



**Council for Trade-Related Aspects of
Intellectual Property Rights**

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**WAIVER FROM CERTAIN PROVISIONS OF THE TRIPS AGREEMENT FOR THE PREVENTION,
CONTAINMENT AND TREATMENT OF COVID-19 - JOINT STATEMENT OF CO-SPONSORS**

COMMUNICATION FROM THE AFRICAN GROUP, THE PLURINATIONAL STATE OF BOLIVIA,
EGYPT, ESWATINI, FIJI, INDIA, INDONESIA, KENYA, THE LDC GROUP, MALDIVES,
MOZAMBIQUE, MONGOLIA, NAMIBIA, PAKISTAN, SOUTH AFRICA, VANUATU,
THE BOLIVARIAN REPUBLIC OF VENEZUELA AND ZIMBABWE

The following communication, dated 17 May 2021, is circulated at the request of the delegations of the African Group, the Plurinational State of Bolivia, Egypt, Eswatini, Fiji, India, Indonesia, Kenya, the LDC Group, Maldives, Mozambique, Mongolia, Namibia, Pakistan, South Africa, Vanuatu, the Bolivarian Republic of Venezuela and Zimbabwe.

1. As the COVID-19 pandemic continues to rage on globally, there have been 162,177,376 confirmed cases of COVID-19, including 3,364,178 deaths, reported to WHO. As of 12 May 2021, a total of 1,264,164,553 vaccine doses have been administered.¹ However, the promise of international solidarity and of "global public goods" sounds hollow as staggering inequity in access persists and as Members of World Trade Organization continue to fail to work in solidarity and take action to remove intellectual property barriers.

2. To meet the global supply demands for timely and affordable access, we need to mobilise global manufacturing capacity and to diversify supply options. Addressing intellectual property challenges is a prerequisite if we are to meet this objective in the shortest possible time frame.

3. 62 WTO Members have co-sponsored the proposal for a temporary waiver from certain TRIPS obligations for the prevention, containment and treatment of COVID-19 and many other WTO Members are supportive of the proposal. This initiative has also received worldwide support, from international organizations, civil society organizations, global leaders including former presidents, prime ministers, Nobel laureates, parliamentarians across the globe including from those Members who have not yet agreed on textual discussions, healthcare workers including Global Nurses United, Association of Flight Attendants, IndustriAll Global Union, Public Services International - global trade union federation of workers in public services, and the general public.

4. Co-sponsors welcome the USTR statement of 5 May 2021 that the United States is supportive and willing to actively participate in text-based discussions. It is encouraging that various other delegations who had been opposing text-based discussions have undertaken to do the same. This is a significant step forward in our collective responsibility to address the scourge of COVID-19 and to ensure that we end the pandemic everywhere for everyone. Universal access to immunisation, treatments, testing and other products to control the pandemic should be our priority. No one should be left behind. The co-sponsors call on all delegations who have not yet indicated that they will join text-based discussions, to do so as soon as possible.

5. Co-sponsors will soon issue an amended version of their waiver proposal with the objective of moving text-based discussions forward. The amended waiver proposal seeks to further clarify the scope of the proposed waiver while also addressing the period during which it will apply. We believe

¹ <https://covid19.who.int/>

that this phase of discussion should be concluded as soon as possible given the very serious situation that we still face with COVID-19. Continuous mutations and emergence of new variants of SARS-COV-2 highlight the significant uncertainties and complexities of controlling SARS-COV-2 and underscore the urgency of this proposal. A failure to respond in a timely manner on the waiver proposal undermines the legitimacy and credibility of WTO.

6. Co-sponsors confirm that they will engage in this process with the necessary flexibility to ensure swift outcomes. Any outcome in these negotiations must respect the wishes and common interests of the majority of Members of the WTO.

7. We call on all WTO Members to come together in meaningful global solidarity, to prioritise and expedite text-based negotiations, to reach an early conclusion that will effectively address intellectual property barriers and contribute to the scaling up and diversification of manufacturing and supply of COVID-19 products for the prevention, containment and treatment of COVID-19.
