

ABBOTT: STOP THE INTIMIDATION! WE WILL NOT BE SILENCED!

***Global AIDS community expresses solidarity with Thailand and ACT UP-Paris.
And urge Abbott to immediately drop the charges against the AIDS organization***

On May 23rd Abbott Laboratories, manufacturers of the anti-retroviral drugs Norvir and Kaletra, became the first pharmaceutical company to intentionally attempt to cause the demise of an HIV/AIDS community group by filing a lawsuit in French criminal court against ACT UP-Paris. Abbott claims ACT UP-Paris' April website "zap" shut down its server for a few hours prior to its annual shareholders meeting.

French law forbids the limiting of access to a website, unless a defendant has a "legitimate motive". Holding Abbott accountable for unethical business conduct and highlighting Abbott's denial of essential medicines can surely be interpreted as a legitimate and honorable motive.

A Paris judge has scheduled an Oct. 26 hearing in criminal court. If ACT UP Paris loses the criminal case, French law proscribes a maximum fine of €75,000, or \$100,000 and/or the disbanding of the AIDS organization. Either option will result in the closure of ACT UP-Paris.

HIV patients, doctors and their organizations have scorned Abbott for many years as a result of excessive prices charged for its HIV drugs and for the 400% price increase of its monopoly boosting drug, Norvir, in the United States. The company is now divesting from HIV research and remains only interested in maximizing returns from its existing HIV products.

In recent months, the company has been embroiled in a standoff over access to its drug Kaletra in Thailand. ACT UP-Paris was among the many AIDS activist groups globally that joined an International Day of Action on April 26, 2007, to protest against the company's withdrawal of applications for new life-saving drugs in Thailand.

Earlier this year, Thailand stated that it could not afford Abbott's price for Kaletra. The Thai government announced that it planned to use compulsory license provisions, pursuant to international trade law, that allows countries to procure cheaper generic versions of a patented drug in health emergencies. By utilizing compulsory license provisions, the Thai government would save millions of dollars that could be used for life-saving medications for its citizens.

Abbott countered by announcing that it would not register any newly developed drugs in Thailand, depriving that country of the new form of Kaletra that, in contrast to the current form, does not require refrigeration, an obvious issue in tropical Thailand. Despite the fact that the compulsory licenses for Kaletra were legally issued by the Thai government in accordance with WTO TRIPS provisions, Abbott announced that it would refuse access of its new heat-stable version of Kaletra to the 220,000 HIV patients in Thailand.

The World Health Organization, doctors and community organizations globally have called upon Abbott to reexamine its position. The French and British governments publicly supported the Thai government's right to issue the compulsory drug licenses. People living with HIV/AIDS in Thailand have pleaded with Abbott to reverse its decision and called upon the international community to show solidarity with their cause. ACT UP-Paris responded to their call with the alleged criminal "action".

Phone and fax zaps or sit-ins, which have disrupted corporate communication for short periods of time, or blocked employee work access, are not new to AIDS activism. These tactics have been used by many other activists throughout the many years of the long epidemic to draw attention to government or corporate acts and omissions.

Such community “actions” in the past have been responded to by government and industry by initiating direct meetings to discuss options and solutions to very real problems and concerns. This has led to regularly meeting with the community, who represent, and in many instances who are the actual consumers of the products generated by industry and government. This process has led to practices that are mutually beneficial to all stakeholders – expedited and ethical drug development and research, resulting in greater profits for industry and the dramatic extension of life and quality of life of people with HIV/AIDS.

We believe Abbott’s aggressive legal moves are disproportionate and misguided. We call on Abbott to immediately withdraw its lawsuit, to meet with ACT UP-Paris and agree to change its current hostile policies and practices. If Abbott continues to bully ACT UP-Paris and patients internationally, AIDS organizations will have no choice but to continue to engage in such “actions” and to inform all stakeholders of the unethical practices implemented by Abbott Laboratories.

The undersigned organizations stand firm in their solidarity with the Thai HIV community and ACT UP-Paris. We welcome this opportunity to debate Abbott’s shameful policies in Thailand and elsewhere. Regardless of Abbott’s decision on the case against ACT UP-Paris, we will not be intimidated and we will continue to do everything in our power to convince the company to reverse its unprecedented decisions to stifle freedom of speech and deprive the Thai people of life-saving medications.

AIDES, France

AIDS ACCESS Foundation, Thailand

AIDS Treatment Activists Coalition (ATAC), USA

ARCI-Gay, Italia

Community HIV/AIDS Mobilization Project (CHAMP), USA

European AIDS Treatment Group (EATG), Belgium

European Network of People Living with HIV/AIDS (ENP+), The Netherlands

Global AIDS Alliance, USA

Global Network of People Living with HIV/AIDS (GNP+), The Netherlands

Health GAP (Global Access Project), USA

International Community of Women Living with HIV/AIDS (ICW)

LILA, Italia

SIDACTION, France

Thai Network of People Living with HIV/AIDS (TNP+), Thailand