Access to COVID-19 vaccines, medicines and diagnostics: Voluntary and compulsory licences, TRIPS waiver

Medical Treatment Provider Perspective
Public Webinar, 7 December

MSF Experience - Voluntary licenses and access to medicines

October published a technical briefing document

Transparency

- Governments should implement/establish voluntary license registration and mandatory publication requirements under national laws
- Establish mechanisms to enable relevant national authorities to review voluntary licenses and scrutinize potentially restrictive terms.

Measures to address exclusion or refusal to license

- In the current practice of VLs, most high-and upper-middle-income countries are excluded, including many with a high burden of disease related to the treatment in question.
- Authorities that find their country excluded from the territory coverage of VLs (or identify other restrictions harmful to public health in licenses) should invoke government use of compulsory licenses.
- TRIPS Waiver -Facing a global health crisis such as COVID-19 pandemic - pharma corporations refuse to enter into worldwide non-exclusive licenses

Regulate VL practices

- Overly broad patent definition
- Domestic supply restrictions
- Restrictive technology transfer
- Product usage restrictions
- API source restrictions
- Anti-diversion undermining confidentiality or complicating procurement
- Excluding health systems within a country
- Unfair grant back terms
- Research restrictions

Any Questions?