

# World Trade Organization General Council, November 2021: UK statements

## **TRIPS Council Matters**

Thank you, Mr Chairman... On this point, Mr Chair, look, I fear that we may repeat some of the things that we said in the meeting on Friday.

But let me first of all welcome the status report delivered by the Chair of the TRIPS Council on item 16. It is a factual, objective, and accurate report of the developments at the TRIPS Council. Like others, we have been meeting other delegations bilaterally; delegations on all sides of the debate. While, clearly, we are not yet in a position to reach consensus on these issues, we are grateful for the discussions we have had, and the constructive tone struck by many delegations including this morning.

We don't have a lot of time left before MC12, as you have said at the start, and therefore we do think that it is best to try and focus on the areas of potential convergence rather than on the areas of disagreement. I think what we all, I hope, agree on is the need for a substantive trade and health outcome at the Ministerial. An outcome which promotes production and supports the equitable distribution of affordable, safe, and effective vaccines, diagnostics, and therapeutics.

And we continue to believe that the IP system has played a positive role in enabling our response to this pandemic. That's not to say that we don't deny the lack of vaccines in many parts of the world, or the need to find extra ways to ensure that those vaccines can be delivered effectively. But we also need to reflect on the role of the IP system in the future. In facing a pandemic, the virus which continues to mutate and where we need to be able to develop not only effective vaccines against those mutations but effective therapeutics as well. And we welcome the recent innovations in therapeutics that have come out of what is, after all, a highly successful IP system.

So, we look forward to finding a way forward on these issues, to work with other delegations, and, indeed, the Secretariat on them, and to ensure that we can produce, at the Ministerial next week, a multifaceted outcome on trade and health that is worthy of the pandemic which we face and of the role which this Organisation can play in tackling this issue like so many others.

Thank you.

## **Preparations for the Twelfth Session of the Ministerial Conference**

Chair, let me just pick up two points of substance because I don't want to repeat what was said on TRIPS and other things. First about export restrictions and second about transparency. And let me just echo and note a concern expressed particularly by developing countries including our colleague from Chad this afternoon about export restrictions. Throughout this

pandemic, Members of this organisation have repeatedly called for restraint on the imposition of export restrictions on medical goods as well as food. And many Members have quite eloquently described the effect of those waves of export restrictions. How they've reduced global supply, how they've led them to suffer from price spikes, especially amongst those countries that lack, if I may say, the economic resilience of more developed economies. Faced with those challenges, many vulnerable economies have at times felt the need to restrict their own exports – a vicious circle. We, for our part, are grateful to those Members who have stood up and made those calls for restraint on producers applying restrictions. We have listened to those calls and we agree with them.

As well as restraint, Members from across this Organisation have called also for transparency on those restrictions that are implemented. Again, we have listened to those calls, and fully support them. We stand behind the language agreed by the G20 – since adopted by others including the APEC group – that any measures on essential goods must be temporary, transparent, targeted, and proportionate.

We are a producer of a number of medical goods – while, like pretty much everyone in the room, we need to import many other such medical goods. So we want to be clear that the United Kingdom would be willing to step up to take political commitments next week, in this Declaration, around the fact that substantial producers should recognize their particular responsibility for exercising restraint and ensuring transparency.

So, we would just encourage other Members in this room – those who are also fortunate enough to be substantial producers of goods that are in huge demand globally, during an unprecedented crisis – to likewise step up to the plate, and take a political commitment recognising that particular responsibility.

Chair, before closing I would underscore the importance of setting an ambitious action plan, which will ensure meaningful and urgent discussions post MC12 on how the WTO can continue to the recovery, and foster resilience for the future.

### **Work Programme on Electronic Commerce – Report by the Chair**

The UK continues to be a strong supporter of the work programme on e-commerce and we align ourselves with the statement made earlier by Switzerland on behalf of the UK and other Members. We strongly support continuing work under the work programme on e-commerce and have played an active role in those discussions. Mr Chairman, we have set out on countless occasions the value of the moratorium so for the sake of time we will thank colleagues from Singapore and Thailand for their very pertinent comments in respect of the value that their countries find in the moratorium.

As we said on Friday at TNC HoDs, we cannot imagine something more difficult to explain to British business groups than the suggestion that we might not renew the e-commerce moratorium at the Ministerial Conference next week. So, with all due respect, we call on all fellow Members and representatives here to support extending the moratorium and the work of the work programme at the

Ministerial in the interests of certainty, consumers, and business, and to show that the WTO is not just back in business but backing business.

Thank you very much.

### **A Smooth Transition Package in Favour of Members Graduating from the LDC Category**

Let me start by retracing the thanks that have been expressed by so many others to the LDC Group for bringing forward this proposal, and also for the changes that they have made to it in the course of their discussions with us and a number of other delegations, and for their openness to that sort of dialogue.

We're extremely supportive and keen to ensure that there is a positive outcome for LDCs at the Ministerial next week and we remain absolutely committed to supporting LDCs in their graduation efforts including through our own trade preferences scheme and technical assistance – and graduation in this field, as in many others, should be a cause for celebration.

At the moment we can't as a delegation commit to a specific number of years, particularly as we're engaged – as you'll know, Mr Chairman – in establishing our new Developing Countries Trading Scheme, which aspires to be more ambitious and more pro-growth than our existing scheme.

However, we remain very much open to working with members – including LDCs – on the wider proposals to ensure a smooth transition from the category of LDCs, which, as I've said, we think is a positive development in and of itself. We are concerned, as I know some others in this room are, about the proposed unconditionality of the measures and we'd like to understand how constructive it would be to have the sub-committee looking at issues around special and differential treatment, which are obviously issues of much wider concern in this organisation and where we have not yet, sadly, reached consensus.

Thank you very much.

### **The Legal Status of Joint Statement Initiatives and their Negotiated Outcomes by India, South Africa and Namibia**

I would dearly love, as I'm sure would many people in this room, for us to be witness to a flourishing series of multilateral initiatives that were going to bear fruit next week at the Ministerial. Sadly, that is not where we are. Where we are is that the energy in this Organisation lies in a series of plurilateral initiatives – JSIs – that are actually addressing some of the most important issues facing the world today. Whether that be women entrepreneurs, the 95% of global business that are MSMEs, the Services sector through the domestic services regulation, the environment and the climate challenge that we're facing. This, unfortunately, for better or worse, is where the vitality, the innovation, and the ideas lie in this Organisation.

So, the real debate we should be having today is about how we harness that energy, that innovation, that creativity for the benefit of the Organisation

as a whole. Not how to stifle the one bit of creativity that we have in this Organisation.

Thank you very much.

**Proposed General Council Decision on Procedures to Enhance Transparency and Improve Compliance with Notification Requirements under WTO Agreements**

Let me first of all welcome this proposal that is being brought to the General Council now for the third time and let me also welcome Colombia as an additional Member. As the UK said before, and echoing the comments just made by our Canadian colleague, transparency lies right at the heart of this organisation. And anything more we can do to enhance it, as this proposal does, I think should be very welcome. Let me thank the way also that cosponsors have engaged with other across this Organisation and thank you to those Members who have engaged with us in that effort as well. And I hope that when Members look at this proposal they will see that co-sponsors have attempted to take on board the comments, suggestions, and concerns from others across this Organisation. And I very much hope that in the few days that we have before us, before our Ministers gather in this building, that we will find other countries following the example set by Colombia this morning to join this proposal.

**Proposed Ministerial Decision on strengthening resilience and preparedness through trade facilitation – Costa Rica, Japan, Mexico, Norway, Panama, Uruguay and the United States (WT/GC/W/836)**

Thank you very much, Mr Chairman, for tabling this Ministerial Decision on strengthening resiliency and preparedness through trade facilitation. I think we all recognise the benefits that the Trade Facilitation Agreement has brought to Members across this Organisation. And of course, we have discussed those benefits a great deal in relation to our efforts to mitigate the effects of the pandemic and to recover from it economically. We very much share the view that trade facilitation is an important strand therefore of the WTO's response to the Covid-19 pandemic and indeed to its preparation for future pandemics.

The decision proposed by the United States and by the cosponsors will provide a clear structure to the committee on trade facilitation's post-MC12 workplan so that Members can share best practice regarding this and future crises within the framework of the TFA. With this in mind, I'd like to thank the United States for their bilateral engagement on this and I am delighted to confirm this morning that the United Kingdom will co-sponsor this decision and I would encourage other Members across this organisation to look favourably upon it and join us.