

Access to medicine: Responsible business conduct in the pharmaceutical sector

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This session will discuss what the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights mean for pharmaceutical companies, in particular with respect to their responsibility to facilitate access to medicine for vulnerable individuals.

The role of pharmaceutical companies in facilitating access to medicine is particularly relevant for the OECD RBC agenda. According to the OECD Guidelines, the first two responsibilities of multinational enterprises are to respect human rights and to contribute to economic, environmental and social progress. Access to medicine is a crucial component of the human right to health. Moreover, the Sustainable Development Goals will surely be out of reach without healthy individuals and workers.

The issue of access to medicine is not only relevant, but also topical. In recent years, there has been significant debate around the “social licence” of pharmaceutical companies and around what types of “social compact” governments should sustain between the (sometimes) competing objectives of rewarding innovation and ensuring the right to health. Concerns spanned from “price gouging” allegations to corruption scandals.¹ More and more companies also recognize the business value of access-oriented practices in order to achieve inclusive and sustainable growth in emerging markets.²

So far, the RBC community predominantly focused on due diligence challenges related to upstream value chains (for instance, social issues in the supply chains of extractive and garment industries). This session will explore the implementation of due diligence processes in “downstream” value chains (for instance, how do pharmaceutical companies manage the social impacts of their pricing models?).

Discussion questions

- Pharmaceutical companies can hinder or facilitate access to medicine through many aspects of their operations (from equitable pricing to strong distribution channels, from innovative research and development to responsible management of intellectual property rights, from locally-driven capacity building initiatives to sustainable product donations). How should human rights due diligence be implemented across the pharmaceutical business?
- What are the best practices in the sector? How to ensure their diffusion and uptake?
- What is the role of National Contact Points in promoting RBC in the pharmaceutical sector?

The Access to Medicine Foundation

The Access to Medicine Foundation is a non-profit organisation which conducts independent research on what pharmaceutical companies do to facilitate access to medicine worldwide. The Foundation publishes the [Access to Medicine Index](#), the first accountability Index of its kind to measure and rank pharmaceutical companies with respect to their efforts to improve global access to medicine.

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¹ *Why Hillary Is Right To Take On Pharma's Price Gouging*, TIME, 23 Sep 2015; *Is Big Pharma Addicted To Fraud?*, Forbes, 29 Jul 2013.

² McKinsey & Company, *Pharma's next challenge*, July 2015.