

Crucial Next Steps for a Successful People's Vaccine

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The world desperately needs the TRIPS waiver and stronger measures to ensure the transfer of knowledge and technology to produce Covid-19 vaccines.

The Biden administration's decision to stop opposing a [proposed Covid-19 waiver](#) of certain intellectual-property rights under World Trade Organization rules is a welcome move. The US Trade Representative [acknowledges](#) that "the extraordinary circumstances of the Covid-19 pandemic call for extraordinary measures." While affirming that it "believes strongly in intellectual property protections," the Biden administration, "in service of ending this pandemic, supports the waiver of those protections for Covid-19 vaccines." Already, the US decision may be persuading other rich-country holdouts in Europe and elsewhere to [follow suit](#).

While the rapid development of Covid-19 vaccines was a truly impressive achievement, it has been tarnished by constraints on global vaccine supply and the related inequities in distribution. As of May 4, less than [8%](#) of the world's population had received even one dose of any Covid-19 vaccine, while just ten rich countries accounted for 80% of all vaccinations. The reason is not just that rich countries have been buying up all available doses; it is also that there simply have not been enough doses to go around.

But this scarcity itself is largely artificial. Vaccine production has been limited by pharmaceutical companies' refusal to share knowledge and technology. Though the companies producing the approved vaccines have benefited from public subsidies and [publicly funded research](#), they nonetheless have taken advantage of patent protections to maintain a monopoly, limiting production to their own factories and a select few other companies to whom they have granted licenses.

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These patents are enshrined and enforced internationally through the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which allows for action to be taken against countries that provide [compulsory licenses](#) allowing "someone else to produce a patented product or process without the consent of the patent owner." It is this threat of legal action that led a majority of WTO members to propose a temporary waiver for Covid-19 drugs, vaccines, diagnostics, and other technologies needed to fight the pandemic. And yet, even this minor step has been blocked in the WTO TRIPS Council, because (mostly) rich countries have been prioritizing big pharmaceutical companies' interests over global health.

A waiver has become all the more urgent with the coronavirus on the rampage across South America and India, where a near-complete breakdown of overstretched health services is resulting in a catastrophic loss of life. Worse, the rapid spread of the virus has already given rise to dangerous

new variants. We absolutely must vaccinate as many people as possible before vaccine-resistant variants emerge.

Temporarily waiving IP rights is essential, but it is only the first step. A waiver agreement would address the previously insurmountable legal side of the problem. But much more will need to be done to make a “People’s Vaccine” universally available as soon as possible.

The next step is to push for concrete measures to facilitate the transfer of knowledge and technology. From [Canada](#) to [Bangladesh](#), many [potential vaccine producers](#) with the required facilities have so far been denied the licenses and technical know-how to proceed. Not a single [pharmaceutical company](#) has joined the World Health Organization’s voluntary facility for sharing technology, the Covid-19 Technology Access Pool (C-TAP).

Governments in the United States, Europe, and elsewhere, having given large subsidies to develop the approved vaccines, can and should pressure the companies to share the knowledge that public money helped provide. We know this can be done, because the Biden administration has already [persuaded](#) Johnson & Johnson to share its technology with Merck to boost domestic production of its single-dose vaccine. Surely the other companies that have benefited from public support could be pressured to do the same with producers around the world.

In the meantime, the TRIPS waiver could increase vaccine production in other ways as well. Moderna, which relied almost completely on US government funding, has already [declared](#) that it will not enforce its patent. But its mRNA vaccine uses some knowledge that it has licensed (and paid for) from other companies, which could in turn sue any other producer using the same technology.

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The TRIPS waiver would eliminate this possibility, allowing production to be scaled up rapidly. With Moderna now indicating that it will produce [three billion doses](#) in 2022 alone, the mRNA vaccines are apparently quite amenable to expanded production. They are also said to be easily adapted to account for new variants.

The case for public production of such vaccines is clear. “For less than the US government spends on the Covid-19 response daily,” [notes](#) the health advocacy organization PrEP4All, “it can build a facility to produce enough mRNA vaccine manufacturing capacity to vaccinate the entire world in one year, with each dose costing only \$2.”

The case for public production becomes even stronger when one considers that private vaccine producers have little financial incentive to meet current global needs. Once the pandemic is contained, the demand for vaccines is likely to revert to much lower “normal” levels. To win the race against the virus, we must build and deploy public manufacturing capacities in the US and other countries. And when Covid-19 is brought to heel, these facilities should be maintained for future pandemics.

The world desperately needs the TRIPS waiver and stronger measures to ensure the transfer of knowledge and technology to produce Covid-19 vaccines. But we also need to start preparing for equally exceptional circumstances in the future. The knowledge on which our health and prosperity depend must be both publicly funded and publicly disseminated.

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