



Office of the President and Cabinet,
Capital Hill Circle, Private Bag 301,
Capital City,
Lilongwe 3,
Malawi

By email:

19 July 2021

Your Excellency,

Re: Request to take a Resolution on Vaccine Access in South African Development Community (SADC) at Upcoming SADC Summit

We write to you in your capacity as the incoming Chair of SADC and host of the upcoming SADC Summit to bring attention to the COVID-19 vaccine supply crisis in the Region and the resultant human rights impact.

While this letter is from our three organizations (Amnesty International, the International Commission of Jurists and Oxfam), it is directly inspired and informed by input from local human rights defenders, affected communities and public health experts through a series of public and private online consultations we co-organized between March and June 2021, involving participants from 15 SADC Member States. Participants in these events agreed that SADC's intervention would be crucial in ensuring equitable vaccine access in Southern Africa.

In February 2021, the SADC chairperson President Filipe Nyusi stated that in January 2021 SADC reported that the sub-region had over *half* of new Covid-19 infections in Africa. This emergency prompted President Filipe Nyusi of Mozambique to say "We recommend the SADC Committee of Ministers of Health to establish a strong regional collaborative strategy which pools resources together to urgently acquire the vaccines for distribution to our citizens setting priorities in accordance with the level of risk". This statement was made when the region was weathering the debilitating second wave of COVID-19 infections.

At the time of writing the SADC region is in the grips of its deadliest third wave of COVID-19 infections. In June 2021 the World Health Organization (WHO) reported that of the five countries accounting for 76% of new coronavirus infections in Africa (South Africa, Tunisia, Zambia, Uganda, and Namibia), three are in southern Africa. WHO further states that in the week of 19 June COVID-19, infections had increased by up to 30% across the Continent and deaths shot up by 15 percent. Countries such as Zambia, South Africa and Namibia are reporting their highest ever levels of new infections and COVID-related deaths in these countries continue to climb. Already fragile health systems are being stretched to their limits as hospitals struggle to cope with the increase in admissions and many countries are currently suffering an oxygen shortage. South Africa is grappling with the deadly wave, with the country reporting a staggering 20 000 new infections on average each day.

Despite this public health crisis, vaccination roll out in the region has been extremely slow, and is well known and documented, including in recent publications of Amnesty International¹ and the International Commission of Jurists.² With the exception of Mauritius and Seychelles, countries in the region have barely managed to administer one dose to even 10% of their populations.

Although SADC held an extra-ordinary meeting of health ministers on 12 May 2021 where various regional issues in relation to COVID-19 vaccines were discussed, no official resolutions were taken or declarations were made. Unfortunately, this and other engagements of SADC, have failed to hold Member States to account for their human rights obligations at a time when such intervention is critical. We request that your offices brings this topic on the agenda at the upcoming SADC Summit to take a resolution that binds Member States to:

- Ensure they should engage in sub-regional cooperation and, where necessary, seek and provide international and particularly sub-regional assistance, in order to ensure equitable access to COVID-19 vaccines and related health information for all people, across all SADC countries. This includes diversifying supply options beyond the COVAX facility which many African countries were relying on but has not delivered as expected.
- Develop, publish and publicize comprehensive national vaccine acquisition and rollout plans and procurement strategies, detailing concrete measures to ensure non-discriminatory access to vaccines to all people consistent with member States international human rights obligations in terms of the SADC Health Protocol, the African Charter on Human and People's Rights and the International Covenant on Economic, Social and Cultural Rights.
- Share information on the type or brand of vaccine and numbers of doses they are procuring and receiving from pharmaceutical companies in order to strengthen vaccine coverage monitoring in the Region through the Secretariat, for wider dissemination among Member States.
- Implement the SADC PF motion taken at the *48th Plenary Assembly Virtual Session 4th To 5th December 2020* which urges SADC Member Parliaments to join and support the Conference of Speakers and Heads of African parliaments (CoSAP) and African Speakers Debt Cancellation Campaign Initiative (DCCI).
- Openly endorse international efforts which could increase equitable vaccine access and address supply constraints, such as WHO's COVID-19 Technology Access Pool (C-TAP) which is currently only supported by three member states - Mozambique, Zimbabwe and South Africa.
- Share lessons and experiences on the manufacture, distribution and management of vaccines including information on potential investors and donors willing to set up manufacturing plants within the SADC Region.

Binds the Secretariat to :

- Provide clear guidance to the Member States on their human rights obligations pertaining to equitable COVID-19 vaccine access. SADC should take effective action to address the failure of Member States to act according to their obligations under international law, including under regional and sub-regional agreements.
- Establish a strong regional collaborative strategy, consistently with the obligations to seek and provide international assistance, which pools resources together and actively facilitates

¹ Amnesty International "Southern Africa Needs Assistance An Open Call To The Regional And International Community" (19 June 2021): <https://www.amnesty.org/download/Documents/AFRO343432021ENGLISH.PDF>.

² International Commission of Jurists "The Unvaccinated Equality not Charity in Southern Africa" (6 May 2021): <https://www.icj.org/wp-content/uploads/2021/05/Africa-The-Unvaccinated-Publications-Reports-2021-ENG.pdf>.

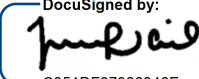
and advances sub-regional COVID-19 vaccine procurement and distribution between the Member States.

Yours sincerely,



Deprose Muchena
Regional Director
Amnesty International East and Southern Africa Regional Office
Email: deprose.muchena@amnesty.org

K Ramjathan-Keogh
Kaajal Ramjathan-Keogh
Africa Director
International Commission of Jurists
Email: kaajal.keogh@icj.org

DocuSigned by:

C351DF87326946E...
Dailes Judge
Oxfam
SAF Regional Representative
Email: DJudge@Oxfam.org.uk