A rapidly growing public health crisis

Access to proper healthcare is a fundamental right but for too many people, especially in Africa, their health and their lives are put at risk by the traffic in substandard and falsified (SF) medicines. For example, the WHO estimated that in 2015 in Sub-saharan Africa, 122,000 children under the age of five died as a result of SF anti-malarials. According to other WHO estimates, 20-30% of medical products in circulation in most African countries are substandard or falsified. In March 2017, the Heads of State of Gabon, Guinea, Morocco, Rwanda and the Republic of the Congo asked the Brazzaville Foundation to help raise awareness of this public health crisis.

Since then, the Brazzaville Foundation, an independent, London-based non-profit organisation, has been working to ensure this issue is given the priority it deserves.

What the Brazzaville Foundation is doing

In March 2018 the Foundation, in partnership with the Harvard Global Health Institute (HGHI) and the London School of Hygiene and Tropical Medicine, organised a major conference at the Wellcome Trust in London: “Medicines that lie: a deadly public health crisis”. The conference agreed that this should be a new global priority and that failure to end the traffic in SF medicines would fatally undermine the drive to ensure Universal Health Coverage as part of the 2030 Agenda for Sustainable Development.

In addition to the human cost of SF medicines, the conference, drawing in part on research commissioned by the Foundation, identified the involvement of transnational organised crime in this traffic and increasing evidence that this in turn is financing terrorism, thus posing a serious threat to public security. SF medicines are smuggled on to the market using the same routes and techniques as drug, weapon and human trafficking.

One of the reasons for the huge growth of this traffic in Africa is the absence in many countries of proper criminal legislation and effective enforcement. In response to this situation and following a special meeting in Marrakesh in June 2019 which brought together African and international experts, the Foundation devised the Lomé Initiative.

The Lomé initiative: Actions not words

In coordination with the Brazzaville Foundation, a number of African Heads of States (the Republic of the Congo, Niger, Senegal, Togo and Uganda) have decided to launch a new initiative to stem the traffic in SF medicines by introducing legislation to criminalise this traffic, impose tough criminal penalties and ensure vigorous enforcement of the new legislation.

This is a specifically African initiative which benefits from the direct personal involvement of the Heads of State. They will confirm their commitment at a meeting in Lomé before the end of this year when they sign a legally binding Agreement with a clearly defined timetable for action.
**Key actions under the Lomé Initiative**

- To introduce promptly legislation to criminalise the traffic in SF medicines and medical products and impose tough criminal penalties and ensure the harmonisation of such legislation between states. An audit of existing legislation is already underway to identify gaps and make recommendations on new/additional legislation.
- To sign and ratify relevant international agreements including the Medicrime Convention* and the Palermo Convention* Against Transnational Organised Crime.
- To establish inter-agency mechanisms at national level to ensure vigorous enforcement of the new legislation and improve cooperation between states.
- To encourage other African states to join this initiative.

The Lomé commitment to criminalise the traffic in falsified medicines is the crucial first phase in a longer-term campaign. As the Heads of State recognise, this is a complex issue and further steps will be necessary to ensure all their citizens have access to safe and reliable medicines.

**Next steps**

The Brazzaville Foundation will provide advice and guidance throughout the implementation of the Lomé Initiative. It is also continuing its campaign against SF medicines by helping to prepare, in partnership with HGHI and Management Sciences for Health (MSH), a major conference of African health ministers in 2020 aimed at taking further measures to combat this scourge.

**More about the Brazzaville Foundation**

The **Brazzaville Foundation** is an independent, London-based, non-profit organisation registered with the UK’s Charity Commission.

Under the Patronage of HRH Prince Michael of Kent, the Foundation is governed by an experienced Board of Trustees chaired by its Founder, Jean-Yves Ollivier, and supported by a highly distinguished international Advisory Board which includes former Presidents and Prime Ministers and a Noble Peace Prize laureate.

The Foundation develops initiatives to promote sustainable development, prevent conflicts and facilitate peaceful cooperation on the African continent.

---

* Medicrime: A Council of Europe Convention, legally binding in the field of international criminal law, which criminalizes the manufacture and distribution of medicines and medical products, put on the market without authorisation or in violation of safety standards.

* The Palermo Convention: A United Nations Convention, legally binding in the field of international criminal law that aims to tackle transnational organized crime. The Convention is complemented by three additional protocols on human trafficking, migrant smuggling, money laundering and the illicit manufacture and trafficking of firearms.