

*Organizational Sign-on Letter Supporting TRIPS Waiver for COVID-19 Treatments & Vaccines*

**To Help End the Pandemic as Quickly as Possible and Restore U.S. International Cooperation, Please End Trump's Blockade of the COVID-19 Emergency Waiver of WTO Rules So More Vaccines and Treatment Can Be Produced**

Dear President Biden,

Congratulations on becoming President. We are encouraged by the administration's steadfast efforts to eradicate COVID-19 and in so doing save countless lives and livelihoods. Many Americans are hopeful that your administration will improve the pace of COVID-19 vaccine production and deployment in the United States. But, that alone will not hasten the end of the global pandemic.

We the undersigned organizations respectfully urge you to reverse a dangerous and self-defeating position taken by President Trump that threatens the prospects of ending the COVID-19 disaster. Namely, we urge your administration to lift the U.S. blockage of the "Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" supported by more than 100 nations at the World Trade Organization (WTO).

With global supply limited, many people in low- and middle-income countries around the globe will not have vaccine access until at least 2022, according to the British Medical Journal. Most of the world's poorest countries will have to wait until 2024 for mass immunization if current trends continue, reports the Economist Intelligence Unit. We are sure you agree this is unacceptable.

Such global inequity is not only a catastrophic moral failure that will lead to needless suffering and loss of life. Ongoing outbreaks anywhere mean greater risk of new variants developing against which vaccines are not effective and/or that can evade the antibodies developed by survivors. **There simply is no way to defeat the pandemic in the United States without bold action worldwide.**

The science is clear: People in developing countries need urgent access to vaccines and treatments to achieve herd immunity, just as people in the United States do. Without global action, the health crisis and resulting economic crisis here and worldwide will continue. A new International Chamber of Commerce report concluded that the current best-case scenario of wealthy nations being fully vaccinated by the middle of 2021 and poor countries largely shut out could cause economic losses exceeding \$9 trillion. Nearly half of those costs would be absorbed by wealthy countries like the United States, Canada and Britain.

The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) requires WTO signatory countries to provide lengthy monopoly protections for medicines, tests and the technologies used to produce them. After a global campaign by public health and development groups, in 2001 the WTO issued a binding declaration about better balancing TRIPS intellectual property protections and public health needs. A temporary emergency COVID-19 waiver is in line with the WTO members' agreement that intellectual property rules cannot create barriers to health treatments that unnecessarily cost human lives and undermine the global economy.

Notably, governments, particularly the United States, provided billions in upfront payments, clinical trial support, and guaranteed purchase, so pharmaceutical firms did not bear risk. Many precursor technologies used in the new vaccines resulted from long-term U.S. government efforts, in collaboration with scientists in the United States and around the world. Yet now the corporations will control where and how much vaccine is made. Even as some firms holding vaccine monopolies have contracted others to manufacture,

there is insufficient supply. Thus, while U.S. participation in programs like COVAX is important, unless production is quickly ramped up around the world to meet global demand, there simply will not be enough supply for COVAX to provide countries in need. The corporate monopoly rights and resulting supply shortages also threaten access for billions of people in the developing world, to the COVID-19 treatments that are bringing down mortality rates here. The TRIPS rules limit government options to gain access to vital COVID treatments at an affordable price.

Today, the many nations that cannot obtain the COVID-19 vaccines and treatments needed to cover their populations must attempt to negotiate the slow “product by product” and “country by country” compulsory license approach allowed under TRIPS. (And attempts to exercise these rights has led to fierce U.S. opposition in recent years, evidenced in the U.S. government’s Special 301 Report.) In contrast, the TRIPS waiver would remove a key obstacle to governments and manufacturers worldwide accessing the technology needed to invest in making COVID vaccines and treatments as rapidly as possible, in as many places as possible, for the billions who still need them.

It is rare that one policy change can so significantly impact a global health effort that could save millions of lives. Supporting this waiver is the right thing to do in and of itself. But doing so would be not only altruistic. Ending the COVID-19 pandemic as quickly as possible worldwide is also necessary to reboot the global economy on which so much of the U.S. economy relies.

And, with so many of the world’s nations supporting this emergency waiver already, you can also help restore America’s moral and public health leadership in the world by siding with the majority to prioritize saving lives over protecting pharmaceutical corporation monopolies and profits. This new position would be widely noted, given U.S. officials’ shameful attack on the waiver at a January WTO meeting.

We welcomed your promise “absolutely positively” to commit to sharing technology and access to any COVID-19 vaccine developed in the US, during an interview with Ady Barkan. At the time you said, “It’s the only humane thing in the world to do. It’s not only a good thing to do, it’s overwhelmingly in our interest to do it as well.” We are asking you to deliver on that promise.

Thus, we respectfully request that you break with the unconscionable policies Trump supported and, before the next WTO General Council meeting March 1-2, announce that the United States will no longer oppose the temporary, emergency COVID-19 WTO waiver of certain TRIPS provisions. We also request that your administration inform our trade partners that the United States will apply the same temporary, emergency waiver of the same intellectual property rules included in U.S. bilateral and regional trade agreements for COVID-19 vaccines, testing and treatments.

Sincerely,