

In Defense Of WikiLeaks: Looking At Cables On Pharmaceutical Drugs And Trade Pressures

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Like many others, I have spent the past several days combing through countless US Department of State cables. I am primarily looking at the cables that describe our government's efforts to drive up the price of medicine in developing countries. This is an act of state-sponsored violence that is rarely reported by the *New York Times*, the *Guardian* or other newspapers that had received early copies of the cables.

I am also looking at the news of and the reaction to WikiLeaks' failure to withhold access to cables that include the names of sources of intelligence, putting at risk the lives of the persons so named.

While I join those who are greatly saddened by this lapse in security, and aware of the consequences, I am also shocked at the bitter attacks on WikiLeaks, which seem unbalanced, under the circumstances. I think that [Glenn Greenwald got things right in Salon](#), when he wrote yesterday that "a series of unintentional though negligent acts by multiple parties -- WikiLeaks, *The Guardian's* investigative reporter David Leigh, and Open Leaks' Daniel Domscheit-Berg" led to the release of all documents in unredacted form. Domscheit-Berg, who sought to share in the glory of the WikiLeaks operation, essentially stole a copy of the encrypted files from WikiLeaks, which led, unintentionally, to the circulation of the encrypted version of the unredacted cables. But this by itself would not have created the problem, except for the fact that David Leigh of the *Guardian* chose to publish the password to the file in a book, last year.

This is the passage from David Leigh's [book](#):

Assange wrote down on a scrap of paper:

ACollectionOfHistorySince_1966_ToThe_PresentDay#. "That's the password," he said. "But you have to add one extra word when you type it in. You have to put in the Word 'Diplomatic' before the word 'History.'" Can you remember that?"

Nigel Parry, in his [excellent account of the disclosure](#), notes that David Leigh remains unrepentant about having published the "secret" password, claiming he did not realize that a password to the encrypted file would be permanent, rather than temporary. And, given the reporting in his own book, it seems obvious that Leigh did not know much about computers. But at that point, as Greenwald and others have noted, after a series of mistakes by lots of people, "virtually every government's intelligence agencies would have had access to these documents as a result of these events, but the rest of the world -- including journalists, whistle-blowers and activists identified in the documents -- did not." So, WikiLeaks finally released everything, and I think this was the right thing to do. Is there blame to go around? Yes, plenty. The US Department of State allowed someone to leak its cables to WikiLeaks. WikiLeaks allowed someone to leak those same cables in encrypted form, and a reporter from the *Guardian* thought it would be good literature to publish the password to the encrypted files.

What else was happening during this period? US political figures were calling for Assange to be assassinated, or thrown in jail. Every major financial institution was blocking financial transactions to WikiLeaks. Domscheit-Berg and others were carrying out what increasingly looked like a personal vendetta to smear WikiLeaks. The Swedish government put out an Interpol red alert charging Assange with rape. And, probably lots of other things were going on to destabilize the WikiLeaks operation. This was, I am certain, more pressure than most of us have experienced.

In the end, what have the WikiLeaks cables given the public? For those who care about such things, we now have a much clearer and documented view of the actual policies carried out by the US government, and also by many other governments, whose actions were described in the cables.

The Arab Spring may be the most visible and important consequence of the WikiLeaks cables. WikiLeaks did not by itself cause this social movement, but WikiLeaks did a great deal to stimulate action and to lend creditably to critics of the regimes, and for this, WikiLeaks certainly deserves credit.

My own areas of expertise includes trade policy, as it relates to intellectual property rights. Here the cables provide an unprecedented wealth of information about the Bush and Obama Administration policies over roughly a nine year period, ending in February 2010.

Even before the most recent dump of documents, we were able to locate [240 cables detailing U.S. government efforts to expand controversial intellectual property rights in the evidence that new medicines are safe and effective](#) -- an IPR rights that works interdependently from patents granted on inventions. This is a topic that is obscure to most non-experts, and completely unreported by the mainstream press, but is extremely important in

the eyes of public health groups. To see what our government does, why it is important, and how aggressive is U.S. advocacy in shaping another country's laws, take a look at these cables on [Jordan](#) or [Guatemala](#), for just a few data points.

The U.S. government also constantly pressured developing countries on drug pricing. Even when US government officials knew, and wrote, that high drug prices would undermine access, they conspired to undertake all sorts of pressure to get policies favorable to the drug companies. Read some of these cables and then ask yourself: what this would feel like if you were reading about a foreign government telling us what to do?

Not counting the latest disclosures, from May 2001 to February 2010, the Department of State published [23 cables per week mentioning pharmaceuticals](#). A typical but shocking example of this was the U.S. campaign to undermine legislation and reforms [to make medicines more affordable in the Philippines](#). In one striking quote from a September 2009 cable setting out opposition to price controls, [Kristie Kenney](#), then the United States Ambassador to the Philippines (currently Ambassador to Thailand), acknowledges there is a strong rationale for the Philippines to cut drug prices:

"Prescription medication prices in the Philippines are the second highest in Asia (next to Japan), in a country where about a third of the population subsists below the official poverty line. In this instance, some multinational companies failed to recognize that cheaper medicine for the masses is an emotional and political issue."

Then there is this May 14, 2007 cable from Ralph Boyce, then the Ambassador to Thailand, where he seems related that Abbott Laboratories was withdrawing drug registrations for seven products, including among others, a version of a US government funded AIDS drugs that could be used without refrigeration -- a feature quite important for AIDS patients living in rural areas.

<http://cablegatesearch.net/cable.php?id=07BANGKOK1524>

1. Abbott Labs, the recent target of a compulsory license on their patented antiretroviral Kaletra, confirmed to Embassy that the company had withdrawn applications for registration of seven new pharmaceutical products in Thailand, and had no plans to introduce new products until its intellectual property was properly respected. The seven drugs include Aluvia, a new heat-stable version of Kaletra. Although the two drugs are identical in effect, the new version is considered ideal for tropical environments such as Thailand. Other drug applications pulled include treatments for hypertension, kidney disease, auto-immune disease and congestive heart failure. The applications had been on file with the Thai FDA for up to ten months awaiting approval.

4. Comment: Abbott's actions will certainly be controversial. However, the action may strengthen the hand of Abbott and the rest of industry in future dealings with the RTG. Abbott's move puts the RTG on notice that there are visible consequences for its actions, rather than solely a vague weakening of the investment environment. Whether this focuses the minds of RTG officials at upcoming negotiations remains to be seen.

End Comment. BOYCE

You don't have to be Noam Chomsky to find this truly appalling.

In a number of cases, the US government pressures developing countries to put pharmaceutical company lobbyists on key government committees dealing with drug regulation, IPR policy or drug pricing.

The disclosures go on and on. I am so angry at many of the cables that I can hardly explain how screwed up the U.S. policies are. Some of the disclosures have been blogged here.

<http://www.keionline.org/wikileaks>

After reading these cables, it is difficult to stomach the defenses of US secrecy. Forcing developing countries to raise the price of drugs has predictable and well known consequences -- it kills people, and increases suffering. Many people could care less -- including reporters and editors of newspapers. How much of this ends up in the *Washington Post*, the *New York Times* or the *Guardian* these days? But others who do care now have more access to information, and more credibility in their criticisms of government policy, because of the disclosures of the cables.

Many of the cables are in theory available under our Freedom of Information Act (FOIA). In practice, the Obama Administration has made it more difficult to obtain information about trade practices under FOIA, and in many respects is even more aggressive about secrecy in IPR negotiations than was the Bush Administration. For these reasons, the WikiLeaks disclosures are even more valuable. One hopes the substance of the cables become more widely known in the United States, and that U.S. citizens begin to question our government's close collaboration with big pharmaceutical companies in our dealings with low income countries.

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