



Statement by H.E. Archbishop Ivan Jurkovič, Permanent Representative of the Holy See to the United Nations and Other International Organizations in Geneva
34th Session of the Human Rights Council – Item 3 General Debate
“Access to Medicines”
Geneva, 10 March 2017

Mr. President,

With regard to the right of everyone to enjoy the highest attainable standard of physical and mental health, my Delegation wishes to raise additional concerns regarding the need for effective action in order to guarantee universal access to medicines, vaccines, diagnostics and medical devices. Working for a just distribution of the fruits of the earth and of human labour is not mere philanthropy. This is a moral obligation.

In relation to pursuing of the double goals of access to medicines and necessary medical innovation, policy coherence is fundamental for effective, sustainable and equitable progress towards universal health coverage and improved health outcomes for all. The adoption of the Sustainable Development Goals (SDGs) created an enabling framework for progress toward the achievement of both access and innovation. SDG 3, in particular, includes the targets to support “the research and development of vaccines and medicine for the communicable and non-communicable diseases that primarily affect developing countries” and to provide “access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on TRIPs Agreement [*Agreement on Trade-Related Aspects of Intellectual Property Rights*] and Public Health”.

In this sense, the Holy See appreciates the entry into force, last January, of the amendment to the TRIPs Agreement. The amendment provides a secure and legal pathway to access affordable medicines and helps the most vulnerable access treatments that meet their needs, including those related to HIV, tuberculosis, malaria, as well as other epidemics.

Access to affordable medicines no longer represents a challenge only for the Least Developed and other developing countries; it has also become an increasingly urgent issue for higher-income countries as well. States find themselves unable to combat antimicrobial resistance. Moreover, developing countries are confronted with a serious lack of new medicines, especially as public health budgets have been constrained worldwide.

Mr. President,

As we all are aware, health is a fundamental human right, essential for the exercise of many other rights, and necessary for living a life in dignity.

Therefore, the Catholic Church provides a major contribution to health care in all parts of the world – through local churches, religious institutions and private initiatives, which act

on their own responsibility and with respect of the law of each country. These include the sustenance of 5,158 hospitals, 16,523 dispensaries and clinics, 612 leprosaria, and 15,679 homes for the elderly, the chronically ill, or disabled people. With firsthand information coming from these facilities in some of the poorest, isolated, and marginalized communities, my Delegation is obliged to report that the rights detailed in the international instruments and in the SDGs already mentioned are far from being realized.

Mr. President,

Pope Francis decries the selfishness and short-term thinking that sabotage progress on saving the environment, on peace building, and on public health crises as well. He insists on dialogue “as the only way to confront the problems of our world and to seek solutions that are truly effective”.¹ Authentic dialogue is honest and transparent. It does not permit the interests of individual countries, or specific interest groups, to dominate discussions. “Science and technology are not neutral”.² It is our moral obligation to seek, fight and build a better future that we are expected to deliver for our future generations. “There is also the fact that people no longer seem to believe in a happy future; they no longer have blind trust in a better tomorrow based on the present state of the world and our technical abilities. There is a growing awareness that scientific and technological progress cannot be equated with the progress of humanity and history, a growing sense that the way to a better future lies elsewhere”.³

In order to promote human dignity and to adopt policies rooted in a human rights approach, we need to confront and remove barriers, such as monopolies and oligopolies, lack of access and affordability and, in particular, both overwhelming and unacceptable human greed. If we fully intend to build a better world and future for the generations that will come after us, we must remedy and correct the misalignments and policy incoherence between the intellectual property rights of inventors, innovators or manufacturers and the human rights of human persons. As such, trade could be considered in the context of public health and access to technologies and thus be closely linked to both the fundamental human rights to health and to life. All our efforts must be directed to ensure human dignity, quality of health and life and to the building of a better world for the generations to come.

Thank you, Mr. President.

¹ Pope Francis, Address to Participants in the Meeting Sponsored by the "Foundation for Sustainable Development" on “Environment Justice and Climate Change”, 11 September 2015.

² Pope Francis, Encyclical Letter, *Laudato Si*, n. 114.

³ *Ibid.*, n. 113.