

## CSO Open Letter to the Director General of the WTO On TRIPS Waiver

1<sup>st</sup> December 2021

Dr. Ngozi Okonjo-Iweala  
Director General  
World Trade Organization

cc. Chairs of General Council and TRIPS Council

### **Achieving Equitable Access Demands Prioritizing Adoption of TRIPS Waiver Proposal**

For more than a year, the co-sponsors of the TRIPS Waiver proposal have stressed the need to take urgent steps to address inequitable access to COVID-19 medical products, repeatedly pointing out that inequity will simply prolong the pandemic, costing lives and livelihoods around the world but especially in developing countries. However, these calls have fallen on deaf ears despite the tragic consequences of COVID-19.

The TRIPS Waiver proposal (IP/C/W/669/Rev.1) is co-sponsored by 64 WTO Members and supported by many more Members. Its significance and potential contribution to realizing equitable access, is recognized by the international community, hence it has been endorsed globally by international organizations, WHO, UNITAID, UNAIDS, UNCTAD, civil society, trade unions, health workers, world leaders, faith leaders, academics, intellectual property and human rights experts. More recently the European Parliament has extended its support for a waiver from TRIPS obligations.<sup>1</sup> In its most recent report, the Independent Panel for Pandemic Preparedness and Response (IPPR) has also called for the adoption of the TRIPS Waiver proposal as the “the promise of...collaboration has not yet delivered adequate access to COVID-19-related products or technologies everywhere they are needed”.<sup>2</sup>

Despite the incredible ever-increasing support demonstrated in favour of the proposal, the WTO has continuously failed to prioritize finding agreement on the proposal even as inequitable access to COVID-19 medical products continues to wreak havoc globally. Meanwhile in the last 5 months, a handful of countries and especially the European Union (EU), the UK and Switzerland have exploited every opportunity to disrupt the possibility of any text-based negotiations on the TRIPS Waiver proposal. This is so although the Chair of the TRIPS Council had in the TRIPS Council meeting, held in June, concluded that “he had also not heard any objections to engaging in a text-based process on the waiver proposal”.

Unfortunately, the WTO’s inertia has come back to haunt with the emergence of Omicron variant leading once again to the postponement of the 12<sup>th</sup> Ministerial Conference, disruption in travel, lockdowns and the likelihood of further deaths and devastated economies.

We thus call on you to set aside other matters and to prioritize engagement on the TRIPS Waiver proposal among WTO Members in order to urgently reach a meaningful outcome that will effectively remove all intellectual property barriers to scale up production and diversify supply of vaccines, therapeutics, diagnostics and other COVID-19 medical products. Following the recent adoption of the European Parliament Resolution supporting TRIPS Waiver, the EU and others should be requested to either engage with IP/C/W/669/Rev.1 text by making concrete proposals or not to block adoption of the Waiver proposal.

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<sup>1</sup> The European Parliament has adopted a resolution stating that “EU should actively participate in text based negotiations on a temporary TRIPS waiver” and that “the EU to support the granting of a temporary waiver from certain provisions of the TRIPS agreement for COVID-19, in order to enhance timely global access to affordable COVID-19 vaccines, therapeutics and diagnostics by addressing global production constraints and supply shortages”. [https://www.europarl.europa.eu/doceo/document/TA-9-2021-0474\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0474_EN.pdf)

<sup>2</sup> [https://theindependentpanel.org/wp-content/uploads/2021/11/COVID-19-Losing-Time\\_Final.pdf](https://theindependentpanel.org/wp-content/uploads/2021/11/COVID-19-Losing-Time_Final.pdf)

## **Signatories**

### **Global**

1. Amnesty International
2. Development Alternatives with Women for a New Era (DAWN)
3. Education International
4. Global Policy Forum
5. Health GAP (Global Access Project)
6. Human Rights Watch
7. LDC Watch
8. Médecins du Monde International Network
9. Médecins Sans Frontières (MSF) Access Campaign
10. Social Watch
11. Third World Network
12. Universities Allied for Essential Medicines (UAEM)

### **Regional**

13. ACP Civil Society Forum
14. Arab NGO Network for Development
15. Asian Peoples Movement on Debt and Development
16. Health Action International Asia Pacific (HAIAP)
17. International Treatment Preparedness Coalition (ITPC)-South Asia
18. South Asia Alliance for Poverty Eradication (SAAPE)
19. South Asia Tax and Fiscal Justice Alliance (SATaFJA)
20. Universities Allied for Essential Medicines (Europe)
21. Yolse, Santé Publique et Innovation

### **National**

22. 11.11.11 - Coalition of Internationale Solidarity, Belgium
23. Access to Medicines Research Group, China
24. AIDS Access Foundation, Thailand
25. Anders Handeln, Austria
26. Asociacion Ciudadana por los Derechos Humanos, Argentine
27. Association de Lutte Contre les Violences Sexuelles et Appui à la Promotion du Développement Durable (ALUCOVIS-APDD), Burundi
28. Association des Commerçants du Burundi( ACOBU), Burundi
29. Association for Proper Internet Governance, Switzerland
30. Cancer Patients Aid Association, India
31. Association Sénégalaise d'Évaluation (SenEval), Senegal
32. Australian Fair Trade and Investment Network, Australia
33. Australian Nursing & Midwifery Federation, Australia
34. Barbados Association of Non Governmental Organizations, Barbados
35. Biocultural Education and Research Programme, Barbados
36. Bisan Center for Research and Development, Palestine
37. Both ENDS, Netherlands
38. Bureau Pour la Croissance Intégrale et la Dignité de l'Enfant, Democratic Republic of Congo
39. Canadian Civil Liberties Association, Canada
40. Center for Development of Civil Society, Armenia
41. Center for Encounter and Active Nonviolence, Austria

42. Center for Participatory Research and Development-CPRD, Bangladesh
43. Centro de Estudios Legales y Sociales, Argentina
44. China Access to Medicines Research Group, China
45. Citizens Trade Campaign, United States
46. Coalición de Tendencia Clasistas (CTC-VZLA), Venezuela
47. Community Forum, Malawi
48. CORPORACION RED SOMOS, Colombia
49. CRISIS HOME, Malaysia
50. Delhi Network of Positive People, India
51. Diverse Voices and Action for Equality, Fiji
52. Drug Action Forum-Karnataka, India
53. Ecologistas en Acción, Spain
54. Ekumenická akademie (Ecumenical Academy), Czech Republic
55. Equidad de Género: Ciudadanía, Trabajo y Familia, Mexico
56. Equity and Justice Working Group Bangladesh [EquityBD], Bangladesh
57. EUROSOLAR.CZ, Czech Republic
58. Fairwatch, Italy
59. Faiths for Safe Water, United States
60. Farmers' Voice (Krisoker Sor), Bangladesh
61. Foundation for Integrative AIDS Research (FIAR), United States
62. FTA Watch, Thailand
63. Fundación IFARMA, Colombia
64. Fundación Vía Libre, Argentina
65. GeneEthics, Australia
66. Global Humanitarian Progress GHP Corp, Colombia
67. Global Justice Now, United Kingdom
68. Health Justice Initiative, South Africa
69. Ibn Sina Academy of Medieval Medicine and Sciences, India
70. Indonesia AIDS Coalition, Indonesia
71. Indonesia for Global Justice, Indonesia
72. Initiative For Health & Equity in Society, India
73. All India Drug Action Network, India
74. Innovarte, Chile
75. Interfaith Center on Corporate Responsibility, US
76. Irish Council for Civil Liberties, Ireland
77. Jamma Children Foundation, Gambia
78. Just Treatment, UK
79. Legal Resources Centre, South Africa
80. LDC Watch, Senegal
81. LOCOST, India
82. Malaysian Women's Action for Tobacco Control and Health (MyWATCH), Malaysia
83. Masimanyane Womens Rights International, South Africa
84. Medico International, Germany
85. Médicos del Mundo, Spain
86. Médicos sin marca Colombia
87. Misión Salud, Colombia
88. National Alliance of Women Human Rights Defenders, Nepal
89. Network Lobby for Catholic Social Justice, United States

90. NRDS, Bangladesh
91. Oxfam America, United States
92. Pakistan Fisher Folk Forum, Pakistan
93. Pay No Bribe Animators Sierra Leone
94. People's Health Movement Nepal
95. Phenix Center, Jordan
96. Policy Analysis and Research Institute of Lesotho
97. Positive Malaysian Treatment Access & Advocacy Group (MTAAG+), Malaysia
98. PowerShift e.V., Germany
99. Prayas Rajasthan, India
100. Public Citizen, United States
101. Red de Acceso a Medicamentos, Guatemala
102. REDCA+, El Salvador
103. Right to Health Action, United States
104. Rural Reconstruction Nepal (RRN), Nepal
105. Sanayee Development Organization, Afghanistan
106. SeeChange Initiative, Canada, Central America, Kenya, Sierra Leone
107. Social Justice in Global Development, Germany
108. Social Watch Czech Republic, Czech Republic
109. Society of Development and Care, Kenya
110. SOL (Alternatives agroécologiques et solidaires)
111. Spire, Norway
112. STOPAIDS, United Kingdom
113. Svět bez válek a násilí, Czech Republic
114. Tarangini Mahila Adhikar Prashikshen Kendra, Nepal
115. TEDIC, Paraguay
116. Temple of Understanding, US
117. The Intellectual Dialogue for Equity, Nigeria
118. The United Brotherhood of Carpenters and Joiners of America, United States
119. The United Methodist Church - General Board of Church and Society, United States
120. Treatment Action Group, United States
121. United Brotherhood of Carpenters, United States
122. United Methodist Church General Board of Church and Society, United States
123. Universities Allied for Essential Medicines, United Kingdom
124. War on Want, United Kingdom
125. Wontanara, o.p.s., Czech Republic
126. World Vision Deutschland e.V., Germany