



November 25, 2020

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The Honourable Mary Ng, P.C., M.P.
Minister of Small Business, Export Promotion and International Trade
House of Commons
Ottawa, ON K1A 0A6
By email: mary.ng@parl.gc.ca

The Honourable François-Philippe Champagne, P.C., M.P.
Minister of Foreign Affairs
House of Commons
Ottawa, ON K1A 0A6
By email: francois-philippe.champagne@parl.gc.ca

Dear Ministers Ng and Champagne,

On behalf of the Canadian Labour Congress, I am writing to urge the Government of Canada to support the World Trade Organization (WTO) proposal from South Africa and India for a waiver from certain provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) for the prevention, containment and treatment of COVID-19. The waiver will be discussed at a TRIPS Council meeting next month.

We are disappointed to learn that Canada did not strongly support the waiver proposal when it was first raised at the WTO in October. Canada's own Bill C-13, receiving Royal Assent in March, authorized the temporary suspension of patents and rules regarding trade secrets to respond to shortages of essential goods and to protect public health. The proposed waiver under the TRIPS Agreement would guarantee similar flexibility to all countries, especially those without manufacturing capacity for medicines and suffering from shortages of affordable therapeutic products.

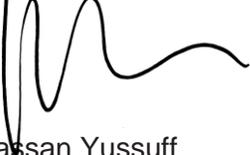
The COVID-19 pandemic is an unprecedented global health emergency, affecting the developing countries of the world even more severely than the advanced industrialized nations. The course of the pandemic in the poorest countries of the world will have local but also global ramifications. World health experts have warned from the outset that we can only end the pandemic everywhere if we can end the pandemic anywhere.

The proposed temporary waiver will enable the WTO's member states and the global scientific community to concentrate fully on the urgent task of developing and distributing new diagnostics, vaccines, medicines and medical supplies, without fear of exposure to litigation risk under the TRIPS Agreement. The existing flexibilities in the TRIPS Agreement, while important, are not sufficient, given the scale and urgency of the crisis. These operate on a country-by-country, product-by-product basis and are too slow to be effective.

To be sure, intellectual property rights are not the only barrier to equitable access for all to COVID-19 treatments, vaccines and medical supplies. However, there is ample evidence that existing TRIPS obligations that create patent monopolies and data secrecy restrictions impose significant obstacles to the rapid development of and affordable access to diagnostics, medicines and treatments.

I am therefore urging the Canadian government to support the TRIPS waiver initiative in order to strengthen global public health and especially the health and well-being of the most vulnerable.

Sincerely,

A handwritten signature in black ink, appearing to be 'Hassan Yussuff', written in a cursive style.

Hassan Yussuff
President

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