

2020-2021 EACT Korea Project Final Report

A situational analysis of Equitable Access to COVID-19 Technologies in South Korea



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건강사회를 위한 약사회

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CONTENTS

0. Overview	1
1. Introduction	2
2. Methods	3
3. Situational campaigns for EACT	4
3.1. Stage 1: Continuing IP & A2M actions in South Korea (July 2020 - October 2020)	4
3.2. Stage 2: Blooming of the Korean advocacy for India-South Africa TRIPS Waiver (October 2020 - February 2021)	7
3.3. Stage 3: Standing with the TRIPS Waiver Proposal (February 2021 - June 2021)	10
(1) Wave 1	11
(2) Wave 2	12
4. Situational case studies on Korean pharmaceutical systems and A2M amid COVID-19	17
4.1. Public R&D in South Korea (January, 2021)	17
4.2. Korean firm Celltrion's Regkirona (From November 2020 to February 2021)	18
4.3. The TRIPS Waiver Proposal and Korean societies (March 2021)	20
4.4. The COVID-19 diagnostic kits industry in South Korea (June 2021)	21
4.5. Public manufacturing in South Korea (July 2021)	22
4.6. Equitable vaccine distributions for the marginalized population in Korea (From January 2021 to April 2021)	24
5. Concluding notes	25
Annexes	26
Annexe 1. Public R&D and IP	26
Annexe 2. Celltrion's Regkirona	26
Annexe 3. Advocacy for the TRIPS waiver	27
Annexe 4. COVID-19 Diagnostic kit	28
Annexe 5. Public manufacturing	28
Annexe 6. Global Justice and Global Public goods	29



TABLES

[Table 1] Public R&D for COVID-19 vaccines in South Korea

[Table 2] Manufacturing capacity and contract status of public manufacturing facilities in South Korea

FIGURES

[Figure 1] Poster of the PHI webinar on July 23, 2020, titled '[COVID-19, who should we save first?](#)'

[Figure 2] Illustration for the PHI column on April 26, 2021, titled '[Can we defeat vaccine nationalism?](#)'

[Figure 3] Photo of the press conference in front of the National Assembly on April 29, 2021, titled '[COVID-19 vaccines are global public goods! Save lives with waiving IPs!](#)'

Boxes

[Box 1] A reply from the South Korean Ministry of Trade, Industry and Energy (November 19, 2020)

[Box 2] An open letter to President Joe Biden and President Moon Jae-in (May 20, 2021)

[Box 3] Requirements in brief about TRIPS Waiver



0. Overview

People's Health Movement Korea (PHM Korea hereafter) and its solidarity network conducted a project called Equitable Access for COVID-19 Technologies (EACT) organized by the People's Health Movement (PHM) and supported by the Open Society Foundations from July 2020 to June 2021. The purpose of this report is that (1) identify key lessons and challenges doing health activism amid COVID-19 for other activists and solidarity groups and (2) measure technology issues and access to medicines in South Korea along with the indicator of COVID-19. Both goals supplement PHM's long term visions for Health for All.

Drawing from the situational analysis, the main findings of this report consist of two parts: (1) EACT Korea as health activism and (2) EACT Korea as evidence and data production.

Regarding EACT Korea as activism, our actions and campaigns are summarised in the following:

- When EACT Korea first started in July 2020, members of EACT Korea continued campaigns for intellectual property (IP) issues along with global Access to Medicines (A2M) actions in the middle of the COVID-19 outbreak.
- Starting from October 2020, EACT Korea conducted rising campaigns to support a proposal to waive several sections of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Waiver proposal hereafter).
- Since the WTO announced 'a third way' to broaden access to COVID-19 technologies via technology transfer and voluntary licensing, EACT Korea adhered to the solidarity with the TRIPS Waiver actions instead of shifting main strategies for local manufacturing and technology transferring.

Regarding EACT Korea as evidence making, the findings we have been able to draw by delving into the topic of EACT are as follows:

- EACT Korea conducted situational case studies on public research and development (R&D hereafter) in South Korea, Korean pharma and bio firms related to COVID-19 technologies, and public manufacturing in Korea.
- The EACT Korea campaigners also produced a number of analyses of the TRIPS Waiver Proposal in the relation to suggestions for the Korean government and Korean companies, research institutes, academia, and civil society.

In sum, this report put importance on the push for both global solidarity and research activities for equitable access to COVID-19 related tools and technologies, as well as for overcoming IP barriers in the future.



1. Introduction

After the outbreak of the pandemic, South Korean civil society started A2M actions, regarding dimensions of IP, R&D, and manufacturing of the COVID-19 technologies, through solidarity with global civil society. In March 2020, Korean civil society joined in the open letter initiated by KEI supporting the proposal by Costa Rica to create a global pool for rights in the data, knowledge and technologies useful in the prevention, detection and treatment of the coronavirus.¹ In April, we signed a joint statement of 254 Civil Society Organizations (CSOs) around the world, led by Public Citizen, who were concerned about the monopoly of COVID-19-related medical technology in high-income countries and advocated for innovation, accessibility and solidarity for all.²

At the same time, Korean civil society criticized the South Korean Government (SKG)'s position on the global distribution of COVID-19 technologies and called for global accountability. First of all, Korean civil society demanded SKG to share the results of publicly funded R&D related to COVID-19. In April 2020, civil society groups issued a joint statement criticizing the Korean Intellectual Property Office's lack of accountability with profiteering from fees for patents during the pandemic and urging the removal of patent barriers.³ Also, we insisted that President Moon Jae-in, who was invited as a keynote speaker at the 73rd World Health Assembly, should support the WHO's proposal for knowledge and technology sharing.⁴

Regarding the resolution on knowledge sharing adopted at the World Health Assembly, we requested SKG to support the sharing of R&D results related to COVID-19.⁵ In June, we specifically requested that SKG participate in the WHO's knowledge sharing pool (currently C-TAP).⁶

This introduction summarizes the movement before July 2020 and the situational analysis below will overview the movement of the EACT Korea after then.

¹ Knowledge Ecology International (2020). *KEI and Public Citizen letter to Congress regarding Costa Rica proposal for WHO COVID-19 pool of rights in technology and data*. Retrieved from <https://bit.ly/3x4Xiwl>

² People's Health Institute (2020). *[Joint statement with 254 CSOs] COVID-19: A principle of global accessibility, innovation, and cooperation*. Retrieved from <https://bit.ly/3y9GKF9>

³ People's Health Institute (2020). *[Joint statement] The Korean Intellectual Property Office is engrossed in profit seeking by taking advantage of COVID-19 (2020.4.21)*. Retrieved from <http://health.re.kr/?p=6475>

⁴ People's Health Institute (2020). *A public letter to overcome COVID-19 by sharing and cooperation of knowledge*. Retrieved from <https://bit.ly/3rzFubW>

⁵ People's Health Institute (2020). *[Joint statement] A resolution of the 73rd World Health Assembly is just the beginning (2020.5.22)*. Retrieved from <https://bit.ly/2V9r5af>

⁶ People's Health Institute (2020). *[Joint statement] President Moon has to respond to the World Health Organization's request for solidarity cooperation with actions, not words (2020.06.03)*. Retrieved from <https://bit.ly/3ry6mcr>



2. Methods

This situational analysis was conducted during June 2021 to overview and reflect 12 months (July 2020 - June 2021) of the EACT movement in South Korea.

The paper includes two sections:

1. The first section overviews the last 12 months of the movement and analyzes it in accordance with the global A2M situation and movement. It is organised in 3 stages.
2. The second section summarizes each of the 4 issue briefs and reports that EACT Korea has published, regarding public R&D, public manufacturing, TRIPS waiver proposal, diagnostic kits industry and equitable distribution of vaccines in the Korean context.

The report collected data from press releases, statements, op-eds, columns, articles, interviews, webinars and academic presentations that were initiated by EACT Korea (People's Health Institute and Korean Pharmacists for Democratic Society as main actors). Data were collected from July 2020 to June 2021.

In the section below, the report shows campaigns and movements conducted by EACT Korea in accordance with global A2M situations and movements.



3. Situational campaigns for EACT

3.1. Stage 1: Continuing IP & A2M actions in South Korea (July 2020 - October 2020)

During Stage 1, EACT and Korean civil society continued IP & A2M actions in accordance with global civil society's initiatives. However, as vaccine nationalism rose to the surface in July, discourse and criticism regarding equal distribution began in earnest.

As it was mentioned in the introduction, Korean civil society in the early stages of COVID-19 had hope for a global cooperation platform such as technology & knowledge sharing initiatives.

However, concerns and criticisms began to arise as high-income countries advanced bilateral purchase agreements in July. Civil society criticized vaccine nationalism and published columns,⁷⁻⁸ articles,⁹ interviews¹⁰ to spread the discourse about distributive justice of vaccines. Through this series of discourse production, we tried to overcome the framework of distribution within the country and expand the discussion to Korea's accountability for global distribution justice. On July 6, the People's Health Institute (PHI) released a column titled "COVID19 vaccine and treatment, justice is more difficult than development". It predicted that even before the vaccine is developed, challenges of priorities and distributive justice would be faced, and it criticized the 'failure of distributive justice of the nation-state', especially in distribution between countries beyond the domestic boundary. In addition, it argued that the principle of distribution of vaccines is in line with the previous experiences such as beds, PPE, masks, vaccines and treatments and therefore, starting from the knowledge and understanding of people, the public sphere should be created. On July 27, an article criticizing the situation in which countries in the European Union, as well as the United States, make advance purchase contracts was published. In particular, the article said that while Korea has the technology and production capacity for masks and diagnostic kits, it is highly likely that treatment and vaccines will be developed first in other countries. It stressed the need for worldwide public solidarity to expand production and reduce prices.

Also, SK civil society held an academic conference on COVID-19 and human rights.¹¹ PHI held a webinar to discuss global vaccine production and supply systems, such as COVAX and C-TAP, and argued for public control over technology.¹² This webinar argued that the SKG has revealed that they are reviewing in advance the compulsory licensing of an effective treatment developed overseas. Therefore it argued that Korea, which has the production capacity, should make efforts

⁷ People's Health Institute (2020). [Column] COVID-19 vaccine and treatment, justice is more difficult than development (2020.7.6). Retrieved from <http://health.re.kr/?p=6719>

⁸ People's Health Institute (2020). [Column] A pharmaceutical company that uses access to medicines to promote the company? Human rights come first (2020.7.16). Retrieved from <http://health.re.kr/?p=6751>

⁹ Sun Kim (2020). EU calls for global cooperation and competes to buy vaccines. *Sisa/N* (2020.7.27). Retrieved from <https://www.sisain.co.kr/news/articleView.html?idxno=42536>

¹⁰ Kim, YH (2020). Who should get the COVID-19 vaccine first? *Sisa/N* (2020.07.27). Retrieved from <https://www.sisain.co.kr/news/articleView.html?idxno=42535>

¹¹ Korean Society of Law (2020). Online Joint Conference "COVID-19 and Human Rights" (2020.07.10) Retrieved from <https://www.lawsociety.or.kr/43/4659401>

¹² People's Health Institute (2020). [Webinar] COVID-19: Who should we save first? (2020.7.20). Retrieved from <http://health.re.kr/?p=6761>



for international cooperation. Specifically in this webinar, the SKG's possible options such as compulsory licensing of Remdesivir was suggested.

Meanwhile, in mid-August, the second COVID-19 wave started in Korea. On August 22, SKG acknowledged the supply disruption of Remdesivir, the only approved treatment for COVID-19 at the time.¹³ They said, "The supply of Remdesivir is irregular and not smooth for the time being due to the circumstances of the current supplier. First of all, we have adjusted the priority of supplying patients over the age of 70." In response, SK civil society made efforts to secure accessibility. We issued a joint statement¹⁴ arguing for the compulsory licensing of Remdesivir and expansion of production facilities, including the option of utilizing publicly owned Contract Manufacturing Organization (CMO) facilities for biomedicines.

Later in September, as the Korean pharmaceutical company Celltrion announced the development of Regkirona, a treatment for COVID-19, the pressure of SK civil society for the transparency and accessibility of the treatment expanded. This case will be discussed in more detail in the later case study section.

¹³ Korea Policy Briefing (2020). COVID-19 outbreak in Korea. (2020.8.22) Retrieved from <https://www.korea.kr/news/policyBriefingView.do?newsId=156407289>

¹⁴ People's Health Institute (2020). [Joint statement] The government should immediately produce a treatment for COVID-19! (2020.8.25). Retrieved from <http://health.re.kr/?p=6856>

2020년 7월 23일 목요일 저녁 7시-9시 시민건강연구소 웨비나

코로나19,

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- 참가비 없음.
- 신청방법: 신청서(<https://url.kr/nCWhet>)를 작성해주시면, 접속 링크를 보내드리겠습니다.
- 문의: people@health.re.kr
02-535-1848

누구를

먼저

살릴

것인가.

[Figure 1] Poster of the PHI webinar on July 23, 2020, titled '[COVID-19, who should we save first?](#)'



3.2. Stage 2: Blooming of the Korean advocacy for India-South Africa TRIPS Waiver (October 2020 - February 2021)

Our core actions in this stage were supporting and defending India-South Africa TRIPS Waiver proposal, and we planned and carried out our actions based on the TRIPS council meeting. Our first action was around the WTO TRIPS council meeting held on October 15 - 16. Korean CSOs urged the Korean government and other WTO members to support the TRIPS waiver. On October 15, the EACT Korea with 379 other CSOs sent a public letter to the SKG.¹⁵ We attached the PHM statement and columns in relation to the TRIPS Waiver to the public letter. The core message we tried to convey was as follows. Unless concrete steps were taken to address IP barriers at the global level, a serious accessibility issue would arise simultaneously as COVID-19 technology was released. We strongly urged the SKG to support the TRIPS waiver at the upcoming TRIPS council meeting and to issue compulsory licensing for rapid technology transfer, and prioritize people's health and lives over corporate monopolization.

The South Korean Ministry of Trade, Industry and Energy responded that supporting the TRIPS Waiver could have a negative impact on overcoming COVID-19, as it is still in the early stages of discussion at the WTO and could hinder innovation (or development) of COVID-19 vaccines and treatments. The SKG expressed its position not to support the TRIPS waiver at an informal TRIPS council meeting held on November 20, 2020 (Box 1). After that, we have called on the SKG to support the TRIPS waiver through various actions such as releasing statements and articles, presenting as well as participating in webinars, and distributing infographics (in both Korean and English).

¹⁵ People's Health Institute (2020). *[Joint statement with 379 CSOs] The SKG has to support the TRIPS waiver in order to COVID-19 prevention/suppress/treatment*. Retrieved from <https://bit.ly/3iLD3in>



[Box 1] A reply from the South Korean Ministry of Trade, Industry and Energy (November 19, 2020)

- A. Based on the recognition of the importance of the R&D, manufacture and equitable distribution of COVID-19 vaccines and treatments, various international cooperation is being promoted, and the Korean government is also actively participating.

Among others, the WHO launched ACT-A to promote equitable access to COVID-19 vaccines, treatments, and test kits, and the Korean government has also committed to contributing. In addition, the Korean government participated in the 'COVAX Facility', a multinational consultative body for the joint development and distribution of vaccines created by the WHO and the GAVI, and the COVAX AMC to distribute inexpensive vaccines for developing countries.

- B. Meanwhile, the proposal from India and South Africa about TRIPS waiver is currently in the early stages of discussion. Countries agree that humanitarian aid is needed for developing and the least developed countries, but they are also considering and discussing the fact that it could have a negative impact on overcoming COVID-19 by hindering the incentives to develop new drugs. In addition, in order to apply compulsory licenses more flexibly, it was also indicated that Article 31bis of the TRIPS Agreement revised in 2017 needs to be fully utilized.

- C. Recognizing that an effective intellectual property (IP) protection system is an important device for overcoming the health crisis as an incentive for innovation, we will actively contribute to international cooperation to improve access to medicines to overcome the global health crisis. To this end, we will actively participate in the discussions of the TRIPS council meetings in close communications with relevant ministries and stakeholders, and carefully review the impact of the IP system on public health while closely monitoring related trends. In view of these points, please understand that it is difficult to actively support the proposal of the India and South Africa TRIPS waiver at the meeting on November 20.

In spite of CSOs' requests, the SKG remained their official passive stance in supporting the TRIPS waiver. And the SKG still does not make any change in an ambiguous stance on TRIPS waiver, neither positive nor negative. The SKG claimed that a waiver of IP rights would prevent innovation in COVID-19 vaccines and treatments. Also, the SKG emphasized that they participated in the COVAX Facility for ensuring equitable access to COVID-19 vaccines. In fact, by mid-November 2020, when the 3rd COVID-19 wave began, the SKG stuck to their stance of COVAX Facility as its main channel to procure vaccines. Although it was unclear whether the SKG's persistence in the COVAX Facility was due to global solidarity, an excessive conceit of 'Korea's COVID-19 success story', too much faith in a COVID-19 treatment developed by Celltrion, or the result of combination of all these causes, it was worth to be examined further.

To understand the SKG's vague attitude toward the TRIPS waiver, we may take into account that there was another political event at the WTO. It was the election of the WTO Director-General. The election of the WTO Director-General, which began in September 2020, reached the final stage after two stages, but it was difficult to reach an agreement. And Yoo Myung-hee, the South Korean



Minister of Trade was a candidate who competed with Ngozi Okonjo-Iweala of Nigeria, who is currently the WTO Director-general.

104 members of 164 WTO member states appointed Ngozi Okonjo-Iweala as the next WTO Director-general, but the U.S. voted against it, putting the brakes on the final stage. The final stage of the WTO Director-general was not a vote but a consensus, so the U.S. opinion worked as a significant political factor.¹⁶ At that time, the Trump administration officially supported candidate Yoo Myung-hee and they sent their message to candidate Yoo through informal diplomatic channels, not to resign.¹⁷ For the SKG, becoming the head of an international organization meant strengthening its position in the global society, and the U.S (especially the Trump administration) supported candidate Yoo in order to check China.¹⁸

After starting the Biden administration, the WTO consensus quickly progressed. On February 5, candidate Yoo announced her official resignation, which was widely interpreted as a foreseen outcome.¹⁹

Considering the fact that SKG still does not support the TRIPS waiver, the possibility cannot be ruled out that the SKG has delayed any position for the TRIPS waiver due to the election of the WTO Director-General. Or, the SKG may have recognized the WTO election as a separate issue from the TRIPS waiver.

Korean CSOs also did not expect the SKG to make a progressive decision outside a boundary of the current pharmaceutical regime, even if candidate Yoo was elected. The candidate Yoo herself did not express any official opinions on either the TRIPS waiver or IP issues during the election, but on May 26, 2021, the former candidate Yoo said that "The principle is that IP protection should be respected as the basis of innovation." at the WTO Ottawa Group Trade Ministers' Meeting.²⁰

¹⁶ BBC News (2020). US tries to block Ngozi Okonjo-Iweala, who would be first African WTO head. *BBC News*. Retrieved from <https://bbc.in/2Vc1Fsy>

¹⁷ Han, YK. (2020). [Exclusive] Yoo Myung-hee visited the U.S., gave up on the WTO?. *Maeil Business Newspaper*. Retrieved from <https://bit.ly/3y7coDk>

¹⁸ The Chinese government officially announced its support for candidate Ngozi Okonjo-Iweala.

¹⁹ Jeong, E. (2021). WTO Leadership Race Narrows to One After South Korean Candidate Exits. *The Wallstreet Journal*. Retrieved from <https://on.wsj.com/3rxCFbs>

²⁰ Yoon, BR. (2021). The government, "Respect the principle of protecting intellectual property rights" in response to the vaccine waiver proposal. *Yonhap News Agency*. Retrieved from <https://bit.ly/2ULAuow> (in Korean).



[Figure 2] Illustration for the PHI column on April 26, 2021, titled '[Can we defeat vaccine nationalism?](#)'

3.3. Stage 3: Standing with the TRIPS Waiver Proposal (February 2021 - June 2021)

This stage is twofold, as 'a third way' statement by the WTO Director-General and the U.S. government's support for the TRIPS Waiver needed to be separately treated as different waves and moves.



(1) Wave 1

On February 13, 2021, Ngozi Okonjo-Iweala, Director-General of the WTO, called for ‘a third way’ towards scaling up the manufacturing of COVID-19 vaccines in her inaugural speech.

“There should be a “third way” to broaden access through facilitating technology transfer within the framework of multilateral rules, so as to encourage research and innovation while at the same time allowing licensing agreements that help scale up manufacturing of medical products. Some pharmaceutical companies are already ahead of the game because they are doing this. [...] Facilitating such arrangements will enable the WTO to support the WHO ACT-Accelerator, especially the COVAX facility to get affordable vaccines quickly to poor countries. (Okonjo-Iweala, 2021)”²¹

Her address was either welcomed or criticized by A2M activists; some activists read the speech as a signal for a more realistic move for enabling equitable access to COVID-19 vaccines especially because the TRIPS Waiver proposal had come to a deadlock for months; others raised a possibility that the third ways suggested by Okonjo-Iweala, which rely on spontaneity by Big Pharma, would divert global solidarity for pushing the proposal (e.g., see Green, 2021).²²

Along with the controversial speech, this period was also the time that regional institutions such as the European Union and African Union sought alternatives for access to COVID-19 vaccines in the region.

At this time of the renewed wave of local- and region-oriented strategies, EACT Korea discussed whether the slogan and target of EACT Korea need to be revisited or revised in accordance with the global contexts explained above. This was also when several Korean firms already made--or were about to make--a CMO contract with COVID-19 vaccine companies, and sticking with the campaigns for the TRIPS Waiver would have a potential of losing existing supporters, given the fact both the SKG and the majority of the wider public welcomed the CMOs.

In asking the main target projecting forward, EACT Korea had several meetings with PHM, EACT, and other advisory colleagues. Eventually, the project team agreed that EACT Korea will still hold the support for the TRIPS Waiver as the main strategy instead of rising voice on local manufacturing or scaling-up.

Hence, from February to April 2021, EACT Korea and PHM Korea member organizations continued the campaign activities for the TRIPS Waiver such as holding a press conference in front of the National Assembly and writing newspaper articles about the TRIPS Waiver and vaccine IPs. During this time, EACT Korea and PHM Korea published one Issue Brief, three statements of opinion, and four news articles (listed in Annex). Also, PHM Korea had played a decisive role in fourteen Korean lawmakers’ motion for a Resolution for TRIPS Waiver for COVID-19 Response, which was published on April 5. On April 29, PHM Korea and other Korean CSOs, including Jang

²¹ Okonjo-Iweala, N. (February 13, 2021). Statement of Director-General Elect Dr. Ngozi Okonjo-Iweala to the Special Session of the WTO General Council. *World Trade Organization*.
https://www.wto.org/english/news_e/news21_e/dgno_15feb21_e.pdf

²² Green, A. (March 5, 2021). TRIPS waiver tripped up in WTO by 'third way'. *Devex*.
<https://www.devex.com/news/trips-waiver-tripped-up-in-wto-by-third-way-99329>

Hye-young of the Justice Party, held a national-scalar press conference calling for a serious attention to the TRIPS Waiver.

PHM Korea at this period also participated in criticising xenophobic policies by the government related to access to COVID-19 technologies and disinfection at the local level. Members of EACT Korea continued the colloquium about COVID-19 and human rights (see subsection '4.6' in Section 4) and published several op-eds regarding this topic.



[Figure 3] Photo of the press conference in front of the National Assembly on April 29, 2021, titled '[COVID-19 vaccines are global public goods! Save lives with waiving IPs!](#)'

(2) Wave 2

In early May, United States Trade Representative Katherine Tai declared her support for the waiver of intellectual property rights under the TRIPS Agreement. South Korea's trade and economy overall has been heavily relying on the U.S., so this announcement gave expectation to the EACT Korea campaigners that the SKG might publish a similar statement. But nothing was declared by the Moon administration and PHM Korea kept making a variety of voices and activities towards the TRIPS Waiver proposal. This was also the time CMOs between global Big Pharma and South



Korean pharmas received publicity and the SKG created a Task Force team for making South Korea a global vaccine hub, titled a “Vaccine Hub-ization TF” (Choon, 2021).²³

Since this period, the EACT Korea has met a challenge between the global responsibility discourse that PHM kept continuing and the ‘boosting Korean industries for global supply’ rhetoric that the SKG has started to actively push. Our core claim was that the Korean government and people should focus more on the affordable price and transparency of vaccines rather than putting efforts into making Korea famous and profitable through vaccine technologies. For this goal, what was most important was support for the TRIPS Waiver Proposal by the SKG and then more CMOs by doable middle and low income countries. In arguing this, EACK Korea and PHM Korea published one Issue Brief and several op-eds regarding public manufacturing and COVID-19 issues in South Korea and other countries like Canada and India (see Annexes).

During this wave, EACT Korea especially kept its efforts to communicate with governmental bodies. On May 21, Korean President Moon Jae-in and U.S. President Joe Biden met in the in-person summit. We sent an open letter to the two leaders and asked for the support for the TRIPS Waiver on the submit agenda (Box 2, [sic]).

[Box 2] An open letter to President Joe Biden and President Moon Jae-in (May 20, 2021)

Your Excellencies,

COVID-19 is causing more than 100,000 casualties everyday around the world. Although the vaccines to prevent this infectious disease that has threatened the world has been invented, it is not clear that people in developing countries can be vaccinated by next year. This is because of the pharmaceutical companies that do not share the technology for profit, and wealthy countries that monopoly the vaccines and restrict their exportation. While some countries have vaccines left and provide them even to tourists who visit their cities, in some countries, even a single person has not been vaccinated because they have not been able to secure the vaccines. It is a moral catastrophe for humanity, people are dying from the infectious disease because vaccines are not supplied in time.

Unless everyone is safe, no one is safe. This is the reason why everyone has to combat COVID-19 pandemic together. If vaccine production is absolutely inadequate, there should be no hesitation on the choice to increase the production. When the companies that have succeeded in developing COVID-19 vaccines do not transfer their technology, the international community should point this out in one voice, and share the vaccine technology in order to dramatically increase its production.

President Biden has declared his support for a temporary waiver of the vaccine patents, since the global civil society and international community strongly criticized the vaccine monopoly policies that he had long supported. Meanwhile, President Moon Jae-in still keeps silent on the proposal for a patent waiver, although he has emphasized the importance of international solidarity and cooperation to overcome the infectious disease from the beginning of the COVID-19 crisis.

²³ Choon, C. M. (May 26, 2021). Deals with US a step forward for S. Korea’s vaccine hub ambitions. The Straits Times.

<https://www.straitstimes.com/asia/east-asia/big-step-forward-for-south-koreas-vaccine-hub-ambition-but-country-still-faces>



The Republic of Korea also has to officially support a waiver of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), at the upcoming ROK-U.S. summit. The United States must transfer the vaccine production technology to other countries, including the Republic of Korea, and vaccines developed with transferred technology should be used for developing countries. In addition, the Republic of Korea has to secure domestic vaccine production facilities and equipment in order to produce the vaccines sufficiently.

We urge the following to the leaders of the Republic of Korea and the U.S. who will soon hold the summit, hoping both governments actively take part in addressing the vaccine inequality.

- We urge both governments to declare that the vaccines and medical supplies for COVID-19 are public goods for humanity and present a concrete action plan for its global fair use
- We urge the government of the Republic of Korea to officially support a waiver of WTO TRIPS proposed by developing countries
- We urge the U.S. government to lift the export restriction on COVID-19 vaccines and its raw materials.
- We urge both governments to propose a specific action plan for vaccine production technology which was developed by the U.S. to be transferred to other countries including the Republic of Korea.
- We urge both governments to propose compulsory measures on companies in both countries to make sure the medical technology for COVID 19 can be used freely around the world.

May 20, 2021

This open letter is endorsed by below civil society organizations and individuals in the Republic of Korea:

Organizations

Act Now Nurse

April revolution association

Center for Freedom of Information and Transparent Society (CFOI)

Center for Health and Social Change (CHSC)

Alliance for Anti-Privatization and Universal Health Care

Health Right Network (HRN)

IPLeft

Korean Federation medical activist groups for Health Rights (KFHR)

Korean Health & Medical Workers' Union (KHMWU)

People's Health Institute (PHI)

People's Health Movement Korea (PHM Korea)

Korean Pharmacists for Democratic Society (KPDS)

Korean Progressive Network Jinbonet

Korean Public Service and Transport Workers' Union (KPTU)

PEOPLE'S SOLIDARITY FOR PARTICIPATORY DEMOCRACY (PSPD)

People's Solidarity for Social Progress (PSSP)

Individuals

Kyeong-yeon Kang, Kang bong ju, SuJin Kang, Kang A Ra(KPDS), Jiwon Kang, Kang heoy jin,



Go Na Gyeong, Ko Donghwan(Korean pharmacists for democratic society), Go Anna, Ko eunhwa, Kwon Yonmi(Korean Pharmacists for Democratic Society), Kwon Osung, Kee dong seu, Sujin Ki, Kim gablyoun, KEONWOO KIM, Kim Kyong A(The Korean Pharmacists For Democratic Society), Kyunghan Kim, KIM KIEUN, Nayul Kim, Dayeon Kim(), Daum Kim, Kim Dahae, Kim Dong gyun(Korean Pharmacists for Democratic Society), Kim DongEun(ChungHan), KIM MYUNG SUB, Kim Mi Hyui, Kim Minjung(Korean Nurses association for health rights), Kim Byung Jae, Bo-Yung Kim(Yeungnam University), Kim bo cheol(Korean Pharmacists for Democratic Society(KPDS)), Kim bonghwa, Saerom Kim(People's Health Institute, Korea), Sun Kim(People's Health Institute), Kim Sun Young, Seongeun Kim, Kim Sungjin, Sumi Kim, KIM SUMIN, KIM SOO HYUN, Kim Yongwon, Kim In Hyun(Korean Pharmacists for Democratic Society (Ulsan district)), Kim Jay, Jae-cheon Kim, Kim Jaeheon, Kim Jungwook, JOEUN KIM(Center for Freedom of Information), Kim Jong-bo(MINBYUN – Lawyers for a Democratic Society), Jimin Gim(People's Health Institute), Kim Jinwoo, Kim Jin-Hwan, Chanki Kim(Graduate school of public health, Seoul national university), Chang Hoon Kim, Kim Tae Hee, Hani Kim(Bill & Melinda Gates Foundation), HYUNJU KIM(Korean Pharmacists for Democratic Society), Hoyoel Kim, Na sun ja(bogun.nodong.org), Koryong Nam, Nam Tae Woo(daegu cinematheque), Ryu Song Mun, Jiwon Ryu, Ri Hwasoo(Npclu), Daseul Moon, Mun Jong Hun(Korean Pharmacists for Democratic Society (Ulsan district)), Min sodam, Su jeong Min, Miran Park, Park Min Duk(bogun.nodong.org), Park Min Hye, Sung Yoon Park(KAIST STP), Park So Yeon(Korean Pharmacists for Democratic Society(KPDS)), Park Seunghee, park young gyu, Yong Park(Association of Korean Medicine Doctors for health rights), Jooyoung Park, Park Han-na, Hyekyung Park, Park Hye Jung, Bae Sang Su, Jung Ran Bae(Korean Pharmacists for Democratic Society), Paek Kwang Nam(Korean Pharmacists for Democratic Society(KPDS)), Boonanri, SangHee Suh(People's Health Institute), SEO EUNSOL(Korean Pharmacists for Democratic Society), SUK DONGHYUN, Youron Sung, Jughwan Soh(korean pharmacists for democratic society), Sohn Dong Gyun, Suin Sohn(graduate school of public health, seoul national university), Chaeyoon, Son, Miok Song(Korean Pharmacists for Democratic Society), SONG SEON YEONG, Shin Kwonhee(Korean Pharmacists for Democratic Society), Sung jin shin, Youjung Shin(KAIST), Shin Hyangsoon, ShinHyung Keun, Sim Huijun(Association of Korea Doctors for Health rights), An kyung ok, AN KWANG YEOL(KPKYP), Dohee Ahn(Seoul National University), Joongsun Ahn(Association of Korea Doctors for health rights), Mi-kyung Yang, Yang Saerom, Yang Jin-Hwan(Korean Pharmacists for Democratic Society (Ulsan district)), Yang Hyounjoo(KPDS), YANG HYO JYEONG, Um kwi hyun(Korean Pharmacist for Democratic Society), Eum mee ae(Hwajeonmaeul), Nanhee Oh, RoRa Oh(Seoul National University), SungHee Oh(Korean Public Service and Transport Workers' Union (KPTU)), Oh SeungWoo, OH SEUNG HEE(Korean Pharmacists for Democratic Society), Oh young ran, Oh you me(Korean pharmacists for Democratic Society), JEONGA OH(Korean Pharmacists for Democratic Society), Oh Joung-hwan, Won jayoung, Yoo Kyungsuk, Yoo Khyung Hye, Yu Daehyoung(Korean Pharmacists for Democratic Society), Yoo Young Sun, You JeongTae, Hea Ryun Yu(Korean Pharmacists for Democratic Society), Yun Young Chol(korean pharmacist for democratic society), Jae Sik Eun, Li gyeong min, Yi Kyoungmin, lee kyung jin, KYOUNGHOON LEE(Korean Pharmacists for Democratic Society), Lee Go Eun, LEE KWON EUI, LEE GUE WHA(Korean pharmacists for democratic society), LEE DEOK SIN, Lee do hoon, Dong-gun Lee(Korean Pharmacists for Democratic Society), Lee Myung Hee(Korean Pharmacists for Democratic Society), Lee mi jin, Mihyeon LEE(People's Solidarity for Participatory Democracy), Rhee pyengdo(Korean Pharmacists for Democratic Society), Lee Seo Young, LEE SUK JIN, Lee Young Ju(Korean Pharmacists for Democratic Society), Jaeeun Lee, Lee JungMan, Jane Lee(Seoul National University, Graduate School of Public Health), Lee Jeong hyeon, LEE JE YEON, Ju-Yeun Lee(The Department of Public Health Science, Graduate School of Public Health, Seoul National University), LEE JUHWA, LEE Chanjin(PSPD), Taejin LEE(Seoul National University), Lee hyunseok(APH), LEE hyunhee(The Korean Pharmacists of Democratic Society), Heyrin lee, Lim Dayeon, Lim Seonyoung(Korean Pharmacists for Democratic Society (Ulsan



district)), So Hyung Lim(People's Health Movement Korea), Y.S Lim(Korean Pharmacists for Democratic Society(Ulsan district)), Lim Ikguen, Im hee jung, Youngbae Chang(KUPRP), Eun Jee Chang, Jeon Kyungrim(Korean Pharmacists for Democratic Society(KPDS)), JEON SEHEE, Eunkyung CHEON, Jinhan Jeon, Jung Kyung Ee(Korean Pharmacists for Democratic Society), Jung Gue jin, Dongman, Jeong(Korean Pharmacists for Democratic Society), Jeong Seong Sik, MayChung(graduate school of public health, Seoul National University), Jung lee young, Jeong Jiyun(Graduate School of Public Health, Seoul National University/ Neulpeum pharmacists' assoc, Jung Jinim, SANG GUEN CHO, Cho Yunmi, Hyunok Cho, CHO HUIHEUN(People's Solidarity for Participatory Democracy), JU MI SUN(KPTU), Joo Hyun ok(Korean Pharmacists for Democratic Society (Ulsan district)), Byeong Soo Jin, Cha Mirae, Ji eun cha, Chae, Minseok, Mun-ho Cheon(Korean Pharmacists for Democratic Society), Goonyun Choi, Choi Kyujin(Association of Physicians for Humanism), Bongjoo Choi, CHOI SEOG GOU, Sukyoung Choi, SHIN-AE CHOI, Choi Ickjoon(Korea Pharmacists for Democratic Society), Jinhye Choi(Neulpeum pharmacist association), Trump Choi, Ha mihyun(Korean Pharmacists for Democratic Society), SOJEONG HA, Jiwoo Ha, Han Ki-myung, Han kiju, HAN MIYOUNG, Han Songhee(Korean Pharmacists for Democratic Society(KPDS)), AE RA HAN(Association of Physicians for Humanism), HAN, Jae-kak(Korea Climate Justice Forum), Heo Jinkyung(Korean Pharmacists for Democratic Society(Ulsan district)), Hwang jae young(Korean Pharmacists for Democratic Society (Ulsan district)), Hwang Hae Peong(korean pharmacists for democratic society)



4. Situational case studies on Korean pharmaceutical systems and A2M amid COVID-19

4.1. Public R&D in South Korea (January, 2021)

Since the COVID-19 pandemic, the SKG has pledged full public support for the development of 'Korean' COVID-19 vaccines and treatments. Public funding is one of the core strategies of medicine R&D, and the COVID-19 pandemic has also provided a huge amount of financial support to the Korean vaccines and treatments. The SKG supported the commercialization of publicly funded R&D conducted by pharmaceutical companies, and in the process, the R&D output, such as patents or technology of public research institutes were exclusively licensed to the relevant companies. We insisted that R&D outcomes and benefits should be enjoyed by all people and society, since COVID-19 vaccines and treatments were developed with the taxpayers' money. And we further emphasized that the global society should enjoy all of these benefits. This is because not only because of the R&D fund, but also the efforts of research participants who contributed their valuable bodies to the clinical trials should be considered. In other words, it is international common sense to fight infectious diseases together, sharing the achievements and enjoying the benefits of R&D.

Our first EACT Korea brief contains the contents described above.²⁴ To provide evidence to support our argument, we searched for relevant official data systematically. Data was mainly extracted from the National Science and Technology Information Service (NTIS), which contains public R&D information including programs, projects, human resources and outcomes. According to the NTIS, the SKG supported a total of 11.6M USD as a public R&D for COVID-19 vaccines in 2020. Four vaccine candidates were supported by the public R&D, all of which were developed by South Korean pharmaceutical companies. The most publicly funded company was Genexin which received 8M USD, and SK Bioscience, Cellid, and Jinwon Life Science also received 2.6M USD, 0.6M USD, 0.1M USD respectively (Table 1).

[Table 1] Public R&D for COVID-19 vaccines in South Korea

Company	Vaccine Candidate	R&D Management Sector	Subject of R&D Project (project code)	Amount of Public R&D (USD)
SK Bioscience	NBP2001	Ministry of Health and Welfare	Discovery of new coronavirus treatment and vaccine candidates (1465031161)	87,912
		Ministry of Trade, Industry and Energy	Derivation of Bioindustry (1415169516)	1,063,736
		Ministry of Health and Welfare	Support for clinical trials of COVID-19 vaccine candidate	1,406,593

²⁴ EACT Korea (2021). *[PHM Brief] Who has the right to use public R&D outcomes?*. Retrieved from <https://bit.ly/3BX1KRX> (in Korean).



			(1465032196)	
Cellid	AdCLD-Co V19	Ministry of Science and ICT	Development of technology for new-emerging/mutant virus (1711120263)	615,384
Jinwon Life Science	GLS-5310	Ministry of Health and Welfare	Discovery of new coronavirus treatment and vaccine candidates (1465031356)	127,473
Genxin	GX-19N	Ministry of Food and Drug Safety	Safety management of prevention of biological product and infectious disease (1475012149)	105,494
		Ministry of Health and Welfare	Support for clinical trials of COVID-19 vaccine candidate (1465031888)	8,149,450

Source: National Science & Technology Information Service (n.d.).²⁵

The first issue brief was uploaded to PHM Korea Facebook and PHM Korea blog, and we also issued a press release, titled ‘Who has the right to use public R&D outcomes?’ so as to share our actions with the public.²⁶ Korean daily newspapers, *Hankyoreh* and the *Kookmin Ilbo*, also covered the issue brief as an article on February 3, 2021.²⁷⁻²⁸

4.2. Korean firm Celltrion’s Regkirona (From November 2020 to February 2021)

SK civil society has continued to critically monitor and publicize the development process of Regkirona, a treatment for COVID-19 by Celltrion, a Korean pharmaceutical company, and the SKG’s intervention in it. This movement started in earnest in September last year and was led by Korean Pharmacists for Democratic Society (KPDS), a SK civil society organization and also a member organization of PHM.

On September 8 2020, the Korea Disease Control and Prevention Agency (KDCA) announced in a regular briefing that the COVID-19 antibody treatment being developed by Celltrion was being reviewed by the Ministry of Food and Drug Safety for phase 2 clinical trial and ‘it plans to mass-produce it for commercial use.’ They corrected this afterwards, but the prices of the related stocks soared on that day. And the next day, KPDS published a comment titled, ‘What the

²⁵ National Science & Technology Information Service. (n.d.). *Public R&D organizations*. <https://bit.ly/3kSUDDN> (in Korean).

²⁶ KPDS (2021). [Press release] *Who has the right to use public R&D outcomes?(relating PHM issue brief)*. Retrieved from <https://bit.ly/3l06gsh> (in Korean).

²⁷ Kim, JH. (2021). The reason why health organizations argued that “A revenue from vaccines and treatment should be shared with people. *Hankyoreh*. Retrieved from <https://bit.ly/3rxZyeV> (in Korean).

²⁸ Kwon, NY. (2021). Developing vaccines and treatments by tax, ... but pharmaceutical companies’ monopolies those profits. *Kookmin Ilbo*. Retrieved from <https://bit.ly/3rAgBg7> (in Korean).



government should do is to protect the people, not to promote pharmaceutical companies'.²⁹ According to this, this treatment actually completed phase 1 clinical trial at that time and data was being compiled, and the plan for a clinical trial to confirm the effect of the treatment was only at the stage when approval was not made. KPDS argued that the SKG should not give people hasty expectations at this point. In addition, they argued that if the purpose is informing the government's efforts, it is more urgent to explain why the supply of Remdesivir was not smooth in Korea, and to explain its position on future supply expansion and compulsory licensing.

On November 17, some ruling party's leaders, including one of the presidential candidates in South Korea, visited the Korea National Enterprise for Clinical Trials (KONECT) and participated in the campaign to pledge to participate in clinical trials of domestically developed therapeutics and vaccines. Also, Celltrion's Chairman Seo Jeong jin spoke about the difficulties of clinical trial subjects and announced a plan to obtain approval from the Ministry of Food and Drug Safety in December. The next day, KPDS published a comment titled 'Politicians should stop piggybacking off the development of vaccines and treatments for COVID-19'.³⁰ In this comment, they argued that politicians should be careful in intervening in the development of technologies related to COVID-19. In addition, in order to prevent the development of COVID-19 vaccines and treatments from being used for political purposes, they argued that (1) politicians should stop intervening and pharmaceutical companies should refrain from making financial gains from the technologies, (2) the results of clinical trials approved by the Ministry of Food and Drug Safety should be transparently disclosed, and (3) the developed technology and patents be shared equitably not only in Korea but also around the world.

In December 2020, Celltrion announced that it had completed phase 2 of clinical trials of Regkirona and submitted an application for approval to the Ministry of Food and Drug Safety. KPDS has issued a statement calling for the transparency of the result of the clinical trials of this treatment.³¹ The statement said that as public funds were invested in this treatment and the Korean National Institute of Health jointly researched, the SKG and the Ministry of Food and Drug Safety should transparently disclose the results of the clinical trials.

In January 2021, the SK civil society issued another statement demanding transparent and accurate information on this treatment.³² The statement criticized the treatment's insignificant impact on the prevention of the spread of the COVID-19 and that information was not transparently disclosed, and pointed out that nationalism and the stock market put this treatment as the key breakthrough to defeat the COVID-19.

After that, in February 2021, after the treatment was approved, KPDS published an op-ed claiming to transparently disclose the research process and results and to transfer the technology around

²⁹ KPDS (2020). [Comment] What the government should do is to protect the people, not to promote pharmaceutical companies. (2020.9.9) Retrieved from <http://www.pharmacist.or.kr/node/14730>

³⁰ KPDS (2020). [Comment] Politicians should stop piggybacking off the development of vaccines and treatments for COVID-19 (2020.11.18). Retrieved from <http://www.pharmacist.or.kr/node/14973>

³¹ KPDS (2020). [Statement] The government should transparently disclose and evaluate the clinical trial results of Celltrion treatment (2020.12.31) Retrieved from <http://www.pharmacist.or.kr/node/15032>

³² Korean Federation Medical Activist Groups for Health Rights (KFHR) (2021) [Statement] We demand the disclosure of transparent and accurate information about Regkirona. (2021.1.18) Retrieved from <http://www.pharmacist.or.kr/node/15034>



the world based on the fact that the treatment received numerous financial and institutional public support from the initial stage of development.³³

To summarize, SK civil society led by KPDS kept the movement about the Celltrion's Regkirona, the COVID-19 treatment, from September 2020 to February 2021. This series of criticism and advocacy movements have actually faced numerous criticisms and counterattacks from the nationalists and shareholders of the company.

4.3. The TRIPS Waiver Proposal and Korean societies (March 2021)

In this brief, we summarized the global initiatives and platforms devised after the COVID-19 including the waiver. Next, we summarized the progress in which the waiver was proposed and discussed at first, introducing and refuting issues such as technological innovation through the intellectual property regime, the sufficiency of voluntary licensing and flexibilities, and why the waiver should be supported. Finally, the brief explained the expected situation in South Korea if the waiver is passed or not. If passed, countries with production capacity for COVID-19 technology would have the basis to produce related technology, and access would be enhanced if governments and pharmaceutical companies actively cooperated. On the other hand, if the waiver is not passed, it was expected that high prices would continue and accessibility would be impaired. In conclusion, the brief demanded that the SKG should take active action in the global community, such as using compulsory licensing, encouraging technology transfer, and implementing public control from the R&D stage. In addition, companies were required to share research results through C-TAP or MPP, and civil society and academia were required to continue monitoring and advocacy. This brief also attached as an appendix to the press release of a press conference urging the SKG to support the waiver proposal. Box 3 below shows the detailed requirements in the brief.

[Box 3] Requirements in brief about TRIPS Waiver

What the SKG should do

- The role of the SKG, which has received worldwide attention as a leader in the prevention of COVID-19, is important. Raising the issue of the current IP rights system that follows only the logic of profit even under an unprecedented pandemic and supporting the TRIPS Waiver proposal is to leave an important milestone in the world and to elevate Korea's status as an advanced country in quarantine.
- There are also various measures that the SKG can take. For example, if a treatment or vaccine for COVID-19 is not supplied smoothly or the price is excessively high, the 'compulsory license for government use' must be invoked pursuant to Article 106 (2) of the Patent Act, as the government has declared several times. According to Article 107 of the Patent Act, a 'compulsory license for export' to countries with insufficient production capacity may be invoked. In addition, domestic companies, universities, and public research institutes can share essential medical technology for COVID-19, such as diagnostic kits and treatments, and intellectual property rights related to products, and

³³ KPDS (2021). [op-ed] Regkirona should be a model that the whole world can use, not just Korea. (2021.2.10) Retrieved from <http://www.pharmacist.or.kr/node/15048>



encouraging technology transfer.

- In addition, the SKG should explore various possibilities of public control from the R&D stage of technology to its supply in order to improve access to essential medical technology. For example, the government should be active, such as public control of technologies invested by the government or developed by public research institutes or products produced by public production facilities, and promoting the establishment of public R&D/production/supply systems.

What Korean companies and research institutes such as universities should do

- Research institutes such as companies and universities should share R&D data and results through C-TAP, a global platform for removing patent barriers, and the Medicines Patent Pool (MPP) in a global health crisis. In addition, they must fulfill their social responsibility as a company that has been helped by the nation and citizens by cooperating to increase production in all parts of the world through active technology transfer.

What Korean civil society and academia should do

- Continue to monitor and advocate for what has been developed and patented, whether public funds have been invested in these technologies, whether the prices are accessible etc.
- We must suspend the exclusive right to domestically researched or developed COVID-19 technologies through open letters, statements, signature campaigns, debates, etc., and press the Korean government and companies to share the technology globally.
- We should publicize a variety of options that can be used by governments in Korea and around the world to increase production and lower prices, such as how pharmaceutical companies can transfer their technology to countries and companies with production capacity.
- COVID-19 isn't the first time that IP rights have caused access issues and COVID-19 adds visibility to a problem that has been around for decades. The TRIPS Waiver is limited to related technologies in the COVID-19 situation. Therefore, continuous monitoring and advocacy activities are required to expand or secure access to all kinds of essential and orphan drugs in the post-COVID-19 era.

4.4. The COVID-19 diagnostic kits industry in South Korea (June 2021)

The SKG made emergency approval on several COVID-19 diagnostic kits at the early stage of the pandemic in 2020. Since then, many exemptions and deregulations were further made, but the public responsibility and accountability that the SKG and the testing kit firms should show have rarely been discussed. In this brief of the diagnostic kits industry under the COVID-19 in South Korea, we traced what kinds of exemptions and deregulations were offered from the government to the Korean testing kit companies including exclusive licensing of the public R&D outcomes to private firms, the government's funding R&D processes and costs to the firms, and supporting manufacturing and exports of these Korean testing kits. In conclusion, we called for the monitoring



by and accountability of the SKG towards more public returns about the profits of the testing kit companies supported and funded by the wider public.

4.5. Public manufacturing in South Korea (July 2021)

After the 'ROK-US Vaccine Partnership' which was agreed during the ROK-US high-level summit at Washington DC held on 21 May, the SKG has been quickly pushing for a project, so-called 'South Korea as global vaccine hub'. The SKG announced that they prepared various types of policies to support making South Korea a global vaccine hub, and the Korean Intellectual Property Office announced on 22 June that they would enact the accelerated examination for COVID-19 vaccines over the next year.³⁴ This was the SKG's official stance to support IP monopolies, and Korean CSOs immediately opposed this drive. Pharmaceutical companies' IP monopoly is a fundamental cause of the COVID-19 vaccine shortage that the global society has faced. Many manufacturing facilities that possess vaccine production capacities are not being utilized due to the IP monopolies, and all countries have been competing with each other for vaccine purchases. EACT Korea criticized the intellectual monopoly of pharmaceutical companies along with the SKG's current IP monopoly policy, and insisted the SKG utilize public production facilities for public health for all, not for industrial purposes.

As we all knew, COVID-19 vaccines should function as global public goods rather than as products for pharmaceutical companies' profit-seeking purposes, since COVID-19 vaccines were developed by a significant amount of public R&D support. Although an enormous amount of public funds has been allocated to build public manufacturing facilities, the very existence of public manufacturing capacity was relatively less well known than public R&D even during this pandemic. There are four major public manufacturing facilities in South Korea, the public CMO for Animal Cell-based Vaccines in Andong, the public CMO for Microbial-based Vaccines in Hwasun, the Biopharmaceutical Research Center in Hwasun, the Korea Biotechnology Commercialization Center in Songdo, and all facilities have mass production capacities of vaccines. However, these public facilities currently served as a CMO for vaccines being developed by pharmaceutical companies rather than performing a public function itself. In short, public manufacturing facilities, which were established with 100% public funds, were producing COVID-19 vaccines being developed by pharmaceutical companies, without public control, under vague aims such as fostering bioindustry and revitalizing the economy.

In order to promote public scrutiny and control over the public vaccine manufacturing capacity, EACT Korea brief, titled 'Who has the right to use COVID-19 vaccine produced by public manufacturing facilities?', investigated the capacity of public vaccine manufacturing facilities in detail, and the current contract status of COVID-19 vaccine CMO (Table 2). We used the information available online and also criticized the SKG for failing to disclose full relevant information despite our constant request.

³⁴ KIPO (2021). An enactment of accelerated examination for the COVID-19 vaccines. Retrieved from <https://bit.ly/36Y12pa> (in Korean)

[Table 2] Manufacturing capacity and contract status of public manufacturing facilities in South Korea

Region	Andong		Hwasun				Songdo	
			The public CMO Microbial-based Vaccines		The Biopharmaceutical Research Center			
Manufacturing Step	Drug Substance + Fill & finish		Drug Substance + Fill & finish		Drug Substance + Fill & finish		Drug Substance + Fill & finish	
Manufacturing Capacity	Drug Substance	1,600L (200L×3, 1,000L×1)	Drug Substance	1,450L (50L×1, 200L×2, 1,000L×1)	Drug Substance	Animal and microbial cell	Drug Substance	Animal cell: 4,500L (1,000L×4, 500L×1); Microbial cell: 500L (500L×1)
	Fill & finish	Isolator (12,000 vial/hr); Prefilled Syringe Filling (10,000 dose/hr)	Fill & finish	Isolator	Fill & finish	Isolator (2,200 vial/hr); Prefilled Syringe Filling (4,500 syringe/hr)	Fill & finish	Isolator (7,200 vial/hr); Prefilled Syringe Filling (22,000 dose/hr)
COVID-19 Vaccine manufacturing contract	Jul. 2020: Cellid and Sumagen & LG Chemicals; Feb. 2021: Sputnik V (drug substance)		Sep 2020: Genexin		Nov 2020: Cellid		May 2020: Genexin (clinical trial vaccine); Feb. 2021: Sputnik V (drug substance)	

Source: People's Health Movement Korea (2021).³⁵

Like other briefs, we also issued a press release for this and one of the Korean daily newspapers, *Healthtapa*, reported on the issue.³⁶⁻³⁷

³⁵ People's Health Movement Korea. (July 5, 2021). 'Who has the right to use COVID-19 vaccines produced in public manufacturing facilities?' Retrieved from <https://bit.ly/3A0Fm8b> (in Korean)

³⁶ KPDS (2021). [Press release] What Korean public manufacturing facilities have been done in the COVID-19 era. <http://www.pharmacist.or.kr/node/15173> (in Korean)

³⁷ Healthtapa (2021). Public vaccine manufacturing facilities established by public money, but profits from those facilities are monopolized by pharmaceutical companies? Retrieved from <https://bit.ly/36YxxUa> (in Korean)



4.6. Equitable vaccine distributions for the marginalized population in Korea **(From January 2021 to April 2021)**

As mentioned earlier, Korean civil society has continuously disseminated discourses on distributive justice in South Korea. We kept monitoring after the national vaccination plan was announced. For example, from January to March 2021, around the national vaccination program, the ‘Consecutive colloquium of human rights and civil society organizations on COVID-19 Vaccination’ was held six times. The colloquium was held to hear the voices of the citizens under the principle of ‘people-centered perspective’ and ‘dignity and equality’. We met with the disabled, homeless, migrant workers, essential workers, people living with HIV/AIDS and care workers every other week and emphasized the role of civil society and of the public healthcare system, going beyond distributive justice. In addition, a report summarizing the contents of this colloquium was published in April 2021.



5. Concluding notes

This report shows key findings and efforts of the EACT project in Korea during one year in the middle of the COVID-19 pandemic. In conclusion, we highlight the significance for both global solidarity and research and monitoring activities for equitable access to COVID-19 related tools and technologies, as well as for overcoming IP barriers in the future. We hope this report functions as a reference for the organization of upcoming campaigns for A2M and Health for All.



Annexes

An annexe contains major actions that EACT Korea had done over the past 12 months. Our actions such as releasing public statements, interviews, and holding a press conference have been covered in mass media several times, but those information are not introduced in this report due to the space limit. The listed sources are produced or written in Korean in the following and unless otherwise stated.

Annexe 1. Public R&D and IP

- [Webinars] Donggeun Lee (KPDS and PHM Korea) gave a presentation titled 'The current use of COVID-19 therapeutics in the health care system' for PHI webinar "[COVID-19, who should we save first?](#)" on July 23, 2020
- [Statements or public letters] KPDS published a statement titled '[What we ask a new chief of Ministry of Food and Drug Safety \(MFDS\), Kim Kanglip](#)' on November 3 2020.
- [Statements or public letters] KPDS published a statement titled '[The politicization of development of COVID-19 vaccines and treatments by the politicians must be stopped](#)' on November 18, 2020.
- [Policy Forums] Hongjo Choi (PHM Korea) and Donggeun Lee (KPDS and PHM Korea) made a speech at an online forum titled '[Access to medicines in the Covid-19 era](#)', co-hosted by members of National Assembly, CHSC, KPDS, Knowledge Commune and Commons Foundation on December 2, 2020.
- [Op-eds, columns or articles] Hongjo Choi (PHM Korea) wrote an article titled '[What will be the appropriate price for a publicly funded COVID-19 vaccine?](#)' on December 17, 2020.
- [Op-eds, columns or articles] An article with Sun Kim's interview titled '[Who is the COVID-19 vaccines and treatments for?](#)' was published on January 5, 2021.
- [EACT Korea brief] '[Who has the right to use public R&D outcomes?](#)' was published on February 1, 2021.
- [Webinars] Ji Eun Park (PHM Korea) gave [a discussion](#) at the 1st session of a joint series of webinars "[Discussions for Access to Medicines under the COVID-19 era](#)" (hosted by HRN, ABPPR, CFI and PHM Korea) on July 15, 2021.

Annexe 2. Celltrion's Regkirona

- [Statements or public letters] KPDS published a statement titled '[The politicization of development of COVID-19 vaccines and treatments by the politicians must be stopped](#)' on November 18, 2020.
- [Statements or public letters] KPDS published a joint statement titled '[Celltrion has to reveal results of clinical trials in a transparent way and it needs to be publicly assessed](#)' on December 31, 2020.
- [Statements or public letters] KPDS published a statement titled '[We insist on accurate information about Regkirona](#)' on January 18, 2021.
- [Op-eds, columns or articles] Dong-geun Lee (KPDS and PHM Korea) wrote an article titled '[Celltrion COVID-19 treatment, CT-P59, has to function as a global public good](#)' on February 20, 2021.



Annexe 3. Advocacy for the TRIPS waiver

- [Statements or public letters] [The 1st joint public letter on TRIPS waiver](#) with our CSO network (PHI, KPDS, APH, KFHR, HRN, Knowledge Commune, SWH and Gunchi) on October 15, 2020.
- [Statements or public letters] EACT Korea translated a PHM statement titled '[Urgent call for action on Covid-19 technologies statement by People's Health movement](#)' on October 16, 2020.
- [Op-eds, columns or articles] PHI wrote an article titled '[What should the WTO Secretary-General do now?](#)' on October 19, 2020.
- [Op-eds, columns or articles] Dong-geun Lee (KPDS and PHM Korea) wrote an article titled '[President Moon Jae-in should respond to the TRIPS waiver waiver](#)' on November 2 2020,
- [Statements or public letters] [The 2nd joint public letter on TRIPS waiver](#) with our CSO network (PHI, KPDS, APH, KFHR, HRN, Knowledge Commune, SWH, Gunchi, Chunghan, CHSC, PSPD, and Alliance for Anti-Privatization and Universal Health Care) on November 9, 2020.
- [Op-eds, columns or articles] Sun Kim (PHM Korea) wrote an article titled '[COVID-19 vaccines' patents hinder health promotion and innovation](#)' on December 3, 2020.
- [Infographics] 'For waiver of IP protections in TRIPS for COVID-19 technologies' was published on December 8, 2020 (in [Korean](#) and [English](#))
- [Statements or public letters] [The 3rd joint public letter on TRIPS waiver](#) was sent to the SKG on December 8, 2020.
- [Statements or public letters] KFHR including KPDS issued a statement titled '[President Moon Jae-in should keep his promise that he supported equitable access to COVID-19 vaccines and therapeutics](#)' on December 10, 2020.
- [Statements or public letters] [The 4th joint public letter on TRIPS waiver](#) with our CSO network (PHI, KPDS, APH, KFHR, Knowledge Commune, SWH, Gunchi, Chunghan, CHSC, PSPD, and other 25 CSOs) on February 3, 2021.
- [Op-eds, columns or articles] Ji Won Park (PHM Korea) wrote an article titled '[The lessons South Africa's AIDS campaign give to the COVID-19 vaccines debates: The COVID-19 vaccines are 'global public goods''](#)' on February 24, 2021.
- [Statements or public letters] [The 5th joint public letter on TRIPS waiver](#) with our CSO network (PHI, KPDS, CHSC, IPLeft, CFOI, and Alliance for Anti-Privatization and Universal Health Care) on February 26, 2021.
- [EACT Korea brief] '[A strong global solidarity for the TRIPS waiver is needed in order to stop pharmaceutical companies' IP monopoly](#)' on March 8, 2021.
- [Press Conference] [The first CSO press conference with the 6th joint public letter on TRIPS waiver](#) which was held in front of the Korean Parliament, with our CSO network (PHI, KPDS, KFHR, KPTU, PSSP, Pharmaker, CHSC, IPLeft, Hye-young Jang lawmaker from Justice Party, Knowledge Commune, Jinbo, Progressive30, CFOI, and Alliance for Anti-Privatization and Universal Health Care) on April 29, 2021.
- [Op-eds, columns or articles] An article with interviews with Donggeun Lee (KPDS and PHM Korea) and Hongjo Choi (PHM Korea) was issued in an article titled '[The TRIPS waiver is the key to the end of COVID-19 by scale up manufacturing capacity](#)' on May 2, 2021.
- [Op-eds, columns or articles] An article with interviews with Sun Kim (PHM Korea) and Donggeun Lee (KPDS and PHM Korea) titled '[Is a patent waiver enough to resolve a vaccine shortage?](#)' was published on May 6, 2021.



- [Statements or public letters] KFHR including KPDS published a statement titled '[U.S. government supports vaccine patent waiver, will the South Korean government be silent until the end?](#)' on May 6, 2021.
- [Op-eds, columns or articles] PHI published an article titled '[The political economy of vaccines, what Korea can do](#)' on May 10, 2021.
- [Op-eds, columns or articles] Donggeun Lee (KPDS and PHM Korea)'s interview was issued in an article titled '["President Moon should announce his support for the suspension of patent rights at the G7 meeting."](#)' on May 13, 2021.
- [Statements or public letters] [The 7th joint public letter on TRIPS waiver](#), titled 'We demand that the president of South Korea and the U.S. announce VODI-19 vaccines as global public goods at the 2021 South Korea-U.S. summit!' with our CSO network and more than 200 people to the SKG and the U.S. on May 18, 2021
- [Webinars] Sun Kim (PHM Korea) gave a presentation, titled '[Vaccine apartheid and the need for a TRIPS waiver](#)' at the 13th Asia Europe People's Forum (AEPF) on May 20, 2021.
- [Statements or public letters] KFHR including KPDS issued a statement titled '[As president promised vaccines as public goods, he must show action at the G7 meeting, not just words](#)' on June 9, 2021.
- [Statements or public letters] PHI and KFHR (KPDS and others) issued a joint statement titled '[An imperative to end the COVID-19 pandemic is ensuring equitable global access to vaccines](#)' on June 30, 2021

Annexe 4. COVID-19 Diagnostic kit

- [EACT Korea brief] '[Publicness of COVID-19 diagnostic kit industry: public accountability of government and firms](#)' was published on June 22, 2021.
- [Statements or public letters] KPDS published a statement titled '[Do we have to consider COVID-19 diagnostic kit as a tool for firms' profit seeking?](#)' on June 24, 2021.
- [Op-eds, columns or articles] [an article](#) of *Healthtapa*, Korean daily newspaper, dealt with the contents of EACT Korea brief on June 24, 2021.
- [Op-eds, columns or articles] [an article](#) of *Dailypharm*, Korean daily newspaper, dealt with the contents of KPDS statement on June 24, 2021.

Annexe 5. Public manufacturing

- [Webinars] Sun Kim (PHM Korea) gave a presentation titled '[Equitable access to COVID-19 Vaccine: scale-up local production is the key](#)' in a webinar hosted by Public Health Association of Australia on October 15, 2020.
- [Op-eds, columns or articles] Ji Eun Park (PHM Korea) wrote an article titled '[The implications of Canada's public pharmaceutical company, Connaught Lab, for us: Who owns the vaccines produced by public manufacturing facilities?](#)' on May 22, 2021.
- [Op-eds, columns or articles] Ji Won Park (PHM Korea) wrote an article titled '[Why India, the 'Global Vaccine Hub', has failed to supply the COVID-19 vaccines: disaster from India's government and companies' profit-seeking](#)' on July 2, 2021.
- [EACT Korea brief] '[Who has the right to use COVID-19 vaccine produced by public manufacturing facilities?](#)', was published on July 6, 2021.
- [Statements or public letters] KPDS published a statement titled '[What Korean public manufacturing facilities have been done in the COVID-19 era](#)' on July 6, 2021.



- [Op-eds, columns or articles] [an article](#) of *Healthtapa*, Korean daily newspaper, dealt with the contents of EACT Korea brief on July 7, 2021.

Annexe 6. Global Justice and Global Public goods

- [Academic conferences] Sun Kim (PHM Korea) gave a presentation titled 'The rhetoric of 'Global Public Goods': Global Political Economy of Health surrounding health technologies to respond to COVID-19' for a [joint conference hosted by Korean Society of Law "COVID-19 and Human Rights"](#) on July 10, 2020
- [Webinars] Sun Kim (PHM Korea) gave a presentation titled 'Global production and supply of COVID-19 technologies' for PHI webinar "[COVID-19, who should we save first?](#)" on July 23, 2020
- [Op-eds, columns or articles] An article with Sun Kim (PHM Korea)'s interview titled '[Who should get the COVID-19 vaccines first?](#)' was published on July 27, 2020
- [Op-eds, columns or articles] PHI wrote an article titled '[We need a good politicization of vaccines](#)' on October 26, 2020.
- [Academic conferences] Sun Kim (PHM Korea) gave a presentation titled '[Equitable access to COVID- 19 Vaccine: cooperation around research & manufacturing capacity is essential](#)' for the Nagasaki 75th anniversary Pandemic-Nuclear Nexus Scenarios Project on October 31, 2020.
- [Academic conferences] Chang-yup Kim (PHI Director) gave a presentation titled '[History of vaccine and the publicness of public health](#)' for the 1st Human and Technology Forum hosted by the Ministry of Culture, Sports and Tourism on November 5, 2020.
- [Infographics] How can COVID-19 vaccines and treatment be global public goods? was published on November 27, 2020 (in [Korean](#) and [English](#))
- [Op-eds, columns or articles] Ji Eun Park (PHM Korea) wrote an article titled '[The biggest failure of science policy in a generation: the UK's vaccine nationalism over COVID-19](#)' on December 30, 2020.
- [Op-eds, columns or articles] So Hyung Lim (PHM Korea) and Sun kim (PHM Korea) wrote an article titled '[A criticism on vaccine nationalism in the pandemic era](#)' on January 13, 2021.
- [Op-eds, columns or articles] PHI wrote an article titled '[Global justice with COVID-19](#)' on January 25, 2021.
- [Webinars] Sun Kim (PHM Korea) gave a presentation titled '[COVAX, a multistakeholder approach to Global Health Governance: How PHM fights back by engaging the WHO and the WTO](#)' for a webinar co-organized by Corporate Accountability, ETC Group, FIAN International, Focus on the Global South, FOEI, G2H2, IT for Change, MSI Integrity, People's Health Movement, Public Services International, and Transnational Institute, on January 22, 2021.
- [Op-eds, columns or articles] Chang-yup Kim (PHI Director) wrote an article titled '[The spirit of post COVID-19 equity](#)' on March 17, 2021.
- [Op-eds, columns or articles] Sun Kim (PHM Korea) wrote an article titled '[The world is now moving into vaccine apartheid](#)' on March 25, 2021.
- [Op-eds, columns or articles] PHI wrote an article titled '[IP is not sacrosanct](#)' on April 5, 2021.
- [Statements or public letters] KPDS published a statement titled '[It is time to consider global solidarity not nationalism](#)' on April 7, 2021.



- [Op-eds, columns or articles] PHI published an article titled '[Can we defeat vaccine nationalism?](#)' on April 26, 2021.
- [Academic conferences] Dong-geun Lee (KPDS and PHM Korea), gave a presentation, and Sun Kim (PHM Korea) acted as a moderator for a forum '[Beyond COVID-10 Access to Medicines and Vaccine in Asia](#)' held by Human Asia, UAEM Korea, and Korean Association of Human Right Studies, on May 5, 2021.
- [Academic conferences] Chang-yup Kim (PHI Director) gave a presentation titled '[COVID-19 and health regime, and the nation](#)' for the 2021 Marxcommutate on May 14, 2021.
- [Webinars] Sun Kim (PHM Korea) gave a presentation titled, '[People's Health Movement for Equitable Access to Essential Health Technologies in the context of COVID-19 – In South Korea, Southeast Asia & Pacific, and beyond](#)' in HAIAP 40th anniversary webinar on May 29, 2021.
- [Webinars] Sun Kim (PHM Korea) gave a presentation titled, 'Points to discuss in terms of the 'publicness' of R&D, production and supply of health technologies' in HRN webinar '[Access to high-priced medicines and medical devices for rare diseases](#)' on June 2, 2021.
- [Academic conferences] Sun Kim (PHM Korea) participated in [Korean Association of Health Technology Assessment \(KAHTA\)](#) conference as a panelist and gave a presentation titled '[Securing and Inoculating COVID-19 Vaccines: For whom, for what?](#)' on June 4, 2021.
- [Op-eds, columns or articles] So Hyung Lim (PHM Korea) and Sun kim (PHM Korea) wrote an article titled '[The implications of a blockbuster philanthropist for the end of COVID-19 pandemic](#)' on June 18 and 19, 2021.
- [Webinars] Sun Kim (PHM Korea) gave a presentation titled '[The meaning of 'publicness' of pharmaceutical production under the COVID-19 era](#)' and Jin Hwan Kim (PHI member) gave a discussion titled 'Thinking about the gap between normative justification and realistic interests and political agendaization' at the 2nd session of a joint series of webinars "[Discussions for Access to Medicines under the COVID-19 era](#)" (hosted by HRN, ABPPR, CFOI and PHM Korea) on July 22, 2021.
- [Webinars] So Hyung Lim (PHM Korea) will give a presentation titled 'Should drug patent incentives be in exclusive form?' at the 5th session of a joint series of webinars "[Discussions for Access to Medicines under the COVID-19 era](#)" (hosted by HRN, ABPPR, CFOI and PHM Korea) on August 12, 2021.

민중건강운동(**People's Health Movement, PHM**)은...

전 세계 풀뿌리 건강 활동가, 학자, 정책결정자와 실무자,
시민사회조직, 학술기구들의 국제연대 네트워크로,

전 세계 **80**개 이상 국가에서 **PHM**이 활동하고 있습니다.

민중건강헌장(**People's Charter for Health**)의 정신에 따라,

포괄적 일차보건의료와 사회적·환경적·경제적 건강결정요인과
관련된 다양한 사업과 활동을 지원하고, 연결하는 역할을 수행하고
있습니다.

한국민중건강운동(**PHM Korea**)과 함께 할 개인과 단체를
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