

OPEN SUBMISSION TO THE WHO INTERGOVERNMENTAL NEGOTIATING BODY ON A PANDEMIC INSTRUMENT

The WTO Secretariat appreciates being given the opportunity to take part in the deliberations of the Intergovernmental Negotiating Body (INB) to negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response (the Instrument).

Noting the potential coverage of a wide range of trade-related elements in the forthcoming negotiations of the Instrument, the WTO Secretariat would like to express its strong interest and readiness to actively engage in and substantially contribute to the INB process.

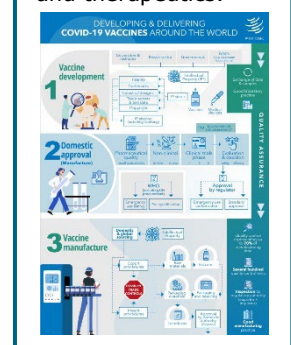
1 OVERVIEW

Trade plays a key role in supporting an effective response to the COVID-19 pandemic and is directly relevant to future pandemic and other health crises preparedness and response (see Figure 1). Preserving smooth and well-functioning global supply chains, streamlining regulatory approval procedures and having a balanced intellectual property system in place that provides incentives for innovative activities while disseminating technology, know-how and data in order to ensure equal access to the results of such activities are but a few trade-related ingredients that are needed to effectively tackle a pandemic. Similarly, competitive and transparent government procurement systems, together with appropriate emergency procurement flexibilities to expedite procurement processes, hold the potential to contribute substantially to improving the accessibility and affordability of medical goods and services.

A wide range of WTO agreements are directly relevant for the development and distribution of health technologies and played an important role in addressing the COVID-19 related challenges (see Figure 2). Those include, but are not limited to the following agreements:

- the [General Agreement on Tariffs and Trade 1994 \(GATT\)](#) aims at fostering international trade in goods. It establishes the legal framework for WTO Members to substantially reduce or eliminate tariffs and other barriers to trade and to eliminate discriminatory treatment in international commerce;
- the [General Agreement on Trade in Services \(GATS\)](#), inspired by the GATT, establishes multilateral rules framing a credible and reliable system of international trade in services based on policy bindings to which WTO Members commit themselves, ensures fair and equitable treatment based on the principle of non-discrimination, and promotes trade and development through progressive liberalization;
- the [Agreement on Trade-Related Aspects of Intellectual Property Rights \(TRIPS Agreement\)](#) sets minimum standards for the protection and enforcement of intellectual property (IP) rights. It calls for a balanced approach that incentivizes innovative activities while also promoting the dissemination of and access to new technologies;
- the [Agreement on Technical Barriers to Trade \(TBT Agreement\)](#) sets out disciplines for standards and regulatory measures used, for example, to protect human, animal and plant life and health and the environment, and to ensure product safety. It contains disciplines on regulatory topics, including with respect to the use of "relevant" international standards, guides or recommendations, regulatory reliance (e.g. by encouraging recognition of conformity assessment results), regulatory transparency, and technical assistance and capacity building for national regulatory authorities;
- the [Agreement on Sanitary and Phytosanitary Measures \(SPS Agreement\)](#) applies to sanitary and phytosanitary measures intended to ensure food safety, animal and plant health, and to protect human health from diseases transmitted by animals. It requires Members to base such measures on scientific principles, and strongly encourages the use of international standards, guidelines and recommendations, specifically those developed by the FAO/WHO Codex Alimentarius Commission for food safety, the World Organisation for Animal Health (OIE) for

Figure 1: This infographic highlights the myriad of trade-related considerations that interact in the development and delivery of a vaccine. Similar factors are applicable in the context of diagnostics and therapeutics.



animal health and zoonoses, and the International Plant Protection Convention (IPPC) for plant health. Like the TBT Agreement, the SPS Agreement contains disciplines on regulatory topics;

- the [Agreement on Trade Facilitation \(TFA\)](#) sets forth a series of measures for expeditiously moving goods across borders, inspired by the best practices from around the world. It provides for a set of multilateral rules to further expedite the movement, release and clearance of goods, including goods in transit, and calls for effective cooperation among Members to facilitate trade procedures and to address customs compliance issues; and
- the WTO's plurilateral [Government Procurement Agreement 2012](#) provides a framework for the conduct of international trade in government procurement markets and covers a wide range of medical goods, including vaccines, medicines and PPE. In emergency situations, governments can introduce expedited procedures to ensure swift access to needed health technologies.

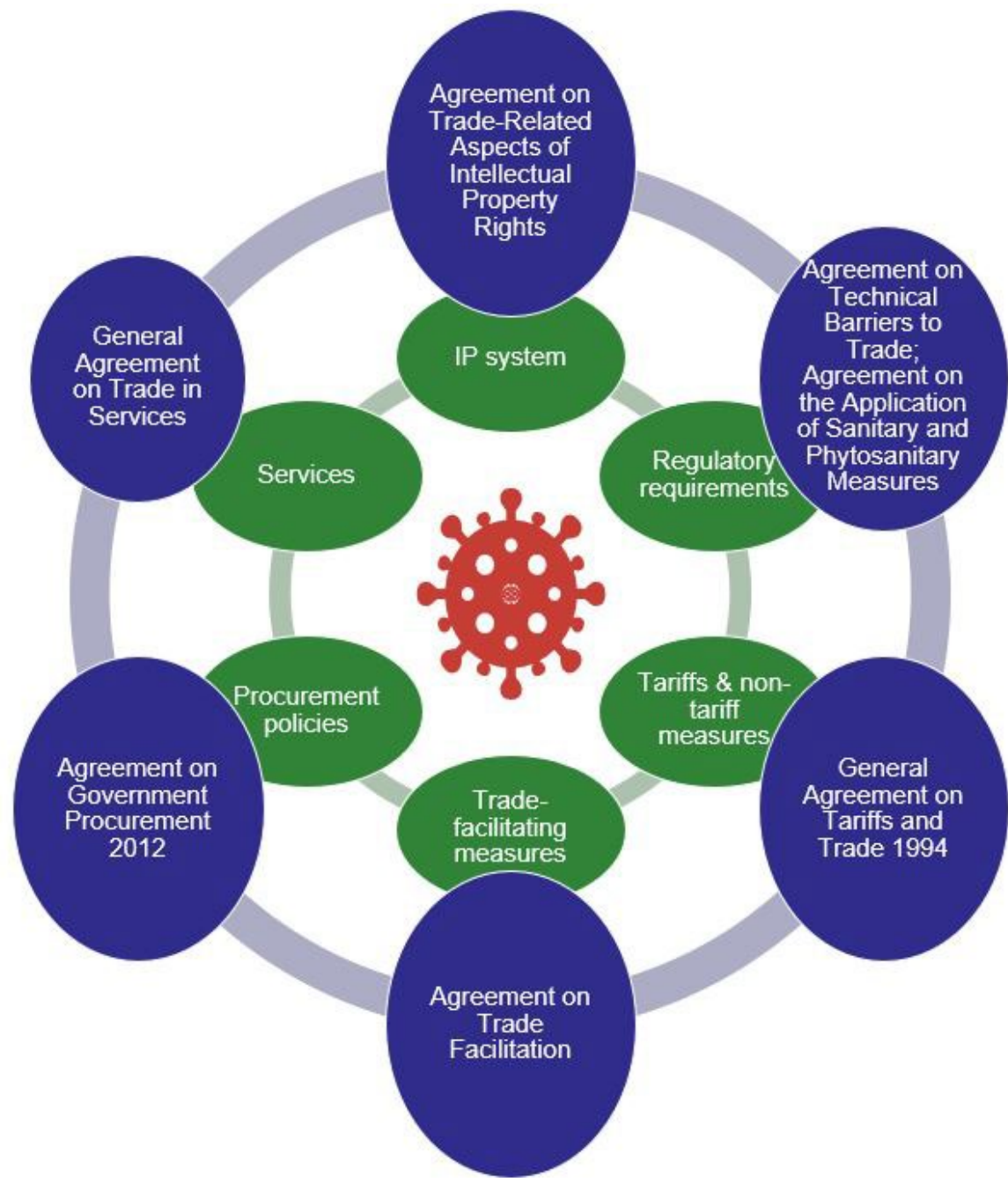


Figure 2: Trade policies and agreements of direct relevance for the development and distribution of health technologies

Since the beginning of the COVID-19 pandemic in early 2020, WTO Members and the WTO Secretariat have actively engaged in considering the role of trade and its contribution to addressing the crisis. Trade-related measures and relevant rules under multilateral, regional and domestic frameworks have been the object of intense deliberations at the WTO.

As **Section 2** of this submission, along with Annexes 1 and 2, illustrate, the WTO Secretariat has undertaken extensive analytical work, in particular through the launch of an important number of information notes, databases and staff working papers that cover all relevant trade areas, as well as through the organization of information-sharing sessions and workshops. WTO monitoring of trade and Members' trade-related measures taken in response to the pandemic have provided needed transparency. Together, these resources constitute an instrumental and solid basis for informed discussions and decision-making at the domestic, regional, and multilateral levels.

Section 3 provides an overview of pandemic-related work undertaken by WTO Members in select WTO bodies. Various Councils and Committees have served and continue to serve as a venue to address trade-related issues that emerged during the pandemic and to exchange experiences with a view to paving the way towards better preparedness for future pandemics.

Finally, WTO Members have also actively considered possible elements of a "WTO Response to the COVID-19 Pandemic" as part of the preparatory work for the WTO's 12th Ministerial Conference, now rescheduled to take place from 12 to 15 June 2022 in Geneva. As set out in **Section 4**, a number of Members have made concrete proposals in this regard. Discussions have touched extensively on pandemic preparedness and response, i.e. action needed to make the WTO and its Members fit for purpose to be better prepared for future health crises.

The WHO and WTO Secretariats enjoy a longstanding and well-established collaboration on matters at the crossroads between public health, intellectual property and trade. This is complemented by [trilateral initiatives taken by the Directors-General of the WHO, WIPO and the WTO](#) to assist our respective memberships in addressing the current pandemic and being better prepared for future health crises. In June 2021, they agreed to collaborate on the organization of [technical workshops](#) to strengthen the capacity of policymakers and experts in governments to address the pandemic. As requested by the Directors-General, a [joint platform](#) was launched to provide a one-stop shop for Members seeking trilateral technical assistance relating to their needs for COVID-19 medical technologies. It makes available the full range of expertise on access, IP and trade matters provided by trilateral and other partners, in a coordinated and systematic manner. Those initiatives will be complemented by periodical updates of [the information note on an integrated health, trade, IP response to COVID-19](#). This intense cooperation promotes the achievement of public health objectives by leveraging the expertise of each organization. It also responds to the urgent need for synergies and complementarity and supports the implementation of cross-agency cooperation in domestic settings.

Since the outbreak of the pandemic, the WTO has been hosting and participating in high-level dialogues with heads of international agencies and senior policymakers, as well as vaccine manufacturers and other business stakeholders committed to providing global, coordinated action to deal with the extraordinary challenges the pandemic poses to people's health as well as their livelihoods. In particular, the WTO Director-General has engaged in collaborative efforts with the heads of other intergovernmental organizations to establish high-level dialogues and other discussion fora with relevant stakeholders to promote practical and evidence-based cross-sectoral solutions to pandemic challenges. Shortly after assuming office in March 2021, the Director-General organized a string of high-level virtual events for government ministers, CEOs and senior representatives of vaccine manufacturers, civil society advocates, and leaders of other international organizations to discuss pragmatic solutions to COVID-19 vaccine shortages and inequities. For example, on 14 April 2021, leaders discussed "[COVID-19 and Vaccine Equity: What Can the WTO Contribute?](#)", followed on 29 June 2021 by a "[COVID-19 Vaccine Supply Chain and Regulatory Transparency Technical Symposium](#)", and on 21 July 2021 by a joint WHO-WTO high-level dialogue on "[Expanding COVID-19 vaccine manufacture to promote equitable access](#)". Since co-founding the [Multilateral Leaders Task Force on COVID-19](#) on 30 June 2021, the WTO Director-General has collaborated with the heads of the International Monetary Fund (IMF), World Bank Group, and WHO to leverage multilateral finance and trade solutions, particularly for low- and middle-income countries, to accelerate access to COVID-19 vaccines, including through high level consultations with the main vaccine manufacturers and other stakeholders.

This initial submission offers a non-exhaustive overview of pandemic-related work at the WTO. It provides information about the broad range of activities in which WTO Members and the WTO Secretariat are engaged to address the COVID-19 pandemic and to be better prepared for future health crises. Complementary information is available on a dedicated [COVID-19 and world trade](#) web page.

The WTO Secretariat stands ready to provide additional material and to answer any question with respect to trade-related elements that might be raised in the course of forthcoming negotiations at the INB.

2 COVID-19 PANDEMIC-RELATED ANALYTICAL, MONITORING AND INFORMATION SHARING ACTIVITIES UNDERTAKEN BY THE WTO SECRETARIAT

2.1 Information notes, databases, and staff working papers

As early as April 2020, the WTO began issuing information notes and assembling data on trade-related aspects of COVID-19. **Annex 1** compiles over 30 information resources, along with tools like the [WTO-IMF Vaccine Trade Tracker](#) and [repositories of trade-related measures](#) in the areas of goods, services, and intellectual property, as well as support measures. They provide decision-makers with timely and accurate information and empirical evidence needed to identify and effectively respond to supply chain challenges and develop trade-facilitating policies and practices.

2.2 Information-sharing sessions and workshops

The WTO has hosted a range of [information-sharing sessions and workshops](#), often in conjunction with its trilateral partners, the WHO and WIPO, other international organizations and a wide range of stakeholders. The objective has been to share experiences and best practices in order to further disseminate information critical to policymakers seeking to respond to unprecedented trade-related pandemic challenges. Some events provided updates on the Secretariat's work and offered the opportunity to discuss the information resources referenced in Section 2.1. Several focused on medical technologies, including vaccines; others provided technical guidance to support the use of information resources. **Annex 2** compiles relevant information-sharing sessions and workshops.

2.3 Monitoring COVID-19 trade, trade-related measures, and support measures

In the context of the WTO [Trade Monitoring Exercise](#), the Secretariat produces two reports twice a year to enhance transparency and to provide an up-to-date picture of trends in the implementation of trade-related measures. Since the beginning of the pandemic in 2020, the reports have included information on COVID-19 trade-related measures on goods, services, and intellectual property, as well as economic support. Online [databases of these measures](#), some reported by Members, some notified to their respective WTO body, and others identified by the Secretariat from official sources, were created as part of this exercise, and are regularly updated (cf. Annex 1). The measures in these databases are regularly discussed, for example, by the Committee on Market Access (section 3.1.1) and the TRIPS Council (section 3.4). COVID-19-related measures that have been notified or raised as a specific trade concern are also discussed as part of the regular work of these and other WTO bodies, including the Committee on Technical Barriers to Trade (section 3.1.2), the Committee on Sanitary and Phytosanitary Measures (section 3.1.3), and the Committee on Trade Facilitation (section 3.1.4).

3 COVID-19 PANDEMIC-RELATED WORK UNDERTAKEN OR IN-PROGRESS IN SELECT WTO COUNCILS AND COMMITTEES

3.1 Committees related to trade in goods

3.1.1 Committee on Market Access

As part of its regular work, the Committee has had a standing item on its agenda for monitoring export restrictions and trade-easing measures relating to the COVID-19 pandemic, based on notifications to the Committee as well as information from the [Trade Monitoring Exercise](#) (see section 2.3) compiled in the database "[COVID-19: Measures affecting trade in goods](#)". At the request of

the Committee, the Secretariat has issued two regularly updated reports. One is a list of notifications and other Member communications relating to the COVID-19 pandemic ([G/MA/W/157](#), revisions and corrigendum). The other summarizes the factual information on export prohibitions and trade-easing measures contained in these notifications and communications, as well as other measures from the "[COVID-19: Measures affecting trade in goods](#)" database ([G/MA/W/168](#), revisions and corrigendum).

The Committee has also held a series of experience-sharing sessions on trade in COVID-19-related goods where Members have exchanged views and experiences on different areas relevant to the work of the Committee:

- 1st session: How Members defined their lists of "essential goods" to combat COVID-19 and the challenges they face with tariff classification; lessons learned from the pandemic and how the international trade community can be better prepared for future crises. (4 March 2022, [News item](#))
- 2nd session: How Members monitored and measured trade in essential goods to combat the pandemic and how data collection could be improved at a time of crisis; how to promote a greater role for global international cooperation in order to better understand and track trade flows underpinning complex medical value chains. (26 April 2022, [News item](#))

The next two experience-sharing sessions are scheduled to take place on 27 June and 16 September 2022 and will cover the following topics:

- 3rd session: Members' practices on measures aimed at easing trade under the purview of the Committee including, for example, in relation to tariff suspensions, reductions, or eliminations.
- 4th session: How to improve transparency in export restrictions, as well as experience sharing with respect to the choices underpinning the use of such restrictions.

3.1.2 Committee on Technical Barriers to Trade

Members notified numerous standards and regulations adopted in response to the COVID-19 pandemic under the TBT Agreement. As of 27 April 2022, 34 Members submitted 213 COVID-19-related notifications to the TBT Committee, comprising 45% of all such WTO notifications. (Cf. section 2.3) The notified measures mostly pertain to extraordinary and temporary streamlining of certification and related procedures, and the introduction of new regulatory requirements for medical goods (such as pharmaceutical products, personal protective equipment, medical equipment, and other medical supplies).¹

Members² and Observers³ also used the TBT Committee as a platform to exchange experiences on different COVID-19-related matters, including 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.

While discussing specific trade concerns in the TBT Committee, Members also discussed the significant impacts of the pandemic on their economies, in particular: (i) difficulties complying with regulatory requirements; (ii) difficulties performing conformity assessment procedures; and (iii) the overall impact on their work in the areas of standards and regulations.⁴

In addition, as part of the TBT Committee workplan for 2022-2024, WTO Members agreed to examine and compile best practices for future pandemic preparedness, including streamlining conformity assessment procedures during pandemics, and enhancing international regulatory cooperation, to facilitate trade in select essential medical goods like vaccines.⁵ This work aims to build on Members' experiences during the COVID-19 pandemic.

¹ WTO database, [WTO members' notifications on COVID-19](#). Covid-19-related TBT notifications can also be tracked through [ePing](#) search and alert functions. See also WTO Secretariat information note "[Standards, regulations and COVID-19 – what actions taken by WTO members?](#)".

² See [G/TBT/46](#); [G/TBT/GEN/306](#); [G/TBT/W/736](#).

³ See [G/TBT/M/84](#); [G/TBT/GEN/314](#).

⁴ See [G/TBT/M/80](#); [G/TBT/M/81](#); [G/TBT/M/82](#); [G/TBT/M/83](#); [G/TBT/M/84](#); [G/TBT/M/85](#); [G/TBT/M/86](#).

⁵ [G/TBT/46](#), para. 8.4.

3.1.3 Committee on Sanitary and Phytosanitary Measures

In the SPS Committee, Members shared information on their SPS regulations and other activities in response to the pandemic, discussed trade concerns arising from COVID-related import requirements, and received updates from the relevant standard setting bodies and other international organizations.

The SPS Committee has had a standing agenda item on COVID-19 and SPS issues since June 2020, where the Secretariat, the International Standard-Setting Bodies, other Observer Organizations and Members have regularly been reporting on activities related to the pandemic. A summary of discussions held in the SPS Committee has been included in the [corresponding summary reports](#) of the meetings.

As of 21 April 2022, 31 Members have submitted a total of 123 SPS COVID-19 related documents, including notifications of new or changed SPS regulations and other communications, representing 27% of all COVID-19-related documents received by the WTO.⁶ (Cf. section 2.3) Initially, the notified measures mainly related to restrictions on animal imports and/or transit from affected areas and increased certification requirements. Many of these restrictions were subsequently lifted. While a few new restrictions were imposed at a later stage, most notifications and communications submitted since the beginning of April 2020 relate to measures taken to facilitate trade. For example, some Members have allowed temporary flexibility for control authorities to use electronic versions or copies of veterinary and/or phytosanitary certificates, since the COVID-19 situation has made the transmission of original paper certificates problematic.

Members have discussed [four specific trade concerns](#) in the SPS Committee regarding SPS measures adopted in relation with COVID-19. These relate to trade restrictions or import procedures put in place by importing Members in relation to COVID-19, where other Members are of the view that trade is restricted more than necessary for health-protection purposes, and/or the measures may be creating unjustified barriers to international trade.

3.1.4 Committee on Trade Facilitation

The Committee on Trade Facilitation (TFC) has been holding a series of [experience-sharing and thematic discussions](#) on the impact of the COVID-19 pandemic on the international trade of goods and on possible measures to facilitate the movement of goods during the pandemic. These sessions have addressed a variety of trade-facilitating initiatives and interim mechanisms taken by Members, observers, international organizations and the private sector to promote the smooth flow of essential medical supplies and other commodities during the COVID-19 pandemic. Such measures include "green" priority clearance channels, temporary suspension of import licensing requirements, waiving import and consumer taxes, simplified import/export declaration forms, and the use of digital signatures and electronic documents to streamline the fulfilment of paperwork requirements. Some of these measures have been notified to the TFC. (Cf. section 2.3).

Details on these notifications and other measures discussed during information- and experience-sharing sessions, as well as associated presentations made to the TFC, can be found in the [TFA database](#) and in a regularly updated compendium compiled by the Secretariat at the request of the Committee ([G/TFA/W/40](#), and revisions). The TFA Facility website also contains a [repository](#) of measures and initiatives by international and partner organizations.

3.2 Committee on Trade and Environment

According to the United Nations Environmental Programme (UNEP), stopping illegal and unregulated wildlife trade will be key to reducing the risk of future zoonotic epidemics.⁷ This is also reflected in the One Health approach promoted by the WHO and other institutions which aims to tackle the

⁶ WTO database, [WTO members' notifications on COVID-19](#). Covid-19-related SPS notifications can also be tracked through [ePing](#) search and alert functions. See also WTO Secretariat information note ["Standards, regulations and COVID-19 – what actions taken by WTO members?"](#).

⁷ United Nations Environment Programme, Trade and Environment: Implications of COVID-19, available at: <https://wedocs.unep.org/bitstream/handle/20.500.11822/32286/TradeEnv.pdf?sequence=1&isAllowed=y>.

challenges of human, animal and ecosystem health in a more integrated manner.⁸ Other environmental degradation concerns such as deforestation, changes in forest habitat and biodiversity loss, that have been linked to an increased likelihood of future pandemic outbreaks⁹, are also increasingly being discussed at the WTO in various committees and bodies.

In particular, the Committee on Trade and Environment aims to ensure that trade and environmental policies are mutually supportive. It provides a platform to share knowledge and experience and to brief on new policy instruments. It also serves as a forum where the secretariats of several multilateral environmental agreements regularly brief WTO members on their work. Such discussions ensure that trade measures contribute to enhancing future prevention and mitigation responses through open, fact-based, and forward-looking dialogue and promote safe trade in animals and animal products.

In December 2021, a Ministerial Statement¹⁰ was adopted on Trade and Environmental Sustainability. Currently supported by 71 WTO Members, it refers to the need to ensure legal and sustainable trade in wildlife and the conservation and sustainable use of biodiversity. Moving forward, these and other discussions at the WTO will continue to play a role in ensuring trade and trade policy can support sustainable outcomes and help address the drivers of new zoonotic diseases.

3.3 Council for Trade in Services

The Council for Trade in Services discussed the implications of the COVID-19 pandemic on service trade in 2020. Members exchanged views and shared experiences on the services trade-related aspects of the pandemic, and the Secretariat presented the [Information Note](#) it had produced on the issue.

In the Special Session of the Council for Trade in Services, Members considered a communication submitted by Jamaica on behalf of the ACP Group in February 2021. The communication discussed the impact of the pandemic on services sectors of vulnerable ACP Members, as well as related challenges and opportunities for trade in services.

3.4 Council for Trade-Related Aspects of Intellectual Property Rights

Since June 2020, pandemic-related matters have featured on the TRIPS Council's agenda. The Council has considered notified pandemic-related measures under its regular standing item on notifications. Other measures have been discussed during formal meetings under an "IP measures in the context of COVID-19" item, with reference to [a non-exhaustive list](#) compiled by the Secretariat as part of the [Trade Monitoring Exercise](#) (cf. section 2.3).

The Council has considered a proposal entitled "Waiver from certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" ([IP/C/W/669](#), corrigendum and addenda) (TRIPS waiver proposal), initially made by India and South Africa on 2 October 2020 and subsequently co-sponsored by 63 additional Members.¹¹ As revised ([IP/C/W/669/Rev.1](#)), it proposes waiving Members' obligations to implement, apply, or enforce TRIPS provisions on copyright, industrial designs, patents, and undisclosed information¹² for a period of at least 3 years, and until terminated by the General Council, for health products and technologies for the prevention, treatment or containment of COVID-19. Such health products and technologies include diagnostics, therapeutics, vaccines, medical devices, personal protective equipment, their materials or components, and their methods and means of manufacture. The proposal has been discussed during over 30 formal and informal sessions of the TRIPS Council thus far. Members have also exchanged

⁸ See [https://www.who.int/news/item/18-03-2022-un-environment-programme-joins-alliance-to-
implement-one-health-approach](https://www.who.int/news/item/18-03-2022-un-environment-programme-joins-alliance-to-implement-one-health-approach).

⁹ See [Deforestation is leading to more infectious diseases in humans \(nationalgeographic.com\)](#).

¹⁰ See [WT/MIN\(21\)/6/Rev.2](#).

¹¹ The African Group, Argentina, the Plurinational State of Bolivia, Egypt, Eswatini, Fiji, Indonesia, Jordan, Kenya, the LDC Group, Malaysia, the Maldives, Mongolia, Mozambique, Namibia, Pakistan, Vanuatu, the Bolivarian Republic of Venezuela, and Zimbabwe.

¹² Sections 1, 4, 5 and 7 of Part II of the [TRIPS Agreement](#) and the obligation to enforce these sections under Part III.

views, asked questions, sought clarifications and provided further information through written communications.¹³

The European Union also submitted a proposal on 18 June 2021 entitled "Declaration on the TRIPS Agreement and Public Health in the circumstances of a Pandemic" ([IP/C/W/681](#); see also [IP/C/W/680](#)). It proposes that Members, through a General Council declaration:

- reaffirm the 2001 Doha Declaration on the TRIPS Agreement and Public Health ([WT/MIN\(01\)/DEC/2](#));
- agree that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health; and
- clarify certain TRIPS flexibilities relating to compulsory licenses in [TRIPS Articles 31 and 31bis](#) in the circumstances of a pandemic.

In successive reports to the General Council throughout 2021 and early 2022¹⁴, the Chair of the TRIPS Council reported that disagreement persisted on the fundamental question of whether either proposal is the appropriate and most effective way to address the shortage and inequitable distribution of and access to vaccines and other COVID-19 related products.

On 3 May 2022, the TRIPS Council Chair circulated a communication from the Director-General ([IP/C/W/688](#)) sharing with the wider membership the outcome of discussions among an informal group of Ministers that she has facilitated since December 2021 to give impetus to the Council's discussions of the TRIPS waiver proposal and the EU proposal. The draft outcome text sets forth clarifications and waivers of certain 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.

4 PREPARATORY WORK FOR MC12 AND PANDEMIC PREPAREDNESS

In preparation for the 12th Ministerial Conference, the Chair of the General Council appointed, on 22 June 2021, a Facilitator to assist in Members' discussions on a multilateral WTO Response to the COVID-19 Pandemic. The Facilitator convened consultations and meetings and provided four reports to the General Council in 2021.¹⁵ Themes discussed in this context were: transparency and monitoring; export restrictions and prohibitions; trade facilitation, regulatory coherence and cooperation and tariffs; the role of trade in services; collaboration with other intergovernmental organizations and stakeholders; and a framework for future preparedness. Several Members have also put forward various [proposals](#) in relation to trade-related aspects of the pandemic. Discussions are ongoing as Members ramp up their efforts in anticipation of the 12th Ministerial Conference, now set to take place from 12 to 15 June 2022.

¹³ 23 November 2020 communication from South Africa, "Examples of IP Issues and Barriers in COVID-19 Pandemic" ([IP/C/W/670](#)); 27 November 2020 communication from Australia, Canada, Chile and Mexico, "Questions on Intellectual-Property Challenges Experienced by Members in Relation to COVID-19" ([IP/C/W/671](#)); two communications of 15 January 2021 from the then-co-sponsors of the proposal responding to questions raised during prior meetings of the Council ([IP/C/W/672](#)) and in document [IP/C/W/671](#) ([IP/C/W/673](#)); 15 January 2021 communication from India, Mozambique, Pakistan and South Africa identifying questions raised by proponents of the TRIPS waiver proposal during December 2020 meetings ([IP/C/W/674](#)); 17 May 2021 joint statement of the then-co-sponsors ([IP/C/W/677](#)); and 30 September 2021 communication from the then-co-sponsors ([IP/C/W/684](#)).

¹⁴ See, for example, minutes of the General Council meeting held 23-24 February 2022, contained in [WT/GC/M/196](#), section 7.1.

¹⁵ The reports were presented and discussed in formal meetings of the General Council, as reflected in the minutes of the meetings, contained in [WT/GC/M/192](#), [WT/GC/M/193](#), and [WT/GC/M/194](#).

ANNEX 1

WTO Secretariat COVID-19 Information Notes, Databases and Staff Working Papers

Date	Type	Title	Description
Ongoing	Database	WTO-IMF Vaccine Trade Tracker	Data on the trade and supply of vaccines by product, economy, and arrangement type.
Ongoing	Database	Database of the Multilateral Leaders Task Force on COVID-19 Vaccines, Therapeutics, and Diagnostics	Global data and country-by-country dashboards tracking and monitoring gaps to support access to vaccines, treatments, and tests in developing countries. Developed jointly by the World Bank, WTO, WHO and IMF.
Ongoing	Database	Inventory of COVID-19 Information Resources	List of resources managed by international organizations, non-governmental organizations, academics, and the private sector.
Ongoing	Database	WTO COVID-19 Trade Facilitation Repository	Initiatives, guidelines, case studies, and other information developed by partners to help maintain the flow of safe cross-border trade during the pandemic.
Ongoing	Database	COVID-19: Measures regarding trade related intellectual property rights	Non-exhaustive compilation of measures related to intellectual property rights (IPRs) taken by Members in the context of the COVID-19 crisis. Certain information restricted to WTO Members and observers.
Ongoing	Database	COVID-19: Measures affecting trade in goods.	Non-exhaustive compilation of trade and trade-related measures affecting trade in goods taken by Members in the context of the COVID-19 crisis. Certain information restricted to WTO Members and observers.
Ongoing	Database	COVID-19: Agricultural Measures	Non-exhaustive compilation of measures taken by Members in the context of the COVID-19 crisis targeting agricultural products, extracted from the database "COVID-19: Measures affecting trade in goods". Certain information restricted to WTO Members and observers.
Ongoing	Database	COVID-19: Measures affecting trade in services	Non-exhaustive compilation of measures related to services taken by Members in the context of the COVID-19 crisis. Certain information restricted to WTO Members and observers.
Ongoing	Database	COVID-19: Support measures	Non-exhaustive compilation of support measures taken by Members in the context of the COVID-19 crisis.
Ongoing	Database	WTO Members' Notifications on COVID-19	List of notifications submitted by Members to WTO bodies relating to COVID-19, searchable by keyword, date, Member, and communication type.
20/04/2022	Report	Accelerating COVID-19 Vaccine Deployment: Removing obstacles to increase coverage levels and protect those at high risk	Identifies priority actions and recommendations to accelerate vaccine deployment. Commissioned by G20 Finance Ministers and Central Bank Governors and prepared by the WHO and World Bank with GAVI, IMF, UNICEF, and WTO.
18/01/2022	Staff Working paper	Innovation and patenting activities of COVID-19 vaccines in WTO members: Analytical review of Medicines Patent Pool (MPP) COVID-19 Vaccines Patent Landscape (VaxPal)*	Analyses 74 patent families covering subject matter relevant to ten COVID-19 vaccines, which accounted for 99% of global COVID-19 vaccine production as of 31 December 2021.
14/12/2021	Information note	Trade in Medical Goods in the Context of Tackling COVID-19: Developments in the first half of 2021	Provides trade statistics for medical goods for the first half of 2021 and makes comparisons with data from 2019 and 2020. Includes special case study on selected vaccine administration products (rubber gloves, syringes, needles). Third update in series (initial note 03/04/2020, first update 22/12/2020, second update 30/06/2021)
08/10/2021	Information note	COVID-19 vaccine production and tariffs on vaccine inputs	Analyses MFN applied tariffs and 2020 imports of inputs for vaccine manufacturing by the 27 top vaccine manufacturing economies to identify possible sensitive or "choke" points.
08/10/2021 20/07/2021	Information note	Update: Indicative list of trade-related bottlenecks and trade-facilitating measures on critical products to combat COVID-19	Identifies possible trade-related bottlenecks and trade-facilitating measures on critical products to combat COVID-19, including inputs used in vaccine manufacturing, vaccine distribution and approval, therapeutics, and pharmaceuticals, diagnostics, and medical devices. Updated version of initial note of 20/07/2021 .

Date	Type	Title	Description
08/10/2021	Infographic	The global race to vaccinate	Depicts "fast track" and "slow track" processes for moving a COVID-19 vaccine from the factory to the final recipient.
30/08/2021 01/07/2020	Information note	Update: An integrated health, trade, and IP approach to respond to the COVID-19 pandemic	Maps challenges posed by the pandemic in relation to integrated health, trade and IP policy frameworks. Standalone extract from second edition of the trilateral study, " Promoting Access to Medical Technologies and Innovation: Intersections between public health, intellectual property and trade ", prepared jointly by WHO, WIPO and WTO. Updated version of note of 01/07/2020 .
13/07/2021	Information note	Joint indicative list of critical COVID-19 vaccine inputs for consultation	Provides information on critical inputs for manufacturing, distributing, and administering COVID-19 vaccines. Working document developed with collaborators to facilitate discussions at the WTO COVID-19 Vaccine Supply Chain and Regulatory Transparency Symposium of 29 June 2021 .
01/07/2021	Information note	Improving trade data for products essential to fight COVID-19: A possible way forward	Discusses shortcomings in available trade data for many products needed to combat the COVID-19 pandemic, including vaccines and their components, and proposes actions that could be taken by the international community to improve data quality to create a more solid basis for COVID-19 trade policy.
30/06/2021	Information note	Trade in medical goods in the context of tackling COVID-19: Developments in 2020	Provides 2020 trade statistics for medical goods from around 100 economies and makes comparisons with 2019. Includes special case study on diagnostic reagents and test kits. Second update in series (initial note 03/04/2020, first update 22/12/2020, third update 14/12/2021).
14/01/2021	Staff Working paper	Trade finance, gaps and the COVID-19 pandemic: A review of events and policy responses to date*	Considers pandemic-related trade financing developments in 2020, responses by governments, central banks, export credit agencies, and international financial institutions, and identifies future challenges.
11/01/2021	Staff Working paper	COVID-19 and global value chains: a discussion of arguments on value chain organization and the role of the WTO*	Analyses the reasons for changes in global value chains as a result of COVID-19 both from a positive angle, analysing expected changes in the behaviour of firms, and from a normative angle, assessing the different arguments for policy interventions by governments.
22/12/2020	Information note	Developing and delivering COVID-19 vaccines around the world: An information note about issues with trade impact	Provides background information on immunization and the development of COVID-19 vaccines; an infographic overview of the development and delivery of vaccines; and details on where key decisions with trade impact may need to be made along the vaccine value chain. Includes a non-exhaustive list of useful resources to inform decision-making.
22/12/2020	Information note	Trade in medical goods in the context of tackling COVID-19	Provides preliminary trade statistics for medical goods from 97 economies for the first half of 2020 and makes comparisons with 2019 and 2018. Includes special case study on face masks. First update in series (initial note 03/04/2020, second update 30/06/2021, third update 14/12/2021).
04/12/2020	Information note	Standards, regulations and COVID-19 – What actions taken by WTO members?	Describes standards and regulations notified by Members under the TBT and SPS agreements in 2020 in response to the pandemic, most of which affect trade in personal protective equipment (PPE), food, medical equipment, plant products and live animals.
20/11/2020	Checklist	Developing & delivering COVID-19 vaccines around the world: A checklist of issues with trade impact	Identifies trade-related issues along the COVID-19 vaccine value chain to aid the development of trade policies that support vaccine development and distribution. Companion to infographic "".
20/11/2020	Infographic	Developing & delivering COVID-19 vaccines around the world	Graphically depicts trade-related considerations along the COVID-19 vaccine value chain. Companion to "Developing & delivering COVID-19 vaccines around the world: A checklist of issues with trade impact".
03/11/2020	Information note	Future resilience to diseases of animal origin: The role of trade	Summarizes current issues, status of legal frameworks, and planned future actions to control the spread of zoonoses through trade. Includes a section on COVID-19.
21/10/2020	Staff Working paper	Patent-related actions taken in WTO members in response to the COVID-19 pandemic*	Provides an overview of patent landscape of medical treatments and technologies related to COVID-19, and the patent status of two investigational medical treatments; patent-related actions taken in Members since the outbreak; patent-related policy options

Date	Type	Title	Description
			provided by TRIPS; and Members' national implementation and utilization of these options in their response to the pandemic.
15/10/2020	Information note	The TRIPS Agreement and COVID-19	Discusses Orole of the IP system and contributions it can make to addressing COVID-19, including policy options and flexibilities as implemented in domestic law; summarizes measures taken by Members within the IP framework since the start of the crisis.
24/09/2020	Information note	Helping MSMEs navigate the COVID-19 crisis	Describes impact of the COVID-19 crisis on micro, small and medium-sized enterprises (MSMEs), measures Members have implemented and should consider to support MSMEs, and the role of the WTO as a forum for MSME-supportive work.
18/09/2020	Information note	How WTO members have used trade measures to expedite access to COVID-19 critical medical goods and services	Surveys Members' trade measures to expedite access to COVID-19-critical medical goods and services, including: eliminating or deferring duties, taxes, and charges; streamlining border clearance; enhancing regulatory cooperation; facilitating the international movement of health workers and telemedicine; new, streamlined, or clarified rules for emergency government procurement activities; and IP measures to foster innovation and development of new treatments and vaccines.
26/08/2020	Information note	COVID-19 and agriculture: A story of resilience	Discusses trends in agricultural markets and trade during the first few months of the pandemic, trade measures taken by Members to address the impact of COVID-19 on the agricultural sector, food security, and the impact of trade policies.
25/08/2020	Information note	Cross-border mobility, COVID-19 and global trade	Summarizes mobility-related measures implemented by Members, their trade impact and subsequent refinement as the pandemic entered a new phase, and possible international cooperative paths to building trade resilience for the future. Draws and builds upon "Trade in services in the context of COVID-19".
12/08/2020	Information note	Trade costs in the time of global pandemic	Applies insights from a WTO trade costs project and available real-time indicators to outline how travel restrictions, border closures, and other COVID-19 mitigation measures may affect trade costs.
03/08/2020	Information note	The economic impact of COVID-19 on women in vulnerable sectors and economies	Discusses why the economic impact of COVID-19 is likely to affect women disproportionately (especially those in LDCs and developing economies); identifies government support measures that aid women; and discusses how trade could benefit women during the COVID-19 recovery.
08/06/2020	Information note	The COVID-19 pandemic and trade-related developments in LDCs	Describes pre-pandemic trends in LDC trade, publicly available information regarding the impact of the pandemic on sectors significant to select LDC economies, and the possible impact of Members' trade-related measures and domestic and international support measures.
28/05/2020	Information note	Trade in services in the context of COVID-19	Describes the early impact of the COVID-19 pandemic on trade in services in different sectors and modes of supply.
04/05/2020	Information note	E-commerce, trade and the COVID-19 pandemic	Assesses the e-commerce landscape in the early days of the pandemic, including: measures taken by Members to facilitate e-commerce in goods; supply chain disruptions; increased demand for digital education, health, media, and payment services; and challenges relating to consumer protection, compliance with health and safety regulations, and the digital divide. Summarizes relevant WTO work.
27/04/2020	Information note	The treatment of medical products in regional trade agreements	Analyses exports and imports of medical products with RTA partners versus the rest of the world by the top 10 global exporters, tariff commitments for medical products under 174 notified RTAs, and RTA provisions on technical barriers to trade (standards, regulations, and conformity assessments) applicable to pharmaceutical and medical products.
23/04/2020	Information note	Export prohibitions and restrictions	Summarizes main WTO rules on export prohibitions and restrictions, including carve-outs and exceptions, and relevant transparency provisions; maps out export prohibitions and restrictions introduced by Members since the beginning of the pandemic and their possible

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07/04/2020	Information note	Transparency – Why it matters at times of crisis	economic impact; and discusses improving international cooperation in the area of export prohibitions and restrictions. Discusses importance of transparency and information sharing in the context of the COVID-19 pandemic; provides overview of transparency in the multilateral trading system, including the Trade Policy Review Mechanism and provisions in various WTO agreements.
03/04/2020	Information note	Trade in Medical Goods in the Context of Tackling COVID-19	Provides comprehensive overview of global trade in, and tariffs imposed on, medical goods. Associated data available as an Excel download and through a data visualization app and WTO Stats . Initial note in series (first update 22/12/2020, second update 30/06/2021, third update 14/12/2021).

*Disclaimer: The opinions expressed in these papers are those of the authors. They are not intended to represent the positions or opinions of the WTO or its members and are without prejudice to Members' rights and obligations under the WTO. Any errors are attributable to the authors.

ANNEX 2

WTO Secretariat Information Sharing Sessions and Workshops

Date	Title	Description
28/02/2022	Second WHO, WIPO, WTO workshop on innovation in, and access to, COVID-19 technologies	Joint workshop on accessing and using information resources developed by WTO, WHO and/or WIPO and other stakeholders to support Members in addressing and recovering from the pandemic.
11/02/2022	Technical workshop on COVID-19 Vaccines R&D, Manufacturing and Distribution	Technical workshop focused on practical aspects of COVID-19 vaccine R&D, manufacturing, regulatory approval, distribution, and coordination of vaccination campaigns.
28/01/2022	Committee on Market Access - Information Session on Trade in COVID-19 Related Goods	Informal update to the Committee on Market Access on Secretariat work, including information notes and new tools, in relation to trade in medical goods, trade in COVID-19 vaccines, and trade-related bottlenecks and trade-facilitating measures on critical products to combat COVID-19.
25/11/2021	DG information session on access to COVID-19 vaccines and WTO-IMF COVID-19 Vaccine Trade Tracker	DG briefing for Members and Observers on WTO Secretariat work to support equitable access to COVID-19 vaccines. Secretariat presentation of IMF-WTO COVID-19 Vaccine Trade Tracker .
12/10/2021	Access to COVID-19 Vaccines: WTO collaborative initiatives and analysis on supply chains and tariffs	DDG briefing for Members and observers on Secretariat's contribution to a range of collaborative initiatives, including the Multilateral Leaders Task Force on COVID-19 , WHO, WIPO, WTO Trilateral Cooperation , the COVAX Manufacturing Task Force , and the Access to COVID-19 Tools (ACT) Accelerator .
27/09/2021	WHO, WIPO, WTO workshop on Innovation in, and Access to, COVID-19 Technologies	Joint workshop for policymakers and experts from WHO, WIPO and WTO Members focused on IP licensing, technology transfer, and sharing of know-how and clinical trial information, aiming to strengthen capacity to address the COVID-19 pandemic.
26/05/2021	2021 trade and public health webinar: Delivering medical technologies and vaccines to end users	A panel of experts discussed trade in medical goods and services during pandemic times, facilitating cross-border movement of vaccines, and ensuring successful delivery and use of medical technologies and vaccines.
19/05/2021	2021 trade and public health webinar: Access to Medical Technologies - Government, Industry, Civil Society, Academia and IGO Perspectives	A panel of experts shared different perspectives on access to medical technologies over the past 25 years, touching upon developments, challenges and catalysts; cooperation and partnerships; transfer of technology and know-how and sharing of data; building local or regional capacity; and empirical foundations for effective and informed decision-making.
12/05/2021	2021 trade and public health webinar: Dissemination of health technologies	A panel of experts discussed the impact of the TRIPS Agreement on health technology diffusion over the past 25 years, as well as practical considerations and policies on innovation, IP sharing, and local production.
21/10/2020	WTO workshop on health, trade and intellectual property: an integrated approach to COVID-19	Technical workshop to support WTO Members and Observers in building capacity to assess and review domestic health systems, IP regimes and trade policy settings to address the COVID-19 pandemic. Introduced the second edition of the WHO-WIPO-WTO study " Promoting Access to Medical Technologies and Innovation ".
24/06/2020	SPS Committee information-sharing session on COVID-19	Informal information-sharing session with a Secretariat overview of documents submitted by Members in relation to COVID-19, an STDF presentation on its COVID-19 response, and updates from Members, the three relevant international standard setting bodies (Codex Alimentarius, the World Organisation for Animal Health (OIE) and the International Plant Protection Convention (IPPC)), WHO and other observers.