



Mr. Albert Bourla
Chairman and CEO
Pfizer, Inc.
235 East 42nd Street
New York, NY 10017-5755
United States

April 20th, 2022

Dear Mr. Bourla,

Pfizer's claim of a human rights violation and its overt pressure on the government of the Dominican Republic as a strategy to protect its patent on Paxlovid has caused concern among shareholders that the board is putting Pfizer's social license to operate at risk. We note the incongruence between Pfizer's stated principles related to access, its commitments in the company's human rights policy statement, and its stated values and principles related to equity, with actions that seek to hinder access to life-saving COVID medicines.

The company's [opposition](#) to a petition that requests the Dominican Republic Patent Office issue a [compulsory license](#) for Paxlovid, a COVID-19 therapeutic medicine, seems to equate a compulsory license with a violation of Pfizer's human rights. It states that only the State, and not the Patent Office, "has the power to suspend some of its obligations in terms of human rights. "As investors who have been engaging the company on access concerns for many years, we are deeply disturbed by Pfizer's invocation of human rights as a tactic to protect its patent on Paxlovid and view it as a stark betrayal of the public trust and Pfizer's corporate social contract. This is particularly true in light of rising COVID cases due to the Omicron ba.2 sub-variant and a [mounting global death toll](#) of over 6 million people as well as the fact that Pfizer has grossed the most revenue of any pharma company during the pandemic.

While we commended Pfizer for its voluntary licensing agreement with the Medicines Patent Pool, enabling 35 generic manufacturers to make generic versions of Paxlovid, the deal excludes the Dominican Republic among other countries and allows Pfizer to set their prices in these markets to as high as the market will bear. We note the 2021 controversy surrounding Pfizer's contract with the Dominican Republic for COVID vaccines, which set forth [indemnification clauses](#) that were considered unreasonable during a pandemic:

"...the Dominican Republic will "indemnify, defend, and hold harmless" Pfizer even if the company makes a mistake in the "[...] manufacture, labeling, packaging, transport, storage, distribution, marketing, promotion, sale, purchase, licensing, donation, dispensing, prescribing, administration, provision, or use of the vaccine."

Seen together these actions may be viewed as discriminatory and present legal and reputational threats to Pfizer and its investors. Unfortunately, these actions harken back to the [lawsuit](#) brought by 40 pharmaceutical companies in 1998 – subsequently withdrawn - which aimed to prevent South Africa from implementing national legislation aimed at reducing the price of HIV/AIDS medicines for South Africans.

Pfizer’s own human rights policy statement references the company’s “commitment to conducting business in an ethical and responsible manner. This includes respecting internationally recognized human rights throughout our operations.” The statement highlights that Pfizer was “one of the early signatories to the United Nations (UN) Global Compact, an initiative that calls on companies to align strategies and operations with universal principles on human rights, labor, environment, and anti-corruption, and to take actions that advance societal goals.” Using the claim of a human rights violation to prevent equitable access to its COVID medicines is neither ethical nor responsible and it most certainly does not advance societal goals. Rather, it will appear to many as yet another strategy from big pharma to maximize profits during a pandemic.

Given the above, we respectfully ask for an immediate response from the Board.

Signatories:

Cathy Rowan
Trinity Health

Michaele D. Birdsall
Baptist Home Mission Society

Laura Krausa
Common Spirit Health

Lydia Kuykendal
Mercy Investment Services, Inc.

Rev Seamus P Finn OMI
Missionary Oblates/OIP Trust

Judy Byron, OP
Northwest Coalition for Responsible Investment
Adrian Dominican Sisters Portfolio Advisory Board

Chris Cox
Seventh Generation Interfaith Coalition for Responsible Investment

Gwen Farry, BVM
Sisters of Charity, BVM

Sr. Barbara Aires
Sisters of Charity of Saint Elizabeth

Tom McCaney
Sisters of St. Francis of Philadelphia