

**THE PHARMACEUTICAL
ACCOUNTABILITY FOUNDATION**

ANNUAL REPORT

2022



ABOUT US



Farma Ter Verantwoording / The Pharmaceutical Accountability Foundation (PAF)

Farma ter Verantwoording (The Pharmaceutical Accountability Foundation, PAF) strives to ensure access to medicine by stopping pharmaceutical company abuses of their market position to overcharge for medicines. We attach a value to fair pricing in accordance with European and international legal and human rights standards, and therefore take action through the provision of advice and information to governments, stakeholders, professionals and the general public. If that does not help, we achieve our objectives through the possible legal action around excessively high priced medicines.

2022 HIGHLIGHTS

PAF had a busy 2022, with several important steps forward. Highlights include:

Our first case has 'paid off'!

The €19.6 million judgement in July 2021 against Lediand Biosciences by the Dutch competition authority (ACM) in response to a request by PAF to investigate their anti-competitive practices has now inspired action in several other countries. Further fines have been imposed on the company for anti-competitive practices in Italy (€3.5m) and Spain (€10.25m). Lediand lost its appeal against the Dutch Inspectorate decision allowing AUMC to compound CDCA, but is still objecting to the publication of the full report by ACM. Lediand also tried to avoid paying the €19.6m fine imposed by ACM, but they finally paid in April 2022.

Launch of the Fair Pharma Scorecard

PAF was proud to launch the Fair Pharma Scorecard in June, a tool which evaluates 26 producers of Covid-19 vaccines and therapeutics on their compliance with internationally recognised human rights principles. Dutch journal Trouw picked up on the news, as well as international journal Stat News.

Excessive profits and displacement of care by AbbVie

On the 21st of December 2021, the Pharmaceutical Accountability Foundation (PAF) sent a [letter of liability](#) to AbbVie. In accordance with the value that PAF attaches to fair pricing, the foundation called AbbVie to account for the excessive pricing it charged for Humira between 2004-2018 while the drug was still protected by patent. PAF has asked AbbVie to respond to the view that it acted unfairly by charging these excessive prices, and that this resulted in a displacement of care within the Dutch healthcare system, creating access barriers to healthcare products and services for Dutch citizens, and resulting in a severe loss of Quality Adjusted Life Years (QALYs).

Webinars and Guidelines


PAF organised a follow-up webinar on the “Power of Law” on 27 January. This webinar was dedicated to our recently published [Guidelines for Legal Procedures by NGOs.](#), The “[Guidelines for Responsible Pharmaceutical Behaviour during Covid-19](#)” were published during a webinar on 3 March. All PAF webinars can be viewed on the [PAF Youtube Channel](#).

Paper publication: Health and Human Rights journal

PAF’s academic [viewpoint](#) ‘Upholding Human Rights in the Wake of Covid-19: Time to Strengthen Pharmaceutical Accountability’ was published in the December issue of the [Health and Human Rights journal](#). It presents the data from the Fair Pharma Scorecard, and suggests new ways of strengthening pharmaceutical accountability in the Netherlands.

PAF'S GROWING TEAM





This year, PAF has welcomed 3 new members to its advisory board: Mahboebah Alipour, an attorney specialized in food and administrative law with a background in health and competition law; Andre den Exter, a lecturer in health law at the Erasmus University Rotterdam; and Aart Hendriks, health law professor at Leiden university.

PAF also hosted an internship for Martina Liccardo, who wrote an excellent research paper on the role of the European Medicines Agency in Leadiant's price misuse with CDCA.

PAF's Committee of Recommendation has also grown, welcoming new members Chris Oomen, pharmacist and former chair of the board of DSW health insurance organisation; Godelieve van Heteren, former member of the Dutch Parliament; Gilles de Wildt, Professor in Global Health at the university of Birmingham; Flora Haaijer-Ruskamp, Professor in drug use at the university of Groningen; Pim van Gool, Professor of Neurology at Amsterdam UMC; Gerrit van der Wal, emeritus Professor in Public health; Prisca Zwanikken, a senior public health expert; and André Knottnerus, a former chair of the Dutch Health Council.

OUR NEW LOGO



PAF was proud to present its brand new logo, representing all the pillars of our work: the law, pharmacy, money and medicines.

A hand holding a glowing lightbulb against a sunset background. The lightbulb is held in the center-left of the frame, and its glow illuminates the surrounding area. The background is a soft, warm sunset with orange and yellow clouds. The text is overlaid on the image in a clean, white, sans-serif font.

LOOKING FORWARD:

Plans for
2023

In the coming year we will continue to focus on finding innovative ways to stimulate pharmaceutical accountability. We will be investigating the possibilities of implementing a duty of care for pharma in the Netherlands, as well as continuing to monitor the knock-on effects of our CDCA-Leadiant case in other jurisdictions. We will also start a project on Duty of Care, funded by the People's Vaccine Alliance and Frontline Aids. Stay tuned!

