

5.1.2e
Van: 5.1.2e
Verzonden: dinsdag 16 november 2021 20:08
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Onderwerp: Pfizer NOVEMBER donation by the Netherlands

Dear 5.1.2e

As you know, we sent you our "donation commitment" for all remaining doses under APA 1 and APA 2 (roughly 5.1.1c on October 18th. This commitment was confirmed by France on behalf of all parties to the "Gavi France Dose Sharing Agreement" on October 19th (see attachment). Since then, we assumed that everything for this donation had been settled (on our end). Later, BioNTech/Pfizer brought to the Steering Board's attention that payment conditions needed to be changed. As the moment of payment is normally the moment that doses are delivered to MS, which doesn't happen when donating to COVAX, this made sense to us and we have no problems declaring that. The side letter that was presented to us by the Commission goes beyond payment conditions, though. We tried to make clear to the Commission, and today to France as well, that we have two main issues with the side letter:

- According to article 1.6.4, we could be presented with customs fees. The Commission explained to us today that in practice, Gavi will bear these costs (in line with the Gavi APA), and that this simply isn't stated in the side letter because Gavi is not a party to it. => We would appreciate Gavi confirming this by email.
- The letter's appendix 1, the Dose Sharing Commitment Form, differs from the donation commitment that we agreed upon in October. It goes without saying that we care to stick to "our" text, as it was a compromise following extensive negotiations.

In today's meeting the Commission made clear that it would be easier for everyone, especially BioNTech/Pfizer, if all MS use the same procedure. We understand that and appreciate the efforts both the Commission and France as facilitating MS are putting in all this. As promised today, I therefore send you the signed side letter for our November donation, including the donation commitment that we previously agreed upon. Hopefully this will make it easier for you to process.

Finally: the Commission informed us today that Gavi hasn't been able to allocate our donation so far. We were aware of Gavi's challenges with supplies like diluent and syringes/needles – in fact, we offered to donate diluent - but we have never been informed that these challenges were so serious that Gavi couldn't accept our donation. We were very surprised by this message and assume this is a misunderstanding as I'm sure that, in the light of our previous agreement, we would have been informed by Gavi and/or BioNTech/Pfizer in an earlier stage. But, again, hopefully everything will be solved with the side letter attached, please do confirm so! ☺

Kind regards,



5.1.2e

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