

01 December 2025

Dear Commissioner Lahbib and Director-General Fink-Hooijer,

As organisations concerned with equitable access to health products in the European Union and beyond, we write to urge HERA to make publicly available the terms of its recent agreement with Bavarian Nordic for the supply of up to eight million MVA-BN mpox/smallpox vaccine doses.<sup>1</sup>

While we welcome HERA's continued commitment to mpox preparedness and response, including its recognition of the need for global access to medical countermeasures, we have reservations regarding the modality and structure of such endeavours. In particular, we are concerned by the lack of transparency regarding HERA's funding contracts and we demand that transparency and accountability standards be upheld.

During the COVID-19 pandemic, we saw first hand how contract secrecy can fuel price disparities and hide unfair conditions that favour private interests over public health. As a consequence, public trust is undermined. Conversely, disclosure of contract terms, including those intended to support equitable access to medicines, encourages greater accountability from all parties, improves the ability to negotiate affordable prices, and promotes public understanding about the use of EU funds to support outbreak preparedness and response. Indeed, the WHO Pandemic Agreement and WHO transparency resolution of 2019 emphasise the importance of improved transparency in markets for health products and in government agreements and purchasing schemes.<sup>2</sup>

While the inclusion of terms on pricing for EU donations to LMICs is positive,<sup>3</sup> we urge HERA to include terms in its agreements that more directly support timely, affordable and sustainable access to health products in developing countries. For example, by including terms that facilitate adequate global supply, equitable allocation of doses, and diverse manufacturing through technology transfer or socially responsible licensing schemes.<sup>4</sup>

We call on HERA to learn the lessons of the COVID-19 crisis and embrace stronger commitments to transparency and global equitable access to health products.

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<sup>1</sup> The European Commission, The European Commission signs a joint procurement contract to strengthen preparedness against mpox and smallpox, 13 November 2025, [https://health.ec.europa.eu/latest-updates/european-commission-signs-joint-procurement-contract-strengthen-preparedness-against-mpox-and-2025-11-13\\_en](https://health.ec.europa.eu/latest-updates/european-commission-signs-joint-procurement-contract-strengthen-preparedness-against-mpox-and-2025-11-13_en)

<sup>2</sup> WHO Pandemic Agreement, [https://apps.who.int/gb/ebwha/pdf\\_files/WHA78/A78\\_R1-en.pdf](https://apps.who.int/gb/ebwha/pdf_files/WHA78/A78_R1-en.pdf) (see articles 9.5, 11.1.c, and 14.1); WHA72.8, Improving the transparency of markets for medicines, vaccines, and other health products, 28 May 2019, [https://cdn.who.int/media/docs/default-source/essential-medicines/intellectual-property/gspa/a72\\_r8-en.pdf?sfvrsn=8ecef84\\_3&download=true](https://cdn.who.int/media/docs/default-source/essential-medicines/intellectual-property/gspa/a72_r8-en.pdf?sfvrsn=8ecef84_3&download=true)

<sup>3</sup> Bavarian Nordic awarded new procurement framework contract by the European Commission to strengthen preparedness against smallpox and mpox, 31 October 2025, <https://www.bavarian-nordic.com/investor/news/news.aspx?news=7360>

<sup>4</sup> Cynthia & Nchanji, MPOX outbreak in Africa: the urgent need for local manufacturing of the vaccine and decolonized health systems, 7 November 2025, <https://pmc.ncbi.nlm.nih.gov/articles/PMC12595634/> (emphasising the need for local vaccine manufacturing, including through equitable technology transfer, to enable access to vaccines during outbreaks and self sufficiency in the African region).

Sincerely,

Health Action International

Salud por Derecho

Public Citizen

Action Santé

Africa Freedom of Information Centre (AFIC)

Association Camerounaise pour l'Appui Social, le Bien-être et le Développement Communautaire (ACASD)

Association Humanitaire Possible Cameroun

Association of Women of Southern Europe AFEM

AVAC

BETTER FUTURE

BUKO Pharma-Kampagne, Germany

CEESE (interuniversity Cuba Europa medical Education and Science Exchange network)

GHIAA

Global Health Advocates (GHA)

Health Global Access Project

ICHANGE

ITPC Global

Kamukunji Paralegal Trust (KAPLET)

Médecins du Monde International Network

Peta Kebijakan

Pharmaceutical Accountability Foundation

Prescrire

Red de Acceso a Medicamentos de Guatemala

Spark Street Advisors

Third World Network

Treatment Action Group

UAEM Europe

Wemos

Wote Youth Development Projects CBO