MEPs can deliver strong message to Commission on TRIPS waiver

Statement | 7 June 2021 |

AMSTERDAM—On Wednesday 9th June, the European Parliament has the opportunity to send a strong message to their domestic constituencies, the European Commission, and the world at large. Accepting amendments tabled to the resolution on *meeting the global COVID-19 challenge* offers the chance for MEPs to step up and endorse the India and South Africa's TRIPS waiver proposal, which would be a huge step towards ending the pandemic.

The vote comes at a critical juncture of the COVID-19 pandemic that has laid bare pre-existing shortcomings of the current biomedical research and development (R&D) model and global governance of health. Despite the promises of some and hopes of many, symptoms of structural weaknesses were clear from early stages of the pandemic. Difficulties procuring basic personal protective equipment (PPE), opacity around public funding of vaccines development, followed by the negotiation of exclusive deals conducted behind-closed-doors by some rich countries and trade blocs, are just some of the examples where a short-term and short-sighted agenda trumped universal values of equity, care and solidarity.

In an impressive display of scientific endeavour, safe and effective vaccines were made available. But the emergence of limited manufacturing capacities, coupled with the hoarding of vaccine doses by, among others, EU Member States, now poses a serious, fundamental challenge to universal equitable access. Global initiatives like the Covax facility or the COVID-19 Technologies Access Pool (C-TAP), at first hailed as vehicles for a global response, have simply not delivered. The former is evolving into a donation warehouse and the latter, 12 months after its launch, is still awaiting the support and contribution of pharmaceutical companies to fulfil its mandate.

In October last year, India and South Africa submitted their proposal to waive certain elements of the World Trade Organisation (WTO) Trade Related Aspects of Intellectual Property (TRIPS) Agreement to counter COVID-19. But by then it was already clear that access to life-saving vaccines, therapeutics and diagnostics would be determined not by risk factor or condition, but nationality and wealth. Their proposal aimed at addressing the limitations on technology transfer and sharing of know-how derived from a global intellectual property (IP) framework designed to benefit pharmaceutical patent holders, the vast majority based in the few countries which hurried to buy up doses before they were even available.

For months we have witnessed opponents to the TRIPS waiver proposal at the WTO, led by the European Commission, asking for further details or demanding more information, while at the same time arguing that IP was not an obstacle. Meanwhile, it is not only South Africa

and India who were defending and justifying the TRIPS waiver, more and more countries were publicly expressing support or, in the case of the African or Least Developed Countries (LDC) members of WTO, becoming co-sponsors. National and pan-European civil society organisations, and national and European lawmakers added their voices to the urgency and the need for all parties to engage in text-based negotiations. After the avowed support for a "waiver on vaccine patents" by the US government and the submission of a revised proposal by South Africa, India and 62 co-sponsors, the European Commission surprisingly announced their intention to table a new "proposal".

What the European Commission made public on Friday 4th June is not new by any definition. It is doubling down on the very same instrument (with few changes) choking the possibility of scaling up production to keep on stalling any meaningful dialogue. It is neither constructive nor responsible and is unbecoming of European ideals and values so often repeated by high-ranking MEPs across the political divide, and no less than the Presidents of the European Commission and European Council.

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Health Action International is a non-profit organisation that conducts research and advocacy to advance policies that enable access to medicines and rational medicine use for all people around the world. We pursue advocacy from the patient level up to the highest levels of government through our 'official relations' status with the World Health Organization and respected relationship with the European Medicines Agency. To safeguard our objectivity and integrity, we are resolutely independent of the pharmaceutical industry and protect ourselves from all other conflicts of interest.