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INSIDE THIS ISSUE

- ❖ **WTO discusses TRIPS waiver**
- ❖ **Myanmar's Junta struggles to restart its stalled economy**

WTO Discusses TRIPS waiver

-Tanmay Sharma

The World Trade Organization (WTO) is holding discussions on extending the waivers given during the pandemic period in Trade-related Intellectual Property Rights (TRIPS) agreement. In October 2020, India and South Africa jointly submitted a proposal of limiting certain clauses relating to intellectual property of COVID vaccines, so that the technology and science behind manufacturing vaccines could be more equitably distributed to developing nations. The logic behind such a proposal was the quick dissemination of vaccines among the most populated nations and the rally cry of “People over Patents”.



The TRIPS agreement is an international agreement between the member countries of WTO. It is established to protect the rights of patent holders by protecting their intellectual property, copyrights and trade secrets. There are many provisions under the TRIPS agreement which allow certain patents to be shared publicly among countries like life-saving drugs. There are redressals mechanisms in place to protect patent infringement. India amended the Patents Act in 2005 to comply with standards set in WTO’s TRIPS agreement.

Since submitting the proposal many other countries have supported such a waiver. It has been argued that the waiver should not be just on vaccines but should include a wider segment of health products and technologies necessary to fight the pandemic. The co-sponsors to such an agreement include Bolivia, Pakistan, Zimbabwe, Kenya, Maldives, China, US etc. In the coming months, the demand for vaccines is bound to increase when the most populated developing

countries vaccinate the bulk of their citizens. During these times, the indigenous manufacturers must be able produce vaccines and other equipment without the fear of international legal prosecutions looming. However, not everyone is on board with such a relaxation of IP rights. Large pharmaceutical companies fear the lost R&D costs that have gone into making the vaccines. Some believe that relaxing the patent information will not lead to proper “know-how” to manufacture and will lead to imperfect or lower quality vaccines. They believe that manufacturers should license the drug along with the “know-how” to properly manufacture them.

The inequity between rich and poor nations is reflected in such cases. Quick vaccination is the only way to return the normal conditions after the pandemic. Therefore, hurdles in its ways must be eliminated. India has requested another 3-year waiver which must be expedited to allow vaccine manufacturing to continue at full speed. International pharmaceutical companies can also tie up with local manufacturers to lend supply chain know-how and technology without concerning themselves with breach of IP. The TRIPS waiver is a crucial step towards ending the pandemic however it requires the combined effort of all stakeholders to lend their support to each other as quickly as possible.

Myanmar’s Junta struggles to restart its stalled economy

- Sanket Enchilwar

In mid-January, Thaung Tun, who was then Myanmar’s minister of investment, promised local and foreign business folk a swift recovery from damage wrought by covid-19. Two weeks later, the army launched a coup, bundling Mr. Thaung Tun and other members of Aung San Suu Kyi’s cabinet into detention. Some analysts now think the economy could shrink by as much as 20% this year.

Business friendly technocrats of the type who once advised Thein Sein, the retired general who served as President until 2016, hold little clout in this regime. The army has shut companies it believes are harbouring opponents, including many media firms, while also trying to force businesses it deems essential to stay open. The army is frightened by rolling strikes that have been organized in protest against the coup and the hundreds of killings its soldiers have carried out while putting down restrictions.



Four months after the takeover long queues continue to form at cash machines, which frequently run out of banknotes. People wait past dusk to get money, even though being out after dark increases the risk of running into trouble soldiers patrolling the streets.

The army had earlier threatened to fine or nationalize banks that did not get striking employees back to their posts. Quite a few have now returned. But the persistent threat of violence

from security forces means many workers are frightened to be out and about for long. A Burmese employee of a South Korean Bank was killed in Yangon on 31st March after soldiers fired on a company van that was taking her home after her shift.

Internet restrictions are making online commerce difficult. The junta started blocking all mobile internet in mid-March, in an effort to stymie demonstrations. In recent weeks it has started allowing access to selected online services, though social media sites remain off limits. Investors were once keen on Myanmar’s digital economy, which grew particularly swiftly during lockdowns imposed to control the spread of covid-19. They had previously piled money into local firms such as Frontiir, an internet service provider. Not anymore. Telenor, a Norwegian mobile operator that began rolling out its service in Myanmar almost a decade ago, has written off the full value of its business in the country, at a cost of \$782m.

Restaurants and shops in the posher bits of Yangon have reopened, but customers remain sparse. A fruit-merchant in the city’s Chinatown says that it was to transport produce around the country, “there are far fewer buyers than before”. A foreigner who runs a consumer-goods business in the city says he has yet to restart operations since deciding to down tools in February, in part because of worries about the safety of staff.

Activists would like more businesses to take a stand against the regime. On 12th May Tom Andrews, the UN’s rapporteur on human rights in Myanmar, said “companies should exert the maximum leverage on the military”. More than 200 firms, local and foreign, have backed a joint statement calling for democracy and the rule of law. But the army has a history of violence against the staff of businesses that upset it, says an executive at a big foreign company. “Even as part of what appears to be civil dialogue with authorities, in official letters and phone calls, the threats are there: ‘or else there will be consequences.’”