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Bundeskanzleramt
Bundeskanzlerin Dr. Angela Merkel
Willy-Brandt-Straße 1
10557 Berlin

Berlin, 19.02.2021

Open letter: No patent protection on essential medicines and vaccines

Dear Madam Chancellor,

access to the best possible health care is a human right, the realisation of which in times of the Covid-19 pandemic is particularly manifested in the issue of access to vaccines, which are essential for reducing the dramatic mortality rates and ultimately overcoming the pandemic. You, too, emphasised back in spring 2020 that a SARS-COV-2 vaccine must be seen as a "global public good". This requires a global action in solidarity.

As a coalition of development and human rights organisations working internationally, we view the inequitable distribution of vaccines to contain Covid-19 with great concern. "The world is on the brink of a catastrophic moral failure" also warned the Director-General of the WHO, Dr Tedros Adhanom Ghebreyesus, in powerful words.

The development of the COVAX initiative so far clearly shows that this voluntary cooperation-based initiative is not a sufficient instrument to ensure equitable access for all people. Even COVAX's modest interim target of providing vaccines to 20% of the population in 92 low- and middle-income countries by the end of 2021 is unlikely to be met.

Yet time is pressing: already today, the health and socio-economic consequences for the world's poorest population groups are dramatic. Millions of people have lost their income opportunities. Disadvantaged countries do not have the economic reserves to cushion the consequences of

lockdowns and stop a further drift into poverty, even if faced with only regionally occurring hotspots of infection and low incidences.

This even affects countries that have not yet been hit by the full force of the pandemic. And as long as the virus continues to spread unchecked in some regions of the world, there is a high risk of resistant virus variants developing, which will make a thorough fight against the pandemic more difficult in an unforeseeable way.

Rapid and far-reaching action is therefore needed to ensure equitable access to Covid-19 innovations: To accelerate global access, the dissemination of know-how and technologies for Covid-19 vaccines and medicines, as well as sufficient supplies of other essential goods such as protective equipment and diagnostics to overcome the health crisis, is necessary. Intellectual property rights on Covid-19 products must not stand in the way of pandemic containment and should therefore be suspended at least for the duration of the pandemic.

For these reasons, we are very pleased that the issue of patents as well as the demand for a temporary suspension of intellectual property rights regulations at the WTO (TRIPS Agreement) have now also been taken up by prominent members of the parties represented in the governing coalition. Bavarian Minister President Markus Söder spoke of an "emergency vaccine economy" with clear guidelines from the state to "convert all production capacities so that more vaccine can be produced", and Manfred Weber, German member of European Parliament, stated that approved vaccines must be produced with "compulsory licensing" as a last resort.

The demand for a structural change in dealing with patents from the German and European policy space, which has also been joined by the WHO as well as in a just published letter by more than 200 organisations from countries of the Global South, sends a correct and important signal! We expressly support this demand from both an epidemiological and a human rights perspective, which at the same time contains the necessary global perspective. Because the Covid-19 pandemic will only be over when it is over for everyone.

We therefore appeal to you, Madam Chancellor, that the German government takes the lead on the issue of vaccine equity. To this end, Germany should explicitly support the initiative introduced by India and South Africa at the World Trade Organisation (WTO) for a temporary suspension of certain regulations on intellectual properties (TRIPS Waiver) for the production of SARS-COV-2 vaccines.

In addition, the German Federal Government should support the WHO's Covid-19 Technology Access Pool (C-TAP) initiative to drive rapid scaling up of production through technology transfer.

With these measures, the stipulation you formulated that Covid-19 vaccines are to be considered a "global public good" and "distributed to all parts of the world" can be implemented worldwide.

In this way, Germany can live up to its pioneering role in global health policy.

Yours sincerely

Aktionsbündnis gegen AIDS / Action against AIDS Germany

Ärzte der Welt / Doctors of the World Germany

Brot für die Welt / Bread for the World

BUKO Pharma-Kampagne / BUKO Pharma Campaign

Difäm – Deutsches Institut für Ärztliche Mission e.V. / German Institute for Medical Mission

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Missionsärztliches Institut Würzburg / Catholic Advisory Organisation for International Health

UAEM - Universities Allied for Essential Medicines Germany

World Vision Germany

Link position paper: "For transparent research and development and fair distribution of Covid-19 medicines (German language only) <https://bit.ly/3pyfHOJ>

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