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ORAL STATEMENT BY AMNESTY INTERNATIONAL

Index: AFR 01/5006/2021

69th Ordinary Session of the African Commission on Human and Peoples' Rights

Agenda Item 3: Human Rights Situation in Africa

Honourable Chairperson,

Amnesty International welcomes this opportunity to address the African Commission on Human and Peoples' Rights (African Commission) on the occasion of its 69th ordinary session.

Around this time last year, three pharmaceutical companies announced that their vaccine candidates were effective against Covid-19, allowing us to hope that the end of the pandemic could be in sight. However, one year on, the vastly unequal global distribution of Covid-19 vaccines serves as a stark reminder of how the pandemic has magnified existing global inequalities. While wealthy countries have fully vaccinated more than 66% of their populations, in Africa only 6.7% of people are fully vaccinated.¹

In October 2020, South Africa and India submitted a proposal to the World Trade Organization to temporarily suspend intellectual property rights on Covid-19 medicines, tools, equipment and vaccines. This TRIPS waiver proposal is co-sponsored or supported by the vast majority of AU member states.² But more than a year on, this solution to limited vaccine production and supply is still being blocked by wealthy countries and pharmaceutical companies.

Pharmaceutical companies have prioritized delivering doses to rich countries. Many of those countries in turn have ordered more vaccines than they need and have built up stockpiles. By conservative estimates wealthier states had more than 500 million excess doses in stock by late September and potentially 1.2 billion by the end of the year, with the risk that many of these could expire before they can be used.³

¹ Our World in Data, Share of the population fully vaccinated against COVID-19 – high income countries, 17 November 2021, https://ourworldindata.org/grapher/share-people-fully-vaccinated-covid?country=BGD~BRA~IND~IDN~MEX~NGA~PAK~PRT~RUS~SGP~ARE~USA~OWID_WRL~High+income; Our World in Data, Share of the population fully vaccinated against COVID-19 –Africa, 17 November 2021, <https://ourworldindata.org/grapher/share-people-fully-vaccinated-covid?country=Low+income~Lower+middle+income~Africa>

² MSF Access Campaign, No Patents, No Monopolies in a Pandemic, <https://msfaccess.org/no-patents-no-monopolies-pandemic>

³ Airfinity, Global Press Release: More Than a Billion Available Stock Of Western Covid-19 Vaccines by the End of 2021, 5 September 2021, <https://www.airfinity.com/insights/more-than-a-billion-available-stock-of-western-covid-19-vaccines-by-the-end>. A recent example of vaccine wastage was in the UK, which disposed of 600,000 expiring doses in August 2021: <https://www.commondreams.org/news/2021/11/15/just-scandalous-uk-threw-out-600000-covid-vaccine-doses-august>



When vaccines are donated to African states, this is often on short and unpredictable timelines that add unnecessary complications to effective rollout, especially to populations that are harder to reach. Recalling the Abuja Declaration target to allocate at least 15% of annual national budgets to improving the health sector, concerns have also been raised about the lack of transparency around vaccine plans and budget in some states.

Equitable access to Covid-19 vaccines is vital in ensuring that every individual has the right to enjoy the best attainable state of physical and mental health in the context of the current pandemic. As recognised in the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights, "all States have the obligation to engage in international cooperation for the realisation of ESCR and must prioritise allocation of such assistance towards the realisation of these rights. It is particularly incumbent upon developed countries, as well as others which are in a position to assist others, to do so."

Amnesty International therefore calls on the African Commission to:

1. Urge wealthy states who have stockpiled Covid-19 vaccines to immediately redistribute surplus vaccines and as soon as possible before their expiry dates to allow effective rollout to be planned;
2. Urge pharmaceutical companies to deliver at least 50% of vaccines they produce between now and 31 December to low and lower-middle income countries;
3. Urge wealthy states and pharmaceutical companies to urgently increase the global supply of Covid-19 vaccines through temporary suspension of intellectual property rights;
4. Urge AU member states to ensure transparency on their health budgets and implementation of plans to distribute and administer Covid-19 vaccinations;
5. In the absence of sufficient supplies of Covid-19 vaccines, to urge AU member states to take effective measures to continue to prioritise vaccination of groups most at risk from the virus.

Thank you.