

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Resolution No. 2063



Introduced by **REPRESENTATIVE JOY MYRA S. TAMBUNTING**

A RESOLUTION URGING THE EXECUTIVE DEPARTMENT THROUGH THE DEPARTMENT OF FOREIGN AFFAIRS TO SUPPORT THE TRIPS WAIVER WHICH SHALL SUSPEND IMPLEMENTATION, APPLICATION AND ENFORCEMENT OF THE RELEVANT PROVISIONS OF THE TRIPS AGREEMENT IN RELATION TO THE PREVENTION, CONTAINMENT, AND TREATMENT OF COVID-19

WHEREAS, The Philippines has been a World Trade Organization (WTO) Member since 1 January 1995 and a Member of the General Agreement on Tariffs and Trade (GATT) since 27 December 1979;

WHEREAS, on 6 December 2005, WTO Members approved changes to the WTO's Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement in order to make permanent a decision on patents and public health originally adopted in 2003;

WHEREAS, this Protocol is the first multilateral treaty amendment agreed by WTO Members since the WTO Agreement came into force in 1995. It serves to permanently incorporate into the TRIPS Agreement additional flexibilities to grant special compulsory licenses for the export of medicines, commonly referred to as the "Paragraph 6 System"—allowing for transnational drug companies to impose patents which consequently gives them the right to exclusively manufacture, use and sell patented medicine;

WHEREAS, in light of the recent COVID-19 pandemic, the issue of patents being a barrier to the provision of affordable medicines and medical devices is more pressing than ever. Considering the devastating impact of the COVID-19 pandemic to economies, there is merit in supporting the global waiver on patent protections for COVID-19 technologies in order to provide struggling countries easier access to vaccines and medical products to combat the pandemic;

WHEREAS, as of writing, only 11.6% of the vaccine-eligible population has received at least one dose of COVID-19 vaccine and only 5.6% has been fully vaccinated. Considering these numbers, our country still has a long way to go before we can reach our vaccination targets;

WHEREAS, on 2 October 2020, India and South Africa submitted to the WTO TRIPS Council a proposal for a "Waiver from certain provisions of the TRIPS Agreement for the prevention, containment and treatment of COVID-19 (IP/C/W/669)". This proposal shall suspend the implementation, application and enforcement of the relevant provisions of the TRIPS Agreement in relation to prevention, containment, and treatment of COVID-19;

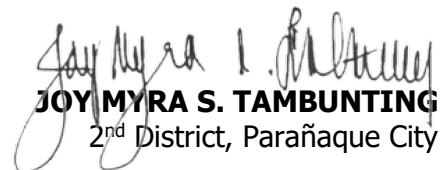
WHEREAS, this proposal has been co-sponsored and/or supported by numerous delegations and over 100 developing countries across the globe. Even the government of United States has expressed its support to the TRIPS waiver;

WHEREAS, despite the existence of a universal health coverage system the country's health care is largely characterized by high rates of out-of-pocket spending. On top of this, the major concern for the past year has been the recurring threat of an overwhelmed health care system;

WHEREAS, consistent with the policy of the State to protect and promote the right to health of the people and its responsibility to undertake necessary measures to respond to the country's health needs and problems, it is incumbent upon the State to support the TRIPS waiver, especially since the country has been struggling to meet the demand for COVID-19 vaccines for the past few months.

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the House of Representatives urge the executive department through the Department of Foreign Affairs to support the TRIPS waiver which shall suspend implementation, application and enforcement of the relevant provisions of the TRIPS agreement in relation to the prevention, containment, and treatment of COVID-19.

Adopted,


JOY MYRA S. TAMBUNTING
2nd District, Parañaque City