

### **Drugs, Law & the Health Crisis in the Developing World**

Each year, roughly nine million people in the developing world die from infectious diseases. The large proportion of those deaths could be prevented, either by making existing drugs available at low prices in developing countries, or by augmenting the resources devoted to the creation of new vaccines and treatments for the diseases in question. Several legal and social circumstances contribute to this outrage. In this book, we focus on two: First, the majority of the most effective drugs are covered by patents, and the patentees typically pursue pricing strategies designed to maximize their profits; Second, pharmaceutical firms concentrate their research-and-development resources on diseases prevalent in Europe, the United States, and Japan, areas from which they receive 90-95% of their revenues – and most of the diseases that afflict developing countries are uncommon there. The book seeks to substantiate the foregoing assertions – some of which are controversial – and then evaluate a number of reform options (some original to us, many not) for altering this situation.

The first part of the book documents the actual and potential role of drugs and vaccines (as opposed to other forms of health-care delivery, public-health interventions and broader socio-economic factors) in alleviating the health crisis, and the role of patents in terms of both access to existing drugs and incentives for creating new pharmaceuticals. The second part of the book then evaluates several ways in which the legal system might be modified to overcome the two obstacles and thus help alleviate the crisis. Some of the possible reforms we examine involve providing pharmaceutical firms financial incentives to modify their pricing practices or research and development policies; others would use various legal levers to force the firms to modify their behavior; still others would increase the roles of governments in the development and distribution of pharmaceutical products. The book then justifies and evaluates the foregoing reforms from the perspective of political philosophy, undertaking a normative analysis of why and how residents of the developed world should assist those in the developing world to address the health crisis. The book concludes by identifying a politically palatable package of reforms that both would result in lower prices in developing countries for existing drugs and would accelerate the production of new drugs that address the health crisis in those areas.