**Egypt Statement**

**Informal TRIPS Council Meeting, 19 January 2021**

**Thank you Chair,**

**Good Morning colleagues,**

I am very glad today to declare that Egypt has joined the co-sponsors of this important and timely waiver proposal initially presented by India and South Africa.

**I will start my intervention today by focusing on the challenges facing the supply and distribution of Covid-19 vaccines.**

Chair,

It is clear from the very beginning that the business as usual approach to the current unprecedented health crisis does not work and cannot deliver. The statements by the head of the World Health Organization yesterday should be alarming to all of us. He said clearly that the world is on the brink of a "catastrophic moral failure" on distributing vaccines, and he urged countries and manufacturers to share Covid-19 doses more fairly around the world.

He said, and I quote "Not only does this me-first approach leave the world's poorest and most vulnerable at risk, it is also self-defeating, ultimately these actions will only prolong the pandemic", end of quote.

the Head of the WHO indicated that the prospects for equitable distribution of the vaccines are at "serious risk" And he cited as an example of inequality that more than 39 million doses of vaccine have been administered in 49 higher-income countries whereas just 25 doses had been given in one poor country.

**Madame Chair,**

We totally understand the need for each country to secure the vaccines for its population, especially in those countries that have suffered great loss of lives as a result of this pandemic. That’s why we believe that this waiver proposal can play an important role in increasing the production capacities of the vaccines to meet the demand in all countries in the same time in order to help in putting an end to this global nightmare as soon as possible. As long as COVID-19 is not under control everywhere it’s not only the poorest who will suffer, the cost of the global pandemic [will continue to be as high as $1.2 trillion per year](https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA769-1/RAND_RRA769-1.pdf), according to research nonprofit RAND Europe. Continued disruption to the world economy, through battered supply chains and weaker demand will continue to have negative impact on all countries.

Another forecast that shows how complicated the current situation, is the one that was done by the **Economist intelligence unit** that shows that low-income countries are not expected to have wide access to vaccines before 2022-2023. Another forecast expects that people in poorer nations could be left without any access to COVID-19 vaccines until 2024.

According to the Executive Director of the Joint United Nations Programme on HIV/AIDS this tragically echoes the early days of the AIDS response when treatment was only available to the rich, while poorer countries had to wait years before they could offer their people the same life-saving medicine. This was an avoidable tragedy and we cannot let this happen with the COVID-19 vaccine.  The waiver proposal is an opportunity for concrete action to help prevent yet another tragic repetition of the past when it comes to access to lifesaving treatment.

**Moving to IP licensing, link with manufacturing, technology transfer**

**Some Members opposing the waiver proposal, have highlighted the importance of ramping up manufacturing, disseminating technology and know-how of vaccines and medicines in meeting the global demands. We can all agree that these are important factors to facilitate global access. However the same delegations stress the importance of relying primarily on companies’ voluntary measures on IP and licensing for such technology transfer. On this we believe that the linkages have little basis and we need to unpack the issues further in the context of the current discussion on the waiver proposal.**

**We stress that a waiver at the international level should not interfere with existing agreements as parties are bound by the terms of the agreement.**

**Further a waiver can help to address global access needs given the limitations of signed voluntary agreements. For instance, as we have seen, where voluntary licenses exist there is limited to very few manufacturers hence full global production capacity is not utilised. In this context, a waiver implemented by countries with manufacturing capacity but excluded from voluntary licenses can open up supply options for itself and for other countries.**

**If instead of a waiver, a compulsory license was issued by a country outside of the voluntary license territory, it would mainly benefit the country issuing the license. Even if a country may try to use Art. 31bis, the various of problems with the procedures will hinder the process and the mechanism will still only benefit one particular country at a time. However if a waiver was implemented by a number of countries, it can help clearing legal uncertainties, opening up freedom to operate in countries implementing the waiver and on different products and technologies for COVID-19 at once.**

**On technology transfer, we emphasize that the adoption of a waiver should not affect collaboration and technology transfers between companies. Any company willing to transfer technology may engage in a bilateral agreement with another company. Nothing prevents this from happening.**

**In addition, it is often the case that voluntary licensing of IP does not include technology transfer.  And where there might be technology transfer, the acceptance of the technology package is subject to additional terms and conditions such as reduced supply options, requirement to not challenge originators’ IP, prohibition of termination of the agreements.  Some of these additional conditions could be counter-productive to ensuring maximum diversity of supply.**

**Further there are different perspectives on what specifically “technology transfer” entails. The lack of policy consensus on the definition of technology transfer at the normative level complicates assessment and evaluation on what constitutes meaningful transfer of technology. This turns out to be the case for this pandemic as well. While companies are entering into different types of agreements with some claiming technology transfer, it remains utterly unclear on the extent to which those claims transfer of technology will drive maximum level of production and supply capacity globally.**

**Historically and in reality, technology transfer issue has never been a stand-alone subject that is solely determined and driven voluntarily by private sectors.  If WTO Members agree that concrete action has to be taken for transfer of technology, adequate policy intervention at the national level is prerequisite. Just leaving the issue to companies to “voluntarily” transfer technology cannot deliver on meaningful full and timely access to all technologies needed to achieve maximum level of production and supply capacity at global level for COVID-19.**

**To conclude Madame Chair,**

We reiterate that time is not in our side, and we are facing an unprecedented international crisis that requires taking temporary emergency measures in order to save lives as well as to save the global economy from the devastating impact of dealing with this pandemic for a longer period of time. We urge all members to consider positively this proposal to signal our organization’s ability to play a pivotal role in the fight against this pandemic.

**I thank you Chair,**