

# World Trade Organization General Council, February 2022: UK statements

## **WTO Response to the Pandemic**

Now that we have that date [for the Ministerial Conference], it is important that we focus on how we take this work [responding to the pandemic] forward. We thought that the “Walker Text” – if I may use that term, with all due respect to my new New Zealand colleague – was a decent basis from which to work. It was far less ambitious that we would have liked in many respects. But it was a good basis. And we thank you, Chairman, for your efforts to take that work forward. And we really appreciate the work that the Director General has done throughout the last year to work on this issue. Not least, the cooperation between WHO, WIPO, the private sector and others to focus on solutions that actually help us deliver vaccines into arms.

It is also really important to recognise the work we have done over the last year, including what we have heard and learnt from each other, from the private sector, from other international organisations – whether about supply chains, export restrictions, transparency or indeed about IP – and that we work to find solutions.

We do not think that IP has been a barrier to all of these efforts over the last few years. We think that IP has been an enabler of our efforts to confront this pandemic. We recognise that we need to find solutions and make a way forward – and we need to do so urgently. We need to see progress made on these issues over the next few weeks and months, so that we can come to MC12 with a package of measures that actually responds to the real world issues that we are facing – in this pandemic, in future pandemics and in response to the real risk of anti-microbial resistance. This requires us to work together, collaboratively, as organisations, to find solutions that will actually make a difference in the world.

## **TRIPS Council Matters**

Let me just start by echoing my colleague. This is an organisation that is founded on respect for the rule of law and this morning we are confronted with a situation in which international law is being flouted in the most egregious manner possible.

Let me turn to the agenda item before us. You will be glad to hear that I am not going to repeat, yet again, the substance of the United Kingdom’s position on this issue but let me endorse the comments made yesterday by others on the process.

Our debate has to be informed by the facts on the ground, not wider politics. But the British Government is deeply disappointed with the process that is underway here.

We were asked to wait and see what a very small and – if I may say – unrepresentative group could deliver. After some months of a fairly closed-door process, where our views and positions have not been represented, our patience has – I'm afraid – run out. I would only note that our taxpayers – along with many others – helped subsidise the development of the vaccines that are being used against this pandemic, their voluntary licensing to the Serum Institute of India and their purchase and delivery by COVAX.

I would also like to express our frustration, as others set out yesterday evening, with the lack of transparency around this process. Sadly, TRIPs Council updates have been rather irregular, infrequent and not particularly uninformative. The updates don't enable members to engage at all with the process, and – to be honest – we have often learnt more from the media than we have from the official updates.

So, let me be very clear that, while we recognise the urgency of taking forward our wider discussions on the pandemic response, we will not simply support the outcome of a process in which we are not included.

### **Immediate action to support the multilateral trading system in preparation for a successful MC12**

This statement shows a real commitment to the WTO and a successful outcome at MC12. Yesterday we agreed a date for MC12, which will bring much needed focus and momentum back to our discussions.

We, as supporters of this statement, believe that the Membership must come to agreement on all four of the key pillars at MC12: Health, Fisheries, Reform and Agriculture. And we should not forget about renewing the moratorium on customs duties.

The date is the starting point; we now need a clear work programme to give us focus and direction. We have to get the process right. We would welcome the DG and GC Chair setting direction with the Chairs of each negotiating file and including engaging Ministers in advance of the conference. There are also areas where we can start to make progress now, ahead of MC12.

On reform, it's especially important that we capitalise on the momentum that we saw before the postponement. Let's think creatively about how we can advance this. It's particularly true for commencing work on WTO disputes settlement, where we've seen ambition from members to take meaningful action.

We are in greater need now, more than ever, as we have seen so starkly this week, of ways to ensure we stick to the rules and abide by international law. We should also consider how we make progress now on the wider reform agenda.

So, as our Ambassador said, when we thought we were a week away from MC12 and with the due apologies to the intellectual property rights of our US friends, Geneva needs to become the city that never sleeps.

We have just over three months and some major divisions that we need to bridge to secure a successful outcome.

It's our firm belief that we can get there, and we can do it. But it will require hard work and flexibility from us all. So, we as the UK, are ready to roll up our sleeves and we look forward to getting stuck in with you all.

## **Work programme on electronic commerce and moratorium on imposing customs duties on electronic transmissions**

I would like to thank those who have added their names to the moratorium, and I would particularly like to welcome Barbados on behalf of the CARICOM group [Member States of the Caribbean Community].

As others have said, the moratorium is a key tool for supporting the development of global e-commerce – the digital economy – and is a clear demonstration of the WTO's relevance and credibility in the 21st century. In November last year, over 70 global business associations – from developed and developing countries alike – called on us all to ensure the continuation of the moratorium.

This is all the more crucial as businesses across the world seek to build back better from the pandemic. We need to answer their call and demonstrate that the WTO continues to back business. Indeed, I can't imagine how I would possibly explain to British business anything other than the continuing of this moratorium.

We do, however, recognise the importance of the work programme for developing members. We heard those calls this afternoon. The UK of course remains open to continuing discussions under the Work Programme on E-Commerce and looks forward to Members' bringing new proposals in that respect.

## **Paper titled "The Legal Status of 'Joint Statement Initiatives' and Their Negotiated Outcomes"**

Let me just echo what others have said: that we have just reached an agreement [on Domestic Services Regulation] that will cut \$150 billion off the costs of global services trade. This is about delivering trade rules that deliver new trade rules fit for the 21st century.

An agreement that, while negotiated plurilaterally, will benefit all Members of this organisation and their businesses. A clear demonstration that this organisation is back in business and backing business.

And we continue to make really important progress across a number of other joint initiatives including: MSMEs – 99% of British businesses; gender – 50% of the global workforce; and the environment – each and every one of us. These are the issues of the third decade of the 21st century that this organisation should be dealing with. These JSIs provide us with the means of doing so. So, rather than having a conversation about how we shut the door on these JSIs, we should be having a conversation about how we can welcome, support, harness and be inspired by the energy, dynamism and relevance that these JSIs bring to this organisation, to our businesses, and to the people we are meant to serve.