Dear Members of the World Trade Organization,

We the undersigned organisations call on all WTO Members to strongly support the adoption of the decision text proposed by India and South Africa in their proposal for “Waiver from certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID19” (Waiver Proposal).

When COVID-19 was declared to be a pandemic, there was overwhelming consensus that to curb the spread of COVID-19, there was an urgent need for international collaboration to speed up product development, scale up of manufacturing, expand the supply of effective medical technologies and ensure everyone, everywhere is protected. There were even calls including from several Heads of State for COVID-19 medical products to be treated as global public goods.

Seven months into the pandemic, there is no meaningful global policy solution to ensure access. Instead, there is an inequality of access to critical technologies that are needed to address the pandemic. Many countries, especially developing and least developed countries struggling to contain COVID-19 have experienced and are facing acute shortages of medical products, including access to diagnostic testing. Furthermore, wealthy nations representing only 13 percent of the global population have locked up at least half the doses of the world’s five leading potential vaccines.

In this pandemic, the pharmaceutical industry has mainly pursued “business as usual” approaches, entrenching monopolistic intellectual property (IP) controls over COVID-19 health technologies that restrict scale-up of manufacturing, lock out diversified suppliers, and undermine competition that results in lower prices. A few companies, such as Astra Zeneca, have pledged not for profit prices during the pandemic, and yet by maintaining control over these technologies, can unilaterally declare the end of the pandemic and increase prices to maximise profits, even if it undermines international efforts to save lives.

The COVID-19 Technology Access Pool (C-TAP) launched by WHO (to voluntarily share knowledge, IP and data), has been rejected by the pharmaceutical industry. Instead, companies continue to sign secretive and restrictive licensing agreements. For example, Gilead Sciences’ secret licensing agreements for remdesivir, a medicine that was developed with substantial public funding, are restricted to a few manufacturers of its choosing, thereby preventing low-cost supply to nearly half of the world’s population. Unsurprisingly, there have been global shortages of the medicine, with many developing countries yet to see even a single vial of the treatment exported to them. Given the medicine’s limited effectiveness, we are deeply concerned that such an approach for a safe and effective therapy will exclude even more people from treatment access.

Additionally, emerging intellectual property infringement disputes on COVID-19 technologies threatens to block collaborative research and development and manufacturing of COVID-19 medical products.
These restrictive business strategies have directly translated into exorbitant pricing and profiteering. With entire health systems already overwhelmed by COVID-19 and with governments facing a looming economic crisis, the health budgets of many countries simply cannot sustain highly priced COVID-19 medical products. These realities will also hinder production by any competent manufacturer and impede the full freedom to collaborate, in developing, producing, importing and exporting the needed medical products.

While the TRIPS Agreement contains flexibilities that can promote access, many WTO Members may face challenges in using them promptly and effectively. For instance, compulsory license offers a “product by product”, and “country by country” approach with variations in national laws, whereas the pandemic requires collective global action to tackle IP barriers and facilitate technology transfer. Where the IP barrier is beyond patents, national laws may not provide for sufficient flexibilities. Further, Article 31bis, a mechanism to supply countries with insufficient manufacturing capacity, does not provide an expedited solution and many countries have also opted out of using the mechanism.

Unless concrete steps are taken at the global level to address intellectual property and technology barriers, the abovementioned failures and shortcomings will replay as new medicines, vaccines and other medical products are rolled out. Access will have to be rationed, with devastating effects for public health and global economic recovery.

**In a global pandemic where every country is affected, we need a global solution.** Adoption of a Waiver at the WTO level will suspend implementation, application and enforcement of the relevant provisions of the TRIPS Agreement in relation to prevention, containment, and treatment of COVID-19. It enables an expedited, open and automatic global solution to allow uninterrupted collaboration in development, production and supply, and to collectively address the global challenge facing all countries. It’s time for governments to take collective responsibility and put people’s lives before corporate monopolies.

**Therefore, we strongly request you to unequivocally support the adoption of the proposed Waiver at the upcoming TRIPS Council meeting.**

**SIGNATORIES**

**Global**

1. Commons Network
2. Curbing Corruption
3. Friends of the Earth International
4. GRAIN
5. Grail Justice and Trade Agreements Network
6. Health Action International (HAI)
7. Health Global Access Project
8. Health Poverty Action
9. Institute for Agriculture and Trade Policy
10. International Trade Union Confederation (ITUC)
11. International Treatment Preparedness Coalition
12. Knowledge Ecology International (KEI)
13. LDC Watch
14. Médecins du Monde
15. Médecins Sans Frontières (MSF) Access Campaign
16. Oxfam
17. Pan-African International
18. Peoples Health Movement
19. People’s Vaccine Alliance
20. Public Services International (PSI)
21. Regions Refocus
22. Religious of the Sacred Heart of Mary
23. Southern African Programme on Access to Medicines and Diagnosis (SAPAM)
24. Social Watch
25. Society for international Development
26. Transnational Institute
27. Transparency International Health Initiative
28. Third World Network
29. Universities Allied for Essential Medicines (UAEM)
30. Womankind Worldwide

Regional

31. Africa Development Interchange Network (ADIN), African Alliance
32. Africa Young Positives Network (AY+)
33. Asia Pacific Forum on Women, Law and Development
34. Asia Pacific Network of People Living with HIV (APN+)
35. Associação Brasileira de Economia Industrial e Inovação
36. Building and Wood Workers International Asia Pacific
37. Comité de América Latina y el Caribe para la defensa de los Derechos de las Mujeres, Latin America y el Caribe
38. DAWN (Development Alternatives with Women for a New Era), Global South
39. EEPA, Europe External Programme with Africa
40. EHNE-BIZKAIA, Euskal Herria, Basque Country
41. Eurasian harm reduction association, CEECA
42. European Alliance for Responsible R&D and Affordable Medicines, Europe
43. Focus on the Global South
44. Health Action International Asia Pacific
45. International Treatment Preparedness Coalition Regional Office for Latino America and Caribbean
46. International Treatment Preparedness Coalition- South Asia
47. International Treatment Preparedness Coalition, Middle East and North Africa
48. National Alliance of Women / Asia Pacific Women Watch
49. NGO Forum on ADB
50. Network TB people
51. Pacific Network on Globalisation
52. Public Service Accountability Monitor (PSAM)
53. REDCA+ El Salvador, Belize, Costa Rica, Nicaragua, Honduras, Guatemala, Panama
54. Red Latinoamericana por el Acceso a Medicamentos (RedLAM)
55. South Asia Alliance for Poverty Eradication (SAAPE)
56. Southern and Eastern Africa Trade Information and Negotiations Institute
57. The Access IBSA Project, India-Brazil-South Africa
58. The African Women's Network for Community management of Forests
59. Treatment preparedness Coalition in Eastern Europe and Central Asia (ITPCru)
60. Yolse, Santé Publique et Innovation

National

62. 1:1 diet, Gauteng, South Africa
63. 100 Percent Life, Ukraine
64. Access to Medicines Ireland
65. Acción internacional para la Salud AIS, Perú
66. Action Aid Association, India
67. Actions against AIDS (Aktionsbündnis gegen AIDS) Germany
68. Action Governance Forum – AGF, Zambia
69. Active Citizens Movement, South Africa
70. Africa Trade Network, Ghana
71. Africaine de Recherche et de Coopération pour l'appui Au Développement Endogène (ARCADE), Senegal
72. AIDES, France
73. AIDS Access Foundation, Bangkok, Thailand
74. Água Doce - Serviços Populares, Brazil
75. Alianza por la Solidaridad, Spain
76. All India Drug Action Network, India
77. Amabele Project Flamingo, South Africa
78. Anti Free Trade Agreements Committee, India
79. APINTLAW (associated program for international law), Indonesia
80. Apojo Positivo, Madrid, Spain
81. Ari's Cancer Foundation, South Africa
82. Arzte des Welt e.V. Doctors of the World Germany, Germany
83. Asia Pacific Network of People Living with HIV (APN+), Thailand
84. Association Chabab El Borj, Morocco
85. Associação Brasileira Interdisciplinar de AIDS (ABIA), Brazil
86. Associação Brasileira de Saúde Bucal Coletiva, Brazil
87. Association de lutte contre la dépendance ALCD, Mauritania
88. Associação Mulher lei e desenvolvimento, Mozambique
89. Asociación por un Acceso Justo al Medicamento, Spain
90. Asociación Nacional de Profesionales en Enfermería, Costa Rica
91. Association for Promotion Sustainable Development, Hawaii
92. Association for Proper Internet Governance, Switzerland
93. Association for Public Health Teaching, Research and Service, Nigeria
94. Association Nigérienne des Scouts de l'Environnement (ANSEN), Niger
95. Association of Physicians for Humanism, Republic of Korea (South)
96. ATTAC Hungary Association, Hungary
97. Auditoria Ciudadana de la Deuda en Sanidad (Audita Sanidad), Spain
98. Australian Arts Trust, Australia
99. Both ENDS, The Netherlands
100. Brazilian Association of Public Health, Brazil
101. Bread for all, Switzerland
102. Breast Course 4 Nurses (BCN), South Africa
103. Breast Health Foundation (BHF), South Africa
104. BUKO Pharma-Kampagne, Germany
105. CAMEROON ASSOCIATION, Cameroon
106. Canadian Centre for Policy Alternatives, Canada
107. Cancer Alliance, South Africa
108. Cancer Association of South Africa (Cansa), South Africa
109. Cancer Heroes, South Africa
110. Cancer Patients Aid Association, India
111. CanSir, South Africa
112. CanSurvive Cancer Support (CanSurvive), South Africa
113. Cape Mental Health (CMH), South Africa
114. CAPRISA - Centre for the AIDS Programme of Research in South Africa, South Africa
116. Care for Cancer Foundation, South Africa
117. Childhood Cancer Foundation of South Africa (CHOC), South Africa
118. CENADEP, République Démocratique du Congo
119. Center for Health, Human Rights and Development, Uganda
120. Center for Law, Innovation and Creativity, Northeastern U. School of Law, United States
121. Center for Policy Analysis on Trade and Health, United States
122. Center for Research on Multinational Corporations (SOMO), The Netherlands
123. Centre de Recherches et d'Appui pour les Alternatives de Développement - Océan Indien, Madagascar
124. Centre national de coopération au développement (CNCD-11.11.11), Belgium
125. Centro de Internet y Sociedad de la Universidad del Rosario ISUR, Colombia
126. Centro Internazionale Crocevia, Italy
127. Citizens’ Health Initiative (CHI), Malaysia
128. Citizens Trade Campaign, United States
129. Clare Cerfontyne, South Africa
130. Coordinadora de Organizaciones de Agricultores y Ganaderos (COAG), Spain
131. Coalición de Tendencia Clasista (CTC-VZLA), Venezuela
132. Coalition of women living with HIV and AIDS, Malawi
133. COAST Trust, Bangladesh
134. Consumer Association of Penang, Malaysia
135. Consumer Association the Quality of Life, Greece
136. Co-operative and Policy Alternative Center, South Africa
137. Coordination Forum of NGOs Working among the Palestinian Community
138. Council of Canadians, Conseil des Canadiens, Canada
139. Creative Commons México, México
140. CTA Autonoma (central de trabajadores de la argentina), Argentina
141. Dandora Community Aids Support Association, Kenya
142. Delhi Network of Positive People (DNP+), India
143. Diabetes SA, South Africa
144. Difám e.V. (German Institute for Medical Mission), Germany
145. Discipline of Occupational and Environmental Health, University of KwaZulu-Natal, South Africa
146. Diverse Voices and Action (DIVA) for Equality, Fiji
147. Diverse Women for Diversity, India
148. Division of Health Systems and Public Health, Faculty of Medicine and Health Sciences Stellenbosch University, South Africa
149. Doctors Without Borders (MSF), South Africa
150. Drug Action Forum-Karnataka, India
151. Ecologistas en Acción, Spain
152. Egyptian Initiative for Personal Rights, Egypt
153. Ekumenická akademie (Ecumenical Academy), Czech Republic
154. Epilepsy SA, South Africa
155. Equidad de Género: Ciudadanía, Trabajo y Familia, Mexico
156. Environmental Management Trust, Zimbabwe
157. EQUIT Institute - Gender, Economy and Global Citizenship, Brazil
158. Equity and Justice Working Group, Bangladesh (EquityBD), Bangladesh
159. Espace associatif, Morocco
160. Faculty of Public Health, University of Ibadan, Nigeria
161. Farmacéuticos Mundi, Spain
162. Federación de Asociaciones para la Defensa de la Sanidad Pública, España
163. Federación Española de Asociaciones de Estudiantes de Medicina para la Cooperación internacional (IFMSA-Spain), Spain
164. FIAN India
165. Fiji Youth Sexual & Reproductive Health Alliance, Fiji
166. Foaesp - Forum das Ong Aids do estado de São Paulo, Brazil
167. FOCO Foro Ciudadano de Participación por la Justicia y los Derechos Humanos, Argentine
168. Fix the Patent Law, South Africa
169. Fondation Eboko, France/Congo
170. Food Sovereignty Ghana, Ghana
171. Foundation for AIDS Rights, Thailand
172. Foundation for Integrative AIDS Research (FIAR), United States
173. FTA Watch, Thailand
174. Fundación Arcoíris por el respeto a la diversidad sexual, Mexico
175. Fundación GEP, Argentina
176. Fundación IFARMA, Colombia
177. Fundación Karisma, Colombia
178. Fundación Mexicana para la Planeación Familiar, A. C. MEXFAM, México
179. Fundación Vía Libre, Argentina
180. Gandhi Development Trust, KwaZulu-Natal, South Africa
181. GAT- Grupo de Ativistas em Tratamentos, Portugal
182. GenderCCSA, Gauteng, South Africa
183. Gene Ethics Limited, Australia
184. Gestos HIV and AIDS communication gender, Brazil
185. Gladiators of Hope, South Africa
186. Global Health Advocates France, France
187. Global Justice Now, United Kingdom
188. Governance Links Tanzania, Tanzania
189. Group of 80+ South Africa-affiliated Academics, South Africa
190. Grupo de Articulación y Dialogo, Guatemala
191. Grupo de Estudios em Economia Industrial, Brazil
192. Grupo de Incentivo à Vida GIV, Brazil
193. Grupo de Resistência Asa Branca- GRAB, Brazil
194. GTP+ Grupo de Trabalhos em Prevenção Positivo, Brazil
195. Handelskampanjen, Norway
196. Health GAP, South Africa
197. Health Equity Initiatives, Malaysia
198. Health Innovation in Practice, Switzerland
199. Health Right Network, Republic of Korea
200. Hepatitis Scotland, United Kingdom
201. HIV Legal Network, Canada
202. Hospice Palliative Care Association (HPCA), South Africa
203. Human Rights Information and Training Center -HRITC, Yemen, Middle East
204. Indonesia AIDS Coalition, Indonesia
205. Indonesia for Global Justice (IGJ), Indonesia
206. Initiative for Health & Equity in Society, India
207. Instituto Brasileiro de Análises Sociais e Econômicas, Brazil
208. instituto para el desarrollo y la paz amazonica, Tarapoto - región San Martín - Perú
209. Instituto Vida Nova Integração Social Educação e cidadania, Brazil
210. Integrated Social Development Effort (ISDE) Bangladesh
211. International Community of Women living with HIV- Kenya Chapter, Kenya
212. International-Lawyers.Org Switzerland
213. IP Unit, Faculty of Law, University of Cape Town, South Africa
214. ISP Américas - Public Service International, Brazil
215. IT for Change, India
216. Its Our Future, New Zealand
217. Jan Swasthya Abhiyan Rajasthan, India
218. Just Treatment, United Kingdom
219. Kamara organic promoter, Rwanda
220. Kerala Sasthra Sahithya Parishad, India
221. Knowledge commune, South Korea
222. Khulumani Support Group, South Africa
223. Korean Dentists Association for Healthy Society, South Korea
225. Korean Pharmacists for Democratic Society, South Korea
226. La Mundial, Spain
227. Lawyers Collective, India
228. Les anges du ciel, Afrique Centrale, DR Congo
229. Look Good Feel Better (LGFB), South Africa
230. Love Your Nuts (LYN), South Africa
231. Low Cost Standard Therapeutics, India
232. Lupus Foundation of South Africa, South Africa
233. Lymphoedema Association of South Africa (LAOSA), South Africa
234. Madhyam, India
235. Malawi Network of Religious Leaders Living with or Personally Affected by HIV and AIDS (MANERELA+), Malawi
236. Malaysian Food Security And Sovereignty Forum (FKKM), Malaysia
237. Malaysian Women's Action on Tobacco Control and Health (MyWATCH), Malaysia
238. Marie Stopes South Africa
239. Medical Students Association of India
240. Medicos International, Germany
241. Médecins sin marca Colombia
242. Medicusmundi, Spain
243. Men’s Foundation, South Africa
244. Merebank Activist forum, South Africa
245. Misión Salud, Colombia
246. Mopais Movimento Paulistano de Luta Contra a Aids, Brazil
247. New Zealand Council of Trade Unions, New Zealand
248. National Council Against Smoking, South Africa
249. National Fisheries Solidarity Movement, Sri Lanka
250. National Oncology Nursing Society of SA (NONSA), South Africa
251. National Union of Public and General Employees, Canada
252. National University of Colombia, Colombia
254. Nepal Integrated Development Initiatives (NIDI), Nepal
255. NGO Federation of Nepal, Nepal
256. NGO's platform of Saida- Lebanon
257. Nikithemba NPO, South Africa
258. Non-communicable Disease Alliance Kenya, Kenya
259. Observatório de Políticas e do Cuidado em Saúde/ Pólo UERJ, Rio de Janeiro, Brazil
260. Ongl AFRICANDO, Spain
261. Organisation des Ruraux pour une Agriculture Durable (ORAD), Benin
262. OTMeds (Observatoire de la transparence dans les politiques du médicament), France
263. Pancreatic Cancer Network of SA (PanCan), South Africa
264. Palestinian NGOs Network, Palestine
265. PAPDA, (Plateforme haïtienne de plaidoyer pour un développement alternative) Haïti
266. Participatory Ecological Land Use Management Association Eswatini, Swaziland
267. Participatory Research Action Network (PRAN), Bangladesh
268. Partnership Network Association, Kyrgyzstan
269. Pan-African Treatment Access Movement (PATAM), Zimbabwe
270. People Living With Cancer (PLWC), South Africa
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<td>People's Health Movement Nepal</td>
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<td>Phoenix Center for Economics &amp; Informatics Studies-Jordan</td>
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<td>Phoenix PLUS, Russia</td>
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<td>278.</td>
<td>Phoenix Settlement Trust, KwaZulu-Natal, South Africa</td>
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<td>Pink Parasol Project, South Africa</td>
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<td>Pink Trees for Pauline (Pink Trees), South Africa</td>
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<td>Plataforma No Gracias, Spain</td>
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<td>Plataforma Salud y Sanidad Pública Asturias, SPAIN</td>
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<td>Pocket Cancer Support, South Africa</td>
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<td>Policies for Equitable Access to Health (PEAH), Italy</td>
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<td>Policy Analysis and Research of Lesotho, Lesotho</td>
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<td>Positive Initiative, Republic of Moldova</td>
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<td>287.</td>
<td>Positive Malaysian Treatment Access &amp; Advocacy Group (MTAAG+), Malaysia</td>
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<td>Positive response for treatment access, adherence and support foundation, Nigeria</td>
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<td>Presentation Sisters, Wagga Wagga, NSW Australia</td>
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<td>291.</td>
<td>Prince MSHIYENI MEMORIAL HOSPITAL, South Africa</td>
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<td>Program on Human Rights and the Global Economy, Northeastern U. School of Law, US</td>
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<td>Public Citizen, United States</td>
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<td>Rajasthan vidyut prasaran mazdoor congres intuc, Rajasthan, India</td>
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<td>Rainbows and Smiles, South Africa</td>
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<td>Reach for Recovery (RFR), South Africa</td>
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<td>Red Mexicana de acción frente al Libre Comercio (RMALC), Mexico</td>
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<td>Rede Brasileira Pela Integração dos Povos (REBRIP), Brazil</td>
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<td>Rede jovem Rio mais, Brazil</td>
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<td>Religions for Peace South Africa</td>
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<td>Republican public association &quot;People PLUS&quot;, Belarus</td>
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<td>Research Foundation for Science Technology and Ecology, India</td>
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<td>Réseau Accès aux Médicaments Essentiels, Burkina Faso</td>
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<td>Réseau Mauritanien Pour L’Action Sociale-Mauritanie</td>
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<td>Right to Health Action [R2H Action], United States</td>
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<td>Sahabat Alam Malaysia, Malaysia</td>
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<td>Schizophrenia and Bipolar Disorders Alliance (SABDA), South Africa</td>
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<td>SEARCH Foundation, Australia</td>
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<td>SECTION27, South Africa</td>
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<td>Sisters of Charity Federation, United States</td>
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<td>Society of Development and Care, Kenya</td>
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<td>Solidarité Agissante pour le Développement Familial SADF</td>
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<td>S.O.S CEDIA - Criança e Desenvolvimento Integral De Angola</td>
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<td>354</td>
<td>The South African Depression and Anxiety Group (SADAG), South Africa</td>
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<td>355</td>
<td>the South African Federation of Mental Health (SAFMH),</td>
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<td>356</td>
<td>the South African Non-Communicable Diseases Alliance (SANCD Alliance)</td>
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<td>357</td>
<td>the Cancer Alliance including Advocates for Breast Cancer, South Africa</td>
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<td>358</td>
<td>The Stop Stock Outs Project (SSP), South Africa</td>
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<td>Trade Justice PEI, Canada</td>
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<td>360</td>
<td>UDK Consultancy, Malawi</td>
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<td>361</td>
<td>ULOA...Uganda land owners association, Uganda</td>
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<td>Unions WA, Western Australia</td>
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<td>363</td>
<td>Union fédérale des consommateurs - Que Choisir, France</td>
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<td>364</td>
<td>Vietnam Network of People living with HIV (VNP+), Vietnam</td>
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<td>365</td>
<td>VREDE Foundation for Young People with Cancer (Vrede Foundation) South Africa</td>
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<td>War on Want, United Kingdom</td>
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<td>367</td>
<td>Washington Biotechnology Action Council, United States</td>
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<td>368</td>
<td>Wemos, The Netherlands</td>
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<td>369</td>
<td>We Rise and Prosper (WRAP), Uganda</td>
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<td>370</td>
<td>Wings of Hope (WoH) South Africa</td>
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<td>371</td>
<td>Win Without War, United States</td>
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<td>Woman Health Philippines</td>
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<td>373</td>
<td>Women Engage for a Common Future – The Netherlands</td>
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<td>Women's Coalition Against Cancer, Malawi</td>
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<td>375</td>
<td>World Vision Deutschland e.V., Germany</td>
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<td>376</td>
<td>Wote Youth Development Projects, Kenya</td>
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Yemeni Observatory for Human Rights - Yemen
Zambia Alliance for Agroecology and Biodiversity, Lusaka
Zimbabwe National Network of PLHIV (ZNNP+), Zimbabwe

2. Small group of rich nations have bought up more than half the future supply of leading COVID-19 vaccine contenders, https://www.oxfam.org/en/press-releases/small-group-rich-nations-have-bought-more-half-future-supply-leading-covid-19
6. For example, price of remdesivir in the US amounts to US$ 3120 per treatment and licensed generic versions in India cost US$ from 587 to 792 per treatment course, while estimated minimum cost to manufacture remdesivir with a reasonable profit margin is only US$ 9 per treatment course.