European Parliament
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Plenary sitting

B9-0520/2021

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MOTION FOR A RESOLUTION

further to Question for Oral Answer B9-0033/2021

pursuant to Rule 136(5) of the Rules of Procedure

on EU transparency in the development, purchase and distribution of COVID-19 vaccines
(2021/2678(RSP))

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on behalf of the ID Group

B9-0520/2021

European Parliament resolution on EU transparency in the development, purchase and distribution of COVID-19 vaccines
(2021/2678(RSP))

The European Parliament,

– having regard to the Treaty on European Union,

– having regard to Treaty on the Functioning of the European Union (TFEU), and in particular Articles 4, 6, 9, 15(3), 122(1) and 168 thereof,

– having regard to the Commission decision of 18 June 2020 approving the agreement with Member States on procuring COVID-19 vaccines on behalf of the Member States and related procedures, and the annex thereto (C(2020)4192),

– having regard to the European Ombudsman's series of inquiries and initiatives looking into the COVID-19 response of the EU administration,

– having regard to the question to the Commission on EU transparency in the development, purchase and distribution of COVID-19 vaccines (O-000046/2021 – B9-0033/2021),

– having regard to Rules 136(5) and 132(2) of its Rules of Procedure,

A. whereas the Committee on Petitions has received a number of petitions (1477/2020, 0062/2021 and 0066/2021) raising concerns over the lack of transparency of the EU in the development, purchase and distribution of COVID-19 vaccines;

B. whereas the petitions received request that full details of the COVID-19 vaccine contracts concluded between the Commission, the Member States and the pharmaceutical industry, as well as patient-level clinical trial data, be published as soon as possible;

C. whereas health policy is not a competence of the EU; whereas competences that have not been conferred upon the EU in the Treaties remain with the Member States; whereas the EU may pursue public health objectives only through the integration of the internal market, using Article 114 TFEU as the legal basis;

D. whereas from the very beginning of the COVID-19 outbreak, the President of the Commission was focused on her project to fight the virus at a global level, supporting, among other initiatives, the Global Goal: Unite for Our Future campaign, which included a concert with Justin Bieber and other pop stars, as her main goal was to 'build a corona-free future for all';

E. whereas four Member States, namely Germany, France, Italy and the Netherlands, established the Inclusive Vaccine Alliance to facilitate procurement for all of the EU; whereas the alliance announced as early as June 2020 that they had concluded an agreement with AstraZeneca;

F. whereas, according to the press, the Commission President contacted the German Chancellor to demand that the power to procure vaccines be transferred to Brussels; whereas the German Chancellor agreed to this request in order to save Germany's Presidency of the Council by giving it a new focus;

G. whereas the Inclusive Vaccine Alliance ceded their project to the Commission by means of a letter of June 2020; whereas the EU vaccines strategy was subsequently made public on 17 June 2020;

H. whereas the Commission was unable to conclude any deal with vaccine manufacturers before 27 August 2020, when it made public its agreement with AstraZeneca;

I. whereas the EU only provided the initial down-payments on the vaccines, while the Member States were responsible for financing the remainder of the costs; whereas some Member States rejected mRNA vaccines; whereas some Member States were more price-sensitive than others; whereas, overall, the Commission's vaccination strategy lacked funds as health policy is not a competence of the EU;

J. whereas most of the Western world, in particular the UK, the USA and Israel, has been able to procure vaccines more rapidly than the EU; whereas the EU vaccination campaign has been lagging behind the campaigns of its Western peers; whereas by the start of January 2021, close to one million people in the UK and three million people in the US had already received their first vaccine dose; whereas on 10 January 2021, a third of the population in Israel had already received their first dose of the COVID-19 vaccine;

K. whereas COVID-19 vaccines have not yet been approved in the EU, but have received conditional marketing authorisation; whereas the first conditional marketing authorisation for a COVID-19 vaccine was granted to the BioNTech vaccine on 21 December 2020;

L. whereas the EU has not been supportive of recognising the equivalence of vaccines that were manufactured outside of the EU; whereas citizens of Member States which have been predominantly using non-EMA approved vaccines do not have access to the EU Digital COVID Certificate;

M. whereas the Commission and the Member States have only published redacted versions of the advance purchase agreements and the purchase agreement, with key information blacked out or missing; whereas the Commission failed to properly redact one of these documents and published it anyway;

N. whereas the EU has funded much of the research and development of the vaccines, facilitated the work of the pharmaceutical companies with an upfront de-risking investment, granted emergency authorisation, and purchased vaccines with taxpayer money;

1. Underlines that the idea of a joint, rapid and effective response to the COVID-19 pandemic has not been possible because the EU has not lived up to expectations on account of delays in the procurement process;

2. Points out the multiple failures in the procurement process at EU level; underlines the Commission's significant lack of experience in the negotiation and conclusion of such contracts; stresses that contrary to expectations, the EU has not been able to translate combined demand from the Member States into improved bargaining power with the vaccine manufacturers;

3. Recalls that Member States which did not wait for EMA approval of the vaccines were able to vaccinate their citizens much faster; emphasises, therefore, that health policy is and must remain a Member State competence and that these issues can be dealt with much more effectively at national level than at EU level;

4. Seriously questions the fairness of the agreements concluded; condemns the redaction of the agreements, which the Commission has utilised to cover up its own failure to negotiate a sufficient amount of vaccines early and at a decent price;

5. Calls on the Commission to publish non-redacted versions of the advance purchase agreements and the purchase agreement and to disclose the following details in particular: (a) the advance payments made by the Commission, (b) the cost sharing between public and private investments in the vaccines, (c) the number of doses allocated to each Member State and to be delivered per quarter, (d) the price per dose, (e) the number and locations of available production sites, (f) the liability and compensation regimes for any harm that might be caused by the vaccines, (g) the sanctions in the event of breach of contract;

6. Calls on the Commission to provide Parliament with detailed information on how EU advance payments were used by the contracted companies, including the methodology for measuring payments and the means of control and verification;

7. Calls on the Commission to ensure that the contracted companies make the full clinical trial results and protocols of potential COVID-19 vaccine research available for evaluation, as soon as possible, by independent scientific experts, beyond experts at the EMA, including statistical analysis plans, clinical study reports, patient-level data and copies of the correspondence with regulators and other key stakeholders;

8. Calls on the Commission to ensure that contracted companies publish data from pharmacovigilance reports in full accordance with the rules concerning respect for the personal data of the patients involved, and to promote and monitor public management of incidents that resulted from the administration of the vaccines;

9. Calls on the Commission to collaborate with the manufacturers in order to speed up the review process for vaccines that have applied for authorisation;

10. Calls on the Member States to oppose any and all efforts by the EU to assume more responsibilities in the area of health policy in general, and vaccines in particular;

11. Considers the failure of the EU's vaccination strategy and procurement as a warning sign against the EU's pursuit of acquiring even more competences;

12. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.