

WTO TRIPS Council December 2021: UK statement

World news story

UK statement during the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council on 16 December 2021



Thank you, Chair, good day to all.

In the interest of time, Chair, I will deliver our key points and will submit our full statement in writing.

1. Throughout the pandemic our top priority has been to save lives. We firmly believe that the best way to do this is to support the world's leading scientists to continue developing innovative products, especially vaccines, at an unprecedented pace, to help contain, treat, and prevent COVID-19, and to ensure the dissemination of that innovation. It is evident from the over 300 vaccines in clinical and pre-clinical development and the 300 plus successful licensing partnerships that the continued innovation of health products and technologies and their dissemination across the world is enabled by the international IP framework. This framework provides innovators the confidence to invest in developing health products and to form these collaborative partnerships, which benefit all. Ongoing uncertainties regarding emerging new variants only underline the vital ongoing importance of innovation in the fight against this and future crises.
2. Since the waiver proposal was originally submitted in October 2020, when a COVID-19 vaccine did not exist and supply was the immediate issue, there has been a persisting divergence of views, which has continued including after the proposal's update in May 2021. In recent weeks, the UK has held a series of bilateral engagements with a broad range of Members on this file to try to understand current views. However, it remains evident that consensus does not yet exist on a way forward and

certainly not on a broad scope IP rights waiver as presented in 669/Rev.1. It was also evident in our consultations that there are a wide range of views as to the implementation and effect of a TRIPS waiver, with many Members being convinced or acknowledging that a TRIPS waiver proposal would not increase the number of vaccines reaching people's arms. Further, many delegations point to the risks a TRIPS waiver would carry for this and future pandemics. I would like to reiterate that the UK is one of those Members.

3. On this basis, the UK does not see how text-based negotiations based on 669/Rev.1 could lead to consensus, solutions, or pragmatic outcomes. Until we achieve meeting of minds on fundamental parameters, we are bound to continue our work to convince and persuade. As made clear in the G7 Trade Ministers' Communique, we are (and I quote) "determined to achieve a multifaceted outcome on trade and health as the response by the WTO to the COVID-19 pandemic, including how the international IP framework can best support the pandemic response." (end of quote). We must continue to engage on viable options, which have a hope of reaching consensus and that realistically reflect the current situation, as soon as possible. For the UK, these include voluntary licensing and transfer of technology.
4. We understand that a DG-lead process external to the TRIPS Council is currently ongoing with the involvement of a select group of Members. As we have listened to wide range of positions and views expressed over the past months, we would caution against any process which omits taking such views into account or which discusses elements previously not debated.
5. We would like to thank Members for their sustained engagement. Whilst views may differ, there is a shared aim of preventing, treating, and containing COVID-19. The UK will continue to engage constructively to achieve this end.

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