## 1ac – Policy

### Pandemics

#### Ongoing vaccine inequalities guarantee mutations that worsen the pandemic – only the plan solves and neg studies are off-base.

**Kumar 21** - Rajeesh Kumar is Associate Fellow at the Manohar Parrikar Institute for Defence Studies and Analyses, New Delhi

Rajeesh Kumar “WTO TRIPS Waiver and COVID-19 Vaccine Equity,” IDSA Issue Briefs, July 12, 2021, [https://idsa.in/issuebrief/wto-trips-waiver-covid-vaccine-rkumar-120721 //](https://idsa.in/issuebrief/wto-trips-waiver-covid-vaccine-rkumar-120721%20//) sam :)

According to Duke Global Health Innovation Center, which monitors COVID-19 vaccine purchases, rich nations representing just 14 per cent of the world population have bought up to 53 per cent of the most promising vaccines so far. As of 4 July 2021, the high-income countries (HICs) purchased more than half (6.16 billion) vaccine doses sold globally. At the same time, the low-income countries (LICs) received only 0.3 per cent of the vaccines produced. The low and middle-income countries (LMICs), which account for 81 per cent of the global adult population, purchased 33 per cent, and COVAX (COVID-19 Vaccines Global Access) has received 13 per cent.10 Many HICs bought enough doses to vaccinate their populations several times over. For instance, Canada procured 10.45 doses per person, while the UK, EU and the US procured 8.18, 6.89, and 4.60 doses per inhabitant, respectively.11 Consequently, there is a significant disparity between HICs and LICs in vaccine administration as well. As of 8 July 2021, 3.32 billion vaccine doses had been administered globally.12 Nonetheless, only one per cent of people in LICs have been given at least one dose. While in HICs almost one in four people have received the vaccine, in LICs, it is one in more than 500. The World Health Organization (WHO) notes that about 90 per cent of African countries will miss the September target to vaccinate at least 10 per cent of their populations as a third wave looms on the continent.13 South Africa, the most affected African country, for instance, has vaccinated less than two per cent of its population of about 59 million. This is in contrast with the US where almost 47.5 per cent of the population of more than 330 million has been fully vaccinated. In Sub-Saharan Africa, vaccine rollout remains the slowest in the world. According to the International Monetary Fund (IMF), at current rates, by the end of 2021, a massive global inequity will continue to exist, with Africa still experiencing meagre vaccination rates while other parts of the world move much closer to complete vaccination.14 This vaccine inequity is not only morally indefensible but also clinically counter-productive. If this situation prevails, LICs could be waiting until 2025 for vaccinating half of their people. Allowing most of the world’s population to go unvaccinated will also spawn new virus mutations, more contagious viruses leading to a steep rise in COVID-19 cases. Such a scenario could cause twice as many deaths as against distributing them globally, on a priority basis. Preventing this humanitarian catastrophe requires removing all barriers to the production and distribution of vaccines. TRIPS is one such barrier that prevents vaccine production in LMICs and hence its equitable distribution. TRIPS: Barrier to Equitable Health Care Access The opponents of the waiver proposal argue that IPR are not a significant barrier to equitable access to health care, and existing TRIPS flexibilities are sufficient to address the COVID-19 pandemic. However, history suggests the contrary. For instance, when South Africa passed the Medicines and Related Substances Act of 1997 to address the HIV/AIDS public health crisis, nearly 40 of world’s largest and influential pharma companies took the South African government to court over the violation of TRIPS. The Act, which invoked the compulsory licensing provision, allowed South Africa to produce affordable generic drugs.15 The Big Pharma also lobbied developed countries, particularly the US, to put bilateral trade sanctions against South Africa.16 Similarly, when Indian company Cipla decided to provide generic antiretrovirals (ARVs) to the African market at a lower cost, Big Pharma retaliated through patent litigations in Indian and international trade courts and branded Indian drug companies as thieves.17 Another instance was when Swiss company Roche initiated patent infringement proceedings against Cipla’s decision to launch a generic version of cancer drug, “erlotinib”. Though the Delhi High Court initially dismissed Roche's appeal by citing “public interest” and “affordability of medicines,” the continued to pressure the generic pharma companies over IPR. 18 Likewise, Pfizer’s aggressive patenting strategy prevented South Korea in developing pneumonia vaccines for children.19 A recent document by Médecins Sans Frontières (MSF), or Doctors Without Borders, highlights various instances of how IP hinders manufacturing and supply of diagnostics, medical equipment, treatments and vaccines during the COVID-19 pandemic. For instance, during the peak of the COVID-19 first wave in Europe, Roche rejected a request from the Netherlands to release the recipe of key chemical reagents needed to increase the production of diagnostic kits. Another example was patent holders threatening producers of 3D printing ventilators with patent infringement lawsuits in Italy.20 The MSF also found that patents pose a severe threat to access to affordable versions of newer vaccines.21 The opponents of the TRIPS waiver also argue that IP is the incentive for innovation and if it is undermined, future innovation will suffer. However, most of the COVID-19 medical innovations, particularly vaccines, are developed with public financing assistance. Governments spent billions of dollars for COVID-19 vaccine research. Notably, out of $6.1 billion in investment tracked up to July 2021, 98.12 per cent was public funding.22 The US and Germany are the largest investors in vaccine R&D with $2.2 billion and $1.5 billion funding. Private companies received 94.6 per cent of this funding; Moderna received the highest $956.3 million and Janssen $910.6 million. Moreover, governments also invested $50.9 billion for advance purchase agreements (APAs) as an incentive for vaccine development. A recent IMF working paper also notes that public research institutions were a key driver of the COVID-19 R&D effort—accounting for 70 per cent of all COVID-19 clinical trials globally.23 The argument is that vaccines are developed with the support of substantial public financing, hence there is a public right to the scientific achievements. Moreover, private companies reaped billions in profits from COVID-19 vaccines. One could argue that since the US, Germany and other HICs are spending money, their citizens are entitled to get vaccines first, hence vaccine nationalism is morally defensible. Nonetheless, it is not the case. The TRIPS Agreement includes several provisions which mandates promotion of technology transfer from developed countries to LDCs. For instance, Article 7 states that "the protection and enforcement of IP rights should contribute to the promotion of technological innovation and the transfer and dissemination of technology, to the mutual advantage of producers and users of technical knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations."24 Similarly, Article 66.2 also mandates the developed countries to transfer technologies to LDCs to enable them to create a sound and viable technological base. The LMICs opened their markets and amended domestic patent laws favouring developing countries’ products against this promise of technology transfer. Another argument against the proposed TRIPS waiver is that a waiver would not increase the manufacturing of COVID-19 vaccines. Indeed, one of the significant factors contributing to vaccine inequity is the lack of manufacturing capacity in the global south. Further, a TRIPS waiver will not automatically translate into improved manufacturing capacity. However, a waiver would be the first but essential step to increase manufacturing capacity worldwide. For instance, to export COVID-19 vaccine-related products, countries need to ensure that there are no IP restrictions at both ends – exporting and importing. The market for vaccine materials includes consumables, single-use reactors bags, filters, culture media, and vaccine ingredients. Export blockages on raw materials, equipment and finished products harm the overall output of the vaccine supply chain. If there is no TRIPS restriction, more governments and companies will invest in repurposing their facilities. Similarly, the arguments such as that no other manufacturers can carry out the complex manufacturing process of COVID-19 vaccines and generic manufacturing as that would jeopardise quality, have also been proven wrong in the past. For instance, in the early 1990s, when Indian company Shantha Biotechnics approached a Western firm for a technology transfer of Hepatitis B vaccine, the firm responded that “India cannot afford such high technology vaccines… And even if you can afford to buy the technology, your scientists cannot understand recombinant technology in the least.”25 Later, Shantha Biotechnics developed its own vaccine at $1 per dose, and the UNICEF (United Nations Children’s Emergency Fund) mass inoculation programme uses this vaccine against Hepatitis B. In 2009, Shantha sold over 120 million doses of vaccines globally. India also produces high-quality generic drugs for HIV/AIDS and cancer treatment and markets them across the globe. Now, a couple of Indian companies are in the last stage of producing mRNA (Messenger RNA) vaccines.26 Similarly, Bangladesh and Indonesia claimed that they could manufacture millions of COVID-19 vaccine doses a year if pharmaceutical companies share the know-how.27 Recently, Vietnam also said that the country could satisfy COVID-19 vaccine production requirements once it obtains vaccine patents.28 Countries like the United Arab Emirates (UAE), Turkey, Cuba, Brazil, Argentina and South Korea have the capacity to produce high-quality vaccines but lack technologies and know-how. However, Africa, Egypt, Morocco, Senegal, South Africa and Tunisia have limited manufacturing capacities, which could also produce COVID-19 vaccines after repurposing. Moreover, COVID-19 vaccine IPR runs across the entire value chain – vaccine development, production, use, etc. A mere patent waiver may not be enough to address the issues related to its production and distribution. What is more important here is to share the technical know-how and information such as trade secrets. Therefore, the existing TRIPS flexibilities, such as compulsory and voluntary licensing, are insufficient to address this crisis. Further, compulsory licensing and the domestic legal procedures it requires is cumbersome and not expedient in a public health crisis like the COVID-19 pandemic. India's response to COVID-19 at the global level was primarily two-fold. First, its proactive engagements in the regional and international platforms. Second, its policies and programmes to provide therapeutics and vaccines to the world. Since the beginning of the COVID-19 pandemic, India has been advocating international cooperation and policy coordination in fighting it. For instance, in April 2020, India co-sponsored a UN resolution that called for fair and equitable access to essential medical supplies and future vaccines to COVID-19. Later, in October 2020, India also put pressure on developed countries with a joint WTO proposal for TRIPS waiver. India’s Vaccine Maitri initiative also aims vaccine equity. As of 29 May 2021, India has supplied 663.698 lakh doses of COVID-19 vaccines to 95 countries. It includes 107.15 lakh doses as a gift to more than 45 countries, 357.92 lakh doses by commercial sales, and 198.628 lakh doses to the COVAX facility.29 The COVAX initiative aims to ensure rapid and equitable access to COVID-19 vaccines for all countries, regardless of their income level. India has decided to supply 10 million doses of the vaccine to Africa and one million to the UN health workers under the COVAX facility. India has also removed the IPR of Covaxin that would help platforms like C-TAP once WHO and developed countries’ regulatory bodies approve the vaccine. If agreed, the waiver would benefit India in many ways. First, more vaccines will help the country to control the pandemic and its recurring waves. Second, it will be a boost to India's pharma industry, particularly the generic medicine industry. According to the Biotechnology Innovation Organization, 834 unique active compounds are involved in the current R&D of COVID-19 therapeutics, vaccines, and diagnostics. It means that thousands of new patents are awaited, and that will hinder India's ability to produce COVID-19 related medical products. Only through a waiver, this challenge can be addressed. Similarly, scientists note that mRNA is the future of vaccine technology. However, manufacturing mRNA vaccines involves complex processes and procedures. Only a very few Indian manufacturers have access to this technology; however, that too is limited. Once Indian companies have access to mRNA technology, it will help country’s generic medicine industry and boost India’s economy. Therefore, even if the WTO agrees on a waiver for a period shorter than proposed, India should accept it. In addition, mRNA vaccines can be produced in lesser time compared to the traditional vaccines. While traditional vaccines’ production takes four to five months, mRNA needs only six to eight weeks. Access to this technology will be vital for India in expediting the fight against COVID-19 and future pandemics. Finally, a waiver may strengthen India's diplomatic soft power. At present, what hinders India's Vaccine Maitri initiative is the scarcity of vaccines at home. On the other hand, China is increasing its standing in Africa, South America and the Pacific through vaccine diplomacy. The WHO approval of the Chinese vaccines and lack of access to vaccines by most developing countries, opens up huge space for China to do its vaccine diplomacy. Here, India should convince its Quad partners, particularly Australia and Japan, who oppose the waiver that vaccine production in developing countries through TRIPS waiver will enable the grouping to deliver its pledged billion doses of COVID-19 vaccine in the Indo-Pacific region. In short, the proposed waiver, if agreed, will help India in addressing the public health crisis by producing more vaccines and distributing them at home; economically, by boosting its generic pharmaceutical industry, and diplomatically, providing vaccines to the developing and least-developed countries. Therefore, India should use all available means and methods, from trade-offs to pressurising, to make the waiver happen.

#### COVID and future pandemics create massive instability – this escalates and risks nuclear war – multitude of warrants.

**RECNA et al 21** - Research Center for Nuclear Weapons Abolition, Nagasaki University (RECNA), Asia Pacific Leadership Network (APLN) & Nautilus Institute

RECNA, APLN, and the Nautilus Institute, “Pandemic Futures and Nuclear Weapon Risks: The Nagasaki 75th Anniversary pandemic-nuclear nexus scenarios final report, Journal for Peace and Nuclear Disarmament, May 28th, 2021, <https://www.tandfonline.com/doi/pdf/10.1080/25751654.2021.1890867?needAccess=true> // sam :)

The relationship between pandemics and war is as long as human history. Past pandemics have set the scene for wars by weakening societies, undermining resilience, and exacerbating civil and inter-state conflict. Other disease outbreaks have erupted during wars, in part due to the appalling public health and battlefield conditions resulting from war, in turn sowing the seeds for new conflicts. In the post-Cold War era, pandemics have spread with unprecedented speed due to increased mobility created by globalization, especially between urbanized areas. Although there are positive signs that scientific advances and rapid innovation can help us manage pandemics, it is likely that deadly infectious viruses will be a challenge for years to come. The COVID-19 is the most demonic pandemic threat in modern history. It has erupted at a juncture of other existential global threats, most importantly, accelerating climate change and resurgent nuclear threat-making. The most important issue, therefore, is how the coronavirus (and future pandemics) will increase or decrease the risks associated with these twin threats, climate change effects, and the next use of nuclear weapons in war.5 Today, the nine nuclear weapons arsenals not only can annihilate hundreds of cities, but also cause nuclear winter and mass starvation of a billion or more people, if not the entire human species. Concurrently, climate change is enveloping the planet with more frequent and intense storms, accelerating sea level rise, and advancing rapid ecological change, expressed in unprecedented forest fires across the world. Already stretched to a breaking point in many countries, the current pandemic may overcome resilience to the point of near or actual collapse of social, economic, and political order. In this extraordinary moment, it is timely to reflect on the existence and possible uses of weapons of mass destruction under pandemic conditions – most importantly, nuclear weapons, but also chemical and biological weapons. Moments of extreme crisis and vulnerability can prompt aggressive and counterintuitive actions that in turn may destabilize already precariously balanced threat systems, underpinned by conventional and nuclear weapons, as well as the threat of weaponized chemical and biological technologies. Consequently, the risk of the use of weapons of mass destruction (WMD), especially nuclear weapons, increases at such times, possibly sharply. The COVID-19 pandemic is clearly driving massive, rapid, and unpredictable changes that will redefine every aspect of the human condition, including WMD – just as the world wars of the first half of the 20th century led to a revolution in international affairs and entirely new ways of organizing societies, economies, and international relations, in part based on nuclear weapons and their threatened use. In a world reshaped by pandemics, nuclear weapons – as well as correlated non-nuclear WMD, nuclear alliances, “deterrence” doctrines, operational and declaratory policies, nuclear extended deterrence, organizational practices, and the existential risks posed by retaining these capabilities – are all up for redefinition. A pandemic has potential to destabilize a nuclear-prone conflict by incapacitating the supreme nuclear commander or commanders who have to issue nuclear strike orders, creating uncertainty as to who is in charge, how to handle nuclear mistakes (such as errors, accidents, technological failures, and entanglement with conventional operations gone awry), and opening a brief opportunity for a first strike at a time when the COVID infected state may not be able to retaliate efficiently – or at all – due to leadership confusion. In some nuclear-laden conflicts, a state might use a pandemic as a cover for political or military provocations in the belief that the adversary is distracted and partly disabled by the pandemic, increasing the risk of war in a nuclear-prone conflict. At the same time, a pandemic may lead nuclear armed states to increase the isolation and sanctions against a nuclear adversary, making it even harder to stop the spread of the disease, in turn creating a pandemic reservoir and transmission risk back to the nuclear armed state or its allies. In principle, the common threat of the pandemic might induce nuclear-armed states to reduce the tension in a nuclear-prone conflict and thereby the risk of nuclear war. It may cause nuclear adversaries or their umbrella states to seek to resolve conflicts in a cooperative and collaborative manner by creating habits of communication, engagement, and mutual learning that come into play in the nuclear-military sphere. For example, militaries may cooperate to control pandemic transmission, including by working together against criminal-terrorist non-state actors that are trafficking people or by joining forces to ensure that a new pathogen is not developed as a bioweapon. To date, however, the COVID-19 pandemic has increased the isolation of some nuclear-armed states and provided a textbook case of the failure of states to cooperate to overcome the pandemic. Borders have slammed shut, trade shut down, and budgets blown out, creating enormous pressure to focus on immediate domestic priorities. Foreign policies have become markedly more nationalistic. Dependence on nuclear weapons may increase as states seek to buttress a global re-spatialization6 of all dimensions of human interaction at all levels to manage pandemics. The effect of nuclear threats on leaders may make it less likely – or even impossible – to achieve the kind of concert at a global level needed to respond to and administer an effective vaccine, making it harder and even impossible to revert to pre-pandemic international relations. The result is that some states may proliferate their own nuclear weapons, further reinforcing the spiral of conflicts contained by nuclear threat, with cascading effects on the risk of nuclear war.

#### **If COVID doesn’t kill us all, numerous factors guarantee the next pandemic will – preparing now is key to prevent extinction.**

Ord 20 – Philosopher and research fellow at the Future of Humanity Institute

Toby Ord, “Why we need worst-case thinking to prevent pandemics,” The Guardian, March 2020, https://www.theguardian.com/science/2020/mar/06/worst-case-thinking-prevent-pandemics-coronavirus-existential-risk

The world is in the early stages of what may be the most deadly pandemic of the past 100 years. In China, thousands of people have already died; large outbreaks have begun in South Korea, Iran and Italy; and the rest of the world is bracing for impact. We do not yet know whether the final toll will be measured in thousands or hundreds of thousands. For all our advances in medicine, humanity remains much more vulnerable to pandemics than we would like to believe. To understand our vulnerability, and to determine what steps must be taken to end it, it is useful to ask about the very worst-case scenarios. Just how bad could a pandemic be? In science fiction, we sometimes encounter the idea of a pandemic so severe that it could cause the end of civilisation, or even of humanity itself. Such a risk to humanity’s entire future is known as an existential risk. We can say with certainty that the novel coronavirus, named Covid-19, does not pose such a risk. But could the next pandemic? To find out, and to put the current outbreak into greater context, let us turn to the past. In 1347, death came to Europe. It entered through the Crimean town of Caffa, brought by the besieging Mongol army. Fleeing merchants unwittingly carried it back to Italy. From there, it spread to France, Spain and England. Then up as far as Norway and across the rest of Europe – all the way to Moscow. Within six years, the Black Death had taken the continent. Tens of millions fell gravely ill, their bodies succumbing to the disease in different ways. Some bore swollen buboes on their necks, armpits and thighs; some had their flesh turn black from haemorrhaging beneath the skin; some coughed blood from the necrotic inflammation of their throats and lungs. All forms involved fever, exhaustion and an intolerable stench from the material that exuded from the body. There were so many dead that mass graves needed to be dug and, even then, cemeteries ran out of room for the bodies. The Black Death devastated Europe. In those six years, between a quarter and half of all Europeans were killed. The Middle East was ravaged, too, with the plague killing about one in three Egyptians and Syrians. And it may have also laid waste to parts of central Asia, India and China. Due to the scant records of the 14th century, we will never know the true toll, but our best estimates are that somewhere between 5% and 14% of all the world’s people were killed, in what may have been the greatest catastrophe humanity has seen. The Black Death was not the only biological disaster to scar human history. It was not even the only great bubonic plague. In AD541 the plague of Justinian struck the Byzantine empire. Over three years, it took the lives of roughly 3% of the world’s people. When Europeans reached the Americas in 1492, the two populations exposed each other to completely novel diseases. Over thousands of years, each population had built up resistance to their own set of diseases, but were extremely susceptible to the others. The American peoples got by far the worse end of the exchange, through diseases such as measles, influenza and, especially, smallpox. During the next 100 years, a combination of invasion and disease took an immense toll – one whose scale may never be known, due to great uncertainty about the size of the pre-existing population. We can’t rule out the loss of more than 90% of the population of the Americas during that century, though the number could also be much lower. And it is very difficult to tease out how much of this should be attributed to war and occupation, rather than disease. At a rough estimate, as many as 10% of the world’s people may have been killed. Centuries later, the world had become so interconnected that a truly global pandemic was possible. Towards the end of the first world war, a devastating strain of influenza, known as the 1918 flu or Spanish flu, spread to six continents, and even remote Pacific islands. About a third of the world’s population were infected and between 3% and 6% were killed. This death toll outstripped that of the first world war. Yet even events like these fall short of being a threat to humanity’s long-term potential. In the great bubonic plagues we saw civilisation in the affected areas falter, but recover. The regional 25%-50% death rate was not enough to precipitate a continent-wide collapse. It changed the relative fortunes of empires, and may have substantially altered the course of history, but if anything, it gives us reason to believe that human civilisation is likely to make it through future events with similar death rates, even if they were global in scale. The Spanish flu pandemic was remarkable in having very little apparent effect on the world’s development, despite its global reach. It looks as if it was lost in the wake of the first world war, which, despite a smaller death toll, seems to have had a much larger effect on the course of history. The full history of humanity covers at least 200,000 years. While we have scarce records for most of these 2,000 centuries, there is a key lesson we can draw from the sheer length of our past. The chance of human extinction from natural catastrophes of any kind must have been very low for most of this time – or we would not have made it so far. But could these risks have changed? Might the past provide false comfort? Our population now is a thousand times greater than it was for most of human history, so there are vastly more opportunities for new human diseases to originate. And our farming practices have created vast numbers of animals living in unhealthy conditions within close proximity to humans. This increases the risk, as many major diseases originate in animals before crossing over to humans. Examples include HIV (chimpanzees), Ebola (bats), Sars (probably civets or bats) and influenza (usually pigs or birds). We do not yet know where Covid-19 came from, though it is very similar to coronaviruses found in bats and pangolins. Evidence suggests that diseases are crossing over into human populations from animals at an increasing rate. Modern civilisation may also make it much easier for a pandemic to spread. The higher density of people living together in cities increases the number of people each of us may infect. Rapid long-distance transport greatly increases the distance pathogens can spread, reducing the degrees of separation between any two people. Moreover, we are no longer divided into isolated populations as we were for most of the past 10,000 years. Together these effects suggest that we might expect more new pandemics, for them to spread more quickly, and to reach a higher percentage of the world’s people. But we have also changed the world in ways that offer protection. We have a healthier population; improved sanitation and hygiene; preventative and curative medicine; and a scientific understanding of disease. Perhaps most importantly, we have public health bodies to facilitate global communication and coordination in the face of new outbreaks. We have seen the benefits of this protection through the dramatic decline of endemic infectious disease over the past century (though we can’t be sure pandemics will obey the same trend). Finally, we have spread to a range of locations and environments unprecedented for any mammalian species. This offers special protection from extinction events, because it requires the pathogen to be able to flourish in a vast range of environments and to reach exceptionally isolated populations such as uncontacted tribes, Antarctic researchers and nuclear submarine crews. It is hard to know whether these combined effects have increased or decreased the existential risk from pandemics. This uncertainty is ultimately bad news: we were previously sitting on a powerful argument that the risk was tiny; now we are not. We have seen the indirect ways that our actions aid and abet the origination and spread of pandemics. But what about cases where we have a much more direct hand in the process – where we deliberately use, improve or create the pathogens? Our understanding and control of pathogens is very recent. Just 200 years ago, we didn’t even understand the basic cause of pandemics – a leading theory in the west claimed that disease was produced by a kind of gas. In just two centuries, we discovered it was caused by a diverse variety of microscopic agents and we worked out how to grow them in the lab, to breed them for different traits, to sequence their genomes, to implant new genes and to create entire functional viruses from their written code. This progress is continuing at a rapid pace. The past 10 years have seen major qualitative breakthroughs, such as the use of the gene editing tool Crispr to efficiently insert new genetic sequences into a genome, and the use of gene drives to efficiently replace populations of natural organisms in the wild with genetically modified versions. This progress in biotechnology seems unlikely to fizzle out anytime soon: there are no insurmountable challenges looming; no fundamental laws blocking further developments. But it would be optimistic to assume that this uncharted new terrain holds only familiar dangers. To start with, let’s set aside the risks from malicious intent, and consider only the risks that can arise from well-intentioned research. Most scientific and medical research poses a negligible risk of harms at the scale we are considering. But there is a small fraction that uses live pathogens of kinds that are known to threaten global harm. These include the agents that cause the Spanish flu, smallpox, Sars and H5N1 or avian flu. And a small part of this research involves making strains of these pathogens that pose even more danger than the natural types, increasing their transmissibility, lethality or resistance to vaccination or treatment. In 2012, a Dutch virologist, Ron Fouchier, published details of an experiment on the recent H5N1 strain of bird flu. This strain was extremely deadly, killing an estimated 60% of humans it infected – far beyond even the Spanish flu. Yet its inability to pass from human to human had so far prevented a pandemic. Fouchier wanted to find out whether (and how) H5N1 could naturally develop this ability. He passed the disease through a series of 10 ferrets, which are commonly used as a model for how influenza affects humans. By the time it passed to the final ferret, his strain of H5N1 had become directly transmissible between mammals. The work caused fierce controversy. Much of this was focused on the information contained in his work. The US National Science Advisory Board for Biosecurity ruled that his paper had to be stripped of some of its technical details before publication, to limit the ability of bad actors to cause a pandemic. And the Dutch government claimed that the research broke EU law on exporting information useful for bioweapons. But it is not the possibility of misuse that concerns me here. Fouchier’s research provides a clear example of well-intentioned scientists enhancing the destructive capabilities of pathogens known to threaten global catastrophe. Of course, such experiments are done in secure labs, with stringent safety standards. It is highly unlikely that in any particular case the enhanced pathogens would escape into the wild. But just how unlikely? Unfortunately, we don’t have good data, due to a lack of transparency about incident and escape rates. This prevents society from making well-informed decisions balancing the risks and benefits of this research, and it limits the ability of labs to learn from each other’s incidents. Security for highly dangerous pathogens has been deeply flawed, and remains insufficient. In 2001, Britain was struck by a devastating outbreak of foot-and-mouth disease in livestock. Six million animals were killed in an attempt to halt its spread, and the economic damages totalled £8bn. Then, in 2007, there was another outbreak, which was traced to a lab working on the disease. Foot-and-mouth was considered a highest-category pathogen, and required the highest level of biosecurity. Yet the virus escaped from a badly maintained pipe, leaking into the groundwater at the facility. After an investigation, the lab’s licence was renewed – only for another leak to occur two weeks later. In my view, this track record of escapes shows that even the highest biosafety level (BSL-4) is insufficient for working on pathogens that pose a risk of global pandemics on the scale of the Spanish flu or worse. Thirteen years since the last publicly acknowledged outbreak from a BSL-4 facility is not good enough. It doesn’t matter whether this is from insufficient standards, inspections, operations or penalties. What matters is the poor track record in the field, made worse by a lack of transparency and accountability. With current BSL-4 labs, an escape of a pandemic pathogen is only a matter of time. One of the most exciting trends in biotechnology is its rapid democratisation – the speed at which cutting-edge techniques can be adopted by students and amateurs. When a new breakthrough is achieved, the pool of people with the talent, training, resources and patience to reproduce it rapidly expands: from a handful of the world’s top biologists, to people with PhDs in the field, to millions of people with undergraduate-level biology. The Human Genome Project was the largest ever scientific collaboration in biology. It took 13 years and $500m to produce the full DNA sequence of the human genome. Just 15 years later, a genome can be sequenced for under $1,000, and within a single hour. The reverse process has become much easier, too: online DNA synthesis services allow anyone to upload a DNA sequence of their choice then have it constructed and shipped to their address. While still expensive, the price of synthesis has fallen by a factor of 1,000 in the past two decades, and continues to drop. The first ever uses of Crispr and gene drives were the biotechnology achievements of the decade. But within just two years, each of these technologies were used successfully by bright students participating in science competitions. Such democratisation promises to fuel a boom of entrepreneurial biotechnology. But since biotechnology can be misused to lethal effect, democratisation also means proliferation. As the pool of people with access to a technique grows, so does the chance it contains someone with malign intent. People with the motivation to wreak global destruction are mercifully rare. But they exist. Perhaps the best example is the Aum Shinrikyo cult in Japan, active between 1984 and 1995, which sought to bring about the destruction of humanity. It attracted several thousand members, including people with advanced skills in chemistry and biology. And it demonstrated that it was not mere misanthropic ideation. It launched multiple lethal attacks using VX gas and sarin gas, killing more than 20 people and injuring thousands. It attempted to weaponise anthrax, but did not succeed. What happens when the circle of people able to create a global pandemic becomes wide enough to include members of such a group? Or members of a terrorist organisation or rogue state that could try to build an omnicidal weapon for the purposes of extortion or deterrence? The main candidate for biological existential risk in the coming decades thus stems from technology – particularly the risk of misuse by states or small groups. But this is not a case in which the world is blissfully unaware of the risks. Bertrand Russell wrote of the danger of extinction from biowarfare to Einstein in 1955. And, in 1969, the possibility was raised by the American Nobel laureate for medicine, Joshua Lederberg: “As a scientist I am profoundly concerned about the continued involvement of the United States and other nations in the development of biological warfare. This process puts the very future of human life on earth in serious peril.” In response to such warnings, we have already begun national and international efforts to protect humanity. There is action through public health and international conventions, and self-regulation by biotechnology companies and the scientific community. Are they adequate? National and international work in public health offers some protection from engineered pandemics, and its existing infrastructure could be adapted to better address them. Yet even for existing dangers this protection is uneven and under-provided. Despite its importance, public health is underfunded worldwide, and poorer countries remain vulnerable to being overwhelmed by outbreaks. Biotechnology companies are working to limit the dark side of the democratisation of their field. For example, unrestricted DNA synthesis would help bad actors overcome a major hurdle in creating extremely deadly pathogens. It would allow them to get access to the DNA of controlled pathogens such as smallpox (whose genome is readily available online) and to create DNA with modifications to make the pathogen more dangerous. Therefore, many synthesis companies make voluntary efforts to manage this risk, screening their orders for dangerous sequences. But the screening methods are imperfect, and they only cover about 80% of orders. There is significant room for improving this process, and a strong case for making screening mandatory. We might also look to the scientific community for careful management of biological risks. Many of the dangerous advances usable by states and small groups have come from open science. And we’ve seen that science produces substantial accident risk. The scientific community has tried to regulate its dangerous research, but with limited success. There are a variety of reasons why this is extremely hard, including difficulty in knowing where to draw the line, lack of central authorities to unify practice, a culture of openness and freedom to pursue whatever is of interest, and the rapid pace of science outpacing that of governance. It may be possible for the scientific community to overcome these challenges and provide strong management of global risks, but it would require a willingness to accept serious changes to its culture and governance – such as treating the security around biotechnology more like that around nuclear power. And the scientific community would need to find this willingness before catastrophe strikes. Threats to humanity, and how we address them, define our time. The advent of nuclear weapons posed a real risk of human extinction in the 20th century. There is strong reason to believe the risk will be higher this century, and increasing with each century that technological progress continues. Because these anthropogenic risks outstrip all natural risks combined, they set the clock on how long humanity has left to pull back from the brink. I am not claiming that extinction is the inevitable conclusion of scientific progress, or even the most likely outcome. What I am claiming is that there has been a robust trend towards increases in the power of humanity, which has reached a point where we pose a serious risk to our own existence. How we react to this risk is up to us. Nor am I arguing against technology. Technology has proved itself immensely valuable in improving the human condition. The problem is not so much an excess of technology as a lack of wisdom. Carl Sagan put this especially well: “Many of the dangers we face indeed arise from science and technology – but, more fundamentally, because we have become powerful without becoming commensurately wise. The world-altering powers that technology has delivered into our hands now require a degree of consideration and foresight that has never before been asked of us.” Because we cannot come back from extinction, we cannot wait until a threat strikes before acting – we must be proactive. And because gaining wisdom takes time, we need to start now. I think that we are likely to make it through this period. Not because the challenges are small, but because we will rise to them. The very fact that these risks stem from human action shows us that human action can address them. Defeatism would be both unwarranted and counterproductive – a self-fulfilling prophecy. Instead, we must address these challenges head-on with clear and rigorous thinking, guided by a positive vision of the longterm future we are trying to protect.

### Credibility

#### The aff is the final chance for WTO credibility – the plan creates momentum for reforms, including resuming its role as mediator for US-China trade conflicts and approval of new Appellate Body judges, but only if the WTO is seen as instigating the solution.

**Meyer 21** - David Meyer is the Editor of CEO Daily and a senior writer on Fortune’s European team.

David Meyer, “The WTO’s survival hinges on the COVID-19 vaccine patent debate, waiver advocates warn” Fortune Magazine, June 18, 2021, <https://fortune.com/2021/06/18/wto-covid-vaccines-patents-waiver-south-africa-trips/> // sam :)

The World Trade Organization knows all about crises. Former U.S. President Donald Trump threw a wrench into its core function of resolving trade disputes—a blocker that President Joe Biden has not yet removed—and there is widespread dissatisfaction over the fairness of the global trade rulebook. The 164-country organization, under the fresh leadership of Nigeria's Ngozi Okonjo-Iweala, has a lot to fix. However, one crisis is more pressing than the others: the battle over COVID-19 vaccines, and whether the protection of their patents and other intellectual property should be temporarily lifted to boost production and end the pandemic sooner rather than later. According to some of those pushing for the waiver—which was originally proposed last year by India and South Africa—the WTO's future rests on what happens next. "The credibility of the WTO will depend on its ability to find a meaningful outcome on this issue that truly ramps-up and diversifies production," says Xolelwa Mlumbi-Peter, South Africa's ambassador to the WTO. "Final nail in the coffin" The Geneva-based WTO isn't an organization with power, as such—it's a framework within which countries make big decisions about trade, generally by consensus. It's supposed to be the forum where disputes get settled, because all its members have signed up to the same rules. And one of its most important rulebooks is the Agreement on Trade-Related Aspects of Intellectual Property Rights, or TRIPS, which sprang to life alongside the WTO in 1995. The WTO's founding agreement allows for rules to be waived in exceptional circumstances, and indeed this has happened before: its members agreed in 2003 to waive TRIPS obligations that were blocking the importation of cheap, generic drugs into developing countries that lack manufacturing capacity. (That waiver was effectively made permanent in 2017.) Consensus is the key here. Although the failure to reach consensus on a waiver could be overcome with a 75% supermajority vote by the WTO's membership, this would be an unprecedented and seismic event. In the case of the COVID-19 vaccine IP waiver, it would mean standing up to the European Union, and Germany in particular, as well as countries such as Canada and the U.K.—the U.S. recently flipped from opposing the idea of a waiver to supporting it, as did France. It's a dispute between countries, but the result will be on the WTO as a whole, say waiver advocates. "If, in the face of one of humanity's greatest challenges in a century, the WTO functionally becomes an obstacle as in contrast to part of the solution, I think it could be the final nail in the coffin" for the organization, says Lori Wallach, the founder of Public Citizen's Global Trade Watch, a U.S. campaigning group that focuses on the WTO and trade agreements. "If the TRIPS waiver is successful, and people see the WTO as being part of the solution—saving lives and livelihoods—it could create goodwill and momentum to address what are still daunting structural problems." Those problems are legion. Reform needs Top of the list is the WTO's Appellate Body, which hears appeals in members' trade disputes. It's a pivotal part of the international trade system, but Trump—incensed at decisions taken against the U.S. —blocked appointments to its seven-strong panel as judges retired. The body became completely paralyzed at the end of 2019, when two judges' terms ended and the panel no longer had the three-judge quorum it needs to rule on appeals. Anyone who hoped the advent of the Biden administration would change matters was disappointed earlier this year when the U.S. rejected a European proposal to fill the vacancies. "The United States continues to have systemic concerns with the appellate body," it said. "As members know, the United States has raised and explained its systemic concerns for more than 16 years and across multiple U.S. administrations." At her confirmation hearing in February, current U.S. Trade Representative Katherine Tai reiterated those concerns—she said the appellate body had "overstepped its authority and erred in interpreting WTO agreements in a number of cases, to the detriment of the United States and other WTO members," and accused it of dragging its heels in settling disputes. "Reforms are needed to ensure that the underlying causes of such problems do not resurface," Tai said. "While the U.S. [has] been engaging [with the WTO] it hasn't indicated it would move quickly on allowing appointments to the Appellate Body," says Bryan Mercurio, an economic-law professor at the Chinese University of Hong Kong, who opposes the vaccine waiver. "This is not a good sign. In terms of WTO governance, it's a much more important step than supporting negotiations on an [intellectual property] waiver." It's not just the U.S. that wants to see reform at the WTO. In a major policy document published in February, the EU said negotiations had failed to modernize the organization's rules, the dispute-resolution system was broken, the monitoring of countries' trade policies was ineffective, and—crucially—"the trade relationship between the U.S. and China, two of the three largest WTO members, is currently largely managed outside WTO disciplines." China is one of the key problems here. It became a WTO member in 2001 but, although this entailed significant liberalization of the Chinese economy, it did not become a full market economy. As the European Commission put it in February: "The level at which China has opened its markets does not correspond to its weight in the global economy, and the state continues to exert a decisive influence on China's economic environment with consequent competitive distortions that cannot be sufficiently addressed by current WTO rules." "China is operating from what it sees as a position of strength, so it will not be bullied into agreeing to changes which it sees as not in its interests," says Mercurio. China is at loggerheads with the U.S., the EU and others over numerous trade-related issues. Its rivals don't like its policy of demanding that Chinese citizens' data is stored on Chinese soil, nor do they approve of how foreign investors often have to partner with Chinese firms to access the country's market, in a way that leads to the transfer of technological knowhow. They also oppose China's industrial subsidies. Mercurio thinks China may agree to reforms on some of these issues, particularly regarding subsidies, but "only if it is offered something in return." All these problems won't go away if the WTO manages to come up with a TRIPS waiver for COVID-19 vaccines and medical supplies, Wallach concedes. "But," she adds, "the will and the good faith to tackle these challenges is increased enormously if the WTO has the experience of being part of the solution, not just an obstacle." Wallach points to a statement released earlier this month by Asia Pacific Economic Cooperation (APEC) trade ministers, which called for urgent discussions on the waiver. "The WTO must demonstrate that global trade rules can help address the human catastrophe of the COVID-19 pandemic and facilitate the recovery," the statement read in its section about WTO reform. Okonjo-Iweala's role The WTO's new director general, whose route to the top was unblocked in early 2021 with the demise of the Trump administration, is certainly keen to fix the problems that contributed to the early departure of her predecessor, Brazil's Robert Azevedo. "We must act now to get all our ambassadors to the table to negotiate a text" on the issue of an IP waiver for COVID vaccines, Ngozi Okonjo-Iweala, director general of the World Trade Organization, has said. Dursun Aydemir—Anadolu/Bloomberg/Getty Images Earlier this week, when the U.S. and EU agreed a five-year ceasefire in a long-running dispute over Boeing and Airbus aircraft subsidies, Okonjo-Iweala tweeted: "With political will, we can solve even the most intractable problems." However, Mercurio is skeptical about her stewardship having much of an effect on the WTO's reform process. "Upon taking [over she] stated it was time for delegations to speak to each other and not simply past each other, but at the recent General Counsel meeting delegations simply read prepared statements in what some have described as the worst meeting ever," he says. "On the other hand, Ngozi is very much someone who will actively seek solutions to problems, and in this way different to her predecessor. If the role of mediator is welcomed, she could have an impact not in starting discussions but in getting deals over the finish line."

#### Only WTO mediation can reset US-China trade relations that kill cooperation now – that requires new Appellate Body judges.

**Krueger 21** - Anne O. Krueger, a former World Bank chief economist and former first deputy managing director of the International Monetary Fund, is Senior Research Professor of International Economics at the Johns Hopkins University School of Advanced International Studies and Senior Fellow at the Center for International Development at Stanford University.

Anne Krueger “Resetting US-China Trade Relations,” Project Syndicate, February 24, 2021, [https://www.project-syndicate.org/commentary/us-china-trade-relations-reset-must-be-via-wto-by-anne-o-krueger-2021-02 //](https://www.project-syndicate.org/commentary/us-china-trade-relations-reset-must-be-via-wto-by-anne-o-krueger-2021-02%20//) sam :)

US President Joe Biden’s administration is reassessing America’s China strategy. Donald Trump’s modus operandi was to bully China on trade, foreign investment, cyberspace, e-commerce, intellectual property, the South China Sea, Taiwan, and other issues. Making matters worse, the Trump administration chose to deal with China bilaterally, neglecting European, Australasian, and Latin American allies who shared many of America’s concerns and would have strengthened the United States’ bargaining position. Trump’s bombastic, go-it-alone approach was fundamentally flawed. He seems to have assumed that his policies would harm China to the point that it could not effectively compete with the US economically, politically, or militarily. But no American actions can stop Chinese growth. Moreover, at the same time that his administration was trying to diminish China, it was negotiating with it bilaterally, thereby sending a very confusing signal to the Chinese and the rest of the world. Trumpian policies no doubt damaged China, but they hurt the US, too. Although Sino-American rivalry is inevitable, both governments know that war is unthinkable. Given China’s desire to be a respected member of the international community, a more satisfactory US approach would involve seeking cooperation and mutual gain when possible and limiting confrontation to vital issues. When confrontation is necessary, it will often be preferable for the US to work through multilateral forums. Moreover, strengthening US capabilities in research and development, investment in human capital, and boosting productivity would achieve far more satisfactory results than attempting to curtail Chinese development. Pressing issues requiring cooperation include climate change and other environmental concerns, developing countries’ indebtedness, and international financial stability. Perhaps most important, an open multilateral trading system – underpinned by World Trade Organization rules – benefits the entire global economy, and certainly China and the US. Until the early 1980s, China was very poor, and economic growth was anemic, because the government discouraged foreign trade and sought to produce all goods domestically, mostly in state enterprises. But the country then reversed its trade policies and allowed private enterprise. Its opening to the world triggered a remarkable economic transformation. Exports and imports both grew quickly and became major growth engines, leading to rapidly rising living standards. China’s international trade increased much faster than its real GDP. By the 1990s, it was evident that both China and the global economy would benefit from Chinese accession to the WTO. Membership, many argued, would assure other countries that China would follow the global trade rules that had contributed much to strong global economic growth since World War II, while the WTO would provide a forum for resolving disputes. Accordingly, China lowered its average tariff rate from 40% in 1992 to 15% by 2000 (and still further subsequently) and removed other trade barriers in order to conform to the WTO’s rules, before joining the organization in 2001. China celebrated its accession, and thereafter abided by rulings against it by the WTO dispute-settlement mechanism better than many other countries did. The US took many of its trade grievances with China to the WTO, and won most of its cases. Meanwhile, Chinese exports and GDP continued to grow rapidly. By 2009, China became the the world’s largest exporter and had the largest trade balance by 2013. But America’s trade deficits with the world and with China continued to widen. After Trump took office, his administration attacked China and its trade policies without using WTO processes. In 2018, Trump launched a trade war. He made nonnegotiable demands – including that China close the bilateral trade deficit by importing vastly more US goods – and dramatically increased US tariffs on imports from China in an attempt to get his way. Economists pointed out that the US trade deficit with China was a macroeconomic phenomenon and not something that could be reduced by tariffs. Moreover, forcing China to commit to import more US commodities such as soybeans would require “managed trade,” especially by Chinese state-owned enterprises whose behavior the Trump administration was complaining about. And other countries developed large bilateral trade surpluses with the US: following Trump’s tariff increases, US imports from countries such as Vietnam replaced some of those from China. The US and China signed a “phase one” trade agreement in January 2020, but it fell far short of meeting Trump’s demands. Even the agreed provisions were not fulfilled. His trade war was thus ultimately a failure that harmed both China and the US. Today, US-China trade relations are openly hostile, and America is by no means the innocent party. But both countries could begin to reset relations with an agreement to restore the WTO’s dispute-settlement role through US approval of new Appellate Body judges. The Biden administration could make a further goodwill gesture by offering to rescind Trump’s tariffs on condition that China reciprocates. And because disputes on issues such as intellectual-property rights and e-commerce can and should be resolved multilaterally, the US should raise these at the WTO instead of making bilateral demands. With luck, healthy US productivity growth could then enable the Chinese-American rivalry to proceed along less confrontational lines.

#### China and the US want to work together on climate, but unresolved trade disputes kill cooperation.

**Stanway 21** – David Stanway is a senior correspondent for industry and environment at Thomson Reuters

David Stanway, “China-U.S. climate cooperation inseparable from wider trade issues – official,” Reuters, September 8, 2021, <https://www.reuters.com/business/sustainable-business/china-us-climate-cooperation-inseparable-wider-trade-issues-official-2021-09-08/> // sam :)

China and the United States have common ground in the area of climate change and cutting carbon emissions, but cooperation cannot be separated from wider trade issues between them, a senior Chinese trade official said on Wednesday. Vice-commerce minister Wang Shouwen told a China-U.S. trade event in Xiamen that strengthening green and low-carbon cooperation would not only help the two sides achieve their emission reduction targets, but would also boost overall economic and trade cooperation. Amid simmering trade and political tensions with Beijing, Washington has sought to treat joint actions to combat climate change as a standalone issue. However, during a meeting with visiting U.S. climate envoy John Kerry last week, senior Chinese diplomat Wang Yi said the "oasis of climate cooperation" could not be kept apart from the wider bilateral relationship between the world's two biggest producers of greenhouse gases. Kerry acknowledged last week that broader geopolitical disputes between China and the United States could have a potentially adverse impact on climate cooperation. Talking to journalists after two days of talks with his Chinese counterpart Xie Zhenhua, Kerry cited U.S. sanctions imposed on solar panel manufacturers with ties to the region of Xinjiang, where Washington accuses China of committing human rights abuses

#### Only US-China climate cooperation can meaningfully combat global warming – attempts are futile without bilateral communication.

**Shuo 21** - Li Shuo is a Senior Climate and Energy Policy Officer at Greenpeace China

Rhett A. Butler interviewing Li Shuo, “An Interview with Li Shuo,” Mongabay, September 2, 2021, <https://news.mongabay.com/2021/09/there-is-no-climate-solution-without-china-and-america-says-li-shuo/> // sam :)

Mongabay: What inspired your interest in the environment? And how did your career path unfold? Li Shuo: I grew up watching Discovery Channel and National Geographic. My interest really started from these documentary films. As a city boy from Beijing, sadly there’s not much easy access to nature, but these films brought me far. I was in awe of nature. In college, I studied international relations and law. I always wanted to combine my academic interest with my interest in nature. So in 2011, when Greenpeace was looking for someone to cover the UN climate negotiations and China’s environmental politics, I thought that’s the dream job. I jumped on board fresh out of college. The next ten years proved to be a rewarding journey. I had the privilege of being on the frontline of international climate diplomacy and witnessing its ups and downs. In the meanwhile, the 2010s is a dynamic period for China’s domestic environmental politics. We started with the airpocalypse and huge environmental deficits. To be at the center of these challenges and work towards their improvements is what makes me proud. Mongabay: What is Greenpeace’s focus in China? And how does Greenpeace engage with the government? Li Shuo: Greenpeace is one of the largest NGOs in China. We started our presence here 16 years ago and have more than 80 colleagues now in our Beijing office. We work on almost all the pressing environmental challenges in China. Climate change, air and water pollution, forest, ocean are some of our priority areas over the last decade. Policy advocacy is a big part of our job. For that, we need to engage regularly with the government. A big part of how we do it in China is actually not too different from elsewhere, but it certainly requires more time and effort. It is an art and craft to build trust, and trust is the most essential ingredient in our business – it is what brings the other side closer to you, a state that even if others disagree they respect where you come from. Mongabay: In a recent presentation you mentioned that opposition to transitioning away from fossil fuels is emerging in China. Is this akin to the sort of campaigns and lobbying we’ve seen for the past few decades in the U.S.? And how powerful is this movement? Li Shuo: If one sees through the different ways that politics manifests itself in different countries, the core is not that different. There are industries that will lose out in the low carbon transition in the U.S. and they create political resistance. There are similar forces in China. They may not employ exactly the same tactics of the Koch brothers, but what they want to achieve is essentially the same. The Chinese industrial opposition is actually a sign that the country’s effort of decarbonization is steering into deep water, that the interests of certain industrial groups are being touched. So in a way, it represents progress. The question that needs to be solved is how to balance divergent interests. In the west, there is the “just transition” discussion. In its own ways, China is getting to that discussion too. It can learn from the experience elsewhere and contribute back. Mongabay: In March, bilateral talks between China and the United States took place. The conversation was reportedly frosty and it does not appear that there was much progress on climate. Do you see climate as an area of potential collaboration, where the two superpowers put aside their differences to address what could be a very significant threat to both? Li Shuo: There is no climate solution without the G2 rolling towards the same direction. That’s certainly not what we saw during the Trump administration. With the Biden administration, the U.S. and China are rhetorically both for climate action, but my concern is what they are doing in practice is still a far cry from what’s needed to keep 1.5C in sight. Both countries have put relatively strong targets on paper. The U.S. wants to cut 50-52% emissions by 2030. China wants to achieve carbon neutrality before 2060. But neither side has so far put concrete policies behind these goals. The climate will not be fooled by big targets if they remain only on paper. As for US-China climate cooperation, people need to recognize that the bilateral relationship has changed significantly in recent years. That will limit the space for working together. I believe the minimum that needs to be secured is “engagement”. This means no matter how the relationship unfolds, Beijing and Washington will keep the line of communication open for climate change and separate it from the toxic bilateral dynamics. Leaders on both sides need to understand a simple idea, that unlike other issues on the bilateral agenda, climate change is an issue that they could truly not decouple with each other. The U.S. can do all it can to reduce emissions. It won’t solve the problem as long as China doesn’t comply, and vice versa.

#### The brink is now – climate change causes extinction and turns every other impact.

**Ramanathan et al. 17 -** (Veerabhadran Ramanathan is Victor Alderson Professor of Applied Ocean Sciences and director of the Center for Atmospheric Sciences at the Scripps Institution of Oceanography, University of California, San Diego, Dr. William Collins is an internationally recognized expert in climate modeling and climate change science. He is the Director of the Climate and Ecosystem Sciences Division (CESD) for the Earth and Environmental Sciences Area (EESA) at the Lawrence Berkeley National Laboratory (LBNL), Prof. Dr Mark Lawrence, Ph.D. is scientific director at the Institute for Advanced Sustainability Studies (IASS) in Potsdam, Örjan Gustafsson is a Professor in the Department of Environmental Science and Analytic Chemistry at Stockholm University, Shichang Kang is Professor, Cold and Arid Regions Environmental and Engineering Research Institute, Chinese Academy of Sciences (CAS); CAS Center for Excellence in Tibetan Plateau Earth Sciences, and Molina, M.J., Zaelke, D., Borgford-Parnell, N., Xu, Y., Alex, K., Auffhammer, M., Bledsoe, P., Croes, B., Forman, F., Haines, A., Harnish, R., Jacobson, M.Z., Lawrence, M., Leloup, D., Lenton, T., Morehouse, T., Munk, W., Picolotti, R., Prather, K., Raga, G., Rignot, E., Shindell, D., Singh, A.K., Steiner, A., Thiemens, M., Titley, D.W., Tucker, M.E., Tripathi, S., & Victor, D., authors come from the following 9 countries - US, Switzerland, Sweden, UK, China, Germany, Australia, Mexico, India, “Well Under 2 Degrees Celsius: Fast Action Policies to Protect People and the Planet from Extreme Climate Change,” Report of the Committee to Prevent Extreme Climate Change, the CPECC is a global think tank made up of scientists, policy makers, and military experts, September 2017, http://www.igsd.org/wp-content/uploads/2017/09/Well-Under-2-Degrees-Celsius-Report-2017.pdf)

Climate change is **becoming an existential threat** with warming in excess of 2°C within the next three decades and 4°C to 6°C within the next several decades. Warming of such magnitudes will expose as many as **75% of the world’s population** to **deadly heat stress** in addition to **disrupting** the climate and **weather worldwide**. Climate change is an urgent problem **requiring urgent solutions**. This paper lays out urgent and practical solutions that are ready for implementation now, will deliver benefits in the next few critical decades, and **places the world on a path to achieving** the **longterm targets** of the Paris Agreement and near-term sustainable development goals. The approach consists of four building blocks and 3 levers to implement ten scalable solutions described in this report by a team of climate scientists, policy makers, social and behavioral scientists, political scientists, legal experts, diplomats, and military experts from around the world. These solutions will enable society to decarbonize the global energy system by 2050 **through efficiency and renewables**, drastically reduce short-lived climate pollutants, and stabilize the climate well below 2°C both in the near term (before 2050) and in the long term (post 2050). It will also reduce premature mortalities by tens of millions by 2050. As an insurance against policy lapses, mitigation delays and faster than projected climate changes, the solutions include an Atmospheric Carbon Extraction lever to remove CO2 from the air. The amount of CO2 that must be removed ranges from negligible, if the emissions of CO2 from the energy system and SLCPs start to decrease by 2020 and carbon neutrality is achieved by 2050, to a staggering one trillion tons if the carbon lever is not pulled and emissions of climate pollutants continue to increase until 2030. There are numerous living laboratories including 53 cities, many universities around the world, the state of **California**, and the nation of Sweden, who have **embarked on a carbon neutral pathway**. These **laboratories** have already created 8 million jobs in the clean energy industry; they have also shown that emissions of greenhouse gases and air pollutants **can be decoupled** from economic growth. Another favorable sign is that growth rates of worldwide carbon emissions have reduced from 2.9% per year during the first decade of this century to 1.3% from 2011 to 2014 and near zero growth rates during the last few years. The carbon emission curve is bending, but we have a **long way to go and very little time** for achieving carbon neutrality. We need institutions and enterprises that can accelerate this bending by scaling-up the solutions that are being **proven in the living laboratories**. We have less than a decade to put these solutions in place around the world to preserve nature and our quality of life for generations to come. The time is now. The Paris Agreement is an historic achievement. For the first time, effectively all nations have committed to limiting their greenhouse gas emissions and taking other actions to limit global temperature change. Specifically, 197 nations agreed to hold “the increase in the global average temperature to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels,” and achieve carbon neutrality in the second half of this century. The climate has already warmed by 1°C. The problem is running ahead of us, and under current trends we will likely reach 1.5°C in the next fifteen years and **surpass the 2°**C guardrail **by mid-century** with a 50% probability of **reaching 4°C by end of century**. Warming in excess of 3°C is likely to be a global catastrophe for three major reasons: • Warming in the range of 3°C to 5°C is suggested as the threshold for several tipping points in the physical and geochemical systems; a warming of about 3°C has a probability of over 40% to cross over multiple tipping points, while a warming close to 5°C increases it to nearly 90%, compared with a baseline warming of less than 1.5°C, which has only just over a 10% probability of exceeding any tipping point. • Health effects of such warming are emerging as a major if not dominant source of concern. Warming of 4°C or more will expose more than 70% of the population, i.e. about 7 billion by the end of the century, to deadly heat stress and expose about 2.4 billion to vector borne diseases such as Dengue, Chikengunya, and Zika virus among others. Ecologists and paleontologists have proposed that warming in excess of 3°C, accompanied by increased acidity of the oceans by the buildup of CO2 , can become a major causal factor for exposing more than 50% of all species to extinction. 20% of species are in danger of extinction now due to population, habitat destruction, and climate change. The good news is that there may still be time to avert such catastrophic changes. The Paris Agreement and supporting climate policies must be strengthened substantially within the next five years to bend the emissions curve down faster, stabilize climate, and prevent catastrophic warming. To the extent those efforts fall short, societies and ecosystems will be forced to contend with substantial needs for adaptation—a burden that will fall disproportionately on the poorest three billion who are least responsible for causing the climate change problem. Here we propose a policy roadmap with a realistic and reasonable chance of limiting global temperature to safe levels and preventing unmanageable climate change—an outline of specific science-based policy pathways that serve as the building blocks for a three-lever strategy that could limit warming to well under 2°C. The projections and the emission pathways proposed in this summary are based on a combination of published recommendations and new model simulations conducted by the authors of this study (see Figure 2). We have framed the plan in terms of four building blocks and three levers, which are implemented through 10 solutions. The first building block would be fully implementing the nationally determined mitigation pledges under the Paris Agreement of the UN Framework Convention on Climate Change (UNFCCC). In addition, several sister agreements that provide targeted and efficient mitigation must be strengthened. Sister agreements include the Kigali Amendment to the Montreal Protocol to phase down HFCs, efforts to address aviation emissions through the International Civil Aviation Organization (ICAO), maritime black carbon emissions through the International Maritime Organization (IMO), and the commitment by the eight countries of the Arctic Council to reduce black carbon emissions by up to 33%. There are many other complementary processes that have drawn attention to specific actions on climate change, such as the Group of 20 (G20), which has emphasized reform of fossil fuel subsidies, and the Climate and Clean Air Coalition (CCAC). HFC measures, for example, can avoid as much as 0.5°C of warming by 2100 through the mandatory global phasedown of HFC refrigerants within the next few decades, and substantially more through parallel efforts to improve energy efficiency of air conditioners and other cooling equipment potentially doubling this climate benefit. For the second building block, numerous subnational and city scale climate action plans have to be scaled up. One prominent example is California’s Under 2 Coalition signed by over 177 jurisdictions from 37 countries in six continents covering a third of world economy. The goal of this Memorandum of Understanding is to catalyze efforts in many jurisdictions that are comparable with California’s target of 40% reductions in CO2 emissions by 2030 and 80% reductions by 2050—emission cuts that, if achieved globally, would be consistent with stopping warming at about 2°C above pre-industrial levels. Another prominent example is the climate action plans by over 52 cities and 65 businesses around the world aiming to cut emissions by 30% by 2030 and 80% to 100% by 2050. There are concerns that the carbon neutral goal will hinder economic progress; however, real world examples from California and Sweden since 2005 offer evidence that economic growth can be decoupled from carbon emissions and the data for CO2 emissions and GDP reveal that growth in fact prospers with a green economy. The third building block consists of two levers that we need to pull as hard as we can: one for drastically reducing emissions of short-lived climate pollutants (SLCPs) beginning now and completing by 2030, and the other for decarbonizing the global energy system by 2050 through efficiency and renewables. Pulling both levers simultaneously can keep global temperature rise below 2°C through the end of the century. If we bend the CO2 emissions curve through decarbonization of the energy system such that global emissions peak in 2020 and decrease steadily thereafter until reaching zero in 2050, there is less than a 20% probability of exceeding 2°C. This call for bending the CO2 curve by 2020 is one key way in which this report’s proposal differs from the Paris Agreement and it is perhaps the most difficult task of all those envisioned here. Many cities and jurisdictions are already on this pathway, thus demonstrating its scalability. Achieving carbon neutrality and reducing emissions of SLCPs would also drastically reduce air pollution globally, including all major cities, thus saving millions of lives and over 100 million tons of crops lost to air pollution each year. In addition, these steps would provide clean energy access to the world’s poorest three billion who are still forced to resort to 18th century technologies to meet basic needs such as cooking. For the fourth and the final building block, we are adding a third lever, ACE (Atmospheric Carbon Extraction, also known as Carbon Dioxide Removal, or “CDR”). This lever is added as an insurance against surprises (due to policy lapses, mitigation delays, or non-linear climate changes) and would require development of scalable measures for removing the CO2 already in the atmosphere. The amount of CO2 that must be removed will range from negligible, if the emissions of CO2 from the energy system and SLCPs start to decrease by 2020 and carbon neutrality is achieved by 2050, to a staggering one trillion tons, if CO2 emissions continue to increase until 2030, and the carbon lever is not pulled until after 2030. This issue is raised because the NDCs (Nationally Determined Contributions) accompanying the Paris Agreement would allow CO2 emissions to increase until 2030. We call on economists and experts in political and administrative systems to assess the feasibility and cost-effectiveness of reducing carbon and SLCPs emissions beginning in 2020 compared with delaying it by ten years and then being forced to pull the third lever to extract one trillion tons of CO2 The fast mitigation plan of requiring emissions reductions to begin by 2020, which means that many countries need to cut now, is urgently needed to limit the warming to well under 2°C. Climate change is not a linear problem. Instead, we are facing non-linear climate tipping points that can lead to self-reinforcing and cascading climate change impacts. Tipping points and selfreinforcing feedbacks are wild cards that are more likely with increased temperatures, and many of the potential abrupt climate shifts could happen as warming goes from 1.5°C in 15 years to 2°C by 2050, with the potential to push us well beyond the Paris Agreement goals. Where Do We Go from Here? A massive effort will be needed to stop warming at 2°C, and **time is of the essence**. With unchecked business-as-usual emissions, global **warming has a 50% likelihood of exceeding 4ºC** and a 5% probability of exceeding 6ºC in this century, **raising existential questions for most**, but especially the poorest three billion **people**. A 4ºC warming is likely to expose as many as 75% of the global population to deadly heat. Dangerous to catastrophic impacts on the health of people including generations yet to be born, on the health of ecosystems, and on species extinction have emerged as major justifications for mitigating climate change well below 2ºC, although we must recognize that the uncertainties intrinsic in climate and social systems make it hard to pin down exactly the level of warming that will trigger possibly catastrophic impacts. To avoid these consequences, we must act now, and we must act fast and effectively. This report sets out a specific plan for reducing climate change in both the near- and long-term. With aggressive urgent actions, we can protect ourselves. Acting quickly to prevent catastrophic climate change by decarbonization will save millions of lives, trillions of dollars in economic costs, and massive suffering and dislocation to people around the world. This is a global security imperative, as it can avoid the migration and destabilization of entire societies and countries and reduce the likelihood of environmentally driven civil wars and other conflicts. Staying well under 2°C will require a concerted global effort. We must address everything from our energy systems to our personal choices to reduce emissions to the greatest extent possible. We must redouble our efforts to invent, test, and perfect systems of governance so that the large measure of international cooperation needed to achieve these goals can be realized in practice. The health of people for generations to come and the health of ecosystems crucially depend on an energy revolution beginning now that will take us away from fossil fuels and toward the clean renewable energy sources of the future. It will be nearly impossible to obtain other critical social goals, including for example the UN agenda 2030 with the Sustainable Development Goals, if we do not make immediate and profound progress stabilizing climate, as we are outlining here. 1. The Building Blocks Approach The 2015 Paris Agreement, which went into effect November 2016, is a remarkable, historic achievement. For the frst time, essentially all nations have committed to limit their greenhouse gas emissions and take other actions to limit global temperature and adapt to unavoidable climate change. Nations agreed to hold “the increase in the global average temperature to well below 2°C above pre-industrial levels and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels” and “achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century” (UNFCCC, 2015). Nevertheless, the initial Paris Agreement has to be **strengthened substantially** within fve years if we are to prevent catastrophic warming; **current pledges** place the world on **track for up to 3.4°C** by 2100 (UNEP, 2016b). Until now, no specifc policy roadmap exists that provides a realistic and reasonable chance of limiting global temperatures to safe levels and preventing unmanageable climate change. This report is our attempt to provide such a plan— an outline of specifc solutions that serve as the building blocks for a comprehensive strategy for limiting the warming to well under 2°C and avoiding dangerous climate change (Figure 1). The frst building block is the full implementation of the nationally determined mitigation pledges under the Paris Agreement of the UN Framework Convention on Climate Change (UNFCCC) and strengthening global sister agreements, such as the Kigali Amendment to the Montreal Protocol to phase down HFCs, which can provide additional targeted, fast action mitigation at scale. For the second building block, numerous sub-national and city scale climate action plans have to be scaled up such as California’s Under 2 Coalition signed by 177 jurisdictions from 37 countries on six continents. The third building block is targeted measures to reduce emissions of shortlived climate pollutants (SLCPs), beginning now and fully implemented by 2030, along with major measures to fully decarbonize the global economy, causing the overall emissions growth rate to stop in 2020-2030 and reach carbon neutrality by 2050. Such a deep decarbonization would require an energy revolution similar to the Industrial Revolution that was based on fossil fuels. The fnal building block includes scalable and reversible carbon dioxide (CO2 ) removal measures, which can begin removing CO2 already emitted into the atmosphere. Such a plan is urgently needed. Climate change is not a linear problem. Instead, climate tipping points can lead to **self-reinforcing**, **cascading** climate change **impacts** (Lenton et al., 2008). Tipping points are more likely with increased temperatures, and many of the potential abrupt climate shifts could happen as warming goes from 1.5°C to 2°C, with the potential to push us well beyond the Paris Agreement goals (Drijfhout et al., 2015). In order to avoid dangerous climate change, we must address these concerns. **We must act now**, and **we must act fast**. Reduction of SLCPs will result in fast, near-term reductions in warming, while present-day reductions of CO2 will result in long-term climate benefts. This two-lever approach—aggressively cutting both SLCPs and CO2 –-will slow warming in the coming decades when it is most crucial to avoid impacts from climate change as well as maintain a safe climate many decades from now. To achieve the nearterm goals, we have outlined solutions to be implemented immediately. These solutions to bend down the rising emissions curve and thus bend the warming trajectory curve follow a 2015 assessment by the University of California under its Carbon Neutrality Initiative (Ramanathan et al., 2016). The solutions are clustered into categories of social transformation, governance improvement, market- and regulation-based solutions, technological innovation and transformation, and natural and ecosystem management. Additionally, we need to intensely investigate and pursue a third lever—ACE (Atmospheric Carbon Extraction). While many potential technologies exist, we do not know the extent to which they could be scaled up to remove the requisite amount of carbon from the atmosphere in order to achieve the Paris Agreement goals, and any delay in mitigation will demand increasing reliance on these technologies. Yet, there is still hope. Humanity can come together, as we have done in the past, to collaborate towards a common goal. We have no choice but to tackle the challenge of climate change. We only have the choice of when and how: either now, through the ambitious plan outlined here, or later, through radical adaptation and societal transformations in response to an ever-deteriorating climate system that will unleash devastating impacts—some of which may be **beyond our capacity to fully adapt** to **or reverse** for thousands of years. 2. Major Climate Disruptions: How Soon and How Fast? “Without adequate mitigation and adaptation, climate change poses unacceptable risks to global public health.” (WHO, 2016) The planet has already witnessed nearly 1°C of warming, and another 0.6°C of additional warming is currently stored in the ocean to be released over the next two to four decades, if climate warming emissions are not radically reduced during that time (IPCC, 2013). The impacts of this warming on extreme weather, droughts, and foods are being felt by society worldwide to the extent that many think of this no longer as climate change but as climate disruption. Consider the business as usual scenario: 15 years from now: In 15 years, planetary warming will reach 1.5°C above pre-industrial global mean temperature (Ramanathan and Xu, 2010; Shindell et al., 2012). This exceeds the 0.5°C to 1°C of warming during the Eemian period, 115,000– 130,000 years ago, when sea-levels reached 6-9 meters (20-30 feet) higher than today (Hansen et al., 2016b). The impacts of this warming will affect us all yet will disproportionately affect the Earth’s poorest three billion people, who are primarily subsistence farmers that still rely on 18th century technologies and have the least capacity to adapt (IPCC, 2014a; Dasgupta et al., 2015). They thus may be forced to resort to mass migration into city slums and push across international borders (U.S. DOD, 2015). The existential fate of lowlying small islands and coastal communities will also need to be addressed, as they are primarily vulnerable to sea-level rise, diminishing freshwater resources, and more intense storms. In addition, many depend on fsheries for protein, and these are likely to be affected by ocean acidifcation and climate change. Climate injustice could start causing visible regional and international conficts. All of this will be exacerbated as the risk of passing tipping points increases (Lenton et al., 2008). 30 years from now: By mid-century, warming is expected to exceed 2°C, which would be unprecedented with respect to historical records of at least the last one million years (IPCC, 2014c). Such a warming through this century could result in sea-level rise of as much as 2 meters by 2100, with greater sea-level rise to follow. A group of tipping points are clustered between 1.5°C and 2°C (Figure 2) (Drijfhout et al., 2015). The melting of most mountain glaciers, including those in the Tibetan-Himalayas, combined with mega-droughts, heat waves, storms, and foods, would adversely affect nearly everyone on the planet. 80 years from now: In 80 years, warming is expected to exceed 4°C, increasing the likelihood of irreversible and catastrophic change (World Bank, 2013b). 4ºC warming is likely to expose as much as 75% of the global population to deadly heat (Mora et al., 2017). The 2°C and 4°C values quoted above and in other reports, however, are merely the central values with a 50% probability of occurrence (Ramanathan and Feng, 2008). There is a 5% probability the warming could be as high as 6°C due to uncertainties in the magnitude of amplifying feedbacks (see Section 4). This in turn could lead to major disruptions to natural and social systems, threatening food security, water security, and national security and fundamentally affecting the great majority of the projected 11.2 billion inhabitants of the planet in 2100 (UN DESA, 2015). 3. What Are the Wild Cards for Climate Disruption? Increasing the concentrations of greenhouse gases in the atmosphere increases radiative forcing (the difference between the amount of energy entering the atmosphere and leaving) and thus increases the global temperature (IPCC, 2013). However, climate wild cards exist that can alter the linear connection with warming and anthropogenic emissions by triggering abrupt changes in the climate (Lenton et al., 2008). Some of these wild cards have not been thoroughly captured by the models that policymakers rely on the most. These abrupt shifts are irreversible on a human time scale (<100 years) and will create a notable disruption to the climate system, condemning the world to warming beyond that which we have previously projected. These climate disruptions would divert resources from needed mitigation and upset mitigation strategies that we have already put in place. 1. Unmasking Aerosol Cooling: The frst such wild card is the unmasking of an estimated 0.7°C (with an uncertainty range of 0.3°C to 1.2°C) of the warming in addition to mitigating other aerosol effects such as disrupting rainfall patterns, by reducing emissions of aerosols such as sulfates and nitrates as part of air pollution regulations (Wigley, 1991; Ramanathan and Feng, 2008). Aerosol air pollution is a major health hazard with massive costs to public health and society, including contributing to about 7 million deaths (from household and ambient exposure) each year (WHO, 2014). While some aerosols, such as black carbon and brown carbon, strongly absorb sunlight and warm the climate, others refect sunlight back into space, which cools the climate (Ramanathan and Carmichael, 2008). The net impact of all manmade aerosols is negative, meaning that about 30% of the warming from greenhouse gases is being masked by co-emitted air pollution particles (Ramanathan and Carmichael, 2008). As we reduce greenhouse gas emissions and implement policies to eliminate air pollution, we are also reducing the concentration of aerosols in the air. Aerosols last in the atmosphere for about a week, so if we eliminate air pollution without reducing emissions of the greenhouse gases, the unmasking alone would lead to an estimated 0.7°C of warming within a matter of decades (Ramanathan and Feng, 2008). We must eliminate all aerosol emissions due to their health effects, but we must simultaneously mitigate emissions of CO2 , other greenhouse gases, and black carbon and co-pollutants to avoid an abrupt and very large jump in the near-term warming beyond 2°C (Brasseur and Roeckner, 2005). 2. Tipping Points: It is likely that **as we cross the 1.5°C** to 2°C thresholds we will **trigger so called “tipping points”** for **abrupt and nonlinear changes** in the climate system with **catastrophic consequences** for humanity and the environment (Lenton, 2008; Drijfhout et al., 2015). Once the tipping points are passed, the resulting impacts will range in timescales from: disruption of monsoon systems (transition in a year), loss of sea ice (approximately a decade for transition), dieback of major forests (nearly half a century for transition), reorganization of ocean circulation (approximately a century for transition), to loss of ice sheets and subsequent sea-level rise (transition over hundreds of years) (Lenton et al., 2008). Regardless of timescale, once underway many of these changes would be irreversible (Lontzek et al., 2015). There is also a likelihood of crossing over **multiple tipping points simultaneously**. Warming of close to 3°C would subject the system to a 46% probability of crossing multiple tipping points, while warming of close to 5°C would increase the risk to 87% (Cai et al., 2016). Recent modeling work shows a “cluster” of these tipping points could be triggered between 1.5°C and 2°C warming (Figure 2), including melting of land and sea ice and changes in highlatitude ocean circulation (deep convection) (Drijfhout et al., 2015). This is consistent with existing observations and understanding that the polar regions are particularly sensitive to global warming and have several potentially imminent tipping points. The Arctic is warming nearly twice as quickly as the global average, which makes the abrupt changes in the Arctic more likely at a lower level of global warming (IPCC, 2013). Similarly, the Himalayas are warming at roughly the same rate as the Arctic and are thus also more susceptible to incremental changes in temperature (UNEP-WMO, 2011). This gives further justifcation for limiting warming to no more than 1.5°C. While all climate tipping points have the potential to **rapidly destabilize climate, social, and economic systems**, some are also **self-amplifying** feedbacks that once set in motion increase warming in such a way that they perpetuate yet even more warming. Declining Arctic sea ice, thawing permafrost, and the poleward migration of cloud systems are all examples of self-amplifying feedback mechanisms, where initial warming **feeds upon itself** to cause still more warming acting as a **force multiplier** (Schuur et al., 2015).

### Solvency

#### Thus, the plan: The member nations of the World Trade Organization ought to reduce intellectual property protections for COVID-19 vaccines.

#### The aff solves this and future pandemics without killing innovation – it’s the best middle ground.

**Lindsey 21** - Brink Lindsey is Vice President and Director of the Open Society Project at the Niskanen Center. Previously he was the Cato Institute's vice president for research.

Brink Lindsey, “Why intellectual property and pandemics don’t mix,” Brookings, <https://www.brookings.edu/blog/up-front/2021/06/03/why-intellectual-property-and-pandemics-dont-mix/> // sam :)

On May 5 the Biden administration announced that it would support waiving intellectual property protections for COVID-19 vaccines under the World Trade Organization’s Agreement on Trade-Related Intellectual Property Rights (TRIPS). Predictably, the move drew fiery condemnation from drug companies. In addition, many disinterested observers criticized the support for a TRIPS waiver as empty symbolism, arguing that vaccine patents are not the major obstacle hindering the currently flagging drive to make vaccines available around the world. Waiving patent protections is certainly no panacea. What is needed most urgently is a massive drive of technology transfer, capacity expansion, and supply line coordination to bring vaccine supply in line with global demand. Dispensing with patents in no way obviates the need for governments to fund and oversee this effort. Although focusing on these immediate constraints is vital, we cannot confine our attention to the short term. First of all, the COVID-19 pandemic is far from over. Although Americans can now see the light at the end of the tunnel thanks to the rapid rollout of vaccines, most of the world isn’t so lucky. The virus is currently raging in India and throughout South America, overwhelming health care systems and inflicting suffering and loss on a horrific scale. And consider the fact that Australia, which has been successful in suppressing the virus, recently announced it was sticking to plans to keep its borders closed until mid-2022. Criticisms of the TRIPS waiver that focus only on the next few months are therefore short-sighted: this pandemic could well drag on long enough for elimination of patent restrictions to enable new vaccine producers to make a positive difference. Furthermore, and probably even more important, this is almost certainly not the last pandemic we will face. Urbanization, the spread of factory-farming methods, and globalization all combine to increase the odds that a new virus will make the jump from animals to humans and then spread rapidly around the world. Prior to the current pandemic, the 21st century already saw outbreaks of SARS, H1N1, MERS, and Ebola. Everything we do and learn in the current crisis should be viewed from the perspective of getting ready for next time. THE NATURE OF THE PATENT BARGAIN When we take the longer view, we can see a fundamental mismatch between the policy design of intellectual property protection and the policy requirements of effective pandemic response. Although patent law, properly restrained, constitutes one important element of a well-designed national innovation system, the way it goes about encouraging technological progress is singularly ill-suited to the emergency conditions of a pandemic or other public health crisis. Securing a TRIPS waiver for COVID-19 vaccines and treatments would thus establish a salutary precedent that, in emergencies of this kind, governments should employ other, more direct means to incentivize the development of new drugs. Here is the basic bargain offered by patent law: encourage the creation of useful new ideas for the long run by slowing the diffusion of useful new ideas in the short run. The second half of the bargain, the half that imposes costs on society, comes from the temporary exclusive rights, or monopoly privileges, that a patent holder enjoys. Under U.S. patent law, for a period of 20 years nobody else can manufacture or sell the patented product without the permission of the patent holder. This allows the patent holder to block competitors from the market, or extract licensing fees before allowing them to enter, and consequently charge above-market prices to its customers. Patent rights thus slow the diffusion of a new invention by restricting output and raising prices. The imposition of these short-run costs, however, can bring net long-term benefits by sharpening the incentives to invent new products. In the absence of patent protection, the prospect of easy imitation by later market entrants can deter would-be innovators from incurring the up-front fixed costs of research and development. But with a guaranteed period of market exclusivity, inventors can proceed with greater confidence that they will be able to recoup their investment. For the tradeoff between costs and benefits to come out positive on net, patent law must strike the right balance. Exclusive rights should be valuable enough to encourage greater innovation, but not so easily granted or extensive in scope or term that this encouragement is outweighed by output restrictions on the patented product and discouragement of downstream innovations dependent on access to the patented technology. Unfortunately, the U.S. patent system at present is out of balance. Over the past few decades, the expansion of patentability to include software and business methods as well as a general relaxation of patenting requirements have led to wildly excessive growth in these temporary monopolies: the number of patents granted annually has skyrocketed roughly fivefold since the early 1980s. One unfortunate result has been the rise of “non-practicing entities,” better known as patent trolls: firms that make nothing themselves but buy up patent portfolios and monetize them through aggressive litigation. As a result, a law that is supposed to encourage innovation has turned into a legal minefield for many would-be innovators. In the pharmaceutical industry, firms have abused the law by piling up patents for trivial, therapeutically irrelevant “innovations” that allow them to extend their monopolies and keep raising prices long beyond the statutorily contemplated 20 years. Patent law is creating these unintended consequences because policymakers have been caught in an ideological fog that conflates “intellectual property” with actual property rights over physical objects. Enveloped in that fog, they regard any attempts to put limits on patent monopolies as attacks on private property and view ongoing expansions of patent privileges as necessary to keep innovation from grinding to a halt. In fact, patent law is a tool of regulatory policy with the usual tradeoffs between costs and benefits; like all tools, it can be misused, and as with all tools there are some jobs for which other tools are better suited. A well-designed patent system, in which benefits are maximized and costs kept to a minimum, is just one of various policy options that governments can employ to stimulate technological advance—including tax credits for R&D, prizes for targeted inventions, and direct government support. PUBLIC HEALTH EMERGENCIES AND DIRECT GOVERNMENT SUPPORT For pandemics and other public health emergencies, patents’ mix of costs and benefits is misaligned with what is needed for an effective policy response. The basic patent bargain, even when well struck, is to pay for more innovation down the road with slower diffusion of innovation today. In the context of a pandemic, that bargain is a bad one and should be rejected entirely. Here the imperative is to accelerate the diffusion of vaccines and other treatments, not slow it down. Giving drug companies the power to hold things up by blocking competitors and raising prices pushes in the completely wrong direction. What approach to encouraging innovation should we take instead? How do we incentivize drug makers to undertake the hefty R&D costs to develop new vaccines without giving them exclusive rights over their production and sale? The most effective approach during a public health crisis is direct government support: public funding of R&D, advance purchase commitments by the government to buy large numbers of doses at set prices, and other, related payouts. And when we pay drug makers, we should not hesitate to pay generously, even extravagantly: we want to offer drug companies big profits so that they prioritize this work above everything else, and so that they are ready and eager to come to the rescue again the next time there’s a crisis. It was direct support via Operation Warp Speed that made possible the astonishingly rapid development of COVID-19 vaccines and then facilitated a relatively rapid rollout of vaccine distribution (relative, that is, to most of the rest of the world). And it’s worth noting that a major reason for the faster rollout here and in the United Kingdom compared to the European Union was the latter’s misguided penny-pinching. The EU bargained hard with firms to keep vaccine prices low, and as a result their citizens ended up in the back of the queue as various supply line kinks were being ironed out. This is particularly ironic since the Pfizer-BioNTech vaccine was developed in Germany. As this fact underscores, the chief advantage of direct support isn’t to “get tough” with drug firms and keep a lid on their profits. Instead, it is to accelerate the end of the public health emergency by making sure drug makers profit handsomely from doing the right thing. Patent law and direct support should be seen not as either-or alternatives but as complements that apply different incentives to different circumstances and time horizons. Patent law provides a decentralized system for encouraging innovation. The government doesn’t presume to tell the industry which new drugs are needed; it simply incentivizes the development of whatever new drugs that pharmaceutical firms can come up with by offering them a temporary monopoly. It is important to note that patent law’s incentives offer no commercial guarantees. Yes, you can block other competitors for a number of years, but that still doesn’t ensure enough consumer demand for the new product to make it profitable. DIRECT SUPPORT MAKES PATENTS REDUNDANT The situation is different in a pandemic. Here the government knows exactly what it wants to incentivize: the creation of vaccines to prevent the spread of a specific virus and other drugs to treat that virus. Under these circumstances, the decentralized approach isn’t good enough. There is no time to sit back and let drug makers take the initiative on their own timeline. Instead, the government needs to be more involved to incentivize specific innovations now. As recompense for letting it call the shots (pardon the pun), the government sweetens the deal for drug companies by insulating them from commercial risk. If pharmaceutical firms develop effective vaccines and therapies, the government will buy large, predetermined quantities at prices set high enough to guarantee a healthy return. For the pharmaceutical industry, it is useful to conceive of patent law as the default regime for innovation promotion. It improves pharmaceutical companies’ incentives to develop new drugs while leaving them free to decide which new drugs to pursue – and also leaving them to bear all commercial risk. In a pandemic or other emergency, however, it is appropriate to shift to the direct support regime, in which the government focuses efforts on one disease. In this regime, it is important to note, the government provides qualitatively superior incentives to those offered under patent law. Not only does it offer public funding to cover the up-front costs of drug development, but it also provides advance purchase commitments that guarantee a healthy return. It should therefore be clear that the pharmaceutical industry has no legitimate basis for objecting to a TRIPS waiver. Since, because of the public health crisis, drug makers now qualify for the superior benefits of direct government support, they no longer need the default benefits of patent support. Arguments that a TRIPS waiver would deprive drug makers of the incentives they need to keep developing new drugs, when they are presently receiving the most favorable incentives available, can be dismissed as the worst sort of special pleading. That said, it is a serious mistake to try to cast the current crisis as a morality play in which drug makers wear the black hats and the choice at hand is between private profits and public health. We would have no chance of beating this virus without the formidable organizational capabilities of the pharmaceutical industry, and providing the appropriate incentives is essential to ensure that the industry plays its necessary and vital role. It is misguided to lament that private companies are profiting in the current crisis: those profits are a drop in the bucket compared to the staggering cost of this pandemic in lives and economic damage.

### Framing

#### The standard is maximizing expected wellbeing

#### **Extinction is a unique ontological phenomenon that outweighs under every ethical theory.**

Burke et al., Associate Professor of International and Political Studies @ UNSW, Australia, ‘16

(Anthony, Stefanie Fishel is Assistant Professor, Department of Gender and Race Studies at the University of Alabama, Audra Mitchell is CIGI Chair in Global Governance and Ethics at the Balsillie School of International Affairs, Simon Dalby is CIGI Chair in the Political Economy of Climate Change at the Balsillie School of International Affairs, and, Daniel J. Levine is Assistant Professor of Political Science at the University of Alabama, “Planet Politics: Manifesto from the End of IR,” Millennium: Journal of International Studies 1–25)

8. Global ethics must respond to mass extinction. In late 2014, the Worldwide Fund for Nature reported a startling statistic: according to their global study, 52% of species had gone extinct between 1970 and 2010.60 This is not news: for three decades, conservation biologists have been warning of a ‘sixth mass extinction’, which, by definition, could eliminate more than three quarters of currently existing life forms in just a few centuries.61 In other words, it could threaten the practical possibility of the survival of earthly life. Mass extinction is not simply extinction (or death) writ large: it is a qualitatively different phenomena that demands its own ethical categories. It cannot be grasped by aggregating species extinctions, let alone the deaths of individual organisms. Not only does it erase diverse, irreplaceable life forms, their unique histories and open-ended possibilities, but it threatens the ontological conditions of Earthly life.

IR is one of few disciplines that is explicitly devoted to the pursuit of survival, yet it has almost nothing to say in the face of a possible mass extinction event.62 It utterly lacks the conceptual and ethical frameworks necessary to foster diverse, meaningful responses to this phenomenon. As mentioned above, Cold-War era concepts such as ‘nuclear winter’ and ‘omnicide’ gesture towards harms massive in their scale and moral horror. However, they are asymptotic: they imagine nightmares of a severely denuded planet, yet they do not contemplate the comprehensive negation that a mass extinction event entails. In contemporary IR discourses, where it appears at all, extinction is treated as a problem of scientific management and biopolitical control aimed at securing existing human lifestyles.63 Once again, this approach fails to recognise the reality of extinction, which is a matter of being and nonbeing, not one of life and death processes.

Confronting the enormity of a possible mass extinction event requires a total overhaul of human perceptions of what is at stake in the disruption of the conditions of Earthly life. The question of what is ‘lost’ in extinction has, since the inception of the concept of ‘conservation’, been addressed in terms of financial cost and economic liabilities.64 Beyond reducing life to forms to capital, currencies and financial instruments, the dominant neoliberal political economy of conservation imposes a homogenising, Western secular worldview on a planetary phenomenon. Yet the enormity, complexity, and scale of mass extinction is so huge that humans need to draw on every possible resource in order to find ways of responding. This means that they need to mobilise multiple worldviews and lifeways – including those emerging from indigenous and marginalised cosmologies. Above all, it is crucial and urgent to realise that extinction is a matter of global ethics. It is not simply an issue of management or security, or even of particular visions of the good life. Instead, it is about staking a claim as to the goodness of life itself. If it does not fit within the existing parameters of global ethics, then it is these boundaries that need to change.

9. An Earth-worldly politics. Humans are worldly – that is, we are fundamentally worldforming and embedded in multiple worlds that traverse the Earth. However, the Earth is not ‘our’ world, as the grand theories of IR, and some accounts of the Anthropocene have it – an object and possession to be appropriated, circumnavigated, instrumentalised and englobed.65 Rather, it is a complex of worlds that we share, co-constitute, create, destroy and inhabit with countless other life forms and beings.

The formation of the Anthropocene reflects a particular type of worlding, one in which the Earth is treated as raw material for the creation of a world tailored to human needs. Heidegger famously framed ‘earth’ and ‘world’ as two countervailing, conflicting forces that constrain and shape one another. We contend that existing political, economic and social conditions have pushed human worlding so far to one extreme that it has become almost entirely detached from the conditions of the Earth. Planet Politics calls, instead, for a mode of worlding that is responsive to, and grounded in, the Earth. One of these ways of being Earth-worldly is to embrace the condition of being entangled. We can interpret this term in the way that Heidegger66 did, as the condition of being mired in everyday human concerns, worries, and anxiety, to prolong existence. But, in contrast, we can and should reframe it as authors like Karen Barad67 and Donna Haraway68 have done. To them and many others, ‘entanglement’ is a radical, indeed fundamental condition of being-with, or, as Jean-Luc Nancy puts it, ‘being singular plural’.69 This means that no being is truly autonomous or separate, whether at the scale of international politics or of quantum physics. World itself is singular plural: what humans tend to refer to as ‘the’ world is actually a multiplicity of worlds at various scales that intersect, overlap, conflict, emerge as they surge across the Earth. World emerges from the poetics of existence, the collision of energy and matter, the tumult of agencies, the fusion and diffusion of bonds.

Worlds erupt from, and consist in, the intersection of diverse forms of being – material and intangible, organic and inorganic, ‘living’ and ‘nonliving’. Because of the tumultuousness of the Earth with which they are entangled, ‘worlds’ are not static, rigid or permanent. They are permeable and fluid. They can be created, modified – and, of course, destroyed. Concepts of violence, harm and (in)security that focus only on humans ignore at their peril the destruction and severance of worlds,70 which undermines the conditions of plurality that enables life on Earth to thrive.

#### Util is lexically prior – in order for agents to be able to engage in complex moral deliberations they must first be safe and not in danger of death – that means materially reducing violence outweighs.

#### Actor specificity – side constraints make action impossible because government policies always require trade-offs and involve the actions of multiple agents with conflicting moral obligations—the way to resolve those conflicts is by benefiting everyone. Different agents have different ethical obligations – even if they win a theory of personal moral imperatives its fundamentally different then the states obligations.

### Theory

#### Aff gets 1AR theory – otherwise the neg can be infinitely abusive and there’s no way to check back. 1AR theory is drop the debater, competing interps, and the highest layer of the round – the 1ARs too short to be able to rectify abuse and adequately cover substance. No RVI or 2N theory because you have 6 minutes to go for them whereas I only have a 3 minute 2AR to respond so I get crushed on time skew.

#### Interp: Debaters must open source and/or cite all broken constructive positions read in TOC bid tournaments and disclose round reports for all rounds at TOC bid tournaments on the 2021-2022 NDCA LD wiki.

#### Violation:

A screenshot of a computer

Description automatically generated

#### Standards:

#### 1] leads to higher quality engagement b/c I know exactly what the neg says which internal link turns the aff b/c it leads to net better discussion. This is especially true given that you did not disclose the offense of the NC—no way I can engage with it or contest it.

#### 2] Evidence ethics – open source is the only way to verify before round that cards aren’t miscut – full text doesn’t solve since you could have highlighted unethically. That’s a voter – maintaining ethical ev practices is key to being good academics and we should be able to verify you didn’t cheat