

OPEN LETTER

TO THE PARTICIPANTS OF THE TRILOGUE NEGOTIATIONS ON THE EU'S FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION (2014-2020) *HORIZON 2020*.

RE: SECURING ACCESS TO LIFESAVING RESULTS THAT DERIVE FROM HORIZON 2020 FUNDING

We, the undersigned organizations, urge trilogue decision makers to ensure global access to lifesaving medical innovations developed under the EU Framework Programme for Research and Innovation (2014-2020) *Horizon 2020*, through the adoption of appropriate licensing conditions.

Any publicly funded medical product – be it a drug, vaccine or medical diagnostic – should be accessible throughout the world, at an affordable price.

Socially Responsible Licensing (SRL) has proven to be an effective tool that helps to maximize affordability of medical products, while safeguarding the interest of research institutions and holders of intellectual property. SRL refers to licensing conditions that seek to generate the highest possible social benefit from publicly funded research. Embracing SRL as part of Horizon 2020, would increase the global public health impact of EU funded research.

SRL practices should therefore be promoted and included in the Horizon 2020 Rules of Participation.

We strongly urge the European Commission and European Council representatives in the trilogue to adopt the following important and timely amendments proposed by the European Parliament Committee on Industry, Research and Energy (ITRE) in Christian Ehler's Report on the rules for the participation and dissemination in Horizon 2020 (A7-0428/2012, 19.12.2012).

Amendment 78 (Article 12, 3a)

“Any proposal for research with the potential for further development into a novel medical technology (e.g. drugs, vaccines, medical diagnostics) shall include a draft plan specifying a strategy to guarantee the immediate and widest possible access to this technology, where lack of access rights to the technology would pose a threat to the protection of public health.”

Amendment 117 (Article 41, 3)

“In the field of major societal challenges (health, climate, biodiversity), licensing of results to third parties shall by default take place on non-exclusive terms so as to enable immediate competition and thereby to foster global accessibility, unless the participant can duly justify licensing results on exclusive terms.”

Without such provisions promoting responsible licensing, the EU would continue to lag behind the United States in terms of encouraging socially responsible licensing strategies. In the U.S., such measures are already established as part of the *National Institutes of Health* licensing policy, and in the *Association of University Technology Management's (AUTM) Statement of Principles and Strategies for the Equitable Dissemination of Medical Technologies*.

Within the EU, funding institutions such as the British *Wellcome Trust*, and an increasing number of universities have already committed themselves to principles of Socially Responsible Licensing. However, up until now initiatives in the EU remain ad hoc and fragmented. It is time for the EU to consolidate these ad hoc and fragmented efforts. There is no better place to do so than the Horizon 2020 Rules of Participation.

SIGNATORY ORGANIZATIONS:

ACT UP-PARIS

AKTIONSBÜNDNIS GEGEN AIDS - ACTION AGAINST AIDS GERMANY

BUKO PHARMA-KAMPAGNE

EUROPEAN AIDS TREATMENT GROUP (EATG)

EUROPEAN PUBLIC HEALTH ALLIANCE (EPHA)

GLOBAL HEALTH ADVOCATES

HEALTH ACTION INTERNATIONAL (HAI) EUROPE

HEALTH GLOBAL ACCESS PROJECT (HEALTH GAP)

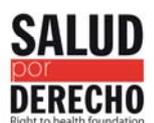
INTERNATIONAL FEDERATION OF MEDICAL STUDENTS ASSOCIATIONS (IFMSA)

MEDÉCINS SANS FRONTIÈRES – ACCESS CAMPAIGN

MEDSIN UK

SALUD POR DERECHO

UNIVERSITIES ALLIED FOR ESSENTIAL MEDICINES (UAEM)



FURTHER INFORMATION ABOUT SOCIALLY RESPONSIBLE LICENSING

Socially Responsible Licensing (SRL) seeks to improve global access to biomedical products such as drugs, vaccines or other medical technologies that stem from publicly funded research. It aims to ensure that vulnerable populations living in low and middle income countries have better access to and benefit from new medical innovations. SRL is also known as Global Access Licensing, or Equitable Licensing.

SRL has recently been endorsed by a high-level working group of the WHO as a promising measure to foster the widest possible societal benefit from the outcome of public scientific research.¹

SRL is widely applied throughout the world. It was first implemented at Yale University in 2001. Today, major funding and research institutions such as the United States National Institutes of Health (NIH), the Wellcome Trust in the UK and more than 40 research Universities worldwide - among them the University of Harvard, Yale university and the University of California - have adopted measures towards SRL.²

In Europe, a growing number of universities have started to shape their technology transfer according to the principles of SRL. These include the Universities of Bristol, Edinburgh, Dundee, Manchester and Oxford in the UK, as well as Charité Universitätsmedizin Berlin and Tübingen University in Germany. Individual approaches such as these should now be combined and supported by overarching action at the EU level. One way to achieve this goal would be the inclusion of these licensing principles in Horizon 2020 grants.

¹ WHO, CEWG (2012) Research and Development to Meet Health Needs in Developing Countries: Strengthening Global Financing and Coordination: Report of the Consultative Expert Working Group on Research and Development: Financing and Coordination. Geneva: World Health Organization; p.182.

² Chen EC, Gilliland CT, Purcell J, Kishore SP (2010) The Silent Epidemic of Exclusive University Licensing Policies on Compounds for Neglected Diseases and Beyond. PLoS Negl Trop Dis 4(3): e579.