have to be voted on by the European Parliament, just like ACTA. To make a difference, contact your MEP and let them know why you want them to oppose it. MSF also have a tool for e-mailing the European Commission now while negotiations are still going on, available here: https://action.msf.org/en_CH

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