

Ursula von der Leyen
European Commission President
European Commission
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1049 Brussels
Belgium

Cc: Commission Executive Vice-President Valdis Dombrovskis
EU Commissioner for International Partnerships Jutta Urpilainen
EU Commissioner for Health and Food Safety Stella Kyriakides

Subject: Request for urgent support for the Covid-19 temporary TRIPS waiver

Brussels, 7th July 2021

Dear Commission President von der Leyen,

We are writing to you on behalf of ten faith-based organisations and networks from Europe and Africa.

The COVID-19 pandemic is having a devastating effect in countries already affected by development challenges and humanitarian crises, and it is hitting the furthest behind – those who have no prospect of getting a first vaccine dose anytime soon – the hardest. This global emergency can be addressed only if affordable and effective COVID-19 vaccine is made available in every corner of the world. Protecting people everywhere must be underpinned by political will and a clear moral decision: prioritising lives over profit and suspending intellectual property rights on COVID-19 vaccine production. This is why **we call on you to agree** on the revised decision text IP/C/W/669/Rev.1, tabled on 25 May, introducing **a waiver from TRIPS rules for the prevention, containment and treatment of COVID-19.**

We acknowledge the EU's efforts to eradicate COVID-19 within the EU and the ongoing efforts to save countless lives and livelihoods. We welcome the COVAX Facility initiative, as it benefits people and countries in the most vulnerable conditions, as well as the EU's plan to expand the production of COVID-19 vaccines through technology transfer, increasing production capacity and waiving export bans. However, these efforts alone will not hasten the end of the global pandemic. The COVAX Facility, for example, falls far short of global demand, and its ability to deliver has already been hampered due to vaccine supply shortages. Unless production is quickly ramped up around the world to meet the global demand, there simply will be not be enough supply for COVAX to provide countries in need.

In light of the unprecedented circumstances of the COVID-19 pandemic, we expect the EU to be ready to take extraordinary measures and to **do everything in its power, to contribute to ending this public health emergency.** While the waiver, just as COVAX, will not be enough, it remains one of the key actions that the EU must take as part of a holistic approach to pave the way for global equitable access to affordable vaccines. **Countries need to have all options at their disposal to produce the vaccine and thereby protect their populations.**

In this present reality, however, low- and middle-income countries lack many of these options. According to the World Health Organisation (WHO), as of April 2021, richer countries have

received more than 87% of the vaccines, and low-income countries just 0.2%. With global supply limited, many people in low- and middle-income countries around the globe will not have vaccine access until at least 2022, according to the British Medical Journal. Similarly, the Economist Intelligence Unit reports that most of the world's poorest countries will have to wait until 2024 for mass immunisation if current trends continue.

Considering the latest EU plan submitted to the WTO, we urge you to reconsider some of its premises, and to acknowledge that the **existing tools under the WTO framework** that allow governments to grant a producer a license to make a vaccine without the consent of a patent holder **do not lead to a quick enough increase in supply**. On the contrary, they subject developing countries to lengthy and costly legal hurdles. We urge you to revise the understanding that intellectual property is not a barrier to scaling up the manufacturing of COVID-19 vaccines – **currently, there are manufacturers with capacity to produce additional COVID-19 vaccines** in countries such as Bangladesh and India, but that are unable to do so due to lack of appropriate licenses.

Supporting the TRIPS waiver also means acknowledging what science makes clear: people in developing countries need urgent access to vaccines and treatments to achieve herd immunity, just as people in the EU do. The sooner the world's population is vaccinated, the sooner EU citizens are safe. **Without global action, the health crisis and resulting socio-economic crisis here and worldwide will continue.**

An opposition to the TRIPS waiver is, however, not only self-defeating, but leading to needless suffering and loss of life. People are dying and economies collapsing because of vaccine shortages. With so many of the world's poorer nations supporting this emergency waiver already, you can help maintain the EU's moral and public health leadership in the world by siding with the majority to prevent intellectual property rules from unnecessarily costing human lives. This is also the positioning of the European Parliament, as made clear in its Resolution of 10th June on meeting the global Covid-19 challenge, which the European Commission must take into account in future negotiations at the WTO. **We urge you to push for COVID-19 vaccines – a social product – to benefit everyone, especially the furthest behind.**

Thus, we respectfully request that you reconsider the policies the EU has supported until now, and, in line with the position of the European Parliament, push for the EU to announce, in the Trade Negotiations Committee Ministerial meeting of 15th July and in the WTO General Council meeting of 21st-22nd, July that it now supports the temporary, emergency Covid-19 WTO waiver of certain TRIPS provisions.

Thank you so much for your kind attention.

Yours sincerely,

