



**WTO TRIPs | Waiver on COVID-19 vaccines:
Nobody is safe until everyone is safe**

A new COVID-19 variant is on an outbreak leading to a more deadly and infectious strain spreading around the globe. Millions are getting infected and dying every day. The need for affordable and accessible healthcare has become more crucial than last year. Even though eight vaccine candidates from around the world are made available in the market in less than one year of the COVID-19 pandemic outbreak, the world is still facing a shortage of medical supplies.

To control the current situation, more than 70 per cent of the world population, i.e., 0.5 billion people, needs to be vaccinated against the novel coronavirus to develop herd immunity. With two doses each, this amounts to 10 billion doses of vaccines. According to Ngozi Okonjo-Iweala, Director-General, World Trade Organization (WTO), in a year, the world can produce only 3.5 billion doses of vaccines, though capacity-enhancement plans are currently underway. The low and middle-income countries have limited access to vaccines and the current capacity, as the developed countries have secured most of the production.

The debate is whether vaccines can be ratcheted up if there are no Intellectual Property Rights (IPRs) restrictions. To address this issue, India and South Africa had jointly proposed to the WTO to grant a temporary waiver of the specific provisions of the global agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). This ensures rapid scaling-up of manufacturing of vaccines and medical products to fight the COVID-19 pandemic and ensure easy access to vaccines. With this waiver, multiple manufacturers can start producing viable vaccines simultaneously. However, since October, this proposal is still under discussion without any resolution.

Meanwhile, India and South Africa are working on revising the text of the original proposal to consult with opposing nations to find a ‘middle ground.’ The revised proposal highlights the urgency of making the vaccine accessible and affordable in light of the catastrophic second wave of COVID-19.

On May 05, 2021, the Biden administration came out to support waving IPR for COVID-19 vaccines, which was announced by Katherine Tai, the United States Trade Representative. She said, “This is a global health crisis and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” More than 100 US lawmakers had urged Biden to support the proposal to the WTO to temporarily lift certain intellectual property barriers and allow countries to manufacture COVID-19 diagnostics and vaccines locally. However, change in IPR rules requires unanimous agreement; the European Union, the UK and Switzerland are showing “readiness to engage in further discussions” but reiterated that undermining the IPR is a no-go as they represent a major contribution to expanding production of the COVID-19 vaccines.

The WTO Director-General realises the urgency and has expressed her support for creating a framework that would give developing countries some automaticity and access to manufacturing vaccines with technology transfer during future pandemics. There is pragmatism on both sides, but, there is a little bit of change in the air among members.

WTO’s vaccine meeting in April has revealed areas where the developing world can increase its capacity to produce more doses rather than wait for rich countries to send them their excess supplies. Various emerging markets, such as India, Pakistan, Bangladesh, Senegal, Indonesia and Egypt, already have some capacity to produce vaccines for people living in developing economies.

In this background, this Occasional News Wrap (ONW) captures various views expressed through the print medium to help the poor in their fight against COVID-19. This second volume of the ONW covers the discussions on the proposal requesting for TRIPs waiver on the COVID-19 vaccines so that the vaccines are available in an affordable manner worldwide, including the least developed countries. It also highlights the Biden administration and WTO Director-General Ngozi Okonjo-Iweala's take on it.

This ONW is categorised into three sections, which are as follows:

1. South Africa and India’s proposal on stand by
2. Biden Administration’s stand
3. WTO Director General’s opinion on the waiver

1. South Africa and India's proposal on stand by

<p>1.1</p>	<p>Piyush Goyal to push WTO DG for TRIPs waiver on COVID-19 vaccine</p> <p><i>By Shreya Nandi</i></p> <p>Business Standard</p> <p>April 10, 2021</p>	<p>India's Commerce and Industry Minister Piyush Goyal will soon push the WTO to waive IPRs on COVID-19 vaccines when he meets the trade body's Director General Ngozi Okonjo-Iweala.</p> <p>The meeting, to be held virtually, will be Goyal's first with the recently appointed DG. "While there will be a discussion on several issues, the topic of TRIPs waiver is likely to be on top of the list," a senior government official said.</p>
<p>1.2</p>	<p>LDCs support request made by India, South Africa for waiving COVID-19 vaccine-related IPR</p> <p>The Hindu</p> <p>April 14, 2021</p>	<p>The 46-member grouping of the Least Developed Countries has said it supports a request made by India and South Africa to the WTO to temporarily suspend IPRs for the COVID-19 vaccines to increase their access in these countries.</p> <p>India and South Africa have called for the WTO to suspend IPR related to COVID-19 for a limited period to ensure rapid scaling-up of manufacturing of vaccines and to ensure accessibility and affordability of vaccines for all.</p>
<p>1.3</p>	<p>WTO eyes larger deal on vaccine, medical goods</p> <p><i>By Sidhartha</i></p> <p>ET Health World</p> <p>April 22, 2021</p>	<p>Discussions are going on the proposal from India and South Africa for flexibility in the agreement on TRIPs to access technology for vaccine production, especially when the poorer nations, especially in Africa, are finding it difficult. The proposal has the support of around 120 WTO members, but the US, the European Union and Switzerland are not on board.</p>
<p>1.4</p>	<p>Now is not the time to hanker for patents. WTO must waive IPRs on COVID vaccines</p> <p><i>By Arvind Mayaram and Garima Sodhi</i></p> <p>The Print</p> <p>April 26, 2021</p>	<p>In the current scenario, there is a global health emergency. About 70 per cent of the world population needs to be inoculated to tide over the pandemic. This means more than 05 billion people need vaccines. With two doses each, this amounts to 10 billion doses of vaccines. Ngozi Okonjo-Iweala, the WTO Director-General, said the world can produce 3.5 billion doses of vaccines in a year, though capacity-enhancement plans are currently underway. Developed countries have already secured all of these. Most low- and middle-income countries have not had any access to vaccines until now and going by the current capacity, it does not seem like they will anytime soon.</p>

<p>1.5</p>	<p>Preserving intellectual property barriers to COVID-19 vaccines is morally wrong and foolish</p> <p><i>By Joseph E. Stiglitz and Lori Wallach</i></p> <p>The Washington Post</p> <p>April 26, 2021</p>	<p>More than 100 countries support a temporary waiver of some WTO rules that guarantee pharmaceutical firms monopoly control over how much medicine is produced, yet the US States remains opposed.</p> <p>Had WTO members agreed to waive aspects of its agreement on trade-related intellectual property for COVID-related medicines when some countries proposed it last October, developing nations might not wait until 2024 for vaccines, as projected.</p>
<p>1.6</p>	<p>UNCTAD supports India, South Africa proposal to waive off global IP provisions</p> <p><i>By Kirtika Suneja</i></p> <p>The Economic Times</p> <p>April 30, 2021</p>	<p>A research paper by the United Nations Conference on Trade and Development (UNCTAD) has supported the joint proposal by India and South Africa that urges the WTO to grant a temporary waiver of the specific provisions of the global IP Agreement for the unhindered supply of vaccines and medical products to fight the COVID-19 pandemic.</p> <p>“This waiver will ensure that IPRs do not restrict rapid scaling up of manufacturing and do not hinder an equitable and affordable access to vaccines and treatments throughout the globe,” UNCTAD said in the paper, adding that multiple manufacturers can start producing viable vaccines simultaneously through this.</p>
<p>1.7</p>	<p>India, South Africa to make a fresh push for waiver of vaccine patents at WTO</p> <p><i>By Rezaul H Laskar</i></p> <p>Hindustan Times</p> <p>May 01, 2021</p>	<p>India and South Africa are preparing for a fresh push at the WTO to waiver patent protections on COVID-19 vaccines. However, the move's success will largely depend on the position adopted by the US and other developed countries. People familiar with developments said on condition of anonymity.</p>

<p>1.8</p>	<p>India, South Africa to review IP waiver proposal at WTO as US, EU refuse to comply</p> <p><i>By Amiti Sen</i></p> <p>The Hindu Business Line</p> <p>May 03,2021</p>	<p>With the pandemic continuing to affect human lives, South Africa, India and other co-sponsors, who had demanded a temporary waiver of the IPR provisions on medical products at the WTO, have said that they are ready to review their proposal to find a “common ground” with nations opposing it.</p> <p>At the TRIPs Council meeting on April 30,the WTO members agreed to continue considering the IP waiver and asked the Chair to report to the General Council on this decision at its next meeting on May 05-06, 2021.</p>
<p>1.9</p>	<p>Explained: Why US statement on waiving vaccine patents is important in the fight against COVID-19</p> <p><i>By Deeptesh Sen</i></p> <p>The Indian Express</p> <p>May 06, 2021</p>	<p>At present, only drug companies that own patents are authorised to manufacture COVID vaccines. A lifting of patent will allow the recipes to be shared and there will no longer be an embargo once the formula is shared, any company which possesses the required technology and infrastructure can produce vaccines. This will lead to cheaper and more generic versions of COVID vaccines. It will also mean two things — vaccines will be more affordable, which will be a big step in overcoming vaccine shortage.</p>

2. Biden Administration’s stand

<p>2.1</p>	<p>US considering supporting India, South Africa at WTO on TRIPs waiver: Report</p> <p><i>By Lalit K Jha</i></p> <p>Livemint</p> <p>March 27, 2021</p>	<p>The White House is considering supporting a move by India and South Africa before the WTO on temporary emergency waiver of some TRIPs rules so that greater supplies of COVID-19 vaccines, treatment, and diagnostic tests can be produced globally, a media report has said.</p> <p>Such a positive consideration by the Joe Biden administration comes after more than 60 lawmakers, mostly progressives, and a large number of rights and non-profit pharma bodies have approached the White House to support the move of India and South Africa along with hundreds of other nations that have urgently gone to the WTO seeking a time-limited waiver of the TRIPs agreement.</p>
<p>2.2</p>	<p>US remains non-committal on India's move to get TRIPs waiver for Covid</p>	<p>The US remained non-committal on the move by India and South Africa to get TRIPs waiver for COVID-19 vaccine before the WTO so that the doses are accessible and affordable to low- and middle-income countries.</p>

	<p>vaccines at WTO</p> <p>The New Indian Express</p> <p>April 15, 2021</p>	<p>There is still a gaping divide between developed and developing countries when it comes to access to medicines, this was seen during the HIV/AIDS epidemic, where various policies and actions constrained access to medicines, contributing to unnecessary deaths and suffering.</p>
2.3	<p>Millions sign petitions urging the US to back a WTO proposal for greater COVID-19 vaccine access</p> <p><i>By Ed Silverman</i></p> <p>Stat News</p> <p>April 23, 2021</p>	<p>The clash, which remained deadlocked yesterday at yet another WTO council meeting, emerges as Covid-19 has claimed more than 3 million lives worldwide and new variants threaten to make it harder to contain the coronavirus. Meanwhile, low-income countries have received just 0.3% of the nearly 900 million doses that have been administered globally, according to the World Health Organization.</p>
2.4	<p>USTR holds talks with Pfizer, AstraZeneca over increased vaccine production, IP rights waiver</p> <p>Times of India</p> <p>April 27, 2021</p>	<p>United States Trade Representative Katherine Tai has held a virtual meeting with AstraZeneca and Pfizer leadership to discuss increasing vaccine production and a proposed waiver to certain provisions of the WTO's agreement on TRIPs for the COVID-19 pandemic. So far, the United States has remained non-committal on the WTO's move of India and South Africa over this.</p>
2.5	<p>White House considering intellectual property waiver for COVID-19 vaccines</p> <p>Times of India</p> <p>April 28, 2021</p>	<p>The White House is considering options for maximising global production and supply of COVID-19 vaccines at the lowest cost, including backing a proposed waiver of IPRs, but no decision has been made, press secretary Jen Psaki said.</p> <p>"There are a lot of different ways to do that. Right now, that's one of the ways, but we have to assess what makes the most sense," Psaki said, adding that US officials were studying whether it would be more effective to boost existing manufacturing of the vaccines in the US.</p>
2.6	<p>Over 100 US lawmakers urge Biden to support TRIPS waiver proposal of India</p> <p>India Today</p> <p>May 02, 2021</p>	<p>More than 100 US lawmakers have written to President Joe Biden urging him to support India's proposal to the WTO to temporarily lift certain intellectual property barriers and allow countries to manufacture COVID-19 diagnostics and vaccines locally.</p> <p>The Biden administration has not decided on the issue yet. The proposal by India and South Africa will be a focus at the WTO meeting on May 05, 2021.</p>

2.7	<p>Taking 'Extraordinary Measures,' Biden Backs Suspending Patents on Vaccines</p> <p><i>By Thomas Kaplan, Sheryl Gay Stolberg and Rebecca Robbins</i></p> <p>The New York Times</p> <p>May 05, 2021</p>	<p>The Biden administration came out to support waiving intellectual property protections for coronavirus vaccines, siding with international efforts to bolster production amid concerns about vaccine access in developing nations.</p> <p>The United States had been a major holdout at the World Trade Organization over a proposal to suspend some of the world economic body's intellectual property protections, which could allow drug makers across the globe access to the closely guarded trade secrets of how the viable vaccines have been made. But President Biden had come under increasing pressure to throw his support behind the proposal, drafted by India and South Africa and backed by many congressional Democrats.</p>
2.8	<p>The US to support intellectual property waiver for COVID-19 vaccines</p> <p>By Sriram Lakshman</p> <p>The Hindu</p> <p>May 06, 2021</p>	<p>There has been opposition to the waiver from some quarters of Capitol Hill. Twelve GOP Members of Congress wrote to Biden urging him to consider other means to increase vaccine access that did not involve weakening IP protections, which, they argued, were not a manufacturing bottleneck. Weakening protections would hamper American competitiveness and innovation, they said. Some in the industry have also opposed the plan.</p> <p>"In the midst of a deadly pandemic, the Biden Administration has taken an unprecedented step that will undermine our global response to the pandemic and compromise safety," said Stephen Ubl, head of the Pharmaceutical Research and Manufacturers of America, according to the Associated Press.</p>

3. WTO Director –General’s opinion on the Waiver

3.1	<p>WTO Director-General plans event on COVID-19 vaccine scarcity</p> <p>Reuters</p> <p>March 31, 2021</p>	<p>The WTO’s head said that she plans to convene an event in mid-April on ramping up COVID-19 vaccine production amid what she called “severe scarcity in supply.”</p>
3.2	<p>World trade body chief says vaccine inequity 'unacceptable'</p> <p>Business Standard</p> <p>April 02, 2021</p>	<p>The head of the WTO called for expanded capability in developing countries to manufacture vaccines, saying the gaping imbalance in access to coronavirus vaccines that mostly favours rich, developed countries was unacceptable.</p> <p>WTO Director-General Ngozi Okonjo-Iweala said she supports the creation of a framework that would give developing countries some automaticity and access to manufacture vaccines with technology transfer during future pandemics, decrying the vaccine inequity of the current one.</p>
3.3	<p>DG Okonjo-Iweala: Equitable vaccine access key to sustained recovery for growth and trade</p> <p>World Trade Organisation</p> <p>April 13, 2021</p>	<p>The Director-General met bilaterally with United States Trade Representative Katherine Tai. The meeting focused on scaling up the global COVID-19 response and addressing gaps in the global production and distribution of vaccines, personal protective equipment and other medical supplies and the broader WTO reform agenda.</p> <p>She also took part in the Spring Meetings of the World Bank Group and the International Monetary Fund, where she had discussions with the respective agency heads and the Managing Director of the International Finance Corporation.</p>
3.4	<p>WTO chief seeks solutions to 'glaring' vaccine inequity, upbeat on IP waiver</p> <p><i>By Emma Farge</i></p> <p>Reuters</p> <p>April 13,2021</p>	<p>WTO Director-General Ngozi Okonjo-Iweala, a former Nigerian minister and World Bank executive who took up the position, has vowed to "forget business as usual" at the ailing 25-year-old global trade watchdog and said her top priority was to address the COVID-19 pandemic.</p> <p>The April 14 meeting brought together vaccine makers from the United States, China and Russia, ministers from wealthy and developing countries, and banking officials to discuss vaccine export restrictions, scaling up manufacturing and a waiver of IPRs for COVID-19 drugs and shots.</p>

3.5	<p>DG Okonjo-Iweala calls for follow-up action after WTO vaccine equity event</p> <p>World Trade Organisation April 14, 2021</p>	<p>Identifying steps for concrete follow-up that emerged from the discussion, Director-General said WTO members could further reduce export restrictions and supply chain barriers and facilitate logistics and customs procedures. Vaccine manufacturers, for their part, could work to turn around existing production capacity where it exists, providing know-how and technology transfer, and take steps towards longer-term investment. She highlighted the importance of increased contract transparency. In addition to providing financial support for existing and new capacity, international organisations and financial institutions could provide capacity support on regulatory issues for vaccines, therapeutics, and diagnostics.</p>
3.6	<p>WTO head Ngozi Okonjo-Iweala on vaccines: ‘We have to solve the health crisis if we want economic recovery’</p> <p><i>By Joyce Hackel</i> The World April 14, 2021</p>	<p>Differentiating between the health and the economic crisis right now may not be that useful in the sense that unless we solve the health crisis, we will not be able to solve the economic crisis. And that is why access to vaccines is so essential and equity of access to everyone. WTO head said that “vaccine policy is economic policy because we have to solve the health crisis if we want economic recovery in a sustainable fashion.”</p>
3.7	<p>WTO’s New Leader Puts Vaccine Nationalists on Notice</p> <p><i>Bryce Baschuk</i> Bloomberg April 15, 2021</p>	<p>During the past 45 days, Okonjo-Iweala has focused much of her time and energy on addressing “vaccine inequity” — not surprising considering her past work as the Global Alliance for Vaccines and Immunization chair. But policing vaccine nationalism in an evolving public-health crisis is not really in the WTO’s wheelhouse. The organisation, already derided for mission creep, is not particularly nimble when addressing abrupt challenges to the global trading system.</p>
3.8	<p>WTO Chief Pursues a ‘Hectic’ Agenda to Fix World Trade’s Referee</p> <p><i>By Bryce Baschuk</i> Bloomberg Quint April 27, 2021</p>	<p>So far, she says the reception from world leaders has been positive, but quickly translating that goodwill into substantive outcomes during a global pandemic is just as daunting as she anticipated. “The word I would use to describe it is hectic,” Okonjo-Iweala said in a phone interview when asked about her first few months in the job. “The challenges we thought were there are there and getting an agreement is not as easy because of longstanding ways of negotiating business positions.”</p>

3.9	DG Okonjo-Iweala underlines the urgent need to address equitable access to vaccines World Trade Organisation May 05, 2021	“The way the WTO handles this matter is critical,” DG Okonjo-Iweala told members. “ We need to have a sense of urgency on how we approach this issue of response to COVID-19 because the world is watching.” “Vaccine policy is economic policy because the global economic recovery cannot be sustained unless we find a way to get equitable access to vaccines, therapeutics, and diagnostics,” she added.
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