

Open Letter to Members of the Gavi CSO Constituency Steering Committee

Dear friends,

The [Gavi CSO Call to Action](#) for an equitable roll out of COVID-19 vaccines includes some very important demands:

- * full funding of the ACT-Accelerator,
- * an end to vaccine nationalism,
- * rapid inclusion of all new vaccines in the Covax portfolio;
- * the sharing of information (technology, patent status, production cost and prices);
- * technology transfer to support local production and scaling up supply; and
- * ensuring country readiness for vaccine rollout.

However, we were disappointed with a number of aspects of the Call to Action and write now with suggestions for strengthening the Call.

No mention of the proposed waiver

We were surprised to see no mention of the proposed waiver of certain provisions of the TRIPS agreement for the duration of the pandemic so as to facilitate technology transfer and the scaling up of local production.

The reference to the TRIPS Agreement in the Call is quite opaque and could easily be taken as supporting the opposition to the waiver, on the grounds that existing flexibilities provide sufficient scope to facilitate the necessary technology transfer.

As you know a many developing countries and civil society organisations are supporting the proposed waiver as a necessary step towards ensuring adequate supplies. It is apparent that the opposition to the waiver, in particular from rich countries which host transnational pharmaceutical companies, is based on flawed arguments, directed to protecting the commercial interests of the big pharmaceutical companies.

The failure to take a firm stand on the waiver in your Call to Action has the effect of supporting the interests of big pharma over the interests of low and middle income countries. It is disappointing that civil society organisations such as yours would be taking such a position.

For a useful overview of the waiver debate see Labonte and Baker (10 Jan 2021)

<https://theconversation.com/dummys-guide-to-how-trade-rules-affect-access-to-covid-19-vaccines-152897> .

For more comprehensive access to the negotiations, media commentary and statements of support see PHM EACT/Waiver <https://phmovement.org/the-india-south-africa-waiver-proposal/> . Please do give further consideration to these issues and perhaps revise the proposed Call to Action to express unequivocal support for the waiver.

Voluntary C-TAP a failure

We were pleased to see your advocacy for the sharing of vaccine technology, related knowledge, intellectual property and data but calling on the pharmaceutical companies to act is a bit pointless as they have bluntly refused to participate in C-TAP.

Surely the time has come to call for governments to mandate participation in C-TAP. It would be terrific if you as Gavi's CSO constituency were to call for Gavi to come off the fence and advocate firmly for the mandatory sharing of technologies, knowhow, and data so as to enable the necessary scaling up of production.

Technology transfer cannot be left to the good will of industry

We are concerned about your emphasis on voluntary technology transfer and licensing and patent pooling. Most of the technologies we are considering have been developed on the basis of public funding. It is quite disappointing that your Call to Action should focus on voluntary technology transfer; in effect it is a call to inaction.

We urge you to review your Call and strengthen the section on technology transfer to include mechanisms that allow government intervention in facilitating and ensuring technology transfer and open licensing.

Transparency

Your call for full transparency is appreciated. However, as Gavi's CSO constituency, a key transparency ask should be for full transparency of all agreements signed between Gavi/CEPI and all vaccine developers. This should also apply to procurement by governments.

We urge you to revise your Call to include a specific ask about Gavi's transparency and to request full transparency of all licensing, manufacturing and purchase agreements with vaccine companies. In a pandemic, this should be the key ask for CSO to push for.

Covax limitations

We note your call for the full funding of Covax and the Accelerator more generally. However, as a civil society constituency it would be appropriate to recognise the limitation of Covax and call for greater ambition.

The Covax promise of enough doses for 20% of the populations of low and lower middle income countries is a stark betrayal of Dr Tedros's repeated calls for solidarity. At a time when rich countries have secured enough doses for up to five times their population it seems anomalous that a CS constituency largely from low and lower middle income countries should fail to call for sufficient funding of Covax to achieve full immunisation.

Covax also fails on the solidarity promise in its exclusion of upper middle income countries from any discount. Surely a civil society call to action should look towards greater ambition in terms of solidarity.

It would also be appropriate to draw attention to the fact that the Accelerator and Covax were created as a network of public private partnerships outside WHO. It should be obvious to civil society organisations from low and middle income countries that the purpose of setting up the Accelerator outside WHO was to ensure that low and middle income countries have no role in its governance.

Shouldn't this be a matter of concern for you?

Resources

Ensuring adequate resources for vaccine delivery will be critical but it is unfortunate that your Call to Action speaks only to national governments and donors.

As civil society organisations, largely from low and middle income countries, it might also be appropriate to highlight the macroeconomic conditions and forces which constrain economic development and deepen inequality; fair trade and tax justice might be a good place to start.

However, your failure to acknowledge the role of the IMF in limiting the availability of resources for pandemic response is most perplexing. While the rich countries have the freedom to print money to pay for their pandemic response the IMF has been pushing for austerity policies even in the context of the pandemic. African Finance Ministers have pointed out that the ability to mobilise resources to respond to COVID -19 has been limited by the level of resource outflow in debt servicing, with UN Economic Commission for Africa (2020)

<https://www.uneca.org/sites/default/files/PublicationFiles/eca_covid_report_en_24apr_web1.pdf> estimating relief of debt servicing to yield US 44bn for African countries (Equinet, June 2020

<[https://www.equinetafrica.org/sites/default/files/uploads/documents/EQ%20EC SA%20brief%20COVID19%20%20June2020.pdf](https://www.equinetafrica.org/sites/default/files/uploads/documents/EQ%20EC%20SA%20brief%20COVID19%20%20June2020.pdf)>).

Please consider withdrawing the Call to Action and replacing it with a stronger, more ambitious call.

We are writing to you in your role as members of the Gavi CSO Constituency Steering Committee (and copying in your wider membership) urging you to withdraw the Call with a view to:

- * strengthening the references to intellectual property barriers to scaling up production and to speaking explicitly in support of the proposed waiver;
- * highlighting the failure of the voluntary C-TAP and calling for mandatory sharing of technologies, knowhow and data;
- * including Gavi in your call for pricing transparency;
- * recognising the limitations of Covax, in particular, the 20% ceiling and the exclusion (from subsidy) of the upper middle income countries; and
- * recognising the structural factors which constrain resource mobilisation for vaccine delivery, including tax leakage, unfair trade, and debt peonage.

Yours in solidarity,

Sulakshana Nandi and Fran Baum

Co-Chairs of People's Health Movement