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Geneva, 9th October 2020

To whom it may concern

Sub: Support for India and South Africa proposal for WTO TRIPS waiver

On behalf of Médecins Sans Frontières/Doctors Without Borders (MSF), I sincerely urge you to support the proposal submitted by South Africa and India regarding a waiver from certain provisions under the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement concerning the need for prevention, containment and treatment of COVID-19 (IP/C/W/669) at the upcoming formal meeting of the TRIPS Council at the World Trade Organization (WTO) 15-16 October 2020.

As an international medical humanitarian organisation, MSF provides emergency medical assistance to populations in distress in more than 70 countries. MSF has and continues to support the response to the COVID-19 pandemic in over 60 countries.

Since the beginning of the pandemic, the need to ensure global open access and the right to produce and supply COVID-19 health technologies has been widely acknowledged. However, despite efforts and statements made by several Heads of State for COVID-19 medical products to be treated as global public goods, little has been achieved to date. Pharmaceutical corporations continue to operate with 'business-as-usual' approaches, for example by signing secretive bilateral commercial licensing agreements that largely exclude vulnerable and neglected populations that are directly affected by the pandemic.

It is time for governments to take leadership in achieving a truly global solution that is free from all kinds of monopolies instead of relying on voluntary measures by the pharmaceutical industry. If the waiver is granted, all WTO members would directly benefit from true collaboration among all countries to develop, produce and supply the essential health technologies needed to respond to COVID-19.

Due to the gravity of the challenges faced by countries in responding to COVID-19, we sincerely urge all members to pursue an automatic and expedited solution to remove patents and other intellectual property related to COVID-19 drugs, vaccines, diagnostics and other technologies, and support the adoption of the proposal submitted by South Africa and India at the upcoming TRIPS Council meeting.

Thank you in advance for your time and consideration. We look forward to hearing from you and welcome the opportunity to discuss further.

Best regards,

A blue ink handwritten signature, appearing to be 'Joan Tubau', written in a cursive style.

Dr Joan Tubau
Co-Director
MSF Access Campaign

A handwritten signature in Chinese characters, '胡元琼', followed by the English name 'Hu Yuanqiong' in a cursive script.

Dr Yuanqiong HU
Policy Co-Coordinator
MSF Access Campaign