

# Free Trade Agreements and Its Impact on Public Health

Su-Hui Chiang

*Health Policy Research Fellowship Award Scholar*

*National Health Research Institute, Miaoli, Taiwan*

## Abstract

Pharmaceuticals or drugs are important targets in the global free trade and fell within the domain of intellectual property right protection. The Agreement on Trade-Related Intellectual Property Rights (TRIPS) under WTO constructs certain protection guidance about patents, copyright, trade marks and other intellectual property rights related to pharmaceuticals. The consensus achieved in TRIPS Agreement creates tremendous impacts on many developing countries. Meanwhile, a new wave of bilateral free trade agreements (FTA) has emerged. USA is the prime initiative of such bilateral free trade talks. These bilateral FTAs often construct more protection on intellectual property rights, especially for drugs.

This article reviews the rise of FTAs, it also analyzes the rationale behind USA initiative in FTA negotiations, and then explores the TRIPS-Plus provisions in FTAs which will create restrictive barriers for public affordability and accessibility of medicines. Finally, the major interest group, PhRMA or the pharmaceutical industries, must manage new strategies to confront the upcoming political and economic challenges.

**Keywords:** free trade agreement (FTA), TRIPS/TRIPS-plus, drug patent, access to medicines, PhRMA