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December 3, 2020

BY E-MAIL

The Honourable Mary Ng
Minister of Small Business, Export Promotion and
International Trade
House of Commons

- and -

The Honourable François-Philippe Champagne
Minister of Foreign Affairs
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Ministers Ng and Champagne:

**Position at the World Trade Organization (WTO)
Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council
of December 10, 2020**

We write on behalf of 700,000 members of the Canadian Union of Public Employees (CUPE) to urge the Government of Canada to support the proposal of India, South Africa, Kenya, Eswatini, Pakistan and Mozambique for a [“waiver from certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID-19”](#).

Our members have been delivering vital public services throughout the pandemic. We are concerned that the monopoly powers given to pharmaceutical companies by the WTO’s TRIPS agreement will allow companies to make extravagant profits whilst workers and the public have worked tirelessly to ensure we overcome the crisis.

Without the waiver, pharmaceutical companies will be able to prevent other manufacturers from producing COVID-19 vaccines and medicines, impeding scaling up of production. WTO rules ensure big pharma has a monopoly over the market and can dictate prices even to governments, which will consume public finances required for a healthy recovery.

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MARK HANCOCK
National President/Président national

CHARLES FLEURY
National Secretary-Treasurer/Secrétaire-trésorier national

BENOÎT BOUCHARD, PAUL FAORO, FRED HAHN, JUDY HENLEY, SHERRY HILLIER
General Vice-Presidents/Vice-présidences générales

Through the Doha Declaration on Public Health, governments recognized that flexibilities can be used in cases of serious public health crises. The COVID-19 pandemic represents the most serious public health and economic crisis in our lifetimes and the world will not prosper until we can eradicate the virus. The flexibilities contained in the TRIPS agreement will be insufficient unless all governments agree to the waiver.

At the latest meeting on the TRIPS Council on November 20, 2020, the proponents responded to concerns raised by the opponents of the waiver. The main concern appears to be that pharmaceutical innovations cannot take place without the incentive of high profits through IP monopoly. There is a range of ways that the costs of development can be covered. More importantly, profit incentives create perverse public health outcomes, enable price gouging, and exclude low-income countries.

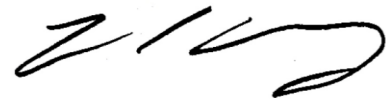
The waiver is supported by the [World Health Organization](#), [UN Human Rights Experts](#), [UNITAID](#) and [UNAIDS](#). We urge you to read the concerns they have raised around the current market-based approach to vaccine access. We again call on the Government of Canada to demonstrate a commitment to global solidarity by supporting the COVID-related waiver proposal and making the waiver of TRIPS obligations for least developed countries permanent.

We trust that our position will be shared with the official delegation to the TRIPS Council meeting scheduled for December 10, 2020. We would be happy to discuss this matter further with you or the ministry at your convenience.

Sincerely,



MARK HANCOCK
National President



CHARLES FLEURY
National Secretary-Treasurer

cc:

The Honourable Patty Hajdu, Minister of Health
The Honourable Judy Sgro, Chair of the Standing Committee on International Trade
MP Tracy Gray, Official Opposition Critic, Export Promotion and International Trade
MP Simon-Pierre Savard-Tremblay, Bloc Critic, Export Promotion and International Trade
MP Daniel Blaikie, NDP Critic, Export Promotion and International Trade
MP Paul Manly, Green Party Critic, Export Promotion and International Trade