

Trade Policy in a Pandemic: An integrated approach

Policy insights from the WTO's response
to COVID-19



The World Trade Organization deals with the global rules of trade between WTO members. Its main function is to ensure that trade flows as smoothly, predictably and freely as possible.

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Acknowledgements

Trade Policy in a Pandemic – An Integrated Approach is a publication of the World Trade Organization (WTO) Secretariat. The report was coordinated by Antony Taubman (former director of the Intellectual Property, Government Procurement & Competition Division), and Josefita Pardo de León. This publication reflects the collaborative efforts of colleagues across the Secretariat working at the intersection of trade and health.

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The team is especially grateful for the guidance and support provided by Deputy Director-General Johanna Hill, as well as former WTO Deputy Director-General Anabel González and former WTO Chief Economist Bob Koopman. The production of the report was managed by the Information and External Relations Division. The text was edited by Jeanine Beck.

Foreword by the WTO Director-General



When I took office as Director-General of the World Trade Organization in March 2021, the world was still in the grip of the COVID-19 pandemic. The human and economic costs were mounting, global supply chains were under strain, and while effective vaccines had been developed in record time, they were in cruelly short supply. It was a moment that laid bare the vulnerabilities that came with a lack of global resilience in the way some supply chains were configured. Above all, it exposed the costs of excessive concentration of certain activities, such as vaccine production, within a small handful of places. When some of these countries restricted exports of scarce supplies, import-dependent regions like Africa were left in the lurch.

Yet it quickly became clear that no country could face the crisis alone. Global health security demanded global cooperation, including on trade, which became an important shock absorber after the initial lockdowns and export restrictions. Cross-border supply chains ramped up production of medical supplies to meet skyrocketing global demand. COVID-19 vaccines were manufactured in supply chains cutting across as many as 19 countries, though trade restrictions continued to affect inputs and finished doses. World trade rebounded strongly from late 2020, contributing to the economic recovery. At the same time, global trade rules became a source of contention, as a large number of developing countries saw intellectual property protections as a barrier to manufacturing COVID-19 vaccines.

This publication describes how the multilateral trading system responded to this unprecedented global health and economic emergency. It reflects the work of WTO members and the Secretariat during the most acute phases of the pandemic starting in early 2020 and continuing through the 13th Ministerial Conference in early 2024. It distils practical lessons and experiences that have shaped our understanding of what trade can do in a pandemic, and what more it must do to help prevent or at least contain future health crises.

Throughout the pandemic, the WTO served as a platform where members could engage, share information, and respond to evolving challenges. In our councils and committees, governments reviewed policy measures,

exchanged ideas, and identified best practices. The Secretariat supported this work with analytical work, technical assistance, and practical tools to navigate a rapidly changing landscape. We engaged with a wide range of stakeholders to gain a more granular understanding of supply chain disruptions. In particular, we worked with the chief executives of leading vaccine manufacturers to better understand where trade-related policies were holding back production and deployment, and to encourage them to shock-proof vaccine supplies by diversifying production to more developing country regions.

In 2022, at the WTO's 12th Ministerial Conference, members reached a compromise decision on intellectual property related to COVID-19 vaccines and adopted a separate Ministerial Declaration on the WTO Response to the COVID-19 Pandemic. Together, these lay the groundwork for the trading system to better support global public health and pandemic preparedness, including through increased production of vaccines, treatments and other health technologies in developing countries.

Looking ahead, one key takeaway from this report is that trade and smoothly functioning value chains will be essential whenever the next crisis comes: moving medical supplies and other goods and services is vital both for the immediate health response and longer-term economic recovery. WTO rules play a vital role here, as they do in the innovation ecosystem for the research, development, manufacturing, and distribution of new health technologies. It is yet another reason why a strengthened, repositioned, and reformed WTO is in the interest of all members.

I hope this publication supports ongoing policy dialogue, inspires future cooperation, and serves as a reminder that multilateralism, rooted in shared responsibility, remains our best path through global challenges.

Dr. Ngozi Okonjo-Iweala
Director-General
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Executive summary

A primary responsibility of all governments is to safeguard the health of their populations, a responsibility they cannot expect to deliver without international cooperation. The COVID-19 pandemic demonstrated the stark reality of this interdependence. No domestic system, no matter how powerful or economically strong, could deal with the pandemic in isolation. The international trading system therefore played an indispensable role in addressing and overcoming the impact of the novel coronavirus on communities around the world.

The pandemic thus demonstrated, in the most compelling way, the integral role of global trade in responding to challenges to global health. The international response spanned the full scope of the World Trade Organization's (WTO's) responsibilities and expertise; all communities depended to some extent on trade for inputs, for finished medical products and for related services, as well as new and adapted medical technologies and regulatory data. Trade policy, and the international trading system, therefore, lay at the very heart of this complex, integrated policy mix. From the outset of the pandemic, it fell to the WTO to contribute to the universal response based on its distinct mandate and areas of expertise.

This publication reviews the multiple aspects of the contribution to the pandemic response made by the WTO, by its members and its Secretariat:

- convening, through sharing practical experience and reviewing comparative policy responses;
- clarifying, through the development of information resources and expert analysis;
- cooperating, by working to turn information and dialogue into practical action; and
- catalysing and consolidating the hard practical lessons presented by the pandemic and building future responsiveness and resilience.

Alongside the scramble for critical goods such as personal protective equipment, the early stages of the pandemic saw an urgent need for accurate and credible information, a necessity for governments across the globe confronted with an unprecedented threat, not only to human health but also to the economic and social well-being of their population. Monitoring and responding to the pandemic would have been impossible without the flow of information and without the coordination of policy responses.

As understanding of the characteristics of the novel coronavirus developed, the global response ranged from the sharing of genomic data, to enable development of new medical countermeasures, to regulatory cooperation, and dialogue to comprehend the impact of various policy responses. A WTO Secretariat task force began monitoring the impact of COVID-19 on trade flows and the overall global economy, and prepared tailored reports and data services to support policymakers around the world. The full array of WTO monitoring and transparency mechanisms that was applied to the pandemic landscape yielded unique, invaluable information resources.

The WTO's convening power assumed fresh significance amidst the pandemic, providing a sure basis for coordinated feedback necessarily involving diverse stakeholders, information and guidance from a wide range of experience and expertise, and new forms of cooperation. Leadership and engagement on the part of member governments were critical to this process. Hence, from the early stages of the pandemic, members actively took up COVID-19 issues in the core bodies of the WTO, in line with their distinct mandated policy areas. The WTO councils and committees adapted existing transparency and consultation mechanisms to the exceptional needs of the pandemic response, for instance through thematic sessions for members on specific COVID-19 issues.

This review process, led by members, yielded two contrasting insights: first, governments had to consider

exceptional measures, legitimate steps taken in the public interest in an emergency; and secondly, the pandemic also accentuated the essential common interest in and mutual benefit from the core principles of the multilateral trading system, especially the benefits of open and well-functioning international production and supply chains and non-discriminatory measures.

Dialogue between members identified the challenges faced by developing and least developed economies in addressing the pandemic due to the lack of financial and other resources, as well as the importance of international cooperation for tackling COVID-19, including through the facilitation of critical areas of trade.

Effective engagement with the multifaceted challenges of the pandemic required the WTO to undertake extensive cooperation – both with established international partners and with new partners, including the creation of new cooperative arrangements. With the critical stages of the pandemic still in progress, the WTO's 12th Ministerial Conference (2022) saw WTO members agreeing on a framework to guide and consolidate the WTO's response to the crisis, to enhance the flow of practical knowledge, and to help render the multilateral trading system more resilient and better prepared for future crises.

The burden of COVID-19 still lays heavily on many communities, even if the most severe and immediate impacts of the pandemic have passed. It falls to

policymakers to analyse and draw longer-term conclusions from the tough lessons learned during this critical situation, including concerning systemic shortcomings and the consequences of insufficient preparedness. Practical steps also need to be taken to put these insights to work as a blueprint for future international cooperation, catalysing work on developing information and policy tools, building capacity and consolidating the institutional framework for continuing cooperation on the intersection between trade and health.

This vital work continues in several ongoing parallel processes and activities, within the structure of the WTO itself and through partnerships and other forms of collaboration, touching on the full array of trade policy issues relevant to pandemic preparedness and response. The current publication focuses on the critical period of the pandemic response, from early 2020 to the 13th WTO Ministerial Conference (MC13) convened in early 2024. At MC13, members noted the work done by WTO bodies and by the Secretariat, reflected in the 2022 Pandemic Declaration on the WTO response to COVID-19, and encouraged its continuation, including the Secretariat's role in providing data, analysis and technical cooperation.

This publication illustrates the nature and scope of the WTO's response to the pandemic and serves as a practical resource for policymakers considering how to strengthen preparedness for the strong possibility of future pandemics and similar global health crises.

Introduction:

The pandemic and the multilateral trading system

All governments have, as a primary responsibility, the preservation of the health of their populations. International cooperation is not merely desirable but essential for governments to deliver on this responsibility. The World Health Organization (WHO) was founded on the principle that the health of all people is “dependent upon the fullest co-operation of individuals and States” and the “achievement of any State in the promotion and protection of health is of value to all.”¹

The COVID-19 pandemic demonstrated the stark reality of this interdependence and highlighted the integral place of international trade in responding to the global health crisis. No domestic system, no matter how powerful or economically strong, could deal with the pandemic in isolation. As communities across the world reeled under the social and economic impact of COVID-19, WTO members unanimously declared in June 2022 that the “pandemic has highlighted the importance of working towards enhancing timely, equitable and global access to safe, affordable and effective COVID-19 vaccines, therapeutics, diagnostics, and other essential medical goods” and underscored the “critical role the WTO can play in promoting inclusive growth including industrialization, development, and resilience.”²

The trade component of the international response to the pandemic spanned the full gamut of the WTO's responsibilities and expertise: all communities depended to some extent on trade for inputs, for finished medical products and for related services, as well as new and adapted medical technologies and regulatory data. WTO members highlighted “the importance of a stable

and predictable trading environment for the provision of goods and services in accordance with WTO rules to facilitate manufacturing, and supply and distribution, of COVID-19 vaccines, therapeutics, diagnostics and other essential medical goods, including their inputs” and “the role of the multilateral trading system in supporting the expansion and diversification of production of essential goods and related services needed in the fight against COVID-19 and future pandemics, including through identifying opportunities and addressing barriers.”³

At the most practical level, monitoring and responding to the pandemic would have been impossible without this flow of information and without coordination at policy level. This essential collaboration ranged from the sharing of genomic data early on, which enabled development of new medical countermeasures, to cooperation on regulation. As understanding of the characteristics of a novel coronavirus developed, so did understanding of the impact of various policy responses to the health crisis. Thus, trade policy, and the international trading system, was the fundamental basis of this connected and integrated global response.

In the early stages of the pandemic, international trade in personal protective equipment spiked dramatically as governments struggled to gain access to the tools necessary to guard their populations, and especially health workers, against the scourge of the new pathogen. When vaccines were developed that would, ultimately, help turn the tide of the pandemic, this meant that all economies were dependent on trade for essential ingredients and other inputs for vaccine production and distribution.

A departure from the core principles of open, facilitated and non-discriminatory international trade was, in part, responsible (among many other factors) for the stark inequities in vaccine access at critical stages of the crisis. At the same time, the pandemic demonstrated that the world could not rely on “business as usual” and expect an open trading system alone to deliver critically needed new medical products urgently and equitably, without active intervention.

The COVID-19 pandemic highlighted the integral place of international trade in responding to the global health crisis.

Box 1. The 2022 Pandemic Declaration

In the lead-up to the 12th Ministerial Conference (MC12), WTO members negotiated a framework to guide and consolidate the WTO's response to the pandemic, to enhance the flow of practical knowledge, and to help render the multilateral trading system more resilient and better prepared for future crises.

Negotiations, based on various members' textual proposals, resulted in the Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics (Pandemic Declaration), adopted by consensus at MC12.

The Pandemic Declaration identified numerous priority areas on which to focus efforts, including export restrictions, food security, intellectual property, regulatory cooperation, services, tariff classification, technology transfer, trade facilitation and transparency, and tasked the General Council with an annual stocktaking exercise.

Source: Ministerial Declaration on the WTO response to the COVID-19 pandemic and preparedness for future pandemics, WTO document WT/MIN(22)/31, 22 June 2022.

The COVID-19 pandemic therefore led to two contrasting insights: on the one hand, governments had to implement exceptional measures, legitimate steps taken in the public interest in an emergency; on the other hand, the pandemic accentuated the essential common interest in and mutual benefit from the core principles of the multilateral trading system, especially the benefits of open and well-functioning international production and supply chains, and non-discriminatory measures.

Experience has shown the scope for addressing essential non-trade interests, of which public health is paramount, while working robustly within the system of multilateral trade rules. Notably, at the height of the pandemic, reflecting the direct interplay between trade and health, G20 health ministers agreed on the urgent need “to eliminate WTO-inconsistent barriers that jeopardize the effective operation of the supply chains for essential medical goods” and the importance of promoting “open, resilient, diversified, secure, efficient and reliable global supply chains across the whole value chain related to health, and that trade, procurement and public health policies are transparent in order to facilitate the smooth flow of these goods.”⁴

The most authoritative survey of the trade policy dimension of the pandemic was that set out by WTO members in the June 2022 Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics (Pandemic Declaration) (see Box 1).⁵

Based on the clear articulation of the critical role of the multilateral trading system in the pandemic response, the Declaration underscored “the importance of understanding how WTO rules have supported Members during the COVID-19 pandemic, and their role in future

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pandemics” and affirmed “the need to review and build on all the lessons learned and the challenges experienced during the COVID-19 pandemic, to build effective solutions in case of future pandemics”.⁶ It called on relevant WTO bodies to work on lessons learned and challenges experienced during the pandemic, and also noted the role of the Secretariat and the importance of cooperation with other international organizations, such as the WHO.

This publication provides a survey of the many facets of the WTO's response, as an accessible record of the role played and as a factual contribution to the ongoing international dialogue on how to learn from the pandemic to better prepare for future health crises. Given the wide range and complexity of the activities undertaken, it is necessarily selective while aiming to be representative and inclusive. Drawing on more technical reports, it organizes the activities undertaken and the practical lessons learned according to the following four themes.



1. Clarifying: Transparency in a pandemic

As governments were confronted with difficult, pressing policy decisions, the WTO's transparency and monitoring mechanisms, adapted and extended to respond to the unique demands of the pandemic, came into their own.

The flow of critical data on disrupted trade flows and immediate policy responses commenced early in the crisis, and new information and policy monitoring tools were swiftly developed and deployed. The WTO played a key role in continuing to track trade flows, notably for the burgeoning distribution of vaccines, and in stepping up the collation and analysis of trade policy approaches, so that governments had both a firmer empirical foundation for decision-making and a more comprehensive view of the evolving policy space.



2. Convening: Sharing experience and reviewing policy responses

A coordinated and effective international response to the pandemic entailed drawing together insights and experience, as well as urgent dialogue at political, practical and expert levels, making indispensable the convening power of a multilateral organization such as the WTO.

Existing avenues for dialogue were quickly implemented to provide a response to the pandemic, and new networks were established. Affirmed and further advanced through the Pandemic Declaration, intensive work went ahead in the main WTO bodies, but also through consultation, cooperation and information sharing with international partners, health programmes, industry and civil society. Notably, the WTO engaged at leadership level with international organizations and vaccine producers to identify and address obstacles to expeditious and equitable distribution of these urgently needed medical countermeasures.



3. Cooperating: From information and dialogue to action

The rapid flow of data and policy insights, and the swift uptake of the pandemic response in existing forums and cooperative processes, as well as in newly forged collaborative arrangements, formed a solid foundation for urgent practical cooperation and for necessary action.

WTO cooperation took on many forms, including new and adapted approaches to policy and statistical analysis with intergovernmental organizations and other partners. Working closely with international partners and a wide range of industry and civil society stakeholders, tailor-made technical cooperation and policy support programmes were rolled out for members, a grounded, inclusive and holistic approach.



4. Catalysing and consolidating: Building future responsiveness and resilience

With the most severe and immediate impact of the pandemic now past, although COVID-19 remains a disease of significant concern attention has turned to analysing and applying the hard lessons learned during this experience, the systemic shortcomings and the lack of preparedness.

These insights can shape a blueprint for future international cooperation, catalysing work on developing information and policy tools, building capacity and strengthening long-established and more recent partnerships, and consolidating the institutional framework for continuing cooperation on the intersections between trade and health. The Pandemic Declaration sets out, at the WTO's most senior political level, the core elements of an integrated, comprehensive and collaborative approach. The Declaration, together with further guidance from members, can help to consolidate an appropriate and practical role for the WTO within the multilateral and international framework for pandemic response and public health.



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**Clarifying:
Transparency
in a pandemic**



Alongside the scramble for critical goods such as personal protective equipment (PPE), the early stages of the pandemic saw an urgent need for accurate and credible information, a necessity for governments across the world confronted

with an unprecedented global threat, not only to human health but also to economic and social well-being.

Policymakers were faced with intense pressure to make difficult and urgent policy calls in a fast-evolving context in which accurate and reliable information was key. The monitoring and transparency mechanisms of the WTO therefore played a critical role in providing governments with up-to-date and inclusive information about the impact of the pandemic on international trade and about the policy measures that members had put into effect in response (see Box 2).

The core principle of effective transparency and the operation of well-functioning monitoring processes, taken together, represent fundamental elements of the multilateral system and were accordingly implemented in an intensified manner from early in the crisis. This work included addressing COVID-19 measures within the existing framework of WTO transparency and monitoring mechanisms, and devising and implementing supplementary transparency tools dedicated to the

urgent context of the pandemic response. Monitoring and transparency covered three broad areas:

- data on the evolving flows of goods and services trade impacted by and relevant for the pandemic, and related developments such as the licensing of intellectual property (IP);
- members' own notifications and verified monitoring of trade policy responses to the pandemic;
- overviews of the options available to members in diverse areas of trade policy, based on the collective experience.

In March 2020, as the impact of the pandemic was coming into focus, the need for transparency was immediately apparent. WTO members were then encouraged to share information on trade-related COVID-19 response measures, such as export measures and economic support programmes, within the context of the WTO's standing transparency processes. A dedicated web page provided up-to-the-minute trade-related information on notifications by WTO members, on the impact of the virus on exports and imports and on how WTO activities were affected.⁷

A task force of experts from across the WTO Secretariat began monitoring the impact of COVID-19 on trade flows and the overall global economy. This led, for instance, in early April 2020 to the information note, *Trade in Medical Goods in the Context of Tackling COVID-19*,⁸ recognizing that governments were already taking

Box 2. Inventory of COVID-19 information resources

The difficulty and complexity of navigating multiple streams of information at the height of the pandemic led to a WTO Secretariat initiative to compile an inventory of some 83 distinct COVID-19 information resources, comprising databases and reports published by a range of international organizations, non-governmental organizations, academics and the private sector.

The range of topics covered, in itself, illustrates the challenge of building a comprehensive and integrated overview of the pandemic and the multifaceted response to it. This material covered such topics as:

- **vaccinations;**
- **production and distribution of vaccines;**
- **diagnostics and therapeutics;**
- **research and development;**
- **epidemiology;**
- **procurement and pricing;**
- **licensing, technology transfer and IP-related issues.**

Source: See https://www.wto.org/english/tratop_e/covid19_e/inventory_resources_e.htm.

A task force of experts from across the WTO Secretariat began monitoring the impact of COVID-19 on trade flows and the overall global economy.

protective measures to stem the pandemic, some of which may have inadvertently impacted the flow of critical medical goods across territories. This information note provided information on trade and tariffs imposed on medical goods, illustrating both the high concentration of exporters of medicines and PPE and the high tariffs applied by some members.

Shortly after, the information note *Transparency – Why It Matters at Times of Crisis*⁹ was published, underscoring the importance of transparency and setting out the applicable mechanisms from across the full range of trade agreements in the WTO system. Thereafter, the full array of WTO monitoring and transparency mechanisms were applied to the pandemic landscape as a high priority.

Monitoring Trade Policy Responses

Formal notification and reporting requirements established by WTO trade agreements and the bodies that administer them necessarily evoked relevant responses to the pandemic. Hence, COVID-19 measures were covered by the overall Trade Policy Review Mechanism, as well as specific transparency requirements under the General Agreement on Tariffs and Trade 1994, the Decision on notification procedures for quantitative restrictions,¹⁰ the Trade Facilitation Agreement (TFA), the Agreement on Technical Barriers to Trade (TBT Agreement), the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), the Agreement on Agriculture, the Agreement on Subsidies and Countervailing Measures, the Agreement on Implementation of Article VI of the GATT (Anti-dumping Agreement), the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), the General Agreement on Trade in Services (GATS) and the plurilateral Agreement on Government Procurement.

Under the WTO's Trade Monitoring Exercise, the Secretariat reports twice a year to enhance transparency and provide an up-to-date picture of trends in the implementation of trade-related measures. From the onset of the pandemic, these reports included a special focus on COVID-19 trade-related measures on goods, services and IP, as well as on economic support.¹¹

Council for Trade in Goods

Many trade policy measures introduced in response to, or in connection with, the pandemic concerned different aspects of trade in goods. The Council for Trade in Goods has reported that 10 bodies under its aegis¹² received notifications concerning such measures, and that three also received voluntary *ad hoc* communications from members in the interest of transparency, beyond minimum notification requirements.¹³

Committee on Market Access

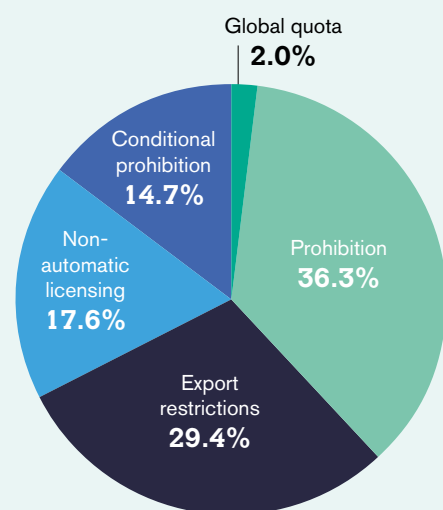
As soon as the WHO declared the novel coronavirus outbreak a global pandemic, the Committee on Market Access (CMA) commenced monitoring COVID-19-related measures, either restricting imports or exports of certain goods or aiming to ease trade in these goods. Most export restrictive measures took the form of prohibition and restriction (see Figure 1); of these, the majority were in place for under 270 days (see Figure 2). The CMA examined approximately 105 notifications of quantitative restrictions containing 68 export prohibitions and restrictions by 39 members.

A regularly updated Secretariat report on notifications relating to COVID-19¹⁴ illustrated how export restrictions and prohibitions were most frequently used in the early phases of the pandemic, covering different categories of products following its evolution. PPE, sanitizers and disinfectants, and foodstuffs were among the most restricted categories at the outset of the health crisis. Later, these measures covered COVID-19 vaccines, test kits and other medical devices and equipment.

The CMA considered some 30 communications by 17 members containing 41 unilateral trade-easing measures on imports of COVID-19 goods. These included tax-related measures, such as the reduction, suspension or elimination of import tariffs, internal taxes and other duties, and charges to minimize costs to importers, businesses and consumers. They also comprised simplified customs procedures, expedited clearance and paperless trade, to accelerate the import process and ensure resilient supply chains.

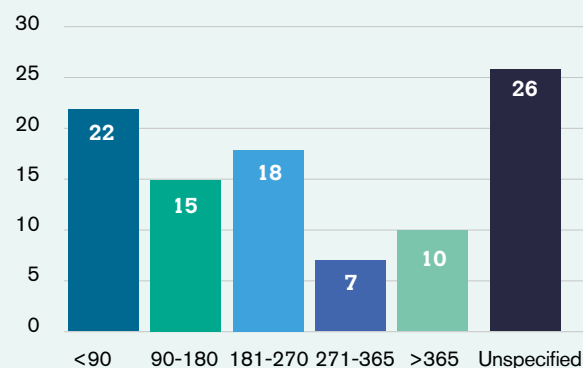
At the request of members, the Secretariat prepared and regularly updated a detailed report summarizing these notifications and voluntary communications.¹⁵ Members then requested¹⁶ a modification of this report to add information on trade and trade-related measures collected as part of the WTO's Trade Monitoring Exercise, as listed on the WTO website "COVID-19: Measures affecting trade in goods".¹⁷

Figure 1. Export prohibitions or restrictions in response to COVID-19, by type of measure (2020-2022)



Source: WTO Secretariat.

Figure 2. Export prohibitions or restrictions in response to COVID-19, by duration of the measures (2020-2022)



Source: WTO Secretariat.

Technical Barriers to Trade

The Technical Barriers to Trade (TBT) Agreement sets out disciplines for standards and regulatory measures used, for example, to protect human, animal or plant life or health and the environment, and to ensure product safety. In line with the TBT Agreement's transparency mechanism, some 34 members submitted 229 COVID-19-related notifications to the TBT Committee (technical regulations and conformity assessment procedures), comprising over 40 per cent of all COVID-19 notifications submitted by members.¹⁸ They mostly dealt with extraordinary and temporary streamlining of certification and related procedures, and the introduction of new regulatory requirements for medical goods, in response to the pandemic.

More than 65 per cent of these notifications were submitted under the TBT Agreement's provisions for emergency/urgent notification in response to the urgent health problems posed by COVID-19. Many notified measures were reported as temporary (generally applying for a period of six months or one year, or for the duration of the public health emergency).

Members also tended to extend their trade-facilitating measures beyond the initially notified period of application, in the light of the continuing public health emergency. Members generally did not notify the withdrawal of their temporary or emergency measures; however, according to

members' notifications, at least 21 measures were due to expire by 30 April 2022.¹⁹ In addition, some notifications indicated that the temporary measures were introduced for the duration of the pandemic and were set to expire at the end of the public health crisis.

Around two thirds of the notifications covered regulations on medical goods, such as PPE, pharmaceutical products, medical devices and other medical supplies. Others covered products not used for fighting the pandemic, but that were consumer goods potentially affected by the pandemic, such as food products. Some notifications did not indicate a specific product scope. The most frequently cited objective was protection of human health or safety. Other objectives cited included: prevention and control of COVID-19; consumer information; prevention of deceptive practices; labelling; reduction of trade barriers and trade facilitation; quality requirements; national security; protection of the environment; and harmonization.

Around 67% of the notifications covered regulations on medical goods, such as PPE, pharmaceutical products, medical devices and other medical supplies.

Many notified measures aimed, among other goals, to streamline or simplify certification and related procedures, for instance:

- suspending or relaxing authorization and certification procedures for PPE, other medical supplies and vaccines;
- allowing use of information technology tools for conducting remote conformity assessment procedures (e.g. remote inspections of foreign pharmaceutical manufacturers);
- regulatory cooperation such as accepting test results from internationally accredited laboratories.

Committee on Agriculture

The Committee on Agriculture (CoA) took up the need for transparency at a special meeting in June 2020, when the Chairperson encouraged members to share specific reports on their agricultural measures, taken in response to the pandemic towards an informed exchange of views in the CoA. Since then, 11 members have submitted 22 reports and updates on their COVID-19 agricultural measures. The Secretariat prepared and updated a compilation of these members' *ad hoc* reports.²⁰

Since 2021, COVID-19 agricultural measures have formed part of the annual notifications.

Starting from 2021, COVID-19 agricultural measures have also formed part of members' annual notifications and have been subject to the CoA's review process. Based on a request from members, the Secretariat developed a website on COVID-19 agricultural measures as part of the WTO's overall Trade Monitoring Exercise.²¹

Trade in Services

Provisions on transparency form part of the multilateral framework of rules for trade in services established by GATS. Up to mid-October 2022 and as part of the Trade Monitoring Exercise, the Secretariat compiled information on 156 measures affecting trade in services that were adopted by 59 WTO members and one observer in response to the COVID-19 pandemic, with no further such measures reported from then until October 2023.

Most of these measures appeared to be trade-facilitating: to ensure that more telecommunications capacity is made available to operators; to facilitate access by the

population to internet and mobile data and to online education and health services; to provide – and in certain instances reintroduce – flexibility for suppliers of transport services and to facilitate the continued supply of cross-border transport of freight; and lighter requirements imposed on banks to ensure that they are well-positioned to continue to provide credit. In addition, two members relaxed some limitations on the supply of Voice over Internet Protocol services.

Some measures adopted appeared to be trade-restrictive, mostly affecting services provided under a particular mode of supply, as defined in GATS (see Box 3), across various sectors. For instance, various governments took measures to tighten foreign investment regimes, thereby affecting supply under GATS mode 3 (commercial presence). Lists of COVID-19 measures affecting trade in services were included in the WTO's trade monitoring reports and regularly updated on the WTO website.²²

The bulk of the measures related to financial services (38 per cent), transport services (19 per cent), telecommunication services (14 per cent) and health services (7 per cent), or applied across various sectors (22 per cent). Trade monitoring reports also provided information on pandemic-related measures that were withdrawn: 22 measures were reported as terminated over the period of three years, and three more as partially terminated.

Mapping the Trade Policy Landscape

As a service for members, the WTO Secretariat compiled a mapping of the trade policy landscape, verified with members' informal situation reports, to provide transparency with respect to trade and trade-related measures taken in the context of the pandemic. These tables were updated regularly by the Secretariat, based on official and public sources, and comprised the following:

- 430 measures relating to trade in goods, as of 27 September 2023: of these, 235 were trade-facilitating and 195 trade-restrictive.
- 116 measures relating to trade and trade-related measures targeting agricultural products, as of 27 September 2023: of these, 66 were trade-facilitating and 50 trade-restrictive.
- 156 measures affecting trade in services taken in the context of the COVID-19 crisis, as of 6 November 2023.
- 1,154 support measures taken in the context of the pandemic.
- 78 measures relating to IP rights.

The Secretariat prepared numerous reports drawing on this information to provide accessible and clear resources

Box 3. Definition of services and trade and modes of supply

The definition of services trade under the GATS is four-pronged, depending on the territorial presence of the supplier and the consumer at the time of the transaction. The four modes of supply, from the perspective of an “importing” economy A, are described below:

Mode 1: Cross-border

A user in economy A receives services from abroad through its telecommunications or postal infrastructure. Such supplies may include consultancy or market research reports, tele-medical advice, distance training, or architectural drawings.

Mode 2: Consumption abroad

Nationals of A have moved abroad as tourists, students, or patients to consume the respective services.

Mode 3: Commercial presence

The service is provided within A by a locally established affiliate, subsidiary, or representative office of a foreign-owned and foreign-controlled company (bank, hotel group, construction company, etc.).

Mode 4: Movement of natural persons

A foreign national provides a service within A as an independent supplier (e.g. consultant, health worker) or employee of a service supplier (e.g. consultancy firm, hospital, construction company).

Commercial linkages may exist among all four modes of supply. For example, a foreign company established under mode 3 in economy A may employ nationals from economy B (mode 4) to export services cross-border into economies B, C, etc. Similarly, business visits into A (mode 4) may prove necessary to complement cross-border supplies into that economy (mode 1) or to upgrade the capacity of a locally established office (mode 3).

Source: WTO website, viewed at https://www.wto.org/english/tratop_e/serv_e/cbt_course_e/c1s3p1_e.htm.

for members to remain abreast of the current policy measures that were being deployed across the globe. By way of illustration only, these resources included integrative reports on:

- members' use of trade measures to expedite access to COVID-19 critical medical goods and services;²³
- export prohibitions and restrictions;²⁴
- medical products in regional trade agreements;²⁵
- trade in services in the context of COVID-19;²⁶
- the TRIPS Agreement and COVID-19;²⁷
- members' actions regarding standards, regulations and COVID-19;²⁸
- cross-border mobility, COVID-19 and global trade;²⁹
- issues of trade impact on the development and delivery of vaccines;³⁰
- trade-related bottlenecks and trade-facilitating measures on critical products to combat COVID-19.³¹

Further resources covered, among other things, COVID-19 and agriculture,³² least developed countries,³³ women in vulnerable sectors and economies,³⁴ micro, small and medium-sized enterprises,³⁵ the role of trade in future resilience to diseases of animal origin³⁶ and e-commerce.³⁷

Tracking Shifts in Trade Flows

WTO analysis charted the dramatic impacts on trade in goods and services resulting from the pandemic (see Figure 3), making use of new analytical tools devised in particular to track the critical area of vaccine production and distribution. This work demonstrated how global trade in medical goods rose dramatically, from 6.4 per cent of total world trade in 2018 to 8.3 per cent in 2020, due to heightened demand.³⁸

Worth US\$ 1,350 billion in 2020, trade in medical goods continued to grow in 2021 – increasing by 14.1 per cent compared with 2020, largely owing to an increase in pharmaceutical trade. However, more recent data showed a decline to pre-pandemic levels, with medical goods comprising 6.9 per cent of total merchandise trade in 2022.³⁹

Worth US\$ 1,350 billion in 2020, trade in medical goods increased by over 14% in 2021.

The surge was driven by PPE and pharmaceuticals, with PPE recording a 53 per cent increase in 2020 but slightly declining in 2021 and 2022. Pharmaceutical trade saw a notable 19.7 per cent increase in 2021, fuelled by COVID-19 vaccine trade. The top 10 exporters, led by Germany, accounted for three quarters of global exports, with the United States as the top importer in 2022.⁴⁰

The WTO Secretariat revised its information note on trade in medical goods related to COVID-19, initially released in April 2020. The updated note highlights the changes and trends in the trade of medical goods from 2019 to the end of 2021, encompassing the period since the declaration of COVID-19 as a global health emergency by the WHO.⁴¹

The updated note highlights the significant increase in the global trade of medical goods, reaching US\$ 2,654 billion in 2021 from US\$ 2,028 billion in 2019, with a yearly growth rate of 14.4 per cent. Before the pandemic in 2019, the medical goods sector accounted for 5.3 per cent of total world trade, increasing to 6.6 per cent in 2020 but slightly decreasing to 5.9 per cent in 2021.

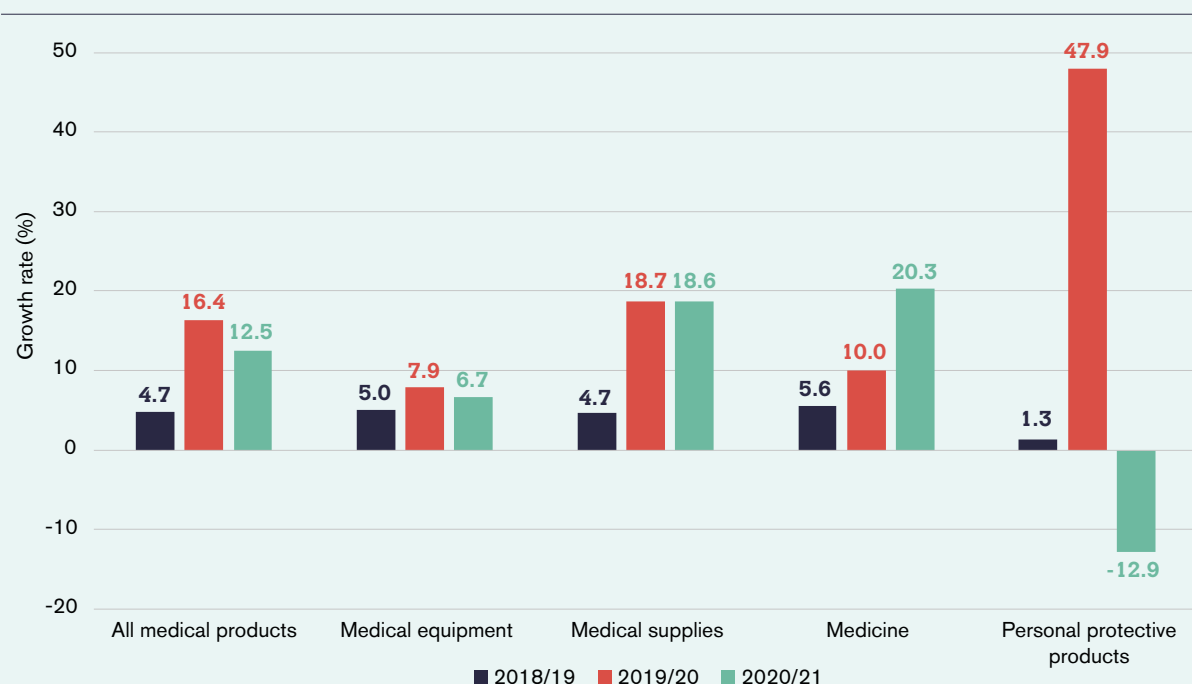
The United States and Europe maintained dominance in global medical goods trade, despite a shift to Asia for some products. COVID-19-related items such as

ventilators and face masks saw double-digit growth in 2020 but slowed in 2021. Most-favoured-nation tariffs for medical goods remained low, around 4 per cent, with a slight decrease during the pandemic, but tariffs for PPE remained substantial. The information note is part of a series providing updates on trade in medical goods in the context of tackling COVID-19.⁴²

Developed by the WTO Secretariat in collaboration with the International Monetary Fund (IMF) and building on the analytical work of the Secretariat, the WTO-IMF COVID-19 Vaccine Trade Tracker was a new tool for monitoring trade flows for perhaps the most sought-after product group at the peak of the pandemic: COVID-19 vaccines. This resource provided a granular analysis of trade in vaccine doses from facilities where the final vaccines are made (the so-called “fill and finish” stage) to the destinations where they are administered.

The WTO-IMF Vaccine Trade Tracker broke down data according to export sources and destinations, according to region and income group, mapping this over the most critical period of the pandemic, which was up until mid-2022. It tracked a global supply of some 15.2 billion doses, of which around 9.0 billion were for domestic supply and 6.2 billion comprised implicit trade (exports or imports).

Figure 3. Trade growth in medical goods by product group, 2018-2021



Source: WTO Secretariat.

Trade in Services

Early on in the global health crisis, in May 2020, the WTO Secretariat published an information note analysing the initial impact of the pandemic on trade in services in different sectors and modes of supply.⁴³ It underscored that services sectors had been heavily affected. Tourism, transport and distribution services, for example, suffered as a result of mobility restrictions and social distancing measures imposed for public health reasons. Given the role of services in providing inputs for other economic activities, including connecting supply chains and facilitating trade in goods, disruptions in services supply

Disruptions in services supply had a broad economic and trade impact.

had a broad economic and trade impact.

This analysis stressed that the type and extent of effects on trade in services varied significantly by sector and mode of supply. Trade in services that involved proximity between suppliers and consumers had been severely impeded. GATS mode 2 (i.e. supply in the context of the movement of consumers abroad) and mode 4 (involving the temporary movement of natural persons) were largely paralyzed.

The crisis brought greater focus to online supply in sectors such as retail, health, education, telecommunications and audiovisual services. Suppliers accelerated efforts to expand their online operations and consumers adopted new habits contributing to a long-term shift towards online services. In the future, increased supply of services through digital networks could increase trade through mode 1 (cross-border supply). Moreover, the increased use of online services during the COVID-19 pandemic accentuated technology and connectivity disparities, as online classes are not feasible for students without computers and telework was not an option for employees without broadband.

Services sectors, and the creation of conditions conducive to trade in services, were key to the recovery from the economic slowdown.

Overall, the crisis further underscored the importance of services that enable online supply, such as telecommunications and computer services, as well as the broader infrastructural role of financial, transport, distribution and logistics services in facilitating merchandise trade and economic growth. Services sectors, and the creation of conditions conducive to trade in services, were key to the recovery from the economic slowdown.

Intellectual Property and COVID-19

In view of the ongoing debate on the IP dimension of innovation and access to COVID-19 countermeasures, notably vaccines, members showed considerable interest in understanding patterns of IP coverage and licensing for key technologies. Given the nature of the data, unlike conventional trade data, the WTO's partnerships proved to be invaluable when it came to responding to members' interest in tracking relevant developments in this area.

The World Intellectual Property Organization undertook detailed patent landscaping projects on COVID-19-related vaccines and therapeutics, initially publishing preliminary observations on related patenting activity during the health emergency and then a follow-up study providing insights into related patenting activity throughout the pandemic, as well as sharing the raw data used for analysis. The WTO Secretariat took part in the launch of these resources and drew on these studies for technical assistance and policy support.

In addition, the VaxPaL database developed by the Medicines Patent Pool informed a staff working paper on innovation and patenting activities of COVID-19 vaccines of WTO members,⁴⁴ which provided a statistical analysis of 74 patent families (i.e. collection of patents and patent applications covering the same or similar technical content or invention, typically filed in multiple national jurisdictions) which cover subject matter relevant to the 10 most widely produced COVID-19 vaccines as of December 2021. At the request of members, a briefing was provided on this analysis under the aegis of the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council).

Similarly, externally compiled data on vaccine technology licences enabled the Secretariat to brief and update the TRIPS Council, at the request of members, on trends in licensing for the major COVID-19 vaccines, drawing on data provided by the United Nations Children's Fund COVID-19 Market Dashboard⁴⁵ and the firm Airfinity.



2

Convening: Sharing experience and reviewing policy responses



The convening power of a multilateral organization such as the WTO becomes even more valuable in a truly global crisis such as the COVID-19 pandemic. Given the need for a coordinated response involving diverse stakeholders, and

drawing on technical and policy information and analysis from a wide range of expertise and practical experience, new forms of cooperation are required.

From an early stage in the pandemic, members actively took up COVID-19 issues in the core bodies of the WTO, in line with their distinct mandated policy areas. The WTO councils and committees adapted existing transparency and consultation mechanisms to the exceptional needs of the pandemic response, for instance through thematic sessions for members on specific COVID-19 issues.

In addition, WTO members, the Secretariat and WTO Director-General Ngozi Okonjo-Iweala initiated or engaged with a wide range of *ad hoc* or focused consultation and information-sharing processes, addressing specific challenges posed by the pandemic and drawing on insights from other stakeholders, including health policy experts and representatives of industry and civil society. New consultative and information-sharing networks were also established, and existing networks reinforced or intensified, to maximize the flow of information and practical experience, particularly at the peak of the pandemic.

From an early stage in the pandemic, members actively took up COVID-19 issues in the core bodies of the WTO.

Convening: WTO Councils and Committees

Reflecting the full range of trade-related issues raised by the pandemic, members took up the impact and implications of COVID-19 in almost all WTO councils and committees, in line with their distinct mandates and expertise. This work spanned traditional market access issues, trade facilitation, regulatory implications, the impact on services trade, government procurement and the IP system. The work was informed by the transparency and monitoring processes described in Section 1 (Clarifying), ensuring that it was grounded in practical experience and empirical data.

Council for Trade in Goods

The *Report on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics*, prepared by the Council for Trade in Goods and its subsidiary bodies,⁴⁶ outlined the full range of work undertaken by these entities. It describes how 10 distinct bodies dealing with aspects of trade in goods held dedicated meetings or experience-sharing sessions on pandemic issues, alongside their consideration of COVID-19 in regular formal and informal sessions.

Committee on Market Access

The Committee on Market Access (CMA) took up issues related to the pandemic in May 2020, in the context of an informal meeting which reviewed Secretariat information notes,⁴⁷ shared members' experiences and discussed notifications concerning export restrictions and prohibitions,⁴⁸ as well as specific communications dealing with unilateral trade measures aimed at easing the importation of COVID-19 essential goods. This work continued, for instance, through an information session on trade in COVID-19-related goods,⁴⁹ with the presentation of five Secretariat reports and the WTO-IMF COVID-19 Vaccine Tracker.

Based on inputs received from members, the CMA agreed to organize six successive experience-sharing sessions to discuss the topics identified by members, taking a flexible, bottom-up approach. At these sessions, members volunteered to present information and data on their national experiences in relation to the relevant topics; summaries of discussions were then circulated as reference materials.⁵⁰

The World Customs Organization (WCO) participated in the first two sessions, concerning classification and monitoring of trade in COVID-19 goods, in view of the close relationship between these topics and the Harmonized System (HS). As a result of these experience-sharing efforts, the CMA adopted a document on lessons learned from these sessions on trade in COVID-19-related goods.⁵¹ This document, which aimed to help guide members' responses to future crises, strengthened collaboration with the WCO for the improved customs classification of essential medical goods in the next version of the HS nomenclature.⁵²

Committee on Sanitary and Phytosanitary Measures (SPS Committee)

The 12th Ministerial Conference (MC12) Sanitary and Phytosanitary (SPS) Declaration⁵³ instructed the SPS Committee to launch a work programme to identify challenges in the implementation of the SPS Agreement,

the mechanisms available to address them and the impacts of emerging challenges. The SPS Committee established five thematic groups to undertake this work which held several meetings between September 2022 and May 2023.

The SPS Committee consulted with a wide range of stakeholders, including the international standard-setting bodies, other SPS Committee observer organizations, members' competent authorities, agricultural producers, food manufacturers and traders, and the Standards and Trade Development Facility, among others.

The SPS Committee held a thematic session on risk communication, misinformation and disinformation on 14 November 2023.⁵⁴ The session explored concepts surrounding information manipulation and their relevance within the context and implementation of the SPS Agreement.

Members had access to all the information on a dedicated web page,⁵⁵ and all documents related to the MC12 SPS Declaration were made available on the ePing SPS & TBT Platform.⁵⁶

Committee on Technical Barriers to Trade

Members discussed and shared their experiences on COVID-19-related matters in the Committee on Technical Barriers to Trade (TBT Committee) in various formats, including thematic sessions on technical assistance and on conformity assessment procedures. Discussions covered trade-facilitating measures and regulatory flexibilities introduced in the context of the pandemic, technical assistance and capacity-building projects, development of and access to standards, and the role of accreditation.

Building on the experiences shared in the TBT Committee, in the context of the Ninth Triennial Review of the TBT Agreement in 2021, the Committee agreed:

*“with a view to improving future pandemic preparedness, to examine and compile best practices for: understanding international standards; streamlining conformity assessment procedures (including temporary or emergency alternatives) to facilitate trade in select essential medical goods, including vaccines, during pandemics; and, enhancing international regulatory cooperation.”*⁵⁷

At the request of members,⁵⁸ the Secretariat prepared a background document on the COVID-19-related work of the TBT Committee and presented it to the Committee in July 2022.⁵⁹ This document reviewed various topics: the TBT Committee's discussions on COVID-19-related technical barriers to trade notifications and on specific

trade concerns (STCs) relating to COVID-19; members' sharing of experiences on COVID-19-related matters in the TBT Committee; WTO Secretariat work relating to COVID-19 and TBT; and inputs from observers on COVID-19-related matters in the TBT Committee; as well as reviewing TBT-related discussions in other WTO bodies on COVID-19-related matters.⁶⁰

COVID-19 has been mentioned in 54 STCs⁶¹, the vast majority of which were not linked to COVID-19-related notifications or medical goods but rather concerned the significant impacts of the pandemic on members' economies. These included difficulties complying with regulatory requirements and performing conformity assessment procedures, and the overall impact on work in the areas of standards and regulations.

Many members requested that entry into force of new regulatory requirements be postponed, that transition periods be extended or asked for more flexible timeframes to implement or adapt to new regulatory measures, citing compliance difficulties due to COVID-19. In this context, certain members reported having extended enforcement dates of regulatory measures to give businesses additional time to adapt to new rules and allow members to focus on responding to the pandemic.

Members raising STCs noted that COVID-19-related restrictions and uncertainty as to when such restrictions would be lifted made it burdensome or even impossible to perform conformity assessment procedures. Members said it was difficult to meet testing, on-site inspections and certification requirements. As a result, members tended to request that enforcing members temporarily relax certain aspects of proposed or adopted conformity assessment procedures (e.g. exemption from the factory visit requirement; exemption period from national testing and certification requirements or suspension of the requirement to stamp and legalize documents submitted for registration by exporting factories).

COVID-19 was also cited by various members in relation to the need for taking temporary alternative trade-facilitating measures. Examples of this included factory inspections carried out remotely; paper-based audits; authorization of qualified inspection bodies located in the exporting economy to perform on-site factory visits; and acceptance of test results from a third-party laboratory, the third-party certification body of other members or recognized third-party certification experts, instead of testing the products in a designated body in the importing economy.

Consequently, certain enforcing members reported the adoption of these kinds of measures, such as the postponement of factory visit requirements for obtaining conformity certificates, or use of remote assessment

technologies in the context of conformity assessment procedures, or reduction of costs for conformity assessments.

Members stressed the challenges faced by developing economies in addressing the pandemic due to the lack of resources.

More generally, members cited the impact of COVID-19 on their work in the areas of standards and regulations overall (e.g. the lack of capacity to analyse draft regulatory requirements), which in some cases caused delays in regulatory processes. Members also stressed the challenges faced by developing economies in addressing the pandemic due to lack of financial and other resources. Other members emphasized the importance of international cooperation for tackling COVID-19, including by the promotion of standards and regulations that facilitate rather than create obstacles to trade.

Committee on Agriculture

In June 2020, responding to members' specific requests, the Committee on Agriculture (CoA) convened a special meeting focusing on COVID-19 and agricultural trade policies within the framework of the Agreement on Agriculture.⁶² The discussions were organized based on specific contributions by members on COVID-19 and agriculture, as well as advance written questions on COVID-19 and agricultural trade policies within the setting of commitments under the Agreement. Members underscored the importance of transparency and of the monitoring of COVID-19 agricultural measures, and agreed to include "COVID-19 and agriculture" as a standing item on the agenda of future CoA meetings.

During the June 2020 special CoA meeting, members expressed interest in inviting experts from other international organizations, to benefit from their work on the monitoring and analysis of COVID-19 agricultural measures. The Secretariat accordingly organized an information session in the margins of the July meeting of the CoA and invited the Food and Agriculture Organization of the United Nations (FAO), the International Food Policy Research Institute, the International Grains Council and the International Trade Centre, to present their COVID-related work.

Subsequent discussions under the standing agenda item were based on members' submissions, including specific

reports on the measures taken in the agricultural sector in response to the pandemic as well as contributions by international observer organizations. From September 2022, discussions were guided by the mandate set by the Pandemic Declaration. The CoA also addressed COVID-19-related matters, as relevant, in the context of the implementation of the Ministerial Decision on World Food Programme food purchases exemption from export prohibitions or restrictions⁶³ and the Ministerial Declaration on the emergency response to food insecurity.⁶⁴

Committee on Trade Facilitation

In September 2020, the Committee on Trade Facilitation (CTF) held an informal meeting to discuss members' trade-facilitation measures regarding the COVID-19 pandemic. Twenty members informed the CTF of the measures that they had implemented, and several external stakeholders also presented their views. Following this meeting, members continued the practice of sharing their experiences in responding to the pandemic under the regular sessions of the CTF.

Panel discussions aimed to identify future work the Committee on Trade Facilitation could undertake to streamline procedures and expedite humanitarian shipments.

In 2023, the CTF convened two informal panel discussions, organized by the United States, called "Disaster Preparedness: A View from the Border", to share experiences and highlight the challenges that WTO members, aid agencies and non-governmental organizations face in moving humanitarian aid and relief supplies across international borders during times of disaster, whatever form it may take. The panel discussions aimed to identify future work the CTF could undertake to streamline procedures and expedite humanitarian shipments.

Eight members submitted transparency notifications under the Trade Facilitation Agreement to update the sources of information for measures undertaken to tackle the pandemic in the period 2020-2022.⁶⁵ At the request of members, the Secretariat prepared and continued to update a compilation of trade-facilitation measures implemented by WTO members and observers in response to COVID-19.⁶⁶ Since then, the Secretariat has updated this compendium, which has been circulated under the document series.

Council on Trade in Services

In 2020, the implications of the COVID-19 pandemic on services trade-related aspects of the pandemic were discussed, through an exchange of views between members; further to the meeting the Secretariat presented an information note on the issue. Members highlighted the importance of sharing experiences, including on trade-facilitation measures adopted to deal with the crisis and to promote economic recovery. Members discussed efforts to increase the digital capabilities of businesses and consumers in view of the growing importance of online services, especially during the COVID-19 crisis.

In the Special Session of the Committee on Trade in Services (CTS), members considered a communication submitted by a group of developing economies to discuss the impact of the pandemic on services sectors of vulnerable members, as well as related challenges and opportunities for trade in services. Further to the Pandemic Declaration, the CTS discussed several written submissions, and following consultations with members, organized a series of informal information-sharing sessions. The following areas were addressed in these sessions: transport and logistics services, health services, tourism services, information and communications technology, and digitally delivered services. The CTS reported on its activities to the General Council in December 2023,⁶⁷ including details of the first three information-sharing sessions and the Chair's concluding observations from each session, with the fourth session following in 2024.

Members shared experiences on trade-facilitating measures adopted to deal with the crisis and to promote economic recovery.

Intellectual Property: TRIPS Council

The Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council) took up work on the interface between the IP system and COVID-19 from June 2020. The pandemic was covered in the context of its regular standing item on notifications and under a specific item on "IP Measures in the Context of COVID-19", with reference to a non-exhaustive list of some 87 domestic measures compiled by the Secretariat as part of the WTO's Trade Monitoring Exercise.

In successive sessions of the TRIPS Council, members exchanged information and experiences relating to

IP measures taken in the context of the pandemic and considered proposals tabled by members. This work included extensive debate over an initial proposal and a subsequent revised proposal for a waiver of certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID-19, first tabled in October 2020,⁶⁸ as well as several other submissions by members.⁶⁹

On 3 May 2022, the TRIPS Council Chair circulated a communication from Director-General Ngozi Okonjo-Iweala,⁷⁰ sharing with the wider membership the outcome of discussions among an informal group of ministers to give impetus to the Council's work. The draft outcome text set out clarifications and waivers of further provisions of the TRIPS Agreement for eligible members to authorize the use of patented subject matter required for the production and supply of COVID-19 vaccines, to the extent necessary to address the pandemic. It served as a basis for members' ensuing text-based negotiations leading to the 12th Ministerial Conference (MC12) Decision on the TRIPS Agreement.⁷¹

Following MC12, the TRIPS Council pursued negotiations on the possible extension of this Decision in line with the mandate set by ministers. The TRIPS Council's work also covered reports by members and international organizations on COVID-19-related technical assistance, and COVID-19 technology transfer programmes for least developed countries (LDCs) reported by certain developed economy members.

At the 13th WTO Ministerial Conference, convened in Abu Dhabi from 26 February to 2 March 2024, members adopted the Abu Dhabi Ministerial Declaration which reviewed the WTO's work on the pandemic and noted the importance of the MC12 Ministerial Declaration on the COVID-19 response. The 2024 Declaration called on WTO councils and committees to build on the lessons learned from the COVID-19 health emergency, with a view to greater preparedness in the face of future pandemics:

"We recall the Declaration in MC12 on the 'WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics' and take note of the work done in relevant WTO Councils and Committees, as reflected in the General Council report in document WT/MIN(24)/8. We encourage the relevant WTO bodies to continue their work as directed by the Declaration, based on Members' submissions, to review and build on all the lessons learned and the challenges experienced during the COVID-19 pandemic, to build effective solutions in case of future pandemics in an expeditious manner. We also note the work of the WTO Secretariat in supporting this work with data, analysis, and technical cooperation, including through trilateral cooperation with the World

Health Organization (WHO) and the World Intellectual Property Organization (WIPO), and cooperation with other relevant international organizations, and encourage it to continue doing so going forward, as appropriate.”

Convening: External Stakeholders

A comprehensive, inclusive and fully informed understanding of the impact of, and potential responses to, the pandemic required engagement with a wide range of organizations, initiatives and experts. Existing cooperative networks and partnerships with international organizations and international programmes rapidly turned to pandemic issues. These partnerships proved to be invaluable at many levels: gathering and collating information, including through new data tools; analysing the impact and policy implications of the pandemic, including through numerous joint publications; providing technical cooperation and policy support for members; and engaging the FAO in broader and more widely informed policy dialogues. Naturally this work included extensive engagement with the WHO, but also with United Nations specialized agencies such as WIPO, and other international organizations including the Organisation for Economic Co-operation and Development (OECD) and the WCO.

Specific initiatives to build on existing partnerships included the establishment at agency-head level of the Multilateral Leaders Task Force on COVID-19 vaccines, therapeutics and diagnostics, comprising the IMF, the World Bank Group, the WHO and the WTO. The leaders of the four organizations met periodically to coordinate and build cooperation, consulting also with Gavi and the United Nations Children's Fund (UNICEF). The Task Force issued a joint statement concerning challenges to vaccine deployment and equitable distribution, setting out responses to those challenges. The existing trilateral cooperation on health, IP and trade between the WHO, WIPO and the WTO was intensified, extended and focused, in line with joint decisions of the three Directors-General, leading to a coordinated approach to mapping policy issues, sharing practical experiences and providing tailored technical assistance and policy support for members.

The convening role of the WTO also extended to engagement with industry, public health initiatives and civil society, again building on existing partnerships and forging new ones. In March 2021, WTO Director-General Ngozi Okonjo-Iweala took part in a Chatham House event – the “Global C19 Vaccine Supply Chain and Manufacturing Summit” – co-sponsored by COVAX, the Developing Countries Vaccine Manufacturers Network, the Biotechnology Innovation Organization and the International Federation of Pharmaceutical Manufacturers and Associations.

The convening role of the WTO also extended to engagement with industry, public health initiatives and civil society, again building on existing partnerships and forging new ones.

This engagement extended the following month to a WTO-organized meeting, “COVID-19 and Vaccine Equity: What Can the WTO Contribute?”, bringing together government ministers and vaccine manufacturers from LDCs and developed and developing economies, together with international organizations, civil society and development finance institutions. The immediate goal of the meeting was to contribute to efforts to increase vaccine production and broaden access.

Specifically, the event pinpointed the obstacles, particularly the trade-related obstacles, to ramping up production, and to equitably distributing and administering vaccines, and considered how the WTO could contribute to these solutions. It drew together manufacturing capacity, technology holders and finance providers, and it considered IP issues and the necessary incentives for research and development, and for ensuring no economy was deprived of medicines.

Together with her counterparts on the Multilateral Leaders Task Force, Director-General Ngozi Okonjo-Iweala held high-level consultations with Gavi, the Global Lead Coordinator for COVID-19 Vaccine Country Readiness and Delivery, UNICEF and the heads of leading vaccine manufacturers, aimed at ensuring the rapid delivery of vaccines to where they were most needed.

This industry engagement extended to consultations between Directors-General, involving the heads of a

Director-General Ngozi Okonjo-Iweala held high-level consultations with Gavi, the Global Lead Coordinator for COVID-19 Vaccine Country Readiness and Delivery, UNICEF and the heads of leading vaccine manufacturers.

Box 4. COVID-19 and trade in goods issues: external stakeholders' thematic session

The following stakeholders provided inputs to the informal thematic session of the TRIPS Council on the Extension of the MC12 Ministerial Decision on the TRIPS Agreement:

- Advanced Medical Technology Association
- Coalition for Epidemic Preparedness Innovations
- Codex Alimentarius Commission
- DHL
- Food and Agriculture Organization of the United Nations
- Global Alliance
- IMPACCT Working Group
- International Federation of Red Cross and Red Crescent Societies
- International Food Policy Research Institute
- International Grains Council
- International Medical Corps
- International Plant Protection Convention
- International Trade Centre Joint Accreditation System of Australia and New Zealand
- Medair
- Médecins sans Frontières
- Medtronic
- Organisation for Economic Co-operation and Development
- Phillips
- United Nations Children's Fund
- United Nations Population Fund
- United Nations Trade and Development
- Western Union
- World Bank
- World Customs Organization
- World Health Organization
- World Organisation for Animal Health

Source: Report on the WTO response to the COVID-19 pandemic and preparedness for future pandemics, WTO document G/L/1521, 1 December 2023.

range of companies engaged in the production of key COVID-19 therapeutics. These consultations drove discussions on improving access to these products, in view of the increased focus on therapeutics access, following the MC12 Decision on the TRIPS Agreement regarding vaccines.⁷² The consultations reviewed current challenges for expanding and diversifying production of therapeutics, and explored the potential role of trade policy tools in addressing and overcoming these challenges.

Director-General Ngozi Okonjo-Iweala also discussed with the CEO Advisory Committee of the International Generic and Biosimilar Medicines Association how to promote international health equity and access to therapeutics. This discussion was the basis for a continuing dialogue aimed at contributing to the fight against the pandemic and securing global public health beyond the current health crisis. The information gathered from these consultations provided the basis for analytical work carried out by the Secretariat on the indicative lists of trade-related bottlenecks, and trade-facilitating measures on critical products to combat COVID-19, published as information notes.

Furthermore, the work of WTO councils and committees on the pandemic outlined above, benefitted from extensive input from numerous, diverse stakeholders (see summaries in Boxes 4 and 5). A dedicated page was also published on the WTO website to provide access to papers issued by a wide range of business and civil society groups on various COVID-19 issues: more than 50 in all.⁷³

The work of WTO councils and committees on the pandemic benefitted from extensive input from numerous, diverse stakeholders.

Box 5. TRIPS and access to medicines: external stakeholders' inputs to thematic session

The following stakeholders provided inputs to the informal thematic session of the TRIPS Council on the Extension of the MC12 Ministerial Decision on the TRIPS Agreement*:

Data collection and analysis

Airfinity Ltd

FIND, Global alliance for innovation in diagnostics

Intergovernmental organizations and initiatives

Medicines Patent Pool

South Centre

World Health Organization

World Intellectual Property Organization

Civil society organizations

Health Justice Initiative

Initiative for Medicines, Access and Knowledge (I-MAK)

Innovation Council

Knowledge Ecology International

Medicines Law & Policy

Third World Network

Business

Biovac

BogotáBio

Ferozsons Laboratories Limited

Institut Pasteur de Dakar

Merck Sharp and Dohme (MSD)

Pfizer

Academics

Department of Global Health, Peking University

Harvard University

Max Planck Institute for Innovation and Competition

** Ministerial Decision on the TRIPS Agreement, WTO document WT/MIN(22)/30, 22 June 2022.*

Source: Council for TRIPS: Paragraph 8 of the Ministerial Decision on the TRIPS Agreement – Informal thematic session for external stakeholder input, Report by the Chair, WTO document IP/C/W/706, 23 October 2023.



3

**Cooperating:
From information and
dialogue to action**



Effective engagement with the multifaceted challenges of the pandemic required the WTO to undertake extensive cooperation, both with established international partners and with new partners, including the creation of new cooperative arrangements.

The programme of technical cooperation for the benefit of developing economy and least developed country members naturally took on a strong component of COVID-19 issues across the full range of trade policy domains. Substantial benefits arose from cooperative initiatives with other international partners. A selection of these numerous and diverse interactions is set out below, albeit as an inevitably incomplete list.

Cooperation with International Organizations

At the request of the G20 Finance Ministers and Central Bank Governors, under the presidency of Indonesia, and in the framework of the Multilateral Leaders Task Force on COVID-19 vaccines, therapeutics and diagnostics, the WTO worked with the International Monetary Fund (IMF), the World Bank and the World Health Organization (WHO), as well as Gavi and the United Nations Children's Fund, to produce the report *Accelerating COVID-19 Vaccine Deployment: Removing obstacles to increase coverage levels and protect those at high risk*.⁷⁴ This report examines the key remaining obstacles to universal vaccine distribution and sets out key actions and recommendations to accelerate vaccine deployment to those economies with low vaccination rates.

The intensified programme of trilateral cooperation with the WHO and World Intellectual Property Organization (WIPO) yielded a series of updated publications, including *An Integrated Health, Trade and IP Approach to Respond to the COVID-19 Pandemic*,⁷⁵ as a supplement to the WHO, WIPO and WTO co-publication, *Promoting Access to Medical Technologies and Innovation: Intersections between public health, intellectual property and trade* (the trilateral study).⁷⁶

This analysis mapped the challenges posed by the COVID-19 pandemic in relation to the integrated health, trade and IP policy framework set out in the trilateral study, with the aim of serving as a background reference for policymakers in the widest sense. These policymakers comprise lawmakers, government officials, delegates to international organizations, non-governmental organizations and researchers who seek a comprehensive presentation of the full range of issues, including institutions and legal concepts with which they

may be unfamiliar. It was also designed to serve as a transparent factual resource for the three organizations' technical cooperation activities.

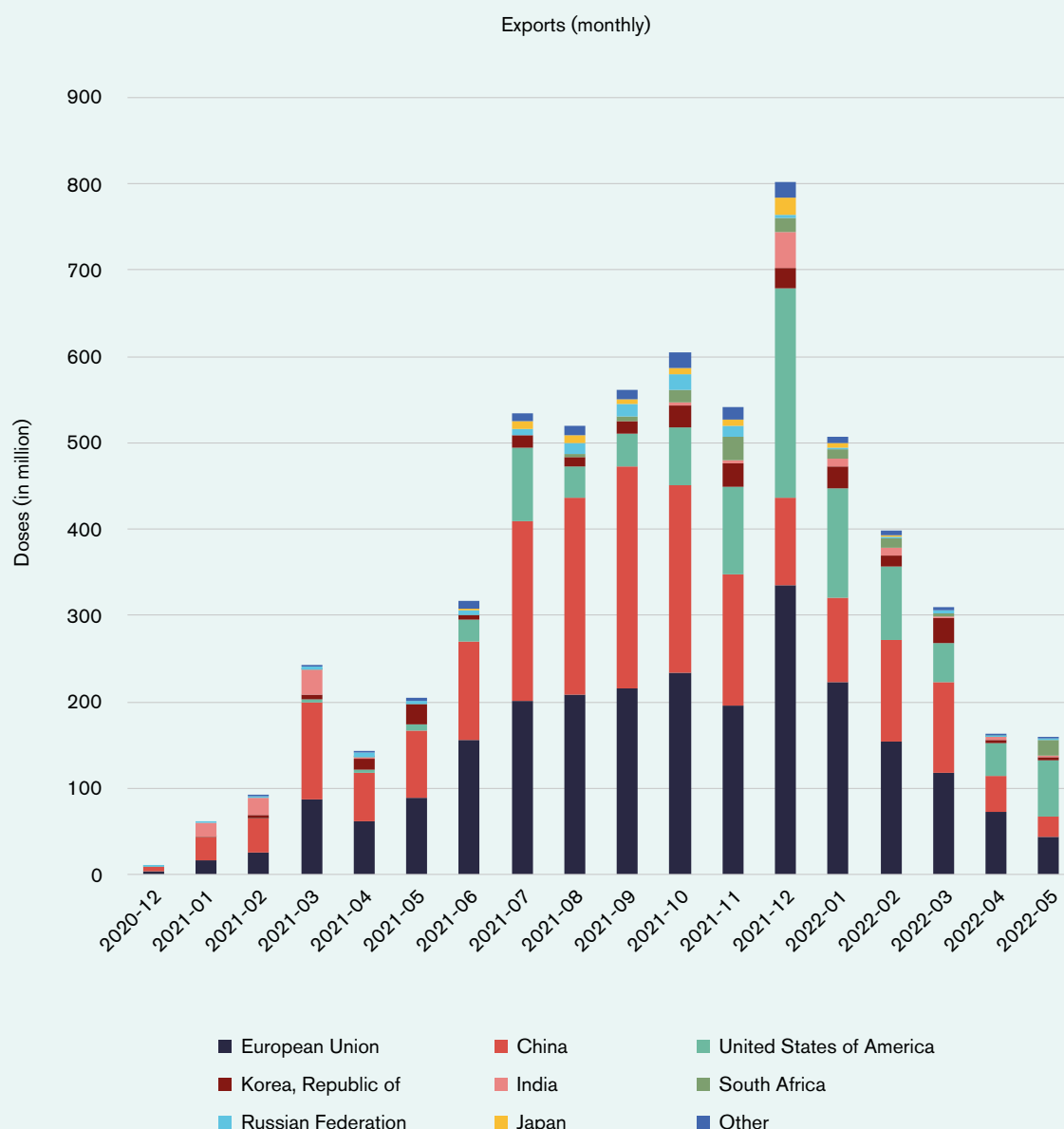
At the instigation of the three Directors-General, who met periodically⁷⁷ to review and progress trilateral cooperation, these activities were focused on COVID-19 issues, through the creation of a joint trilateral web platform.⁷⁸ The platform was established to coordinate requests for COVID-19-related technical assistance, a series of practical capacity-building workshops for members, further cooperation on targeted national and regional technical assistance relating to COVID-19, and high-level policy symposia exploring an array of issues presented by the pandemic.

The WTO's cooperation with the IMF generated the WTO–IMF Vaccine Trade Tracker (see Figure 4), providing unique data on the trade and supply of COVID-19 vaccines by product, economy and arrangement type, and building on the analytical work of the WTO Secretariat and the IMF Staff Discussion Note, *A Proposal to End the COVID-19 Pandemic*.⁷⁹ Among other things, this resource provided direct insights into the trade flows, the principal exporters and supply arrangements, the imports of vaccines according to income status, and the trends over time during the most critical period for vaccine rollout and global distribution.

Cooperation with the World Bank included the joint publication of a landmark study, *Trade Therapy: Deepening Cooperation to Strengthen Pandemic Defenses*.⁸⁰ This publication provided new data on trade in medical goods and services, surveyed the evolving policy landscape and proposed an action plan to improve trade policies and deepen international cooperation to deal with future pandemics. It focused on policy action in response to the pandemic, including actions to remove bottlenecks and provide government support to promote equitable access to vaccines.

As the emergency subsided, a shift in focus to prevention and preparedness was proposed, such as negotiating tariff reductions on medical goods and greater market access in services. Emphasis was put on measures to improve the efficiency of markets, including harmonizing

Policies in response to the pandemic included actions to remove bottlenecks and provide government support to promote equitable access to vaccines.

Figure 4. Monthly number of doses exported by producing economy, as of 31 May 2022

Source: WTO-IMF Vaccine Trade Tracker. Viewed at: https://www.wto.org/english/tratop_e/covid19_e/vaccine_trade_tracker_e.htm.

regulations and creating international standards for essential medical goods and production processes, as well as agreement on a crisis rulebook to provide a more solid policy foundation to address future emergencies.

As a result of discussions during the first two experience-sharing sessions convened by the Committee on Market Access (CMA), the Chairperson submitted a letter,⁸¹ on behalf of the CMA, to the Harmonized System Committee (HSC). The HSC is the body within the World Customs Organization (WCO) that is responsible, among other

things, for updating the Harmonized System (HS) classification of traded goods to reflect developments in technology and changes in trade patterns as well as other needs of HS users. The aim of this initiative was to raise awareness among WCO delegates of some of the key issues that WTO members had faced with respect to the classification of COVID-19 essential goods in the HS, and to propose practical suggestions to improve the classification of certain essential medical goods in the next version of the HS nomenclature (HS2028).

The CMA letter was included on the agenda of the 70th Session of the HSC, which took place in September 2022, together with an invitation to the CMA Chairperson and the WTO Secretariat to attend the meeting.⁸² As a result, the WCO has, to date, discussed three possible amendments to the HS2028 nomenclature, with respect to the classification of facemasks and respirators, ambulances and mobile clinics, and vaccines.⁸³

In the early stages of the pandemic, and in the framework of the Trade Facilitation Agreement Facility, the COVID-19 Trade Facilitation Repository was established to facilitate access to initiatives, guidelines, case studies and other information that was developed by various partner organizations and associations to help maintain the flow of safe cross-border trade during the pandemic.

The COVID-19 Trade Facilitation Repository facilitated access to information developed by partners to help maintain the flow of safe cross-border trade during the COVID-19 pandemic.

Partners included the Commonwealth Small States Office, the Global Alliance for Trade Facilitation, the International Air Transport Association, the International Trade Centre, United Nations Trade and Development, and the WCO. The Repository drew together a wide range of material from some 45 different organizations, ranging from United Nations agencies and programmes to international and regional organizations and industry peak bodies.

Cooperation was also integral to the development and deployment of other new information tools. Hence, the WTO Secretariat created a joint indicative list of critical inputs for COVID-19 vaccine production, initially for discussions at the WTO COVID-19 Vaccine Supply Chain and Regulatory Transparency Symposium which took place in June 2021.⁸⁴ At this event, representatives of the medical and pharmaceutical industry, international organizations and the WTO Secretariat explored ways to enhance their cooperation in bringing about practical solutions to scale up the global COVID-19 response. The list was initially produced jointly with the Asian Development Bank, the Organisation for Economic Co-operation and Development, the WCO, certain COVID-19 vaccine manufacturers, researchers Chad Bown and Chris Rogers, DHL, the Coalition for Epidemic Preparedness Innovations, and the Life Science Manufacturers' Association.⁸⁵



4

**Catalysing and
consolidating: Building
future responsiveness
and resilience**



The June 2022 Pandemic Declaration,⁸⁶ adopted when the pandemic remained an international health emergency, was a historic development, a unanimous statement responding to a current crisis affecting communities in all members and

observers and resulting from members' input from across the spectrum.

Despite the immediate challenges confronting all governments, members chose to frame the Pandemic Declaration with a forward-looking perspective and to consolidate the WTO's pandemic response within a broader context for international cooperation. The Pandemic Declaration encouraged members "to understand and build upon the experience of the pandemic, as contemplated by this declaration, in order to support increased resilience for COVID-19 and future pandemics", and with that objective, laid out, at the WTO's most senior political level, the core elements of an integrated, comprehensive and collaborative approach to take this critical work forward.

At the present time, while the disease burden of COVID-19 still lays heavily on many communities, the most severe and immediate impact of the pandemic has passed, at least in its present form, with the WHO having determined that COVID-19 is an established and ongoing health issue and no longer a public health emergency of international concern. Hence, it turns to policymakers to analyse and draw longer-term conclusions from the hard lessons learned during the crisis, including concerning systemic shortcomings and the consequences of limited preparedness.

WTO members chose to frame the Pandemic Declaration with a forward-looking perspective and to consolidate the pandemic response within a broader context for international cooperation.

Practical steps also need to be taken to put these insights to work as a blueprint for future international cooperation. This will include catalysing work on developing information and policy tools, building capacity and consolidating the institutional framework for continuing cooperation at the intersection between trade and health.

This section draws together some of the critical insights that are incentivizing this future work and that form the basis for consolidating a longer-term programme for readiness, responsiveness and resilience in relation to the inevitable future challenges to global health that the international community will need to face.

The Pandemic Declaration as a Foundation for Pandemic Resilience

The Pandemic Declaration offers important insights concerning the role of the multilateral trading system and its central place in broader international efforts to address public health crises and includes:

- The importance of a stable and predictable trading environment for the manufacture, supply and distribution of essential medical goods including vaccines, therapeutics and diagnostics; the role of the multilateral trading system in expanding and diversifying production of essential goods and related services needed to fight pandemics, as well as the importance of the WTO Trade Facilitation Agreement.
- The value of comprehensive transparency in the operation of the WTO's Trade Monitoring Exercise, including the availability of timely and accurate information on pandemic disruptions in supply chains; the need to support developing economies and especially least developed countries (LDCs) in respect of transparency and monitoring.
- Where emergency trade measures are needed, they should be targeted, proportionate, transparent and temporary, and not create unnecessary barriers to trade or unnecessary disruptions in supply chains; due restraint should be exercised in export restrictions on medical goods and their inputs.
- The role of additional, voluntary trade-facilitating measures that include streamlining customs procedures, decreasing and simplifying documentation requirements, temporarily reducing or adjusting tariff rates and other charges on essential medical goods and their inputs.
- The value of regulatory cooperation and voluntary sharing of regulatory information to expedite access to pandemic vaccines, therapeutics and diagnostics.
- The critical role of services in ensuring pandemic resilience, in particular the importance of facilitating the international operations of service suppliers involved in production and distribution of essential medical goods and the importance of facilitating trade in services, including health services, and information and communications technology services.
- The understanding that, in line with the Doha Declaration on the TRIPS Agreement and Public

Health,⁸⁷ “the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health” and affirming that “the Agreement can and should be interpreted and implemented in a manner supportive of WTO Members’ right to protect public health and, in particular, to promote access to medicines for all.”

- The importance of an integrated trade policy response to the pandemic that takes account of related policy issues. This includes strengthening productive, scientific and technological capacity across the world, diversifying manufacturing locations and promoting technology transfer. It also underscores the importance of global food security and the need to address food security issues exacerbated by the pandemic. Furthermore, it entails expeditiously building effective solutions in case of future pandemics, including on balance of payments, development, export restrictions, food security, IP, regulatory cooperation, services, tariff classification, technology transfer, trade facilitation and transparency.
- The need to understand and build upon the experience of the pandemic as the basis for greater resilience in the face not merely of COVID-19 but also future pandemics, including through a systematic and comprehensive programme of analysis involving the full spectrum of WTO bodies concerned.⁸⁸
- The role of the WTO Secretariat in undertaking analysis and mapping of supply and demand, and trade in essential medical goods and services, and the importance of cooperation with other international organizations on an international pandemic response, including matching of supply to demand, mapping manufacturing capacities and demands, matchmaking to cater to such demands, and mutual recognition norms.

Taking Stock: The WTO’s Deliberative and Review Bodies

In line with the review mandate set by the Pandemic Declaration, the WTO’s deliberative and review bodies have been systematically undertaking a stocktaking exercise to further gather policy lessons and practical insights from the pandemic. Their subsequent reports⁸⁹ and continuing review work are consolidating practical understanding of the key elements of an effective response to future pandemics.

Council for Trade in Goods

Based on its extensive stocktaking exercise up to the end of 2023, the Council for Trade in Goods (CTG) identified a series of lessons learned and challenges in the goods area.

Improved coordination and cooperation at different levels:

- Many members established or reinforced interagency coordination mechanisms, as well as improved dialogue with non-state actors to inform the policymaking response at each step. Timely coordination among relevant government agencies and other stakeholders was a critical component to keep the spread of the virus under control.
- International organizations played a key role in supporting members’ responses to the pandemic. The need for greater collaboration among international organizations, and for more flexibility in the way in which they provide support to their membership were considered.

Better understanding of trade-related measures during crises:

- Members recognized that trade played a key role in mitigating the effects of COVID-19. Facilitating the access to and affordability of COVID-19 essential goods, and sharing information about their trade-related measures, through regular notifications to the WTO, were highlighted.
- Some members touched on export restrictions, underscoring that they may be used as a “last resort” measure to manage domestic supply issues in emergency situations. When introduced, they should be transparent, temporary, necessary and proportionate. LDCs suggested that the WTO should facilitate conversations among members on the use of restrictions during times of crisis which may adversely impact economies. Some members noted that export restrictions should include a review mechanism, and exemptions and exceptions should be made available and be based on, among other things, the principle of international solidarity.
- In case important elements are not covered by a notification obligation, providing additional information on a voluntary basis should be considered. For example, with respect to the type of measures, the rationale underpinning the introduction of such measures, their extension or termination and information about their effectiveness.
- Bilateral and regional cooperation played a crucial role in addressing the impact of the pandemic on LDCs, particularly those which are landlocked. Some members, including LDCs, highlighted the importance of facilitating trade flows, ensuring the transit of essential goods, and restoring supply chain connectivity by reducing or eliminating tariff and non-tariff measures on COVID-19 essential goods.

Enhanced transparency and experience-sharing at the WTO:

- Transparency is one of the main pillars of the WTO and members recognized that this is even more important

during times of crisis. To better understand the impact and implications of the COVID-19 pandemic on international trade, several members stressed the importance of sharing information and experiences among themselves with a view to identifying common issues and solutions, to respond to this and future emergencies.

Improved data collection and information sharing:

- Having access to timely and detailed trade data is an essential element for the adoption of informed trade policy measures. It is also key to understanding the impact of the pandemic on the global supply chains of essential goods, and the effects that COVID-19 had on industries, particularly on micro, small and medium-sized enterprises.

The role of digitalization:

- The COVID-19 pandemic accelerated digital transformation in many members and sectors of their economies. At the same time, it also accentuated the importance of bridging the digital divide for a better response to pandemics. The international community plays a key role in facilitating dialogue and collaboration among members, for the design and implementation of global rules for more inclusive digitalization.

Identification of “essential” goods and their tariff classification:

- The identification of essential goods varied from one member to another and included health-related items as well as foodstuffs, particularly in the case of LDCs. The guidance of international organizations proved useful in informing the approach taken by members in the identification of their list of essential goods and their respective tariff classification. Some members and external stakeholders discussed sharing information about their national lists of essential products and classification decisions, with a view to pooling information and facilitating the establishment of common reference lists and their regular updating.

Council for Trade in Services

Summarizing the stocktaking discussions on logistics and transport services in the Council for Trade in Services (CTS), the Council's Chairperson noted that the presentations delivered by government and private sector representatives showed that the COVID-19 pandemic had presented many common challenges and had constituted a “stress test” for transport and logistics networks.⁹⁰ The Chair observed that limited transportation capacity, shortages of facilities and drivers, severe cost fluctuations, as well as the imperative of protecting the health of the workforce had been highlighted among the obstacles caused by the health emergency.

The pandemic had created uncertainty for suppliers, who had struggled to sustain revenue, and who could not rely on work-from-home options for much of their workforce. The fragility of the delivery and logistics infrastructure in some regions, the remoteness of island economies from international markets, as well as the constraints faced by certain land-locked economies had created further challenges. While constituting a source of sustained demand, the increased reliance on cross-border e-commerce had added further pressure to transport value chains.

The Chairperson noted new opportunities and accelerated trends that had begun to emerge before the pandemic, in particular underscoring the critical role of digital technologies, for instance to optimize parcel packing, shipment tracking and tracing, streamlined procedures, as well as e-documentation and clearance. Advanced digital technologies such as automation and artificial intelligence were mentioned as especially key to the future of the transport and logistics sectors.

The pandemic had also prompted the exploration of alternative options to increase the efficiency of transport and logistics operations, such as sea-air transshipment and the creation of one-stop upstream logistics services. The Chair observed that members had introduced various measures to address the complexities caused by the pandemic, including regulatory flexibilities (such as the temporary modification of airport slot allocation rules or the extension of validity of licences and certificates), financial support mechanisms, the designation of transport workers as “essential workers” to facilitate their movement, and “green lanes” to ensure the continuous flow of essential goods.

Certain members introduced targeted packages to sustain the progressive recovery of the economy as a whole; these members designed a set of guiding principles to step-up crisis preparedness and guide a rapid regulatory response in the event of future health crises.

The Chair commented how members' interventions in the discussions generally confirmed the importance of the transparency and predictability of applicable regulatory frameworks. Communication and coordination among transport authorities at the international level also played a vital role. The information-sharing under the CTS could serve as a useful platform to maintain an open dialogue.

Following the CTS's experience-sharing session on health services, the Chairperson noted that trade in health-related services had been growing fast over the previous decade, at an average annual rate of 7 per cent compared to about 4 per cent for other services. It was noted⁹¹ that the pandemic had caused dramatic effects on trade in health services, which relied mainly on the cross-border

movement of individuals, while there had been significant growth in health-related services traded as practitioner-to-practitioner services, and increasingly as practitioner-to-patient services.

Since low- and middle-income economies resorted mainly to cross-border movement of individuals to export health services, the pandemic especially affected health service suppliers from these economies. Members introduced various regulatory flexibilities and adaptations in the health sector, broadly along four lines: easing the entry to practice, such as for students or retired health professionals; increasing the scope of practice; facilitating international mobility for emergency and routine situations; and supporting the supply of telemedicine services, mainly domestically but also internationally.

The Chair identified key themes from members' experience sharing on how COVID-19 had affected health-related services and trade in this sector, and how they had responded. First, the importance of being prepared and "future-proofing" the risks posed by future pandemics. Second, the imperative of creating an enabling regulatory environment and "whole of government" approach – in this regard the importance of having digital capabilities and infrastructure was also underlined. In addition, the pandemic had served as an enabler for the development of novel health solutions, including based on digital technologies.

In concluding, the Chairperson observed⁹² that government measures introduced to counter the impact of the pandemic on tourism services were in three main phases as the pandemic evolved. First were mitigation measures, to protect tourists, jobs and businesses. These consisted of two main kinds: (i) targeted fiscal and monetary measures for businesses and their workforce, such as tax relief, government guarantees, job retention schemes or temporary redeployment of tourism workers to other sectors; (ii) following initial travel restrictions and border controls, several governments introduced targeted safety protocols, alongside measures to facilitate safe cross-border movements, such as vaccination and or COVID-19 certificates, or quarantine.

The second phase included measures to manage the resumption of tourism activities, such as lifting travel restrictions, restoring traveller confidence, or addressing labour shortages. And the third phase included measures to prepare for the future, such as introducing new tourism strategies, supporting the acceleration of digital capacities and the digital transformation, and upskilling, or diversifying tourism offerings and markets.

Other issues that had arisen included the challenges of inconsistent and unpredictable travel restrictions, lack of interoperable systems and fragmented health and safety

standards; the importance of evaluating the impact of measures taken; the need to improve data and share information to ensure evidence-based decisions can be taken; and the relevance of collaboration, with reference to a number of joint initiatives by various international organizations.

Trade Therapy: A Blueprint for Strengthening Trade's Contribution to Health Security

A blueprint for continuing cooperation on pandemic resilience was laid out in the joint WTO–World Bank publication, *Trade Therapy: Deepening Cooperation to Strengthen Pandemic Defenses*.⁹³ This publication draws on extensive research and analysis to illustrate how open trade increases access to medical goods and services, allowing people in each economy to benefit from the innovation, skills and advanced technology of others.

It notes, however, how the pandemic revealed weaknesses in the global trade system, with the combined effects of

Open trade increases access to medical goods and services, allowing people to benefit from the innovation, skills and advanced technology of others.

trade restrictions and the concentration of production and trade among a small number of economies. This meant that the distribution of medical goods led to highly uneven access to critical supplies.

The publication also offers an action plan that governments can implement to strengthen trade's contribution to global health security, and covers cooperation within and beyond existing trade mechanisms. In particular, it shows how new commitments and disciplines in WTO and regional trade agreements can help economies better prepare for and respond to future pandemics in several ways:

- An agreement to lower barriers to trade in medical goods and supporting services would improve the efficiency of healthcare systems and increase preparedness.
- Commitments on import and export policy could contribute to avoiding extreme market outcomes in a crisis.
- Regulatory cooperation can improve the resilience and functioning of supply chains and reduce the

risks of illicit trade. Broadening and deepening this cooperation can help streamline regulatory frameworks, make them more coherent, and provide a playbook of regulatory flexibilities for smoother and faster approval of medical goods in the event of a pandemic. To this end, governments can pursue mutual recognition and equivalence regimes for critical medical goods and support the development of international standards.

- A balanced global IP system, including through the full implementation and use of flexibilities, will establish a solid basis for sharing technology and know-how to jointly develop the capacity to respond to health crises and geographically diversify manufacturing capacity. In addition, other measures could encourage rights holders to (a) adopt open and humanitarian licensing models for pandemic-related technologies; (b) contribute to international technology sharing platforms, such as the WHO COVID-19 Technology Access Pool; and (c) include equitable access considerations in their research and development planning. Agreement among WTO members on an IP response to COVID-19 could serve as a blueprint in future emergencies.
- Reduction of services trade barriers and improvement of regulatory systems could expand access to medical services and enhance their quality in normal times while also bolstering pandemic preparedness. Initiatives on services trade could include the following: adopting frameworks to narrow the gaps in national health systems through foreign investment in the medical services sector (e.g. health establishments and telehealth firms); enhancing health workers' mobility according to identified needs (also taking into account, through dialogue, the needs of the economies of origin); recognizing foreign qualifications of medical services suppliers; and cooperating to ensure cross-border liability of foreign-based medical services suppliers.
- Rules in trade agreements on subsidies, public procurement and competition can form the basis for governments to react efficiently to health emergencies.

Cooperation beyond Trade Agreements

This study observes that leveraging trade to strengthen pandemic defences requires cooperation beyond trade agreements and refers to the call by the Multilateral Leaders Task Force on COVID-19 vaccines, therapeutics and diagnostics for the international community to step up its response in the wake of the COVID-19 pandemic. Concerning cooperation between members and other stakeholders the publication observes the following:

Leveraging trade to strengthen pandemic defences requires cooperation beyond trade agreements.

- The first goal should be to create mechanisms to finance access to essential products such as vaccines in low-income economies and to expand supply and distribution capacity during a crisis, ensuring that these facilities do not disappear when demand declines. This effort would include cooperation to build manufacturing facilities in low- and middle-income economies with a latent comparative advantage whose relatively small populations reduce the risk that the host governments will intervene to meet domestic needs and the impact of a potential intervention.
- The second goal is to create mechanisms for sharing information on the operation of supply chains. A priority should be to establish a global clearing house to support production of critical medical products (ideally according to an internationally agreed-upon list) and serve as a platform for companies to report bottlenecks, improve visibility on production capacity and distribution, and identify measures to respond to a pandemic.

Concerning cooperation among international organizations, the publication proposes that efforts to strengthen collaboration should centre on addressing the information and coordination gaps revealed by the pandemic, such as by:

- strengthening international standardization;
- bolstering the capacity of national regulatory agencies;
- developing good-practice policy frameworks for public procurement during crises; and
- working with the private sector to encourage technology transfer and expand global emergency response capacity.



5

Conclusion: Looking back to look ahead

This overview of the WTO's response to the pandemic is not intended to be exhaustive or authoritative and focuses exclusively on the critical period of the pandemic from 2020 to 2023. The review of actions taken and of the issues addressed illustrates the complex interactions between different areas of trade policy and diverse trade measures that had major implications for the global response to the COVID-19 pandemic.

This publication is intended to illustrate how the WTO's transparency tools, its analytical capacity and its coordination functions can be deployed to build resilience to future pandemics and health crises under the guidance of members and in partnership with other international organizations.

Key insights from the publication are as follows:

- **The WTO's transparency and monitoring functions are central to illuminating the practical and policy measures taken by members in response to a pandemic and the global health situation more generally.**
- **The full range of members' trade policy measures, including trade opening in the area of goods, relevant services sectors, the intellectual property system and other specific sectors such as agriculture and electronic commerce, have an impact on global health.**
- **The fundamental principles underpinning the multilateral trading system are of utmost importance. The legitimate scope for members to make specific interventions in the course of a health emergency is also essential.**
- **The restrictive trade measures imposed by members early in the pandemic were quickly reversed. Subsequently, there was a growing emphasis on trade-facilitating and trade-opening measures as the pandemic response evolved.**
- **Open dialogue and sharing of experience between members across the full spectrum of WTO bodies are of fundamental benefit.**
- **Trade policy considerations and trade policy analysis are essential elements of a connected and comprehensive international response to a global pandemic. Trade policy must be examined in partnership, and dialogue needs to be maintained with international partners and intergovernmental organizations responsible for related policy fields, ranging from public health to customs administration and food security.**

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83. The proposal on vaccines is the result of the CMA team with the WHO. See https://www.wto.org/english/news_e/news22_e/mark_19oct22_e.htm.
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85. See https://www.wto.org/english/tratop_e/covid19_e/vaccine_inputs_report_jun22_e.pdf.
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88. The Declaration identifies the relevant WTO bodies as including the CTG or its subsidiary bodies (including the CTF, the TBT Committee, the SPS Committee, the CMA and the CoA), Trade Policy Review Body, the CTS or its relevant subsidiary bodies, the TRIPS Council, the Committee on Trade and Development, the Working Group on Trade and Technology Transfer and the Working Group on Trade, Debt and Finance.
89. For example, see the work of the CTG in WTO document G/L/1521 and of the CTS in WTO document S/C/66.
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Abbreviations

CMA	Committee on Market Access
CoA	Committee on Agriculture
CTF	Committee on Trade Facilitation
CTS	Council for Trade in Services
FAO	Food and Agriculture Organization of the United Nations
GATS	General Agreement on Trade in Services
HS	Harmonized System
HSC	Harmonized System Committee
IMF	International Monetary Fund
IP	intellectual property
LDC	least developed country
MC	Ministerial Conference
PPE	personal protective equipment
SPS	sanitary and phytosanitary
STC	specific trade concern
TBT	technical barriers to trade
TFA	Trade Facilitation Agreement
UNICEF	United Nations Children's Fund
WCO	World Customs Organization
WHO	World Health Organization
WIPO	World Intellectual Property Organization

Print ISBN: 978-92-870-7728-8
Web ISBN 978-92-870-3803-6

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Report designed by Triptik.

Printed by the World Trade Organization.
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The COVID-19 pandemic highlighted the integral role of international trade in responding to the global health crisis. All communities depended to some extent on trade for medical products, related services and vaccines. In particular, the pandemic accentuated the mutual benefit from the core principles of the multilateral trading system, especially the benefits of open and well-functioning international production and supply chains, and non-discriminatory measures.

This publication looks into the WTO's response to the pandemic in terms of four key areas: monitoring the flow of goods related to COVID-19, working towards a coordinated and effective international response to the pandemic, conducting policy and statistical analysis with other intergovernmental organizations, and analysing the lessons learned from the pandemic to shape a blueprint for future international cooperation.

The publication examines how WTO members negotiated a framework to guide and consolidate the WTO's response to the pandemic, to enhance the flow of practical knowledge, and to help render the multilateral trading system better prepared for future crises. Negotiations resulted in the Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics adopted at the 12th Ministerial Conference in June 2022. The importance of this work was confirmed in the Ministerial Declaration issued in March 2024 at MC13, which encouraged relevant WTO bodies to continue their work on reviewing the lessons learned from the pandemic and on building effective solutions in case of future pandemics.

