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**DRAFT MINISTERIAL DECLARATION ON THE WTO RESPONSE TO THE
COVID-19 PANDEMIC AND PREPAREDNESS FOR FUTURE PANDEMICS**

1. We note that over the course of the COVID-19 pandemic, Members experienced supply constraints of COVID-19 vaccines, therapeutics, diagnostics, and other essential medical goods. These experiences were not shared equally during the pandemic, in particular due to Members' differing levels of development, financial capabilities, and degrees of import dependence on those products. We encourage Members to understand and build upon the experience of the pandemic, as contemplated by this declaration, in order to support increased resilience for COVID-19 and future pandemics.
2. We recognize the importance of a stable and predictable trading environment for the provision of goods and services in accordance with WTO rules to facilitate manufacturing, and supply and distribution, of COVID-19 vaccines, therapeutics, diagnostics, and other essential medical goods, including their inputs.
3. The pandemic has highlighted the importance of working towards enhancing timely, equitable and global access to safe, affordable and effective COVID-19 vaccines, therapeutics, diagnostics and other essential medical goods. We recognize the role of the multilateral trading system in supporting the expansion and diversification of production of essential goods and related services needed in the fight against COVID-19 and future pandemics, including through identifying opportunities and addressing barriers. We underscore the critical role the WTO can play in promoting inclusive growth including industrialization, development, and resilience.
4. We recognize that global recovery remains highly divergent across the Membership, and that the pandemic continues to pose evolving challenges, in particular related to the possible spread of new variants of COVID-19, and uneven paces of vaccination. We further note that the COVID-19 pandemic has resulted in balance of payments challenges and revealed limitations in the fiscal means available to some developing country Members, and especially LDCs, to withstand, respond to, and recover from the pandemic.
5. We are committed to transparency, including that notifications of trade-related measures with respect to COVID-19 and future pandemics are submitted in a timely and comprehensive manner in accordance with WTO rules. The sharing of information helps Members and traders become acquainted with measures taken. We recognize that COVID-19 and future pandemics may further constrain the limited resources and institutional capacities of some developing country Members, and especially LDCs, and underscore the importance of technical assistance and capacity building in respect of transparency and monitoring.
6. We recognize the value of timely and accurate information to enable the quick identification by Members of potential disruptions in supply chains during COVID-19 and future pandemics. In addition, we encourage Members to actively engage in the WTO Trade Monitoring Exercise.
7. To the extent provided by WTO rules, we recognize the importance of ensuring that any emergency trade measures designed to tackle COVID-19, if deemed necessary, are targeted, proportionate, transparent, temporary; and do not create unnecessary barriers to trade or unnecessary disruptions in supply chains. When implementing such measures, we will endeavour to take into account Members' diverse circumstances, in particular the interests of some developing country Members, and especially LDCs; and their needs for emergency supplies and humanitarian assistance.

8. We recognize that, during the COVID-19 pandemic, Members have, at times, experienced acute supply constraints in the face of significant domestic and international demand for COVID-19 vaccines, therapeutics, diagnostics and other essential medical goods. Therefore, Members have made significant efforts to increase and diversify production; and to support equitable access to these goods. Recognizing that Members may apply export restrictions and otherwise take measures necessary to protect life and health in accordance with WTO rules, we intend to exercise due restraint in the imposition of export restrictions on such goods, including their inputs.

9. We reiterate the importance of the WTO Trade Facilitation Agreement and particularly those provisions which have proved critical to date during the COVID-19 pandemic as discussed in the Committee on Trade Facilitation. We acknowledge the capacity building needs of developing country Members, and especially LDCs, and underline Section II of the Trade Facilitation Agreement available to them.

10. Within the context of existing WTO rights and obligations, we note those additional, voluntary trade facilitating measures Members have implemented to address the ongoing pandemic, including streamlining customs procedures, decreasing and simplifying documentation requirements, temporarily reducing or adjusting tariff rates and other charges on COVID-19 vaccines, therapeutics, diagnostics, and other essential medical goods, including their inputs.

11. With a view to expediting access to COVID-19 vaccines, therapeutics, diagnostics and other essential medical goods, during COVID-19 and future pandemics, we encourage regulatory cooperation, as appropriate, and the sharing of regulatory information on a voluntary basis.

12. We recall the Doha Declaration on the TRIPS Agreement and Public Health of 2001 and reiterate that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health. Accordingly, while reiterating our commitment to the TRIPS Agreement, we reaffirm that the Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all.

13. We further reaffirm that Members have the right to use, to the full, the TRIPS Agreement and the Doha Declaration on the TRIPS Agreement and Public Health of 2001, which provide flexibility to protect public health including in future pandemics.

14. (Placeholder to recall a TRIPS Waiver outcome.)

15. We recognize that increasing the level of global preparedness to COVID-19 and future pandemics requires strengthened productive, scientific and technological capacity across the world. We also recognize that such capacity is instrumental for developing solutions to public health crises beyond COVID-19, including those relating to HIV/AIDS, tuberculosis, malaria and other epidemics, as well as neglected tropical diseases, and for diversifying manufacturing locations. In line with WTO rules, we underscore the importance of promoting technology transfer that contributes to building capacity in related sectors.

16. We reaffirm the commitment of developed country Members to Article 66.2 of the TRIPS Agreement.

17. We underline the critical role of services in ensuring resilience during COVID-19 and future pandemics. We acknowledge the importance of facilitating the international operations of service suppliers involved in production and distribution of COVID-19 vaccines, therapeutics, diagnostics, and other essential medical goods, such as logistics and freight transport services. We also acknowledge the importance of facilitating trade in services, including health services and ICT services, during COVID-19 and future pandemics.

18. We recognize the significant impact of the pandemic on services sectors and services trade of Members. We stress the importance of services trade, across sectors and modes of supply, to support economic recovery of Members, particularly those of interest to some developing country Members, and especially LDCs.

19. We also recognize that the COVID-19 pandemic has negatively affected the tourism sector, particularly in tourism dependent economies, especially tourism dependent LDCs. We acknowledge

that Members needed to take actions to reduce the spread of the virus, contributing to those effects. We recognize that enhanced cooperation and dialogue amongst Members, especially those whose economies are dependent on tourism, can be important in facilitating better understanding of how to potentially mitigate these effects.

20. Taking into consideration Members' public health policies and experiences during the COVID-19 pandemic, we acknowledge the relevance of further cooperation within the mandate of the WTO and its rules to boost post-pandemic recovery and trade flows, including on testing requirements and results, recognition of vaccination certificates and interoperability and mutual recognition of digital health applications, while continuing to protect public health and ensuring privacy and personal data protection.

21. We underscore the importance of global food security in resilience-building and responding to the current and future pandemics. We recognize the particularly negative impact of the COVID-19 pandemic on the food security of developing country Members, especially for net food-importing developing country Members and LDCs.

22. Food security related issues exacerbated by the COVID-19 pandemic, such as supply and price challenges, are multifaceted and require a comprehensive approach to address them.

23. We underscore the importance of understanding how WTO rules have supported Members during the COVID-19 pandemic, and their role in future pandemics. We affirm the need to review and build on all the lessons learned and the challenges experienced during the COVID-19 pandemic, to build effective solutions in case of future pandemics including on balance of payments, development, export restrictions, food security, intellectual property, regulatory cooperation, services, tariff classification, technology transfer, trade facilitation, and transparency, in an expeditious manner.

24. Relevant WTO bodies¹ will, within their fields of competence, and on the basis of proposals by Members, continue or initiate work as soon as possible, to analyze lessons that have been learned and challenges experienced during the COVID-19 pandemic. A stocktaking exercise will be taken of the work by WTO bodies under this declaration yearly at the General Council until the end of 2024, based on the reports of those relevant bodies.

25. Areas of discussion and focus will include, but not be limited to, the topics set forth in Paragraph 23 and other topics raised by Members reflecting their varied experiences during the COVID-19 pandemic.

26. We note that the General Council may be called to meet, as appropriate, to facilitate enhanced cooperation and dialogue in the context of a pandemic.

27. We also note the work undertaken by the WTO Secretariat, including in collaboration with other international organizations. That includes analysis, including the mapping of supply and demand, regarding trade in vaccines, therapeutics, diagnostics, and other essential medical goods and services as related to the COVID-19 pandemic.

28. We further note the importance of the WTO working, along with the World Health Organization and other international organizations, on an international pandemic response, including activities such as expeditious matching of supply to demand, mapping manufacturing capacities and demands, matchmaking to cater to such demands, and mutual recognition norms, related to goods and services that are essential to respond effectively to COVID-19 and future pandemics.

29. We confirm that this declaration does not alter the rights and obligations of WTO Members. We further confirm that this declaration does not create sub-categories of developing country Members.

¹ Relevant WTO bodies include the Council for Trade in Goods or its subsidiary bodies (including the Committee on Trade Facilitation, the Committee on Technical Barriers to Trade, the Committee on Sanitary and Phytosanitary Measures, the Committee on Market Access, and the Committee on Agriculture), Trade Policy Review Body, Council for Trade in Services or its relevant subsidiary bodies, Council for Trade-Related Aspects of Intellectual Property Rights, Committee on Trade and Development, Working Group on Trade and Technology Transfer and Working Group on Trade, Debt and Finance.