

Her Excellency Ursula von der Leyen
President of the European Commission
The Berlaymont, Brussels, Belgium

Copy to:
Hounourable Charles Michel
President of the European Council

Honourable Josep Borrell Fontelles
High Representative of the European Union for Foreign Affairs and Security Policy

Honourable Valdis Dombrovskis
European Commissioner for Trade

Honourable Stella Kyriakides
European Commissioner for Health & Food Safety

15 February 2021

Subject: Civil Society from Global South Calls for Support on COVID-19 TRIPS Waiver

Honourable President Ursula von der Leyen,

The undersigned represent more than 200 non-governmental organizations and trade unions from developing countries struggling to secure COVID-19 vaccines as the pandemic devastates our communities and economies. We are writing to urge the European Union to withdraw its opposition and to support the proposal currently on the table at the World Trade Organization (WTO) to waive certain TRIPS¹ obligations for the prevention, treatment, and containment of COVID-19.

The proposal was presented by India and South Africa on October 2, 2020. This proposal has gained the support and co-sponsorship of developing countries from around the world. The vast majority of developing countries as well as international organizations including the World Health Organization, the Joint United Nations Programme on HIV/AIDS (UNAIDS), UNITAID, and representatives of civil society, trade unions, human rights experts and academia have expressed their support for the proposed waiver.²

Since the start of the pandemic, the EU and its members have promised international solidarity, global equitable access, and stressed the importance of creating global public goods. We recall you referring to vaccines as “our universal, common good”³ and that a “global pandemic requires a world effort to end it – none of us will be safe until everyone is safe”.⁴ And yet the EU continues to obstruct and oppose the waiver proposal, which seeks to remove relevant intellectual property monopolies so that production of COVID-19 medical products may be expanded and diversified globally.

¹ The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights

² https://www.twn.my/title2/intellectual_property/trips_waiver_proposal.htm

³ https://ec.europa.eu/commission/presscorner/detail/en/ac_20_749

⁴ <https://www.who.int/news-room/commentaries/detail/a-global-pandemic-requires-a-world-effort-to-end-it-none-of-us-will-be-safe-until-everyone-is-safe>

More than a year into the pandemic, severe shortages of medical products including test kits, protective equipment, ventilators, therapeutics and medical devices persist in many countries, hampering prevention, treatment and containment of COVID-19.

The disparity in access to vaccines is especially shocking. High-income countries, which constitute just 16% of the world population have claimed 4.2 billion doses, compared to 2.5 billion doses by 84% of the world population. Many of these rich countries have purchased enough doses to vaccinate their population several times. According to WHO, more than three quarters of the vaccinations are in just 10 countries.⁵ The Africa Union Chair, President Cyril Ramaphosa of South Africa has pointed out the “painful irony” of clinical trials being conducted on the continent, which is now struggling to gain access to supply.

Global vaccine supply is presently dependent on a few pharmaceutical companies including Pfizer, AstraZeneca and Moderna, yet they are unable to meet global demand, even for rich countries. This situation is unsustainable and unacceptable. In a global health emergency in which substantial amounts of public funding have driven the research and development, it is simply unconscionable that these few pharmaceutical companies will benefit from their intellectual property monopolies while the world is suffering. We also stress that the COVAX facility will only make 2 billion doses available by the end of 2021, representing a mere fraction of the needs of 6.4 billion people in developing countries.

There is an urgent need to expand and diversify supply options and engage manufacturers from across the world in ramping up vaccine production. For this to happen, intellectual property barriers must be removed. The TRIPS Waiver is the best way to do this, allowing manufacturers and governments the freedom to act to meet the global need for COVID-19 vaccines and therapeutics.

EU’s opposition to the adoption of the waiver is simply indefensible. It is contributing to deepening the global crises of inequality. Its opposition is also “self-defeating”. The recent emergence of new variants has shown that so long as large parts of the world populations, especially vulnerable communities remain unprotected, new and more resistant virus mutations are likely to occur, threatening to prolong the pandemic, and continuing to further devastate livelihoods, communities and, economies, worldwide, including in the EU.

The COVID-19 pandemic is more than a health crisis; it is an economic crisis, a humanitarian crisis, and a human rights crisis that requires compassion and solidarity that you have pledged the EU to display. We need urgent unprecedented action by world leaders to contain the virus globally. We need manufacturers from every continent, in developing countries where possible, engaged in production, if we are to overcome this pandemic.

We strongly urge you to unconditionally support the proposal to waive certain TRIPS obligations for the prevention, treatment and containment of COVID-19 and to immediately stop obstructing its adoption.

We look forward to your support.

⁵ As of 10 February 2021



Sincerely,
Sangeeta Shashikant,
Third World Network
on behalf of the signatories

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Public Services International
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People's Health Movement
Email: globalsecretariat@phmovement.org

Signatories

Global and Regional

1. Africa Coal Network
2. Africa Young Positives Network (AY+)
3. AIDS and Rights Alliance for southern Africa (ARASA), Southern and East Africa
4. Arab NGO Network for Development (ANND)
5. Asia Pacific Forum on Women, Law and Development (APWLD)
6. Asia Pacific Network of People Living with HIV (APN+)
7. Building and Wood Workers Asia Pacific, Asia Pacific
8. Caritas de América Latina y el Caribe
9. Centre de Recherches et d'Appui pour les Alternatives de développement - Océan Indien (CRAAD-OI)
10. Corresponsales Clave
11. Development Alternatives with Women for a New Era (DAWN)
12. Drugs for Neglected Diseases *initiative* DNDi African Region
13. Drugs for Neglected Diseases *initiative* DNDi East Africa
14. Drugs for Neglected Diseases *initiative* DNDi Latin America
15. Drugs for Neglected Diseases *initiative* DNDi South Asia
16. Drugs for Neglected Diseases *initiative* DNDi South-East Asia
17. Drugs for Neglected Diseases *initiative* DNDi GARDP Southern Africa
18. East Africa Climate Change Network
19. Education International, Asia Pacific
20. GRAIN
21. Health Action International Asia Pacific
22. International Treatment Preparedness Coalition Latin America and The Caribbean
23. International Women's Rights Action Watch Asia Pacific (IWRAW Asia Pacific)
24. Latin American Key Correspondent Team, Latin America
25. LDC Watch
26. Malaria Free Mekong, Greater Mekon
27. Mesa Vinculacion mecanismo regional de la sociedad civil de A. Latina y el Caribe
28. Pacific Feminist SRHR Coalition

29. Pacific Network on Globalisation (PANG)
30. Pascal International Members Association (PIMA)
31. People's Health Movement (PHM)
32. People's Vaccine Alliance
33. Plataforma de Personas que ejercen trabajo Sexual
34. Public Service Accountability Monitor (PSAM)
35. Public Services International, Africa
36. Public Services International, Asia Pacific
37. Public Services International, Interamericas
38. Partners for the Land & Agricultural Needs of Traditional Peoples (PLANT)
39. Red Juvenil de Asociación de Mujeres Gente Nueva (REDJUAMUGEN)
40. Red Latinoamericana por el Acceso a Medicamentos, Latin America
41. Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)
42. The African Alliance
43. Third World Network (TWN)
44. Universities Allied for Essential Medicines, Latin America
45. Vaccine Advocacy Resource Group (VARG)
46. Women Defend Commons Network, Pacific
47. Yolse, Santé Publique & Innovation

National

48. Access to Medicines Research Group, China
49. Acción Ecológica, Ecuador
50. Action Group for Health, Human Rights and HIV/AIDS, Uganda
51. Africaine de Recherche et de Coopération pour l'Appui au Développement Endogène (ARCADE), Senegal
52. African Centre for Biodiversity, South Africa
53. Akbayan Citizens' Action Party, Philippines
54. All India Drug Action Network, India
55. Alliance of Health Workers, Philippines
56. Alternative Information & Development Centre, South Africa
57. Asociación TEDIC, Paraguay
58. Association des Agriculteurs Réunis pour le Développement du Cameroun
59. Association des Étudiants en Pharmacie du Sénégal
60. Association des Étudiants en Pharmacie du Togo
61. Association Malienne pour le Développement, la Protection de l'Environnement et la Lutte contre la Désertification (AMADE PELCODE), Mali
62. L'Association Sénégalaise des Producteurs de Semences Paysannes (ASPSP), Senegal
63. Azad Hind Building Workers Union, India
64. Badan Bertindak Selamatkan Industri Padi dan Beras (Padi Rescue), Malaysia
65. Balance Promoción para el Desarrollo y Juventud, Mexico
66. Baptist convention of South Africa
67. Black Sash, South Africa
68. Brazilian Interdisciplinary Aids Association (ABIA), Brazil
69. Brazilian Network of PWHAs, Brazil
70. Budget Justice Coalition, South Africa
71. Cadire Cameroon Association, Cameroon
72. Cancer Alliance, South Africa
73. Cancer Patients Aid Association, India
74. Center for Health, Human Rights and Development, Uganda
75. Centre for Development of People (CEDEP), Malawi
76. Centre for Health and Resource Management, India
77. Center for Migrant Advocacy (CMA), Philippines
78. Centro de Información de Medicamentos de la Universidad Nacional de Colombia

79. Citizens Network for Community Development Zambia
80. Climate and Energy Justice Campaigner, South Africa
81. Coalición de Tendencia Clasista (CTC-VZLA), Venezuela
82. Coalition for Health Promotion and Social Development (HEPS Uganda), Uganda
83. Coalition of women living with HIV and AIDS (COWLHA), Malawi
84. Comité de Veeduría y Cooperación en Salud, Colombia
85. Comité Ouest Africain de Semences Paysannes (COASP), Senegal
86. Community Health Care Initiative, Uganda
87. Community-led Initiatives for Holistic Social Advancement (CHISA), Malawi
88. Consumers Association of Penang, Malaysia
89. Cooperative and Policy Alternative Centre, South Africa
90. Corporación Innovarte, Chile
91. Country Minders for People's Development, Malawi
92. Development for Peace Education, Lesotho
93. Discipline of Occupational and Environmental Health, University of KwaZulu-Natal, South Africa
94. Diverse Voices and Action for Equality, Fiji
95. Drugs for Neglected Diseases *initiative* DNDi, Democratic Republic of the Congo
96. Egyptian Initiative for Personal Rights (EIPR), Egypt
97. Electricity Employees' Union, Sierra Leone
98. EMPOWER INDIA
99. Enlace-Centre de Desarrollo Humano, Paraguay
100. Federação dos Órgãos para Assistência Social e Educacional (FASE), Brazil
101. Federación Médica Colombiana, Colombia
102. Federasi Serikat Buruh Kerakyatan Indonesia
103. Feminist Dalit Organization (FEDO), Nepal
104. Feministas en Acción, Argentina
105. FIAN Indonesia
106. Fiji Youth Sexual and Reproductive Health and Rights Alliance, Fiji
107. Food Sovereignty Ghana
108. Foro de Mujeres por la Igualdad de Oportunidades, Argentina
109. Forum of HIV/Aids NGOs from São Paulo (FOAESP), Brazil
110. Freedom from Debt Coalition, Philipines
111. Fundación Grupo Efecto Positivo, Argentina
112. Fundación IFARMA, Colombia
113. Fundación Mexicana para la Planeación Familiar (MEXFAM), Mexico
114. Fundación para Estudio e Investigación de la Mujer, Argentina
115. Gandhi Development Trust, South Africa
116. Gauteng Together, South Africa
117. Ges Asociación Civil, Argentina
118. GESTOS, Brazil
119. GIRL INSPIRATION GROUP, Zambia
120. Ghana Registered Nurses and Midwives Association, Ghana
121. Grupo de Incentivo à Vida, Brazil
122. Grupo de Resistência Asa Branca, Brazil
123. Health and Rights Education Programme (HREP Malawi), Malawi
124. Health of Mother Earth Foundation, Nigeria
125. Health, Ethics and Law Institute of Forum for Medical Ethics Society, Mumbai, India
126. Health Equity Initiatives, Malaysia
127. Hope for Rural Women's Assembly, Lesotho
128. Human Rights Research Documentation Center (HURIC), Uganda
129. Human Touch Foundation (Goa), India
130. Ibn Sina Academy of Medieval Medicine and Sciences, India
131. INCITEGov, Philipines
132. IDRIS Association, Malaysia

133. Indonesia for Global Justice, Indonesia
134. Initiative for Health & Equity in Society, India
135. Institute for Economic Research on Innovation, South Africa
136. Instituto para el Desarrollo Humano, Bolivia
137. International Community Woman VIH/SIDA, Argentina Chapter
138. International Community of Women Living with HIV and AIDS, Kenya Chapter
139. International Labour, Research & Information Group (ILRIG), South Africa
140. International NGO Forum on Indonesian Development (INFID), Indonesia
141. Kamara Organic Promoter Rwanda
142. Kamukunji Paralegal Trust (KAPLET), Kenya
143. Kenya Legal and Ethical Issues Network on HIV and AIDS, Kenya
144. Kenyan Network of Cancer Organizations, Kenya
145. KILELE Challenge, Kenya
146. Konfederasi Serikat Buruh Seluruh Indonesia (KSBSI), Indonesia
147. Ladder for rural development organization (LAFORD), Malawi
148. Life Concern, Malawi
149. Malawi Network of Community Health Workers, Malawi
150. Malawi Network of Religious Leaders Living with or Personally Affected by HIV and AIDS (MANERELA+), Malawi
151. Malay Economic Action Council, (MTEM) Malaysia
152. Malaysian Movement Against TPPA (BANTAH TPPA), Malaysia
153. Médicos sin Marca Colombia
154. Misión Salud, Colombia
155. Mouvement de Réflexion sur les Opportunités de Développement au Burkina Faso (MROD-BF), Burkina Faso
156. National Education Health & Allied Workers' Union, South Africa
157. National Fisheries Solidarity, Sri Lanka
158. National Labour and Economic Development Institute, South Africa
159. National Trade Union Federation, Sri Lanka
160. National Health Workers' Union of Liberia (NAHWUL), Liberia
161. NGO 350, Côte d'Ivoire
162. NGO Gender Coordination Network, Malawi
163. New HIV Vaccine and Microbicide Advocacy Society (NHVMAS), Nigeria
164. Nigerian Women Agro Allied Farmers Association, Nigeria
165. Observatorio del Medicamento de la Federación Médica Colombiana, Colombia
166. Participatory Research Action Network (PRAN), Bangladesh
167. Pastoralist Forum Ethiopia
168. Patient and Community Welfare Foundation of Malawi (PAWEM), Malawi
169. People's Health Movement Uganda
170. Pertubuhan Persaudaraan Pesawah Malaysia (PeSAWAH), Malaysia
171. Philippine Alliance of Human Rights Advocates (PAHRA), Philippines
172. Pietermaritzburg Economic Justice & Dignity Group, South Africa
173. Positive Malaysian Treatment Access & Advocacy Group (MTAAG+), Malaysia
174. PT Foundation, Malaysia
175. Sahabat Alam Malaysia (Friends of the Earth Malaysia), Malaysia
176. Sam Tambani Research Institute, South Africa
177. People's Health Movement Zambia
178. Serikat Pekerja Nasional, Indonesia
179. Seriti Institute, South Africa
180. Sikkim Drug Users' Forum, India
181. Small Scale Farmers Forum of Lesotho, Lesotho
182. Society for Community Health Awareness, Research and Action (SOCHARA), India
183. Society for Rural Education and Development, India
184. Society of Development and Care, Kenya
185. Sophiatown Community Psychological Services, South Africa

186. South African Food Sovereignty Campaign, South Africa
187. South African Non-communicable Diseases Alliance, South Africa
188. Southern and Eastern Africa Trade Information and Negotiations Institute, Uganda
189. Sukaar Welfare Organization, Pakistan
190. Sustaining the Wild Coast, South Africa
191. Swasthya Adhikar Manch, India
192. Take Charge Community Initiative, Uganda
193. Tarangini Mahila Adhikar Prashikshyen Kendra (Tarangini Foundation), Nepal
194. TB Proof, South Africa
195. The Garden Basket, South Africa
196. The Noordhoek Environmental Action Group, South Africa
197. The Prakarsa, Indonesia
198. Timber Employees Union Peninsular Malaysia, Malaysia
199. Tunisian Association for Defending the Right to Health, Tunisia
200. Uganda Women's Cancer Support Organisation, Uganda
201. United Front for Rural Plantation and Construction Workers (UNIFRONT), India
202. United Congregational Church, South Africa
203. University of the Witwatersrand, South Africa
204. Women's Coalition Against Cancer (WOCACA), Malawi
205. Womenplus Against TB and HIV in Kenya
206. Women's Probono Initiative, Uganda
207. Working Group on Intellectual Property of the Brazilian Network for Integration of Peoples (GTPI), Brazil
208. Yayasan prama, Indonesia
209. Youth and Small Holder Farmers Association, Nigeria
210. Young Hearts for Palestine, South Africa
211. Zambia Alliance for Agroecology and Biodiversity, Zambia
212. Zimbabwe Smallholder Organic Farmers Forum (ZIMSOFF), Zimbabwe