

## **General Council Meeting on 16-18 December 2020**

### **Statement by Hong Kong, China**

#### **Item 5: Twelfth Session of the Ministerial Conference – Date and Time**

- Thank you, Chair.
- First of all, I would like to join other colleagues in bidding farewell to all permanent representatives who are leaving Geneva, and would give my special thanks to Xiangchen and Sunanta and wish them well in their future endeavours. I would also like to extend a warm welcome to all permanent representatives who have just arrived and look forward to working closely with them.
- On MC12, we share other Members' views that an early decision on the date and format of MC12 would be necessary, because it would not only facilitate our work and logistical planning, but also help focus our attention and energy on the deliverables at MC12 and keep the momentum going.
- Hong Kong, China is grateful for Kazakhstan's continued commitment to host MC12, but noting the uncertainties brought about by the COVID-19 pandemic and the concerns expressed by other Members, we are open-minded on possible alternative dates and formats of the next Ministerial Conference.
- Thank you very much.

#### **Item 6: Work Programme on Electronic Commerce**

- Thank you, Chair.
- We would like to thank India and South Africa for their communication WT/GC/W/812, providing further ideas on the Work Programme on Electronic Commerce.
- Hong Kong, China has always been supportive of the Work Programme and welcomes any concrete suggestions that would contribute to structured discussions under the Work Programme.

- But we have doubts about the value-add of the proposals of making the Work Programme a standing item on the GC agenda. As a matter of fact, Members have been discussing the Work Programme regularly under the standing item “Implementation of Bali, Nairobi and Buenos Aires Outcomes” on the GC agenda. Members also carried out periodic reviews pursuant to the relevant Ministerial Decisions extending the moratorium and the Work Programme at other WTO bodies, and we have just received reports of the Chairpersons of the CTS (Council for Trade in Services) and CTG (Council for Trade in Goods) in this regard.
- HKC would like to reiterate our long-standing position on making the moratorium permanent to provide the much needed certainty and predictability to the global business community. We believe the moratorium is even more important amidst the COVID-19 pandemic and during the post-pandemic economic recovery, because it would assure customers and businesses that they would have tariff-free access to digital products and services, as well as digital productivity tools.
- Hong Kong, China remains committed to participating in further dialogues on all relevant aspects of the Work Programme with other Members and stakeholders.
- Thank you very much.

**Item 8: COVID-19 and Beyond: Trade and Health – Statement by  
Co-sponsors of WT/GC/223**

- Thank you, Chair.
- Hong Kong, China thanks the proponents of this Trade and Health initiative for the communication and their engagement efforts, which highlight the importance of having a coordinated global response to a global health crisis, at present and in the future.
- We appreciate and support the proponents’ efforts, which aim to enhance the capacity of the international trading system to respond to public health emergencies and support improvements in the resilience of global supply chains.

- We are pleased to note that the proponents intend to work on a joint statement of all Members for adoption in early 2021. HKC is interested in this proposal and looks forward to engaging further with the proponents in this regard.
- Thank you very much.

### **Item 13: TRIPS Council Matters**

#### **B. Status Report on the Consideration by the TRIPS Council of the “Proposal for a Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19” (IP/C/W/699) - Statement by the Chair of the Council for TRIPS**

- Thank you, Chair.
- First of all, I would like to thank the proponents for raising this important issue when the global pandemic is posing tremendous threats to people’s health and safety all over the world.
- Hong Kong, China fully understands the pressing concerns about the inadequate supply of medical products as expressed by the proponents. We consider that Members should put in concerted efforts to scale up research, development and manufacturing activities to provide access to high-quality, safe and affordable vaccines and medicines for all.
- As pointed out by some Members during the discussion, a robust and balanced IP system is essential to providing incentives to research and innovation for the development of effective medicines and vaccines for fighting against the COVID-19 pandemic. The TRIPS Agreement is playing a key role in preserving such an IP system.
- We also note that the TRIPS Agreement provides flexibilities, including compulsory licensing of patents under Articles 31 and 31*bis*, to allow access to patented pharmaceutical products to address national emergencies and extreme urgency.
- Various global collaboration programmes initiated by the WHO, such as the Access to COVID-19 Tools Accelerator and the COVID-19 Technology Access Pool, would also facilitate innovative and equitable access to COVID-19 medications. We believe further collaboration and support in this regard at the international level would be useful.

- I would like to thank South Africa, as the Chair of the TRIPS Council, for steering the discussions and delivering the oral status report on the waiver request. We welcome further deliberations on the subject among Members to explore feasible options within and outside the current TRIPS regime.
- Thank you very much.

**Hong Kong Economic and Trade Office in Geneva**  
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