

26th April, 2021

Contribution of Wemos to the consultation with non-State actors by the Oslo Medicines Initiative: Better access to effective, novel, high-priced medicines – a new vision for collaboration between the public and private sectors

Thank you chair,

Over the last year, access to medicines has seen a surge in political attention because of Covid-19. The pandemic has shown the importance of a strong public health system and access to medicines for all. We thank WHO Europe and the Norwegian government for their interest to improve pharmaceutical policies resulting in increased access to medicines.

Many problems surrounding the lack of access to novel treatments can be linked to the power imbalance between pharmaceutical companies and governments. Monopolies and the lack of transparency in the pharmaceutical industry are major contributors to this power imbalance.

Wemos has three recommendations to WHO Europe that will contribute to the rebalancing of power in favour of public health systems, and therefore improve access to effective, novel high-priced medicines.

Firstly, WHO Europe should set up a so-called toolkit with clauses to be used by publicly funded research institutions when licensing intellectual property or knowledge to pharmaceutical companies. This toolkit on Socially Responsible Licensing should contain clauses that ensure availability of pharmaceutical products everywhere, promote affordability for payers and health systems, and create transparency of net prices and R&D costs.

Public funding of R&D of novel treatments plays a central role in the discussion on access to medicines. Wemos is convinced that licensing conditions on affordability, availability and transparency in an early stage of the R&D process, can boost the accessibility of novel treatments.

Three years ago, the former Dutch minister of Health instructed Dutch Medical University centres to investigate the possibility to attach pro-public interest conditions to publicly funded R&D. The result was a toolkit that provides contractual principles universities can include in their licensing agreements with pharmaceutical companies.

Even though the Dutch toolkit should have contained stronger language on affordability, availability and transparency, the concept can act as a blueprint for regional cooperation on conditioning public funding. Wemos recommends WHO Europe to engage with academia and not-for-profit non-state actors, in order to create an effective licensing toolkit that promotes global access to and transparency on novel treatments.

Secondly, we recommend WHO Europe to actively engage with member states and industry to support and utilize the Covid-19 Technology Access Pool, or C-TAP for short. Through this pooling mechanism for data, knowhow and intellectual property, we can maximise manufacturing capacity and decrease inequity in Covid-19 technologies. So far, no government nor pharmaceutical company has shared their technology for Covid-19 vaccines in C-TAP.

Considering the large amounts of public funding from member states into vaccine R&D, it is only fair to expect pharmaceutical companies and governments to share their knowledge.

A well-functioning mechanism for the transfer of data, knowhow and intellectual property is vital to combat the Covid-19 pandemic. Additionally, it will better prepare access to pharmaceutical products in future pandemics. It is therefore essential to make C-TAP work.

Thirdly, we recommend the immediate implementation of the World Health Assembly resolution 72.8 by setting up a European database on net prices of pharmaceutical products. This database resets the current information imbalance between governments and the pharmaceutical industry. Governments negotiate blindfolded as they lack useful information on the actual prices negotiated by other countries.

This WHO Europe database will especially be useful for countries engaged in external reference pricing. When more data is disclosed on R&D costs and public funding, academia, NGOs and governments can analyse whether these net prices are fair and sustainable.

Many countries are interested in ways to increase transparency of net prices, but simultaneously, they are afraid to be first movers in disclosing these prices. Therefore, Wemos recommends to draft an agreement with WHO Europe member states to publish all net prices for pharmaceutical products at the same point in time, annually.

Wemos believes that the three proposed strategies, being socially responsible licensing, C-TAP and coordinated price publishing, will end the disbalance of power, effectively enhance access to medicines, better prepare us for future pandemics, and transform Covid-19 technologies into a global public good. WHO Europe can here position itself as the leading change-maker for the greater good.

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