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Dear Honourable Member,

I would like to thank you, and the co-signatories, for your letter concerning a proposal in the World Trade Organization (WTO) to waive certain provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the 'TRIPS Agreement') in relation to prevention, containment or treatment of COVID-19. Commissioner Kyriakides has transmitted the letter to me for reply.

The Commission remains committed to the objective of universal equitable access to vaccines and treatments against COVID-19. The EU has invested close to €3 billion to pre-finance the production of safe and effective vaccines, which will benefit not only the EU but also citizens across the world. The EU has also been leading the global response under the common 'Team Europe' approach. 'Team Europe' is one of the leading contributors to the COVAX Facility, with more than €2.2 billion pledged up to date. This should allow the COVAX Facility to achieve its target to deliver 1.3 billion doses for 92 low and middle-income countries by the end of 2021.

As regards the waiver from certain provisions of the TRIPS Agreement in relation to COVID-19, we consider that waiving of intellectual property rights, as proposed in the WTO, would not help but rather hinder the efforts to ensure the widest distribution of COVID-19 vaccines. New variants of COVID remain a real threat and this is not the last pandemic that we may have to deal with. We need to find measures that both respond to the current needs in the EU and worldwide, as well as preserve the incentives to innovate and invest in health-related research.

We consider that the solutions to rapidly scale up the required manufacturing and distribution of vaccines at this stage can only be delivered through close public-private cooperation and intellectual property is a key element of this equation. Collaboration and licensing on a global level are already happening. We have numerous examples of licensing and manufacturing agreements between various companies in the EU and in other countries. This collaboration should be scaled up.

In this regard, the Commission, via a newly established Task Force,<sup>[1]</sup> is engaging with Member States and companies to explore all avenues to ramp up production capacity in the EU, including by identifying and addressing bottlenecks and bringing in new manufacturers. It stands ready to facilitate technology transfers, where needed. Since the EU vaccine production is critical for global supply and delivery of vaccines to our partners, especially through COVAX, the benefits of this initiative will extend beyond the EU's borders.

The EU is committed to an open and comprehensive dialogue with all WTO Members and the Director General of the WTO Dr Ngozi Okonjo-Iweala to explore how the multilateral rules-based trading system can best support universal and equitable access to COVID-19 vaccines and treatments.

Yours sincerely,



Valdis Dombrovskis

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<sup>[1]</sup> [https://ec.europa.eu/info/sites/info/files/communication-hera-incubator-anticipating-threat-covid-19-variants\\_en.pdf](https://ec.europa.eu/info/sites/info/files/communication-hera-incubator-anticipating-threat-covid-19-variants_en.pdf)