

## “historic” agreements after marathon discussions at the WTO

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The World Trade Organization (WTO) announced that it had approved, on Friday June 17, in Geneva agreements “*historical* on fishing, the lifting of anti-Covid-19 patents and food insecurity. ” *It’s been a long time since the WTO has had so many results* “, indicated its general manager. For NGOs, however, the mountain gave birth to a mouse.

After several days of intense negotiations, marked by many uncertainties and India’s intransigence on several texts, the negotiators finally agreed, announced the President of the Ministerial Conference Timur Suleimenov, Deputy Chief of Staff of the President

from Kazakhstan. The ministerial lasted almost 36 hours longer than expected. It was finally around 3 a.m. UT that the Director General knocked down the hammer which marks the formal adoption of the texts.

## **L'OMC, « *able to respond to emergencies* »**

This meeting aimed not only to tackle the food insecurity created by Russia, but it also wanted to remove subsidies that facilitate overfishing and empty the oceans, temporarily lift patents that protect anti-Covid vaccines or even reform the WTO itself. This is " *an unprecedented set of results. It has been a long time since the WTO has achieved so many multilateral results. The results demonstrate that the WTO is capable of responding to the urgencies of our time* declared WTO director Ngozi Okonjo-Iweala, before the heads of delegation of the organization's 164 member countries.

The text on food insecurity emphasizes the importance " *not to impose export prohibitions or restrictions which are contrary to WTO rules. It asks that any emergency measures introduced to address food security concerns, such as an export freeze, " are temporary, targeted and transparent and be notified to the WTO. A second text protects food purchases by the World Food Program from restrictions that may be imposed by certain countries.*

## **A fishing agreement that could change the game**

Until almost the last minute, the fisheries agreement remained uncertain. It's been twenty years since **such an agreement was expected**. Illegal fishing subsidies that exist in many seas and oceans will be banned. Subsidies to those fishermen who target overfished fish stocks will also be outlawed. And states may be asked to prosecute fleets that do not comply with these frameworks.

For Claire Nouvian, president of the NGO Bloom for the defense of the oceans, this is a great step forward: " *That's it, the WTO will finally create the mandatory tool of transparency in relation to the fishing sector and prohibit some of the subsidies that are harmful and encourage overfishing. In the European Union, there are 83% of fish stocks in the Mediterranean. In the Atlantic, we are at about 40%. So not everything is forbidden, there are major missing elements in the agreement, not everything is perfect, but it is an essential and very encouraging first step.* »

Industrial fishing is heavily subsidized around the world. In France, this represents several million euros per year. Compulsory measures of transparency on all these subsidies have therefore been taken. Since the WTO has the power to sanction, this could change the situation regarding the overfishing of certain species in certain areas of the world. To help developing countries, the WTO wants to set up a fund to provide technical assistance and build their capacity so that these countries can implement the agreement and help their fishermen switch to more sustainable fishing. .

## « *You really earned your salary* »

Finally, after two and a half years of fighting the Covid-19 pandemic, Member States have succeeded in agreeing on the facilitation of trade in medical goods necessary for the fight against pandemics. An important subject to prevent the trade of ingredients and materials from being restricted when they are most needed. The temporary lifting of patents protecting anti-Covid-19 vaccines intended for developing countries was also adopted.

However, the WTO did not immediately publish the final texts. " *Today you really earned your salary* ", launched Ms. Ngozi to the ambassadors. Following these long hours of negotiations, she admitted that she no longer really knew " *where i am and where i am sitting* ". But, despite the fatigue, she has already called on the delegations to keep up the momentum.

« *We still have work ahead of us. I could see what we are capable of* », she continued. Two countries have already offered to organize the next ministerial conference – Cameroon and the United Arab Emirates – which should take place at the end of 2023, announced Mr. Suleimenov, quoted by AFP.

## **An agreement that does not solve everything on vaccines**

For more than a year and a half, developing countries have been asking the WTO for the right to freely manufacture Covid-19 vaccines, writes **Olivier Roger**, from *RFI's economy department*, but also diagnoses and treatments. They obtained last night, for a period of five years, the possibility of producing vaccines without having the necessary patents from manufacturers and above all, they have the possibility of exporting all or part of this production. It is this possibility of exporting which is really new, because the WTO already provided for a patent exemption mechanism for developing countries.

But this agreement is far from what South Africa in particular demanded, which wanted a generalized and permanent suspension. Then, this agreement only concerns patents and not industrial secrets. This point is fundamental, because in the absence of the lifting of industrial secrets, countries wishing to produce an anti-Covid-19 vaccine will have to start all the design and testing procedures again. They will not automatically have access to the medical formula of the vaccine. In addition, the five-year period is considered too short by NGOs such as Médecins sans frontières (MSF). Indeed, who is going to invest in a production chain for such a short period, asks MSF.

For NGOs like MSF or Public Eye, the mountain gave birth to a mouse. Especially since patents on treatments and tests are not affected by the agreement. However, entire regions such as Latin America or Africa need treatments and not just anti-Covid-19 vaccines. The discussion on lifting patents for treatments and diagnostics will only begin in six months. All in all, this agreement does not meet the expectations of African countries, in particular.