

General Council Meeting
07-08 October 2021

Statement by India – Delivered by Ambassador & PR to the WTO

Agenda Item 4A: TRIPS COUNCIL MATTERS - STATUS REPORT ON THE CONSIDERATIONS BY THE TRIPS COUNCIL ON THE "PROPOSAL FOR A WAIVER FROM CERTAIN PROVISIONS OF THE TRIPS AGREEMENT FOR THE PREVENTION, CONTAINMENT AND TREATMENT OF COVID-19" (IP/C/W/669 Rev.1) – STATEMENT BY THE CHAIR OF THE COUNCIL FOR TRIPS

1. Chair at the outset on behalf of the cosponsors I welcome Malaysia as our newest co-sponsor taking the total number of sponsors to 64. Incidentally, this proposal was submitted on Mahatma Gandhi's Birth anniversary on 2nd October, last year. We have lost a whole year. and over 5 million lives while discussing this proposal. Chair it is disappointing to say the least that even on such a critical, urgent and extraordinary issue despite commitments to engage in text-based negotiation all we have done until now is debate and discuss the issue, thanks to a few members.

2. Although we have held several rounds of small group meetings, owing to lack of substantive engagement by a few members valuable time has been wasted without an outcome. While we have heard many delegations extolling the spirit of compromise, the need to be practical and pragmatic to be able to deliver in their areas of interest such values seem to be unwarranted in the TRIPS Waiver negotiations.

3. A few Members have stated that they do not view Waiver as a response to enhancing supplies thereby increasing accessibility and affordability of vaccines, therapeutics and diagnostics required to combat Covid-19. They have repeatedly claimed that existing flexibilities will deliver. But the current situation clearly reveals that these flexibilities have not delivered equitable access at affordable prices.

4. Chair, problems surrounding equitable access and affordability of these vaccines would continue to persist. As the countries with higher income level crowd out most of the production, add to that their need for boosters, annual vaccinations and vaccination for children current system will fall way short of the required enhanced needs. Protecting one country has its own limits when others remain unprotected therefore it becomes imperative to prioritize people who have not yet received their first dose and to achieve this we have to respond to lack of availability as well as accessibility and affordability. With emerging new and deadlier variants, the only way to ensure that today's vaccines remain effective is to get the world vaccinated as soon as possible. The bigger the pool of infected people the higher risk of virus mutations and high chances of the vaccines becoming ineffective. Recent studies have shown that though there

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may be breakthrough infections amongst the vaccinated population, the percentage of serious illness resulting in hospitalization and fatality has certainly reduced amongst vaccinated populations.

5. Chair, the recent UNCTAD Trade and Development report has found that developing countries will, by 2025, be as much as \$8 trillion poorer because of the coronavirus crisis, and the burden of delayed vaccination estimated at \$2.3 trillion in terms of lost income will be borne mostly by developing countries. In light of such alarming data, it is disheartening to see how the interest of a majority has been conveniently side-lined, this differentiated approach to combat the pandemic is bound to fail. We must as an organisation be willing to deliver on issues within our mandate that aim to alleviate the problems of the most vulnerable. Thus, it is paramount to incorporate the Waiver proposal into the WTO's response package being deliberated upon and we must ensure this is achieved to ensure a successful MC 12.
