



**Ministerial Conference
Thirteenth Session
Abu Dhabi, 26-29 February 2024**

**FOLLOW UP WORK TO THE MINISTERIAL DECLARATION ON THE WTO RESPONSE TO THE
COVID-19 PANDEMIC AND PREPAREDNESS FOR FUTURE PANDEMICS**

FACTUAL REPORT¹

1 INTRODUCTION

1.1. At the Twelfth Session of the WTO Ministerial Conference, Ministers agreed to a Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics (Declaration) as reflected in [WT/MIN\(22\)/31](#) – [WT/L/1142](#). In Paragraph 23 of the Declaration, Ministers underscored the importance of understanding how WTO rules have supported Members during the COVID-19 pandemic, and their role in future pandemics. They also affirmed the need to review and build on all the lessons learned and the challenges experienced during the COVID-19 pandemic, to build effective solutions in case of future pandemics including on balance of payments, development, export restrictions, food security, intellectual property, regulatory cooperation, services, tariff classification, technology transfer, trade facilitation, and transparency, in an expeditious manner.

1.2. In this regard, Paragraph 24 of the Declaration provided Ministerial instruction for relevant WTO bodies, within their fields of competence, and on the basis of proposals by Members, to continue or initiate work as soon as possible, to analyze lessons that had been learned and challenges experienced during the COVID-19 pandemic. The relevant WTO bodies included the Council for Trade in Goods or its subsidiary bodies (including the Committee on Trade Facilitation, the Committee on Technical Barriers to Trade, the Committee on Sanitary and Phytosanitary Measures, the Committee on Market Access, and the Committee on Agriculture), Trade Policy Review Body, Council for Trade in Services or its relevant subsidiary bodies, Council for Trade-Related Aspects of Intellectual Property Rights, Committee on Trade and Development, Working Group on Trade and Technology Transfer and Working Group on Trade, Debt and Finance.

1.3. Ministers also instructed the General Council to conduct a stocktaking exercise of the work by WTO bodies under this declaration yearly at the General Council until the end of 2024, based on the reports of those relevant bodies. The first stocktaking exercise took place at the regular session of the General Council in July 2023.

1.4. In Paragraphs 27 and 28 of the Declaration, Ministers also took note of the work undertaken by the WTO Secretariat, including in collaboration with other international organizations. They further noted the importance of the WTO working, along with the World Health Organization and other international organizations, on an international pandemic response, including activities such as expeditious matching of supply to demand, mapping manufacturing capacities and demands, matchmaking to cater to such demands, and mutual recognition norms, related to goods and services that are essential to respond effectively to COVID-19 and future pandemics.

1.5. This factual report provides a brief overview of follow up work undertaken in relevant WTO bodies in line with the Declaration and updates on work by the WTO Secretariat in this regard.

¹ In preparation for the Thirteenth Session of the WTO Ministerial Conference on 26-29 February 2024, this factual report on follow-up work on Paragraphs 23 and 24 of the Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics has been prepared by the Secretariat. This is without prejudice to Members' positions, rights and obligations under the WTO and WTO Agreements, and is prepared for information purposes only. This document was previously issued as JOB/GC/381.

2 WORK IN RELEVANT WTO BODIES

2.1 General Council

2.1. Since MC12, work continued in relevant WTO Bodies on pandemic response and preparedness. In line with Paragraphs 23 and 24 of the Declaration, the first stocktaking exercise of the work by WTO bodies took place at the regular session of the General Council in July 2023 – with Members sharing their views on the matter.² At the same time, the former and current General Council Chairpersons have provided updates³ to Members on pandemic response and preparedness work from various WTO Councils and Committees during the General Council meetings in December 2022, March, May, July, November and December 2023. At the December meeting, the General Council took note of reports adopted by the Council for Trade in Goods and the Council for Trade in Services, contained in [G/L/1521](#) and [S/C/66](#), as well as of the continued discussions of the Council for TRIPS under the agenda item "IP and COVID-19". During this period, communications from the African Group⁴ and India⁵ were presented and discussed. The General Council is currently chaired by Ambassador Athaliah Molokomme (Botswana).

2.2 Trade Policy Review Body

2.2. On 7 December 2023, the Trade Policy Review Body (TPRB) discussed the trade monitoring report, i.e. the Report by the Director-General on the 2023 Overview of Developments in the International Trading Environment. The report shows that the implementation of new COVID-19 trade-related measures on goods, services, intellectual property, and general economic support by WTO Members slowed significantly and that Members were rolling back old measures ([WT/TPR/OV/26](#)). The TPRB is currently chaired by Ambassador Saqer Abdullah Almoqbel (Kingdom of Saudi Arabia).

2.3 Council for Trade in Goods and its Subsidiary Bodies

2.3. Since MC12, the Council for Trade in Goods (CTG) has also been discussing pandemic response and preparedness as part of its MC12 implementation matters. On 25 October 2022, the former CTG Chairperson, Mr. Etienne Oudot de Dainville (France) requested the 14 Chairpersons of the CTG's subsidiary bodies to prepare reports⁶, under their own responsibility and with the assistance of the Secretariat, on the WTO response to the Pandemic. In addition to their respective reports:

- a. The Committee on Market Access (CMA) conducted its sixth experience-sharing session⁷ on COVID-19 related goods focusing on LDCs on 24 March 2023 and adopted a document⁸ on lessons learned from the COVID-19 pandemic. The CMA is currently chaired by Ms. Renata Cristaldo Oviedo (Paraguay).

² [WT/GC/M/205](#).

³ [WT/GC/M/202](#), [WT/GC/M/203](#), [WT/GC/M/204](#), [WT/GC/M/205](#), [WT/GC/M/207](#) and [WT/GC/M/208](#) (to be issued).

⁴ "Implementation of the Ministerial Declaration on the WTO Response to the Pandemic and Preparedness for Future Pandemics" ([WT/GC/W/858](#)).

⁵ "Role of Telemedicine Services in Response to the Pandemic" ([WT/GC/W/866](#) – [S/C/W/426](#)) and "Building a Pool of Health Professionals to Respond Effectively to Pandemics/Natural Disasters" ([WT/GC/W/867](#) – [S/C/W/427](#)).

⁶ Committee on Agriculture ([G/L/1469 – G/AG/W/228](#)), Committee on Anti-Dumping Practices ([G/L/1448 – G/ADP/31](#)), Committee on Import Licensing ([G/L/1478 – G/LIC/W/59](#)), Committee on Market Access ([G/L/1459 – G/MA/W/181](#)), Committee on Rules of Origin ([G/L/1466 – G/RO/W/218](#)), Committee on Safeguards ([G/L/1451 – G/SG/276](#)), Committee on Sanitary and Phytosanitary Measures ([G/L/1477 – G/SPS/66](#)), Committee on Subsidies and Countervailing Measures ([G/L/1450 – G/SCM/163](#)), Committee on Technical Barriers to Trade ([G/L/1457 – G/TBT/48](#)), Committee on Trade Facilitation ([G/L/1475 – G/TFA/W/89](#)), Committee on Trade-Related Investment Measures ([G/L/1453 – G/TRIMS/13](#)) and Working Party on State Trading Enterprises ([G/L/1455 – G/STR/31](#)).

⁷ More information is available here and the summary report of the session will be circulated in [JOB/MA/152/Add.5](#).

⁸ [G/MA/409](#).

- b. The Committee on Trade Facilitation (CTF) is looking at possible steps to further its previous work regarding the COVID-19 Pandemic and Preparedness for Future Pandemics – and has so far had two informal sessions on disaster preparedness in 2023. The CTF is currently chaired by Mr. Carlos Guevara (Ecuador).

2.4. The former CTG Chairperson also prepared his own report⁹ on the matter. Following Members' suggestions, the CTG prepared a report in [G/L/1521](#) that constituted an objective record of the discussions that have taken place in the CTG and its Subsidiary Bodies in line with Paragraph 24 of the Declaration. The CTG is currently chaired by Ambassador Adamu Mohammed Abdulhamid (Nigeria).

2.4 Council for Trade in Services

2.5. Since MC12, as part of its MC12 implementation matters, the Council for Trade in Services (CTS) has also discussed the COVID-19 Pandemic and Preparedness for Future Pandemics. On 9 March 2023, Members agreed¹⁰ to organize a series of informal information-sharing sessions on COVID-19 and trade in services, focused on: (i) transport and logistics services; (ii) health services; (iii) tourism services; and (iv) ICT and digitally delivered services. The first session, on transport and logistics, was held on 13 June¹¹, the second one, on health services, was held on 4 October¹² and the third one, on tourism services, was organised on 6 December.¹³ At its March and June 2023 meetings, the CTS addressed two communications from India related to pandemic response¹⁴, and at the October meeting another communication from India on the trade-related measures the country had taken in response to the COVID-19 pandemic.¹⁵ Pursuant to Paragraph 24 of the Declaration, on 12 December the CTS adopted a report on the work it has undertaken on pandemic response since MC12.¹⁶ The CTS is currently chaired by Mrs. Tsvetelina Georgieva Dimitrova (Bulgaria).

2.5 Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS)

2.6. Since MC12, the Council for TRIPS has had on its agenda an item on "IP and COVID-19". Under this item, Members have continued their practice, commenced in 2020, of sharing experiences on domestic COVID-related IP measures they have taken during the pandemic on the basis of a Secretariat compilation of such measures that is updated and maintained on the WTO website¹⁷. It has been agreed that any submissions and initiatives that Members raise under Paragraphs 23 and 24 of the MC12 Declaration would also be taken up under this agenda item. At its meeting of 30-31 October 2023, the Council considered a submission from the United Kingdom entitled "Intellectual Property, Voluntary Licensing and Technology Transfer" ([IP/C/W/704/Rev.1](#)). At a resumption of the meeting on 13 February 2024, the Council adopted a report on its work under this mandate, circulated in document [IP/C/99](#). The Council for TRIPS is currently chaired by Ambassador Pimchanok Pitfield (Thailand).

⁹ [G/L/1464](#).

¹⁰ It was further decided that the sessions would have balanced representation, provide for the participation of external stakeholders from relevant International Organizations and the private sector, focus on the services trade-related aspects of the pandemic response falling within the mandate of the Council, and address the impact of COVID-19 on the different sectors, the trade-facilitative measures introduced by Members in response to the crisis and the implications of COVID-19 specifically for LDCs. The first session, on transport and logistics, was held on 13 June, and the next one, on health services, will be held in conjunction with the October cluster of services meetings. See also [S/C/M/152](#).

¹¹ [JOB/SERV/CTS/16/Rev.1](#).

¹² [JOB/SERV/CTS/21/Rev.2](#).

¹³ Summary report to be issued.

¹⁴ "Role of Telemedicine Services in Response to the Pandemic" ([WT/GC/W/866](#) – [S/C/W/426](#)) and "Building a Pool of Health Professionals to Respond Effectively to Pandemics/Natural Disasters" ([WT/GC/W/867](#) – [S/C/W/427](#)).

¹⁵ [JOB/SERV/CTS/15](#).

¹⁶ [S/C/66](#).

¹⁷ See https://www.wto.org/english/tratop_e/covid19_e/trade_related_ip_measure_e.htm.

2.6 Committee on Trade and Development

2.7. The Committee on Trade and Development (CTD) agreed that the item on follow up to the MC12 Pandemic Response Declaration will remain on its agenda until the end of 2024. Members have shared information on the impact of the COVID-19 pandemic on their trade and economies. Suggestions have been made on possible work that could be done by the CTD in the context of the Ministerial Declaration. The CTD Chairperson has encouraged Members to continue to engage and submit written proposals for work in the Committee. In 2022, the Committee considered a communication¹⁸ from the United States. The CTD is currently chaired by Ambassador José R. Sánchez-Fung (Dominican Republic).

2.7 Working Group on Trade and Transfer of Technology

2.8. At its November 2022 session¹⁹, the Working Group on Trade and Transfer of Technology (WGTTT), discussed the role of transfer of technology and know-how in creating capacities to respond to COVID-19, and how such capacities could be leveraged to tackle other health emergencies, including those that are endemic to developing countries. At its October 2023 session, the Working Group discussed how the WTO can utilize, encourage and increase voluntary licensing and technology transfer partnerships and apply lessons learned from the COVID-19 pandemic. The WGTTT is currently chaired by Ambassador Sofia Boza Martinez (Chile).

2.8 WTO Secretariat

2.9. With regard to Paragraphs 27 and 28 of the Declaration, Secretariat work on pandemic response and preparedness continued after MC12. The Secretariat is currently updating the report circulated during MC12 on the "WTO Secretariat's Work in the Context of the COVID-19 Pandemic" in document [WT/MIN\(22\)/34](#). This is based on the full range of information tools developed by the Secretariat and available on the WTO [COVID-19 and World Trade](#) gateway. This includes statistical analysis such as a [recent study](#) of trade in medical goods during the pandemic, tailored trade policy monitoring reports, technical assistance materials and programmes. Several such reports were undertaken as part of the interagency cooperation referred to in the Declaration, notably the trilateral WHO-WIPO-WTO update on [An Integrated Health, Trade and IP Approach to Respond to the COVID-19 Pandemic](#) and the co-publication with the World Bank, [Trade Therapy: Deepening cooperation to strengthen pandemic defenses](#).

¹⁸ "Responding to the COVID-19 Pandemic and Supporting Resiliency" ([WT/COMTD/W/268](#)).

¹⁹ See [WT/WGTTT/M/68](#). In this context, Members also shared domestic experiences and heard the perspectives from intergovernmental organizations - including in the context of the trilateral WTO, WHO and WIPO cooperation - that analysed lessons that have been learned and challenges experienced during the COVID-19 pandemic.