



February 22<sup>nd</sup>, 2021

**RE: Request for urgent support for the Covid-19 emergency waiver of World Trade Organisation rules so more vaccines and treatment can urgently be produced.**

Taoiseach,

We acknowledge the Irish government's efforts to eradicate Covid-19 in Ireland and the ongoing efforts to save countless lives and livelihoods. However, these efforts alone will not hasten the end of the global pandemic. We are writing to you about how Ireland can provide urgent leadership on the world stage in the efforts to ensure every person around the globe is vaccinated against Covid-19 as soon as is possible.

We the undersigned organisations respectfully urge you to address the EU's current position that threatens the prospects of ending the Covid-19 crisis. Namely, we urge you to do everything in your power to ensure that the EU reverses its blockage of the "Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of Covid-19"<sup>1</sup> supported by more than 100 nations at the World Trade Organisation (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. While the Economist Intelligence Unit reports that most of the world's poorest countries will have to wait until 2024 for mass immunisation if current trends continue. 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 Covid-19 in Ireland without united action worldwide.**

<sup>1</sup> <https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/IP/C/W669.pdf&Open=True>

The science is clear: People in developing countries need urgent access to vaccines and treatments to achieve herd immunity, just as people in Ireland 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 Ireland.

The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) requires WTO members 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 for diseases that unnecessarily cost human lives and undermine the global economy.

Notably, governments around the world, provided billions in upfront payments, clinical trial support, and guaranteed purchase, so pharmaceutical firms did not bear risk. Yet now the corporations will control where and how much vaccine is made. Even though some firms holding vaccine monopolies have contracted others to manufacture, there is insufficient supply. Thus, while Irish 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 TRIPS rules limit government options to gain access to vital Covid-19 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. In contrast, the TRIPS waiver would facilitate access for governments and manufacturers worldwide to the technology needed to invest in making Covid-19 vaccines and treatments as rapidly as possible, in as many places as possible, for the billions who still need them.

We acknowledge that the TRIPS waiver will not completely solve the problem, but it will allow for a temporary space within the WTO rules to empower governments to move quicker when accessing intellectual property protected technologies that are needed to protect public health. It will also enable countries to avoid lengthy and costly legal hurdles to speed up product development, scale up manufacturing and expand the supply of effective medical technologies including drugs, vaccines, diagnostics and other products, such as N95 masks, ventilator valves and personal protective equipment.

Whilst licensing deals between leading vaccine producers and other producers, particularly in the global south, are welcome, they are not a viable alternative. They are not leading to a quick enough increase in supply, they continue to leave power in the hands of a small number of companies as to who gets vaccines and when, and have already led to developing nations paying much higher prices for the same vaccines as rich nations.

Ireland has a well-deserved reputation of supporting the human rights of the world's poorest people. We are respected for our constructive engagement, acknowledging the importance of collective efforts amongst states for the problems that pay no heed to borders, such as the coronavirus pandemic. With so many of the world's poorer nations supporting this emergency waiver already, you can help maintain Ireland's moral and public health leadership in the world by siding with the majority to prioritise saving lives. Indeed, not doing

so is self-defeating, as it is clear that the sooner the world's population is vaccinated, the sooner EU citizens are safe.

Thus, we respectfully request that you break with the unconscionable policies the EU has supported before the next WTO General Council meeting of March 1-2 and announce that Ireland will no longer support opposition to the temporary, emergency Covid-19 WTO waiver of certain TRIPS provisions.

We are also calling for Ireland, and more EU countries to formally endorse and support the World Health Organisation's Covid-19 Technology Access Pool – which sets up a system to share intellectual property rights, data, know-how, cell lines etc, in the spirit of solidarity, with the aim of increasing production capacity for Covid-19 vaccines, medicines and diagnostics globally. If sufficiently supported this would help increase supplies of such health-technologies, to address the vast current global inequalities.

This moment will be remembered for decades to come. Either as the moment when rich nations like Ireland sided with pharmaceutical corporations rather than with the needs of humanity, or as the moment where humanity came together to defeat this indiscriminate disease. Please act now to support the waiver and ensure that Ireland is on the right side of history.

Sincerely,

**Caoimhe de Barra, CEO, Trocaire**

**Colm O'Gorman, ED, Amnesty International Ireland**

**Dominic MacSorley, CEO, Concern Worldwide**

**Dr Edward Mathews, Director of Professional & Regulatory Services, INMO**

**Dr. Kieran Harkin, Access to Medicine Ireland**

**Isabel Simpson, ED, MSF Ireland**

**Jim Clarken, CEO, Oxfam Ireland**

**Nadine Ferris France, ED, Irish Global Health Network**

**Siobhan Walsh, CEO, Goal**

**Suzanne Keatinge, CEO, DÓCHAS**

**Siobhán McGee, CEO, Action Aid, Ireland**