



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE

The Director-General

Brussels

Dear Petitioner,

Thank you for your petition sent to Executive Vice President Dombrovskis regarding the ongoing discussions at the World Trade Organization (WTO) concerning the trade response to the COVID-19 pandemic.

The postponement of the 12th Ministerial Conference of the WTO has not affected the Commission's commitment to the objective of universal equitable access to vaccines and treatments against COVID-19. The EU has been a leader in delivering effective vaccines to the rest of the world, exporting around half of the vaccines it has produced – it has exported more than 1.5 billion doses to 150 countries, and is the leading exporter to Africa, with more than 165 million doses. The EU is also a major contributor to COVAX, the global initiative to ensure equitable and fair access to vaccines with more than EUR 3 billion of contributions so far. Finally, the EU will donate by mid-2022 700 million doses to the most vulnerable countries.

While the production of COVID-19 vaccines has substantially increased globally, fair distribution as well as ramping up and diversifying production remain major objectives. Public-private partnerships are playing a key role in that regard but a multilateral response is necessary to bolster these efforts. At the WTO, the EU advocates a comprehensive approach, which would include intellectual property, in addition to commitments on improved transparency, restraint from export restrictions as well as trade facilitating measures. The EU has engaged very actively to build a compromise – we have promoted a solution that, by clarifying or waiving certain obligations in the Agreement on Trade-Related Aspects of Intellectual Property ('the TRIPS Agreement'), would allow WTO Members to authorise a company to manufacture and export COVID-19 pharmaceutical products in a fast and simplified manner. It would also ensure that countries with no or insufficient manufacturing capacity do not face any obstacles or legal uncertainty when they import these products.

The waiving of patent and other rights under the TRIPS Agreement, as proposed by India and South Africa, would not help reaching the objective of the widest and timely distribution of COVID-19 vaccines. It is because we need measures that preserve the ongoing unprecedented collaborations between pharmaceutical companies that yield record supplies of vaccines as well as incentives to innovate and invest in research on COVID-19 and its variants. All these elements must go hand in hand if we are to support

the increasing of production facilities in regions such as Africa. The production will not increase if there is no transfer of know-how and investment and, for that to happen, we need the intellectual property framework which secures the rights of innovators.

In that regard, the EU has launched an initiative to develop vaccine production in Africa entailing investment in infrastructure and production capacities, as well as skills development, supply chains management and the necessary regulatory framework. We have already identified promising projects in South Africa, Senegal and Rwanda. We have allocated one billion EUR from the EU budget and EU finance institutions to deliver on this goal. In this context, we are also mobilising support for the World Health Organization Technology Transfer Hub that is being established in South Africa.

Yours sincerely,



Sabine WEYAND