CENTRE FOR COMPETITION POLICY

Max Planck Institute for Innovation and Competition

MAX-PLANCK-GESELLSCHAFT

Increasing the access to affordable medicine in developing countries and LDCs: between regulation and competition

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Background

Developed world

- Complex interplay of IP/Competition/pharma regulations
- Brand/generic dichotomy
- Prone to regulatory gaming – pharma antitrust

Developing world

- same dichotomy not necessarily applicable
- Less prevalent interplay – to a certain extent unknown
- How to increase access to affordable medicines through regulation and competition while avoiding regulatory gaming

Project – main research objectives

1. The status quo: identifying the relevant framework
2. Identifying barrier for entry to the pharmaceutical market
3. Providing advice on the improvement of access to affordable medicine

Project – the approach

1. Data collection

   Creation of panel data set through questionnaires, surveys and structured interviews

2. Empirical research

   Qualitative data analysis on a country by country basis and later on comparative basis

3. Policy recommendations

   min: comprehensive overview of access

   max: compare and delineate individual approaches

Project – categories of variables

- Pharmaceutical regulations
  - Incl. marketing authorisation, drug price regulation, substitution laws, parallel trade
- Competition legislation
  - Incl. US/EU model, policy goals, covering regulated markets, IP exemption, enforcement level, compulsory licensing
- IP legislation
  - Incl. TRIPS, patent enforcement system (bifurcation)

Project – categories of variables (cont)

- Procurement
- Sector specific information
  - Incl. supply side, demand side (buyer power, distribution, public/private health)
- Anticompetitive conduct

Questions and suggestions?

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