

Access to medicines: from intellectual property through to the incorporation into the health systems

The idea behind this special issue is the result of reflections that arose within the scope of the project entitled “Public policies and access to high-cost medicines: the situation in Brazil in relation to other centers in Latin America,” coordinated by the “Pharmaceutical Policies and Services” research group of the Federal University of Santa Catarina (UFSC) and supported by Call for Papers No. 41/2013 MCTI/CNPq/CT-Saúde/MS/SCTIE/Decit.

The Sustainable Development Goals for 2030¹, as well as the urgent and global challenges highlighted by the World Health Organization (WHO) in early 2020, highlight the guarantee of access to medicines as a fundamental goal.

The guarantee of access to medicines has acquired a global character and is no longer a problem limited to low- and middle-income countries. The deepening economic and political crisis experienced by Latin American countries in recent years threatens individual and collective rights, reflected in public policies established over the course of the last decades. Restrictive policies and the reduction and/or redirection of public budgets compromise the sustainability of policies to guarantee rights, while at the same time providing an opening for the establishment of ultra-liberal policies as the alternative for solving problems². In this context, the inconsistencies pointed out in the report of the Secretary-General of the United Nations’ High-Level Panel (<http://www.unsgaccessmeds.org/final-report/>) between individual rights (patent protection), public health priorities, human rights laws and regulations, and trade rules increase in importance. In other words, the confrontation between health and trade is increasingly clear, a confrontation that has intensified in the current pandemic and is exacerbating the existing inequalities in the world.

Power structures, interests, interdependencies, values and principles of the stakeholders emphasize the perception of medicines as a health need and influence the accessibility of and access to medicines³. In line with this concept, the articles presented in this thematic issue address national policies to promote access to medicines, including high-priced items, considering investment in S&T, regulatory systems, patent protection and pricing, the incorporation of new technologies, judicial processes for access to medicines and organization for access in the health systems of Brazil, Colombia, Argentina and England. They point to the powerful role of the State in guaranteeing equity for the achievement of social rights, including access to medicines. To conclude this thematic issue, an initiative to promote social involvement in health policies is presented, with the main hurdles related to access to medicines, vaccines and information during the pandemic as the rallying cry for the critical development of leadership of social control of health, social movements and health professionals.

It is abundantly clear after reading the various articles, and with ongoing reflection on the field of public health, that there is a global imbalance between supply and demand in the market for medicines, in conjunction with various very well identified barriers to access. The major world forums have been discussing how to overcome a system that many consider to be a failure, in order to ensure the necessary access to neglected or vulnerable populations. Innovation needs to be coupled with access to medicines and technologies, and access must be considered a fundamental human right.

Social policies must take precedence over trade policies, and we have an obligation to defend our Unified Health System which, throughout its 33 years of existence, has always been on the front line of the defense of life.

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