



# ACCESS TO MEDICINES IRELAND

## Position Paper:

Ireland should support the World Health Organization's COVID-19 Technology Access Pool (C-TAP)

DECEMBER 2020

## KEY RECOMMENDATIONS

The World Health Organisation (WHO) C-TAP initiative is the most promising avenue to ensure rapid and equitable distribution of COVID-19 vaccines, treatments and diagnostics ('health technologies'). Ireland should:

- Formally endorse the WHO C-TAP initiative as a matter of urgency.
- Include clauses within any State-sponsored funding agreements for COVID-19 research mandating responsible licensing of health technologies developed with such funding for COVID-19 (and advocate for similar clauses within EU funding for COVID-19).
- Encourage the pharmaceutical industry and other key stakeholders to engage with the C-TAP initiative.
- Take this opportunity for global leadership and encourage other countries to join the C-TAP initiative, in the spirit of solidarity to end the pandemic.

AMI welcomes the positive data emerging on COVID-19 vaccine candidates including those developed by Pfizer/BioNtech,<sup>1</sup> Moderna,<sup>2</sup> and Oxford/AstraZeneca.<sup>3</sup> The situation is evolving rapidly and further health technologies are expected to come on stream in the coming weeks and months. Our concern, however, is that the projected vaccine supplies suggest that just over one third of the global population can be vaccinated by the end of 2021, and that the majority of people living in low-income countries will not have access to a vaccine against COVID-19 until 2023 or 2024.<sup>4</sup> It is crucial that attention turns to ensuring that we have affordable and equitable access to approved vaccines and other health technologies globally. Such global access is needed to bring an end to COVID-19. To achieve this, AMI is calling upon the Irish Government to support the World Health Organization's COVID-19 Technology Access Pool (C-TAP) as soon as possible.

# What is the C-TAP?

The C-TAP was first proposed in March 2020 by President Carlos Alvarado of Costa Rica in response to the COVID-19 pandemic. There is a recognition that the current pharmaceutical model will not be capable of producing enough vaccines, medicines and diagnostics to end the pandemic as soon as possible. In May 2020, the WHO launched the 'Solidarity Call to Action', officially announcing the WHO's support of the C-TAP.<sup>5</sup> The call to action urges key stakeholders including governments, research funders, researchers, industry and civil society to commit to undertaking the necessary actions *"to realise equitable global access to these technologies through the pooling of knowledge, intellectual property and data."*

Put simply, the C-TAP sets up a system for the sharing of intellectual property rights, data, know-how, cell lines etc. related to COVID-19 health technologies to enable others to manufacture such health technologies once approved for use at speed and to thereby increase supplies available globally. Importantly, the C-TAP differs from other proposals as it goes beyond sharing intellectual property rights to also share data, know-how etc. which is vital to enable others to manufacture vaccines and other health technologies.<sup>6</sup>

Specific benefits of the C-TAP to help end the pandemic include:

1. *Accelerating research* into health technologies by encouraging the sharing of information and ensuring that intellectual property rights do not obstruct follow-on research.
2. *Increasing manufacturing capacity* for COVID-19 health technologies in Ireland and globally, enabling more manufacturers to supply such health technologies *at greater scale and speed*.

The C-TAP initiative has five key priorities:<sup>7</sup>

- Public disclosure of data and gene sequences;
- Transparency on the publication of clinical trial results;
- Encouraging national governments and funders to include responsible licensing clauses within funding agreements to ensure equitable distribution and affordability, and the publication of trial data;
- Encouraging the licensing of COVID-19 health technologies to the Medicines Patent Pool;<sup>8</sup>
- Promoting open innovation models and technology transfer to increase local manufacturing and supply capacity for COVID-19 technologies.

# Why are mechanisms like the C-TAP needed to encourage the sharing of intellectual property rights, information and data to tackle COVID-19?

Now, like never before, we need to harness all of our resources to scale up manufacturing capacity to ensure that there is adequate access to health technologies in poor, as well as wealthy, nations. The speed and scale of production required simply cannot be met under the current pharmaceutical innovation model. Intellectual property rights are important in this context because they allow companies that hold, for example, patent rights to deny other companies permission to make, or supply, patented technologies such as medicines or elements of vaccines. The patent holder therefore can retain a monopoly over production, thereby limiting the supply of vaccines, medicines and diagnostics available, as well as enabling the patent holder to charge prices well in excess of cost price

Patents and other intellectual property rights have had important impacts on healthcare access in many contexts. In particular, millions died from HIV/AIDS in sub-Saharan Africa during the HIV/AIDS crisis in the 1990s/2000s because they could not afford patented medicines due to high pricing monopolies.<sup>9</sup> Intellectual property rights still pose threats to health. For example, recently patents have played a significant factor in driving high drug pricing for cystic fibrosis medicines,<sup>10</sup> and cancer drugs.<sup>11</sup> There are now grave concerns that intellectual property rights and lack of access to data and information around manufacturing know-how will limit access to COVID-19 health technologies.<sup>12</sup> Therefore, action is urgently needed to encourage the sharing of intellectual property rights, data and manufacturing know-how.

## Who else supports the C-TAP?

AMI is joined by Professor Sam McConkey, Professor Luke O'Neill and organisations such as ActionAid Ireland, the Irish Global Health Network, the Irish Nurses and Midwives Organisation (INMO), Médecins Sans Frontières/Doctors Without Borders Ireland and Oxfam Ireland, in calling on the Irish Government to support the C-TAP, and to take steps to adopt the recommendations proposed by the WHO's Solidarity Call to Action for national governments.<sup>13</sup> The C-TAP is viewed by campaigners across the world as a vital antidote to the growth of "vaccine nationalism".

To date 40 countries worldwide including 5 EU countries (Belgium, Luxembourg, Norway, Portugal and The Netherlands) have pledged their support for the C-TAP.<sup>14</sup> Furthermore, on 25th September 2020, President Michael D Higgins indicated his support for the WHO's "global solidarity call to action" in his speech at the 75th Session of the UN General Assembly.<sup>15</sup> He stated that:

*"As traditional markets have acknowledged that they cannot deliver at the scale needed to cover the entire globe, solidarity within and between countries and the private sector is essential if we are to overcome challenges presented to us by COVID with regard to accessing appropriate medical treatments."*<sup>16</sup>

# Why should Ireland support the C-TAP initiative?

The Irish Government should support the C-TAP primarily to continue our country's historic commitment to global solidarity and social justice. However, it is also obvious that in our interconnected world, a pandemic cannot be successfully ended by protecting only the richest countries of the world. Under current manufacturing projections for the vaccine candidates referred to above, only 2.6–3.1 billion people, or just over one third of the global population, can be vaccinated by the end of 2021.<sup>17</sup> Nearly 70 countries will only be able to vaccinate 1 in 10 people against COVID-19 next year, whereas some wealthier countries have enough vaccine doses to vaccinate their entire populations 3 times over in 2021.<sup>18</sup> To address such gaps, we must increase manufacturing capacity to ensure there is enough vaccines for universal global access.

The C-TAP, if sufficiently supported, would allow more entities to manufacture and supply COVID-19 vaccines, medicines and diagnostics, maximising the manufacturing capacity for COVID-19 health technologies globally, and thereby facilitating equitable global distribution of such health technologies. Furthermore, supporting the C-TAP would align with the EU Commission's recently published intellectual property strategy,<sup>19</sup> as well as with the World Health Assembly COVID-19 Response Resolution,<sup>20</sup> both of which encourage voluntary pooling and licensing of intellectual property rights for COVID-19.<sup>21</sup>

The Irish government needs to formally declare its support for the C-TAP as a key step to ending the pandemic as soon as possible, and to ensuring no country is left behind.

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