



**Corporate Affairs**  
**Pfizer Inc**  
235 East 42<sup>nd</sup> Street  
New York, NY 10017  
212.733.2323  
Email [chuck.hardwick@pfizer.com](mailto:chuck.hardwick@pfizer.com)

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**Chuck Hardwick**  
Senior Vice President  
Government & Public Affairs

September 29, 2004

Dr. Dzidek Kedzia  
Office of the High Commissioner for Human Rights  
United Nations  
CH 1211 Geneva 10  
Switzerland

Dear Dr. Kedzia:

We appreciate your letter of June 11 asking Pfizer for information on the Commission's report on "Responsibilities of Transnational Corporations and Related Business Enterprises with Regard to Human Rights." We also reviewed the policy document on human rights "norms" for business enterprises drafted by the Sub-Commission on the Promotion and Protection of Human Rights, which I understand serves as the basis for this survey. It is our understanding that, according to the Commission, neither the report nor the "norms" carry formal legal status.

In addition to providing material to respond to the Commission's specific requests, we would like to highlight two broad themes as background to inform the Commission going forward.

First, we welcome the multi-stakeholder approach the Commission is taking to broaden the global dialogue on human rights. We agree with the Sub-Commission's report that states government has the primary role of ensuring such rights are advanced and protected. Business and other non-state actors can play an important role, but it is by definition a supportive one. It is also often an innovative role.

Second, we support the broad precepts contained in the 1948 Universal Declaration of Human Rights, which in addition to a range of personal protections includes the right to property. However, years of debate surrounding the effectiveness of the Declaration in real-world settings exemplifies the importance of clarifying the relationship between "rights" and "obligations." Key words carry different meanings to different groups – including the term "human rights" itself.

In that regard, any blurring of distinction between state actors who are properly the subject of international law and non-state actors – like business – whose actions are subject to regulation under national law is troublesome. We do not support the extension of human rights obligations to the private sector at the international level.

A specific illustration of our perspective is the critical issue of expanding access to basic health care in the developing world. The question is: who or what institution is obligated to provide such access?

Ensuring access to health care is a basic obligation of governments, and should incorporate the actions of responsible individuals who can afford to pay for health care. Voluntary contributions from public-private partnerships are also a tool to ensure access to health. In addition to participating actively in such partnerships, Pfizer is contributing to improving access by building on our core strength in the discovery and development of new medicines, and by leveraging our scale and technical expertise to improve global public health. However, government must take the lead in establishing the basic legal, regulatory and infrastructure conditions that will allow access to health to increase and allow us to support governments with our particular expertise and resources as appropriate.

### ***Pfizer's Existing Initiatives***

In response to your request for information, following is a summary of Pfizer's global operations and values as an employer and contributor to global society. We include this information to make concrete how our views are translated into action. *For details, please see the attached Overview of Pfizer Social Investments and related web links.*

Pfizer is a US based company with 122,000 employees and operations in over 100 countries. Our internal policies recognize the dignity of each human being and we endorse the current legal infrastructures that seek to create a safe and stable world for all peoples.

As a signatory to the UN Global Compact, we believe in the importance of voluntary business initiatives because they encourage companies to invest new resources to elevate the voluntary standards companies adopt in exercising good corporate citizenship.

Pfizer is advancing this aspiration in many ways. We educate employees about US and other national laws pertaining to the treatment of employees, suppliers, customers and other stakeholders, and we have monitoring and compliance systems in place to enforce those laws. In addition, we are continually seeking to improve our policies and practices, as we gain new learnings. This is the essence of a proactive approach to supplementing legal protections on human rights.

For example, Pfizer has developed a new AIDS in the Workplace Policy for all employees around the world and Pfizer subsidiaries. The policy includes a commitment to non-discrimination, confidentiality, training on awareness and prevention, access to treatment and care, safe work environments, and guides to implementation.

As an example of how voluntary initiatives can help raise the bar on corporate performance, Pfizer Chairman and CEO Henry McKinnell was the only CEO from the R&D industry to attend and address the Fifteenth International AIDS Conference in Bangkok in July. During the Conference, Pfizer agreed to support and surpass the International AIDS Society's guidelines on patient care after a clinical trial ends for those patients who participated in the clinical trial. In fact, we agreed to make medicine available to those patients for as long as they continue to benefit from the Pfizer

treatment even though the guidelines call for drug companies to do so for only two years following the end of a clinical trial.

Another example is the fight against bribery and corruption – activities that in our sector deprive the indigent of access to health and promote the distribution of sub-standard medicines to unsuspecting physicians and patients. On June 24, Dr. McKinnell addressed the UN Global Compact Leaders Summit to apprise the group of an anti-corruption initiative he is leading as Chairman of the Business Roundtable, an organization representing CEOs of 150 U.S. companies with 10 million workers in the US alone. The Business Roundtable program promotes:

- Monitoring of compliance by governments under existing conventions;
- Use of influence and programs by international organizations such as the United Nations and World Bank to promote the adoption and enforcement of anti-bribery and corruption laws and transparency;
- Implementation of best practices in internal compliance by businesses;
- Enactment and enforcement by governments of adequate and effective transparency rules since lack of transparency breeds bribery and corruption.

Finally, we are seeking to advance access to health care through multi-stakeholder partnerships that in many countries help supplement the limited resources of government in providing basic care to the public. For example, our Global Health Fellows program matches the skills of Pfizer employees with the needs of NGOs in developing countries to fight HIV-AIDS and other infectious diseases. In the US, we recently launched a program to help 43 million residents who do not have health insurance so they can get Pfizer medicines free or at a discount.

### ***Specific Issues of Interest to the Commission***

With regard to the first and second topics raised in your June 11 letter, please note the following.

What the Commission references as “existing initiatives” can be categorized as (1) legal standards, (2) general business voluntary initiatives that cross national boundaries, and (3) industry-specific voluntary initiatives. We assume the Commission is already aware of all *legal standards* so we will focus on voluntary initiatives.

On point (2), Pfizer Inc is an active member or participant in the following initiatives that approach human rights from a voluntary, extralegal perspective:

- Business for Social Responsibility – Pharmaceutical Working Group – founding member
- Global Business Coalition on HIV/AIDS
- Global Health Council
- Global Reporting Initiative
- Global Sullivan Principles
- Institute for Supply Management’s Principles on Social Responsibility
- International Chamber of Commerce CSR and ethical marketing programs
- Prince of Wales International Business Leaders Forum
- Transparency International – Business Principles Steering Committee
- UN Global Compact – only U.S. pharmaceutical member
- US Council on International Business – on CSR Committee

- World Business Council on Sustainable Development
- World Economic Forum Global Health Initiative – founding member, which focuses on business contributions to unmet health needs in developing countries, especially AIDS, malaria and TB.

In addition, many Pfizer operations outside the US participate in local initiatives. One example is the UK Royal Society for International Affairs “Chatham House” dialogues, which Pfizer helps sponsor and includes stakeholder dialogues on human rights issues.

On point (3), *global pharmaceutical industry-specific initiatives* that carry a human rights-related component, Pfizer Inc follows the:

- International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use (on clinical trials)
- International Federation of Pharmaceutical Manufacturers Associations’ Code of Pharmaceutical Marketing Practices
- World Health Organization’s Ethical Criteria for Medicinal Drug Promotion

In addition, Pfizer:

- Is one of several industry representatives participating on a UN Millennium Development Goal task force with a mandate to expand access to medicines in developing countries. We also support Millennium Development Goal Eight to promote expanded public-private partnerships to improve public health provision by the target date 2015.
- Participates in former UN Human Rights Commissioner Mary Robinson’s new initiative “Corporate Social Responsibility, Human Rights and the Pharmaceutical Sector” where we are playing a leading role in exploring an HIV & AIDS anti-microbial initiative for women in the developing world.
- Is working with the African Center for Clinical Studies in a large-scale Phase III clinical study on a promising new treatment for malaria. More than a thousand patients in Uganda, Kenya, Suriname, India and Indonesia are part of the study.
- Trains healthcare professionals, builds healthcare infrastructure, and donates about \$2 million dollars of medicine each working day to patients in the developing and developed worlds. For more detail, please see Exhibit A below.

Likewise, Pfizer supports the work of many non-governmental organizations such as Transparency International and civil society organizations such as the Global Business Coalition on HIV/AIDS. All of these groups have a human rights component to their missions or programs.

We cite the examples above because they illustrate the reach and commitment that stem from our voluntary activities. It is important to note that they are fueled by the passions of Pfizer colleagues, not by externally-mandated frameworks or laws.

Finally, your letter asks for our input on outstanding human rights issues we see as being relevant from a global perspective.

In our view, the discussions now taking place on corporate responsibility and human rights illustrates the revolution in social expectations unleashed by globalization and economic growth. More and more people are aware of what occurs when a government cannot or will not meet its obligations to its citizens.

It does not follow from this that corporations should be expected to repair the breach where the international community has failed by not introducing appropriate checks and balances. Recognizing that human rights protection and advancement is the obligation of governments, we believe governments must work together in encouraging all stakeholders to participate in creating sustainable solutions to the issues that underpin violations of human rights – lack of governance, political will, corruption, gender discrimination, militarism and civil unrest.

Voluntary initiatives from companies to fight these scourges can help, but more work needs to be done to encourage higher levels of consistency, transparency and accountability in the way that governments interact with business. And the results must be applicable to local firms and those that are partially owned by states, as well as to multinationals like Pfizer.

Please find attached additional material that illustrates our commitment to working with national governments to promote a sound legal environment founded on due process and the rights to property, personal protection and other elements of a free society. Such rights are good for people and good for business; both are instrumental to future global growth and development.

Thanks again for the opportunity to respond on behalf of Pfizer. Please let me know if you have questions or would like further clarification of our views.

Sincerely,



Chuck Hardwick  
Senior Vice President

**Attachment**

- Overview of Pfizer Social Investments

**Pfizer Web links**

- AIDS in the Workplace Policy  
[http://www.pfizer.com/are/about\\_public/mn\\_about\\_hiv\\_aids\\_policy.html](http://www.pfizer.com/are/about_public/mn_about_hiv_aids_policy.html)
- Global Corporate Citizenship  
[http://www.pfizer.com/subsites/corporate\\_citizenship/index.html](http://www.pfizer.com/subsites/corporate_citizenship/index.html)
- Global and Domestic Philanthropy  
<http://www.pfizer.com/subsites/philanthropy/access/index.html>
- Values and Business Code of Conduct  
[http://www.pfizer.com/are/mn\\_investors\\_corporate\\_policies.cfm](http://www.pfizer.com/are/mn_investors_corporate_policies.cfm)

**OVERVIEW OF PFIZER SOCIAL INVESTMENTS****International Philanthropy Programs****Diflucan Partnership Program**

The Diflucan Partnership Program is a public-private partnership that donates Diflucan® (fluconazole) for two opportunistic infections associated with HIV/AIDS in developing countries, and trains health care providers. As of September 2004, Pfizer has donated more than \$100 million in medicine to 23 countries and 1,015 sites in Africa and the Caribbean, and treated more than 110,000 patients. More than 18,000 health care providers have been trained in the diagnosis and treatment of fungal opportunistic infections. NGOs and governments can apply to participate at [www.diflucanpartnership.org](http://www.diflucanpartnership.org)

**Infectious Diseases Institute**

Pfizer and the Pfizer Foundation are building a regional treatment and training institute in Kampala, Uganda to strengthen local capacity in HIV/AIDS care. Partners in this initiative include: Makerere University, San Francisco AIDS Foundation, the Infectious Diseases Society of America, and The AIDS Support Organization (TASO). The facility will provide the latest standards of HIV/AIDS care and treatment to thousands of patients each year, and train health care professionals from all over Africa. The dedication ceremony for the building is planned for October 2004.

**Pfizer Global Health Fellows**

Pfizer sends talented employees for up to 6 months to support non-governmental organizations (NGOs) fighting HIV/AIDS in developing countries. Since 2003, 31 Global Health Fellows have been selected to serve as physicians, epidemiologists, nurses, educators, and business consultants all over the world. Pfizer has committed to fund transportation, lodging and other expenses for the Fellows, while maintaining their position within the company. Each year Pfizer plans to select 25 Global Health Fellows.

**International Trachoma Initiative (ITI)**

Developed as a public-private partnership, the ITI is dedicated to eliminating trachoma, the world's leading cause of preventable blindness. In 2003, the ITI celebrated its five year anniversary and to date has treated 9 million patients with Pfizer's antibiotic, Zithromax (azithromycin), and trained thousands of health care professionals who, in turn, have completed 75,000 surgeries to treat advanced cases of trachoma. The program is also educating millions of patients about the importance of face washing, and promoting local environmental projects to increase access to clean water and sanitation.

In Morocco, the ITI's longest-running program, preliminary data suggest that this severe disease has been eliminated in children, and the ITI expects blinding trachoma to be eliminated in Morocco by 2005. This year, the ITI plans to expand to 3 new countries: Mauritania, Senegal and Mexico, and treat more than 14 million patients in 12 countries.

**International HIV/AIDS Initiative**

Since 2002, the Pfizer Foundation has awarded \$4 million in grants to support 26 organizations working in Africa, Asia and the Caribbean on HIV/AIDS prevention, care and treatment. The program supports training and capacity building for health care providers in countries hardest hit by the HIV/AIDS pandemic.

## **US Philanthropy Programs**

### **Southern HIV/AIDS Prevention Initiative**

Launched in 2003, this initiative will direct more than \$3 million over three years to fund innovative HIV/AIDS prevention programs in multi-cultural communities in nine southern states: Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee or Texas. In 2003, more than \$1 million was awarded in grants (up to \$50,000) to 24 organizations. Organizations also receive technical assistance and support in organizational development and program development.

### **Pfizer Education Initiative**

Since 1990, Pfizer employees have been volunteering at local schools to share their expertise. In addition, Pfizer and the Pfizer Foundation have provided support for teacher training activities, lab equipment and supplies, and curriculum development. Partnerships operate in 20 Pfizer sites across the United States, Puerto Rico and the United Kingdom, incorporating the participation of 1,700 Pfizer employees, working in more than 161 elementary schools, 90 middle schools and 36 high schools annually.

### **Sharing the Care**

In 1993, Pfizer created a partnership with the National Governors Association and the National Association of Community Health Centers to donate its most advanced medicines to low-income, uninsured patients through a network of over 380 federally-qualified community, migrant and homeless health centers across the U.S. Since its inception, 3 million patients have been served, 9 million prescriptions filled and \$550 million worth of medicines donated.

### **Connection to Care**

For more than 30 years, Pfizer has provided Pfizer medications free of charge to help physicians care for uninsured patients who lack prescription drug coverage and who earn less than \$19,000 a year (or \$31,000 for families). Pfizer partners with more than 120,000 physicians and last year alone, donated \$330 million worth of medicines and helped more than 500,000 patients.

### **Hospital Partnership Program**

Launched in 2003, Pfizer provides medications free of charge to the country's largest urban hospitals that serve a disproportionate share of low-income patients who do not have pharmaceutical coverage. To date, 20 hospitals are participating in the program.

### **Strengthening Patient Advocacy Around the World**

The Pfizer Foundation seeks to advance the capacity of patient organizations to serve their members and advocate for quality health care for patients worldwide. To this end, it supports various health care and consumer organizations around the world to raise awareness about different diseases, educate patients, caregivers and health care providers, train volunteers in leading patient organizations and providing services to patients, and promote the public's involvement in health care policy.

Detail on these programs is available at:

<http://www.pfizer.com/subsites/philanthropy/access/index.html>