

Senator John Kerry  
Kerry-Edwards 2004, Inc.  
P.O. Box 34640  
Washington, DC 20043

October 25, 2004

BY FAX: (202) 712-3001

Dear Mr. Kerry,

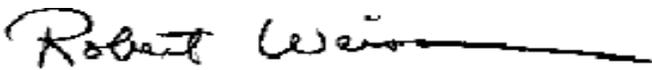
Lack of access to essential medicines, particularly affordable medicines to treat HIV/AIDS, is a global public health and human rights crisis. One-third of the world's population has no access to essential medicines, and 95% of the world's 40 million people living with HIV do not have access to affordable, life-prolonging antiretroviral therapy.

The Doha Declaration on the TRIPS Agreement and Public Health, signed by all WTO members including the U.S. on November 14, 2001, states that WTO rules requiring WTO Members to protect and enforce drug companies' intellectual property "can and should be interpreted and implemented in a manner supportive of WTO members' right to protect public health and, in particular, to promote access to medicines for all."<sup>1</sup> You state that, as President, you would "ensure that any trade agreements negotiated by the United States do not undermine this critical international agreement."<sup>2</sup>

Since the Doha Declaration was signed, the current Administration has pursued bilateral and regional trade agreements that require countries to implement intellectual property rules that exceed WTO standards. These new agreements undermine the commitment made by the U.S. upon signing the Doha Declaration—that the U.S. would permit other countries to put the public health of their people first.

You have also promised, if you become president, to create a 120-day review of all existing trade agreements and a "freeze" on the signing of new agreements during this time.<sup>3</sup> In light of your stated commitment to uphold the rights reaffirmed by the Doha Declaration in bilateral and regional trade agreements, we strongly urge you to incorporate into your planned 120-day review of trade agreements an assessment of the effect or likely impact on public health and access to medicines of existing trade agreements, as well as of those currently under negotiation or yet to be implemented. The outcomes of this review should help determine the trade agenda of your Administration. We look forward to your response to this urgent request.

Sincerely,



Robert Weissman  
Co-Director, Essential Action



Jennifer Brant  
Trade Policy Advisor, Oxfam America

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<sup>1</sup> World Trade Organization. "Declaration on the TRIPS agreement and public health," 20 November 2001, WT/MIN(01)/DEC/2

<sup>2</sup> [http://www.johnkerry.com/issues/health\\_care/aids.html](http://www.johnkerry.com/issues/health_care/aids.html), "The Kerry-Edwards Plan To Respond To The AIDS Crisis," last accessed October 20, 2004.

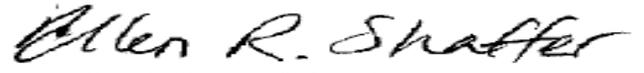
<sup>3</sup> <http://www.johnkerry.com/issues/economy/trade.html>, "A Plan For Free and Fair Trade," last accessed October 20, 2004.



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