

Resumed INB meeting, 15 June 2022

Draft WTO Secretariat Intervention (2 min.)

- The WTO Secretariat presents its compliments to the INB Co-Chairs and Bureau and appreciates the opportunity to provide input to the draft annotated outline of an international pandemic instrument.
- As part of the INB's first round of public hearings, The WTO Secretariat contributed to the INB's first public hearings through an open submission to the Co-Chairs and Bureau. It provides a factual overview of WTO agreements that are directly relevant for the development and distribution of health technologies. The submission compiles information about pandemic-related work on trade issues at the WTO, such as:
 - analytical work undertaken by the Secretariat, including information notes and databases;
 - the organization of information sharing sessions and workshops;
 - the establishment of high-level dialogues with heads of international agencies, vaccine manufacturers and other key stakeholders;
 - the monitoring of trade and trade-related measures taken in response to the pandemic to ensure maximum transparency; as well as
 - pandemic-related work undertaken by WTO Members in several WTO bodies.
- While the WTO Secretariat fully acknowledges that the determination of substantive elements to be included in the instrument is the sole prerogative of WHO Member States, the INB might find the following factual observations useful:
 - an international instrument could benefit from the inclusion of a section addressing its relationship with existing agreements, including the IHR(2005), as well as relevant WTO agreements, to ensure synergy and complementarity of the international framework (Part I, Section 2);
 - in a similar vein, the inclusion of a provision calling for collaboration could be useful. As a continuation of the longstanding trilateral cooperation between WHO, WIPO and the WTO, the WTO Secretariat stands ready to closely collaborate with the WHO and its Member States on trade-related elements of PPR (Part II, Section 5); and
 - As to the scope of the new instrument, Parts III to VI include a range of trade-related elements, such as equitable access to pandemic countermeasures, sharing of technology and know-how, geographical diversification of manufacturing capacities, global, effective and affordable supply chain and logistics networks, streamlining of regulatory approval, etc. As highlighted by the WTO Secretariat's submission to the INB, those elements are extensively covered by ongoing work at the WTO. This would merit to be taken into consideration when discussing their possible inclusion in the instrument.

Also, each of those parts usefully include sections on capacities and systems strengthening. As part of an integrated approach to effectively

address future pandemics, the WTO Secretariat, together with the WHO, WIPO and other competent agencies, is prepared to bring its expertise in trade matters to the table with a view to providing practical and evidence-based assistance to governments.

- [Finally, as we are speaking, two important instruments are being considered at the 12th WTO Ministerial Conference that could be directly relevant to forthcoming INB negotiations, if adopted:
 - a Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics addresses trade elements that are also covered by the White Paper. It calls for building effective solutions to respond to future pandemics through the work in relevant WTO bodies. And the Declaration would provide the basis for the WTO to cooperate with the WHO and other stakeholders, as it stresses "the importance of the WTO working, along with the WHO and other international organizations, on an international pandemic response"; and
 - a Ministerial Decision on the TRIPS Agreement would provide a targeted waiver, as well as clarify certain TRIPS flexibilities. To overcome vaccine inequity, it would create additional avenues for eligible developing countries to diversify and expand COVID-19 vaccine production.]
 - Noting the potential coverage of a wide range of trade-related elements in the negotiations of the instrument, the WTO Secretariat reiterates its readiness to actively engage in and substantially contribute to the INB process.
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