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Vaccine contracts/transparency:

Greens/EFA Group submits application to the ECJ to claim right to access to information by the EU Commission

Since January 2021, the Greens/EFA Group has been working to secure the right to access to information in the context of vaccine contracts between the European Commission and vaccine manufacturers. After months of correspondence between the Greens/EFA and Commission, during which the Commission did not agree to provide transparent access to the contracts, on October 22 five MEPs of the Greens/EFA submitted a case application to the European Court of Justice stating "implicit refusal" from the Commission and claiming access to information. The MEPs party to the case are Margrete Auken, Tilly Metz, Jutta Paulus, Michèle Rivasi, and Kimberly van Sparrentak.

The motivation behind this claim is that public health is a matter of public interest, and especially in the context of the COVID-19 pandemic, it is essential to ensure transparency in the vaccine proceedings. The Greens/EFA argues that the European Commission has failed to consider the overriding public interest in the disclosure of the contracts.

Kim van Sparrentak MEP, and party to the case, comments;

“It has been nine months since we formally asked the European Commission for access to the full set of advance purchase contracts for vaccines. For nine months the Commission has refused to disclose them, but after being heavily criticised for the opacity of its vaccine policy, they have published heavily redacted contracts. For us, this is clearly insufficient. These contracts are about public health and it is in the public interest that the information they contain about the prices of doses, liability for side effects, delivery schedules and other essential information is as transparent as possible and accessible to the public.

“This is also very important for the future because we know that Europe will continue to face major crises like the current pandemic. We are in the process of setting up a new European Health Emergency Response Authority - HERA - which will soon be in charge of all joint public contracts in the health field. If HERA is to be a success, transparency of any future vaccine and drug contracts must be guaranteed, as well as independent governance and control of this structure. Transparency is the best way to fight against misinformation and the mistrust of citizens towards public institutions.”

Margrete Auken MEP, and party to the case, comments;

"Billions of EU taxpayer money have been spent on making agreements with the pharmaceutical industry to develop, produce and supply corona vaccines. The vaccine development is a success but pre-purchase agreements are not like a gift card for the industry to use without conditions. We cannot accept citizens paying both for the development, the production, and again for purchasing without knowing the profits of the industry.

"Particularly we need information about liability and indemnification, production of vaccines including quantities, locations, prices and cost of research and development, the names of the steering group negotiating the contracts and much more.

More transparency is fundamental in the fight against vaccine skepticism and citizens' mistrust of public institutions. Trade secrets are not an argument for hiding expenditure of taxpayer money and cooperation with big pharma must be scrutinized like any other industry.

"We need more answers about the vaccine strategy to prepare our health union for future health crises and we hope the European Court of Justice will provide answers to the questions we are raising."

[Summary of the Application for annulment of 22 October 2021 in Case Margrete Auken, Tilly Metz, Jutta Paulus, Michèle Rivasi and Kimberly Van Sparrentak vs European Commission](#)

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