

RESOLVED, that shareholders of AbbVie Inc. (“AbbVie”) urge the board of directors to oversee conduct of human rights due diligence (“HRDD”) to produce a human rights impact assessment (“HRIA”) identifying actual and potential adverse human rights impacts in AbbVie’s operations and supply chain which AbbVie causes or contributes to, including impacts on the right to health. The HRIA should be prepared at reasonable cost and omitting confidential and proprietary information and made available on AbbVie’s web site.

Supporting Statement

The right to health is a fundamental human right. Article 12.1 of the International Covenant on Economic, Social, and Cultural Rights “recognize[s] the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.”^[1] Access to medicines is a key element of the right to health. Target 3.8 of United Nations Sustainable Development Goal 3 assesses progress toward “access to safe, effective, quality and affordable essential medicines and vaccines for all.”^[2]

AbbVie has adopted “Our Commitment to Human Rights” (the “Commitment”), which includes respecting the human rights of clinical trials participants and supporting “access to quality and affordable medicines.”^[3] The Commitment also says that AbbVie supports “key tenets of the United Nations Guiding Principles on Business and Human Rights” (the “UNGPs”).

The UNGPs state that to satisfy their obligation to respect human rights, companies should establish an HRDD process to identify, prevent, mitigate and remedy human rights impacts. AbbVie does not appear to have established such a process. The Commitment states that AbbVie “surveys and measures our most critical suppliers on their environmental and social practices, including criteria related to human rights,”^[4] which suggests that it is relying at least in part on self-reported data. As for its own operations, under which the right to health would fall, the Commitment mentions no process used by AbbVie to identify human rights impacts, beyond an ethics and compliance hotline.

Some of AbbVie’s actions appear to undermine its commitment to promoting access to medicines. A case brought by a Dutch organization claiming that AbbVie’s overcharging the Dutch healthcare system for Humira violated the human right to health was permitted to proceed by a Dutch court.^[5] Despite being dismissed on procedural grounds in July 2025, the court made no ruling on the substance or merits of the case.^[6] In the U.S., AbbVie has been accused of using a variety of anticompetitive practices to raise prices for two lucrative drugs.^[7]

Comprehensive HRDD that includes access to medicines would enable AbbVie to identify human rights impacts of its own operations, such as harmful pricing practices and

shortcomings in access programs. According to Deloitte, it is not possible for a company to “really commit to respecting and promoting human rights without having full transparency of its human rights impacts.”^[8] Publicly releasing the resulting HRIA would allow shareholders to assess AbbVie’s human rights performance.

[1] www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7605313/>

[2] www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf

[3] <https://www.abbvie.com/content/dam/abbvie-com2/pdfs/about/our-commitment-to-human-rights.pdf>, at 2

[4] <https://www.abbvie.com/content/dam/abbvie-com2/pdfs/about/our-commitment-to-human-rights.pdf>, at 3

[5] [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)01545-9/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)01545-9/fulltext)

[6] <https://www.pharmaceuticalaccountability.org/2025/07/09/amsterdam-court-gives-no-substantive-ruling-in-pharmaceutical-accountability-foundation-abbvie-excessive-pricing-case-on-humira/>

[7] <https://www.nbcnews.com/politics/congress/pharmaceutical-company-abbvie-inflated-prices-two-major-drugs-house-oversight-n1267591>; <https://www.i-mak.org/wp-content/uploads/2020/10/i-mak.humira.report.3.final-REVISED-2020-10-06.pdf>

[8] <https://www.deloitte.com/global/en/services/risk-advisory/blogs/human-rights-due-diligence-in-the-modern-era.html>