



C20-L20-W20 statement

Urgent call for TRIPS waiver.

Opening now access to vaccines and treatments is crucial.

Ahead of the World Trade Organization (WTO) Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council) on 8th- 9th June in Geneva, the C20, L20 and W20 ask G20 governments to support the revised request for a TRIPS Waiver (IP/C/W/669/Rev.1) brought by South African and India to the Council for Trade-Related Aspects of Intellectual Property Rights of the World Trade Organization and supported by many other countries. This decision is needed for almost 80% of the population in low- and middle-income countries to access essential medical equipment and pharmaceutical tools, including vaccines, diagnostics and treatments, and secure the planet from the spread of any mutated strain(s) of COVID-19. SARS-CoV-2's most cogent lesson is that the world must equip itself for future pandemics by creating, among other things, a response capacity that is grounded on a widespread network of pharmaceutical and technology production sites to allow for greater production capacity and reduce supply chain vulnerability, suitable for preparing and responding to any future health emergency of global proportions.

We call on the Italian G20 Presidency and all G20 members to support the revised request for a TRIPS Waiver - including diagnostics, therapeutics, vaccines, medical devices, personal protective equipment, as well as the raw materials and technologies needed for COVID-19 tools manufacturing for the prevention, treatment and containment of the pandemic. This decision must be immediately finalized, well before the WTO Ministerial meeting due on 30th November.

Recent reports, developed by civil society organizations in alliance with important research institutes, show that it is possible to design a production network, identify suitable production sites and accurately quantify the research and production costs required for this ambitious mid- and long-term goal¹. It would take less than a year to do this even for vaccines.

Pharmaceutical companies created a monopoly and now are placing profit before lives, despite largely being supported by public resources. The WTO, within the TRIPS Agreements, provides legal measures to counterbalance this disequilibrium by including the possibility of waiving intellectual property rights, thereby ushering in the conditions for knowledge sharing. The use of the WTO waiver is and will be indispensable to address the COVID-19 pandemic and future similar emergencies in a more structural and appropriate manner.

Despite the gravity of the global pandemic, we are witnessing unacceptably prolonged inertia from governments, if not outright resistance to implementing all the TRIPS Agreement's flexibilities. In this sense, the so-called "Third Way" proposed by WTO Director General (DG) Ngozi Okonjo-Iweala incomprehensibly refuses to address the implementation scope within the treaty, which should be prioritized as a matter of urgency. The WTO DG proposal indulges instead in opening further spaces for trade and investment liberalisation that cannot be assessed and weighted in their overall development impact.

The C20 and the L20 submitted last February a Joint Statement² to the G20 leaders, with strong concerns on the impact of knowledge monopolies in pharmaceutical innovation and in the health sector, resulting in

¹ <https://www.citizen.org/article/how-to-make-enough-vaccine-for-the-world-in-one-year/>

² <https://civil-20.org/2021/wp-content/uploads/2021/02/C20-L20-TRIPS-statement.pdf>



extreme inequality by leaving the poorest and most vulnerable behind. Now we are together, C20, L20 and W20, renewing the call.

With a sense of great disappointment, we are confronted with the fact that the Rome Declaration, approved at the Global Health Summit (GHS) on May 21st, bears no mention of the implementation of the TRIPS Waiver, despite the statements of many world leaders supporting the proposal during the Summit. Neither have we found credible commitments towards the stated goal of strengthening multilateralism and the role of the World Health Organization. Yet, COVID-19 has been starkly reminding the international community of a well known evidence: only governments and public authorities can secure social protection and the provision of the universal right to health for all, as states also the 2030 Agenda for Sustainable Development.

While the Italian G20 Presidency is proposing a strengthening of intellectual property (IP) in its trade agenda, we call for the opening, under the leadership of WHO, of a high-level dialogue with the scientific community and all experts engaged in collaborative scientific models and open science in the biomedical and health sectors.

In conclusion, we call on all the G20 members to immediately back the TRIPS waiver proposal initiated by India and South Africa, now supported by more than 100 WTO member states. Noting Indonesia and India, the next two presidencies of the G20, support the TRIPS Waiver, such a decision would demonstrate the G20's commitment to addressing the pandemic and create momentum on this important issue.

Let us urgently move forward to create the conditions for equitable and rapid distribution of anti-COVID-19 tools on a global scale. History will harshly judge any unjustified delays, paid with human lives.

June 4th 2021