# 1AC R2

### 1AC – Advantage

#### The advantage is global COVID vaccination –

#### Experts agree current vaccination initiatives fail – Global South manufacturing capacity is key

Maxmen, Ph.D., 9/16 [Amy Maxmen, PhD, 9/16/21, Senior Reporter at Nature, “The fight to manufacture COVID vaccines in lower-income countries,” Nature, https://doi.org/10.1038/d41586-021-02383-z//lhs-ap]

Vaccines against COVID-19 are not reaching many people in the global south, despite donations from wealthy nations. Less than 1% of people in low-income countries are fully vaccinated, and just 10% are in lower-middle-income countries, compared with more than half in high-income countries.

Many researchers say the best way to ensure equitable access to COVID-19 vaccines is to enable countries in the global south to make their own. “Charity is good, but we can’t rely on charity alone,” says Peter Singer, an adviser to the director-general of the World Health Organization (WHO).

Since last year, health-advocacy organizations have been pressing pharmaceutical companies and governments that developed highly effective vaccines to share their patented knowledge and technology with drug manufacturers that could produce them for poorer countries. These vaccines include the messenger-RNA jabs created by Moderna in Cambridge, Massachusetts, and Pfizer in New York City and BioNTech in Mainz, Germany, and a viral-vector vaccine developed by Johnson & Johnson (J&J) in New Brunswick, New Jersey.

Calls to manufacture more vaccines in the global south have grown louder in advance of high-level pandemic discussions at the United Nations General Assembly, which began this week, and a US-led, Global COVID-19 Summit on 22 September. Advocates are clamouring for a variety of approaches. Some had pointed to the deployment of the Sputnik V vaccine as a model of pandemic diplomacy. Russia broadly licensed the jab to 34 drug companies outside its borders, including several in India and Brazil. But manufacturers are now saying that the second dose of the vaccine — which has a different composition than the first — is difficult to produce in large quantities.

In a letter signed by several Indian civil society groups — shared with Nature — advocates are urging US President Joe Biden to compel J&J to partner with drug companies in the global south, arguing that those making Sputnik V could easily pivot to the J&J vaccine because they rely on similar technologies. They estimate that the transition would take less than six months.

Achal Prabhala, an author on the letter and a coordinator at AccessIBSA, a medicines-access initiative in Bengaluru, India, thinks this switch would help to quickly protect people in places lacking vaccines (see ‘Protection divide’). He adds that partnerships with the companies that developed mRNA vaccines will also be crucial because of the shots’ effectiveness and adaptability. India, in particular, could help to tame the pandemic if the country was enabled to make more shots, he says, illustrated by its role in providing the majority of vaccines against other diseases to low- and lower-middle-income countries. “For 3.9 billion people, we are the bulwark of vaccine manufacturing. So, if there aren’t contracts here, the world suffers.”

Such calls have not yet gained traction. Outside of deals to bottle and package their vaccines, J&J has only one partnership with an Indian company, and Pfizer, BioNTech and Moderna have none in India, South America or Africa. Pharmaceutical companies have cited reasons including quality concerns and the time required to get new companies up to speed. Instead, they say they’re ramping up their own production, and they ask wealthy nations to increase vaccine donations to poorer ones. Prabhala calls their arguments “a useful canard that obscures the real barrier — an unwillingness on the part of western pharmaceutical companies to relinquish control over their patents and technology, even at the cost of millions of lives”.

Although the Biden administration supported a waiver on intellectual property surrounding COVID-19 vaccines that was proposed by India and South Africa at a World Trade Organization meeting last October, action has stalled. And the administration has not pushed US companies to partner with those in the global south. Germany, which funded the development of BioNTech’s mRNA vaccine, later licensed to Pfizer, remains opposed to patent waivers.

As months pass, some researchers have stopped hoping for partnerships to come to fruition. A group in South Africa has decided to try and re-create existing vaccines. Others argue that funds would be best spent on getting manufacturers in the global south prepared to pump out the next generation of vaccines currently in clinical trials. Most global health researchers agree that regional manufacturing is the only way to ensure worldwide vaccination in a crisis. Shahid Jameel, a virologist at the Trivedi School of Biosciences at Ashoka University in New Delhi, says, “We can’t fix vaccine inequalities until vaccine manufacturing is distributed.”

Low yields

Companies might produce an estimated 12 billion doses of COVID-19 vaccines this year, but many more are needed, says Andrea Taylor, a global health researcher who leads a vaccine-tracking project at Duke University in Durham, North Carolina. Many wealthy nations have purchased enough doses to cover their populations several times over while some countries have very few, she says. The type of vaccine in demand has shifted, too. China’s vaccines, made from inactivated SARS-CoV-2 coronaviruses, accounted for nearly a third of jabs in lower-income countries through August. But questions about the shots’ efficacy have some countries searching for other options. Meanwhile, demand for mRNA vaccines has soared because wealthy countries are recommending third doses to, in theory, boost their populations’ immunity (see ‘Dose distribution’).

Lacking mRNA options, many nations in the global south rely on viral-vector shots that use a harmless inactivated virus to deliver their payload to cells. Indeed, 88% of the people vaccinated in India have gotten viral-vector shots developed by the University of Oxford and AstraZeneca in the United Kingdom — and produced by the Serum Institute of India, the biggest vaccine manufacturer in the world. International organizations leading COVID-19 Vaccines Global Access (COVAX), a system to supply COVID-19 vaccines to low- and middle-income countries, expected the Serum Institute to provide a bulk of their of vaccines, but that plan fell short when the Indian government restricted exports in March when the country faced a deadly surge of COVID-19 and only 2% of its population had been vaccinated. Because of issues including the export pause and a lack of donations, COVAX has shifted its goal of delivering two billion doses from this year to 2022.

Russia’s Sputnik V vaccine can’t bolster COVAX’s supply because it isn’t authorized by the WHO, despite its authorization in India, Brazil and dozens of other countries. The organization has given the green light to J&J’s jab, however — another reason that advocates support a transition to that shot. Handing off Sputnik V wasn’t simple, but manufacturers say the technology transfer process is instructive. Russian scientists gave willing drug companies essential ingredients for the vaccine and lists of equipment and supplies, and they visited the plants to teach them the manufacturing process.

#### The key internal link is manufacturing capacity not vaccines – Only future production resolves increased travel and new variants

Gostin 6/10 [Lawrence O. Gostin, JD, Georgetown University Law Center; June 10, 2021; “9 Steps to End COVID-19 and Prevent the Next Pandemic: Essential Outcomes From the World Health Assembly,” JAMA Health Forum. 2021;2(6):e211852. doi:10.1001/jamahealthforum.2021.1852//lhs-ap]

Chronic vaccine shortages have resulted in skewed distribution, which if not remedied, will prolong the pandemic. As SARS-CoV-2 widely circulates in low- and middle-income countries, more variants of concern will emerge—some will be more transmissible or pathogenic, while others could evade current vaccine technologies. With international travel rebounding, variants may reseed epidemics in higher-income countries. Consequently, the world needs more capacity to produce vaccines. Vaccine-producing countries and manufacturers should provide voluntary licenses and the WTO should waive intellectual property protections. Manufacturers holding multiple patents impede vaccine discovery and production in low- and middle-income countries.

#### The vaccine shortage will worsen global political instability –

#### 1 – Increases the number and severity of violent protests

Labott 7/22 [Elise Labott, a columnist at Foreign Policy and an adjunct professor at American University’s School of International Service. July 22, 2021, “Get Ready for a Spike in Global Unrest,” Foreign Policy, https://foreignpolicy.com/2021/07/22/covid-global-unrest-political-upheaval//lhs-ap]

To call 2021 the summer of discontent would be a severe understatement. From Cuba to South Africa to Colombia to Haiti, often violent protests are sweeping every corner of the globe as angry citizens are taking to the streets.

Each country has different histories and realities on the ground, particularly in Haiti, where years of violence and government corruption culminated two weeks ago in the assassination of President Jovenel Moïse. But they all faced a perfect storm of preexisting social, economic, and political hardships, which fallout from the COVID-19 pandemic only inflamed further. And they are merely a foreshadowing of the post-coronavirus global tinderbox that’s looming as existing tensions in countries across the world morph into broader civil unrest and uprisings against economic hardships and inequality deepened by the pandemic.

The coronavirus pandemic was a once-in-a-century crisis that not only shocked countries’ existing health systems but also demanded a response that impacted—and was itself shaped by—economic, political, and security considerations. The efforts to contain it may have curbed fatalities in the short term but have inadvertently deepened vulnerabilities that laid the groundwork for longer-term violence, conflict, and political upheaval and should serve as a danger sign to world leaders as countries reopen—including in the United States.

History is full of examples of pandemics being incubators of social unrest, from the Black Death to the Spanish flu to the great cholera outbreak in Paris, immortalized in Victor Hugo’s Les Miserables. Underlying it all this time around is a pervasive inequality. COVID-19 has ripped open economic divides and made life harder for already vulnerable groups, including women and girls and minority communities.

It has also exposed weaknesses in food security and dramatically increased the number of people affected by chronic hunger. The United Nations estimates around one-tenth of the global population—between 720 million people and 811 million—were undernourished last year. The impacts of climate change and environmental degradation have only compounded the despair.

Take the Sahel, where, due to a toxic cocktail of conflict, COVID-19 lockdowns, and climate change, the scale and severity of food insecurity continues to rise. Countries such as Ethiopia and Sudan are among the world’s worst humanitarian crises, with catastrophic levels of hunger. Droughts and locusts are coming at a critical time for farmers ready to plant crops and are stopping herders in their tracks from driving their livestock to greener pastures.

The global vaccine shortage is fueling the instability. A majority of Africa is lagging far behind the world in vaccinations, meaning COVID-19 will continue to constrain national economies and, in turn, become a source of potential political instability. The same is true for much of Latin America and Asia, where countries don’t have enough vaccines to protect their populations and simmering sources of protest—such as rising living costs and deepening inequalities—are more likely to boil over.

The global risk firm Verisk Maplecroft has warned that as many as 37 countries could face large protest movements for up to three years. A new study by Mercy Corps examining the intersection of COVID-19 and conflict found concerning trends that warn of potential for new conflict, deepening existing conflict, and worsening insecurity and instability shaped by the pandemic response.

The group found a collapse of public confidence in governments and institutions was a key driver of instability. People in fragile states, already suffering from diminished trust in their government, have felt further abandoned as they face disruptions in public services, rising food prices, and massive economic hardships, such as unemployment and reduced wages. Supply chains disrupted during the pandemic have seen food prices skyrocket, while in the global recession humanitarian aid budgets are being slashed, bringing many countries to the brink of famine. For the first time in 22 years, extreme poverty—people living on less than $1.90 a day—was on the rise last year. Oxfam International estimates that “it could take more than a decade for the world’s poorest to recover from the economic impacts of the pandemic.”

#### 2 – Causes global terror networks including resurgent Boko Haram

Namayanja 6/10 [Rose Namayanja is a Ugandan lawyer and author. She is the former Uganda information minister and current Deputy Secretary General of the National Resistance Movement, the ruling party. She is a graduate of the Defence Academy of the United Kingdom. June 10, 2021, “ Lack of Vaccines Fuels Terrorism in Africa,” Foreign Policy, https://foreignpolicy.com/2021/06/10/vaccines-africa-terrorism-covid-19//lhs-ap]

Meanwhile, under the fog of COVID-19, the specter of conflict is rising. With African governments and their limited resources occupied by the pandemic, terrorist groups across the continent have become emboldened. We are already seeing a resurgence in attacks. Around Lake Chad, Boko Haram has revived itself, even though it had been largely defeated just a few years ago thanks to combined military efforts of the countries in the area. In northern Mozambique, Islamist militants’ attacks have sharply increased. And across the Sahel, a plethora of al Qaeda- and Islamic State-affiliated groups are terrorizing communities. These groups thrive on economic instability, profiting from poverty to turn desperate, starving people into recruits.

Without sufficient access to vaccines, instability can only worsen. Governments across Africa are reduced to blunt instruments, such as economically damaging lockdowns, to protect citizens. Subsequently, businesses and livelihoods are still stalled, severely impacting the economies of what are already some of the poorest countries in the world.

These nations risk becoming breeding grounds for militant and terrorist groups. And as groups with international affiliates strengthen their footholds on the continent, what were once localized problems become sources of sustenance to global networks of terror. All this will only make bad economic problems worse. The observation that conflict is bad for business is banal. But it could also rupture global supply chains. Costs for many extractives could rise, and given high tech’s reliance on minerals under the continent, this is worrying.

Even without factoring in conflict, the cost to the global economy if poor countries remain unvaccinated is vast. A recent study commissioned by the International Chamber of Commerce predicts the world could suffer losses exceeding $9 trillion, at least half of which would be absorbed by wealthy, vaccinated nations.

In short, if the vaccine dearth in Africa and low-income countries elsewhere is not urgently addressed, the cost for Western nations—both in terms of finance and security—will be considerably higher than sharing hoarded vaccines or investing in accelerated production. Frugality now only defers costs later. When conflict rears its head, as is the case in Africa, it is not only those directly involved that suffer the consequences. And as the president of Africa’s largest economy, Nigeria, wrote recently, “around the world, conflict and the coronavirus have never been far apart.”

#### Pandemic instability goes nuclear – Extinction

RECNA et al. 21 [Research Center for Nuclear Weapons Abolition, Nagasaki University (RECNA), Asia Pacific Leadership Network (APLN) & Nautilus Institute (2021) Pandemic Futures and Nuclear Weapon Risks: The Nagasaki 75th Anniversary pandemic-nuclear nexus scenarios final report, Journal for Peace and Nuclear Disarmament, 4:sup1, 6-39, DOI: 10.1080/25751654.2021.1890867//lhs-ap]

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.

### 1AC – Plan

#### Resolved: The member nations of the World Trade Organization ought to reduce intellectual property protections for medicines by implementing a COVID-19 vaccine waiver.

#### “Resolved” means to enact a policy by law

Words and Phrases 64 (Permanent Edition)

Definition of the word “resolve,” given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It is of similar force to the word “enact,” which is defined by Bouvier as meaning “to establish by law”.

#### Negating an ought statement means proving prohibition.

Oxford Dictionary “ought, ought not” Oxford American Large Print Dictionary 2008 Oxford University Press

usage: The verb ought is a modal verb, which means that, grammatically, it does not behave like ordinary verbs. In particular, the negative is formed with the word not by itself, without auxiliary verbs such as do or have. Thus the standard construction for the negative is he ought not to go. Note that the preposition to is required in both negative and positive statements: we ought to accept her offer, or we ought not to accept her offer (not we ought accept or we ought not accept). The alternative forms he didn't ought to have gone and he hadn't ought to have gone, formed as if ought were an ordinary verb rather than a modal verb, are not acceptable in formal English. Reserve ought for expressing obligation, duty, or necessity, and use should for expressing suitability or appropriateness.

#### Ought indicates a moral obligation per common usage

Chrisman 12 Chrisman, Matthew [The Department of Philosophy in The School of Philosophy Psychology and Language]. "‘Ought’and Control." Australasian Journal of Philosopy 90.3 (2012): 433-451.

Ethical theorists are interested in the meaning of the word ‘ought’ largely because the paradigmatic way in English to state general moral principles as well as specific practical conclusions is with an ought-sentence. For example, Kant’s initial statement of the Categorical Imperative reads: ‘I ought never to act except in such a way that I could also will that my maxim should become a universal law’ [1785/1985: 402].1 And one of the most famous claims of applied ethics is Singer’s contention that ‘we ought, morally, to be working full time to relieve great suffering of the sort that occurs as a result of famine or other disasters’ [1972: 238]. Although we can state ethical principles and conclusions in other ways, I think it is no mistake that we often reach for ‘ought’ to do so. But what does ‘ought’ mean?

#### “reduce” excludes complete elimination

Michigan District Court 2011 “SAGINAW OFFICE SERVICE, INC., Plaintiff, v. BANK OF AMERICA, N.A., Defendant. Civil Action No. 09-CV-13889 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION,” Lexis

In determining whether the words "reduce" and "adjust" are ambiguous, the Court is directed to consider the ordinary meanings of the words, Rory, 703 N.W.2d at 28, and to harmonize [\*11] the disputed terms with other parts of the contract, Royal, 706 N.W.2d at 432 ("construction should be avoided that would render any part of the contract surplusage or nugatory"). "When determining the common, ordinary meaning of a word or phrase, consulting a dictionary is appropriate." Stanton v. City of Battle Creek, 466 Mich. 611, 647 N.W.2d 508 (Mich. 2002). The Court finds that the plain meanings of these terms do not unambiguously support the Bank's position. The dictionary definition of "adjust" is to "adapt" or "to bring to a more satisfactory state." Webster's Third New Int'l Dictionary 27 (2002) ("Webster's"). This is a fairly broad definition, which may be subject to, alternatively, narrower or more expansive scope. To say that the complete elimination of a schedule brings it to a more satisfactory state is undoubtedly an expansive viewof adjustment. It is the Court's duty to determine the intent of the contracting parties from the language of the contract itself, Rory, 703 N.W.2d at 30 ("the intent of the contracting parties is best discerned by the language actually used in the contract"), and in this case, it cannot unambiguously be said that the sense in which the parties used these [\*12] terms embraces the Bank's more expansive definition. Likewise, "reduce" means "to diminish in size, amount, extent, or number," Webster's, at 1905, but the term does not, in the context of the TSA, unambiguously embody an expansive scope that views complete deletion as a subset of diminution.

### 1AC – Solvency

#### Waiver accelerates vaccine production and innovation

Kavanagh et al. 7/1 [Matthew M. Kavanagh, PhD1,2; Lawrence O. Gostin, JD1; Madhavi Sunder, JD1; 1Georgetown University Law Center, Washington, DC; 2Department of International Health, Georgetown University, Washington, DC; July 1, 2021, “Sharing Technology and Vaccine Doses to Address Global Vaccine Inequity and End the COVID-19 Pandemic,” JAMA. 2021;326(3):219-220. doi:10.1001/jama.2021.10823//lhs-ap]

Waiving Intellectual Property

One important step is an intellectual property (IP) waiver. The Biden administration recently reversed US policy and was joined by France in endorsing a proposal by India and South Africa to temporarily waive countries’ World Trade Organization (WTO) obligations to enforce IP on COVID-19 technologies. The proposal still faces negotiations over its scope and opposition by certain high-income countries.

A WTO waiver would not remove US patents on vaccines. It would simply give governments the option to allow local manufacturers to produce, import, and export SARS-CoV-2 vaccines. Investments in production facilities could occur without concern about lawsuits or prosecution for IP infringement. Although countries have rights to issue compulsory licenses under the Trade-Related Aspects of Intellectual Property Rights (Article 31) agreement, the rules are legally complex. Messenger RNA (mRNA) vaccine technologies are covered by more than 100 patents, with many different patent holders.5 Procedures on importation of medical technologies for countries without manufacturing capacity are so cumbersome they have been used only once, by Canada and Rwanda, in a process that took years. A blanket waiver would eliminate complex regulations to facilitate vaccine manufacture.

There are some concerns that a waiver could threaten innovation. Yet COVID-19 vaccines were developed with significant public funding, also yielding high profits. Monopoly protection in every country is unnecessary for innovation. Patents have not incentivized companies to provide vaccines to LMICs. Intellectual property waivers could actually spur new discoveries and better vaccines, such as single-dose vaccines. Giving countries the freedom to produce vaccines could address both market and ethical failures.

With the pandemic escalating in LMICs, a broad, simple IP waiver that covers all IP, including patents and trade secrets, and extends to all COVID-19 technologies is urgent. Negotiators must avoid delay. Waiver negotiations among WTO members in 2003 took 9 months and governments have so far been slow in negotiating the current IP waiver proposal. Movement toward a waiver also might support voluntary action. Following President Biden’s announcement supporting an IP waiver, Moderna and Pfizer-BioNTech both pledged additional doses to LMICs, a welcome sign that waiver negotiations might incentivize sharing.

Sharing Technology and Expanding Manufacturing Capacity

On June 21, South Africa, the World Health Organization (WHO), and the Africa Centers for Disease Control (CDC) announced an important new hub for producing mRNA vaccines for the African continent and asked the US and Europe to share the technology to make these vaccines. Waiving IP removes legal barriers, but sharing knowledge on how to make vaccines, including ingredients, methods, sourcing, and technologies, is a justice-oriented move that would help LMIC manufacturers move quickly. When Moderna needed added manufacturing capacity, it contracted Swiss company Lonza and transferred technology confidentially. Production started within a few months, showing that arguments suggesting local manufacturing will take too long are unfounded. But exclusive contract manufacturing agreements limit access. Sharing technology more openly could enable manufacturers in Africa, Asia, and Latin America to make vaccines for themselves. WHO created a platform for such technology transfer; however, US-based companies have thus far not shared vital information.

The Biden administration has leverage to incentivize sharing, given extensive public funding. mRNA vaccines are a prime target for sharing because manufacturing advantages make them rapidly scalable.6 The Moderna mRNA vaccine was developed jointly with the National Institutes of Health, which also holds key patents. Operation Warp Speed allocated Moderna $2.5 billion, covering development and clinical trials. Public funding should come with ethical obligations to share knowledge for the global public good. If necessary, the Biden administration could use the Defense Production Act and government-owned patents to compel technology sharing or could pay companies to share technology.

If technology is shared, Senegal’s Pasteur Institute has plans to make hundreds of millions of viral vector doses. Companies in South Africa, Vietnam, Brazil, India, and other countries could make mRNA vaccines with appropriate support for specialized processes involved. A Thai government-run manufacturer, which could be a model, is already working on mRNA vaccine production. A Chinese company will produce BioNTech’s vaccine, although only for Chinese markets. Far more is achievable.

Quality control is critical, but arguments that LMIC producers cannot produce quality vaccines are misplaced. Many are global companies and government-run facilities with excellent records and strong oversight. WHO’s prequalification/emergency use process can help ensure quality.

Sharing technologies openly could also allow scientists worldwide to collaborate on innovations; for example, on mRNA vaccine formulations stored at room temperature for lower-resource settings.

#### No alt causes – Waiver includes broader information sharing, not just patent enforcement

Labonté 5/21 [Ronald Labonté, School of Epidemiology and Public Health, University of Ottawa, Ottawa, ON, Canada; Mira Johri, École de santé publique, Université de Montréal, Montréal, QC, Canada; Katrina Plamondon, School of Nursing, Faculty of Health & Social Development, University of British Columbia, Vancouver, BC, Canada; Srinivas Murthy, Faculty of Medicine, University of British Columbia, Vancouver, BC, Canada; 21 May 2021; Canada, global vaccine supply, and the TRIPS waiver. Can J Public Health 112, 543–547 (2021). https://doi.org/10.17269/s41997-021-00541-4//lhs-ap]

Will the TRIPS waiver increase vaccine supply?

Yes, if patent-holding companies are willing to share the technology and know-how associated with their vaccines. Early in the pandemic, the WHO’s COVID-19 Technology Access Pool was created to promote this, but no patent-holding manufacturers have joined, and its open-access intention was ridiculed for undermining their business model. There is now a proposal to create a ‘technology transfer hub’, with WHO calling specifically for an mRNA technology transfer hub since these vaccines show the most efficacy, the greatest likelihood of adaptation to variants, and a relative ease in scaling up production capacities. To be successful, “owners…of technology and/or intellectual property rights” of these vaccines must be “willing to contribute” their “know-how and technology” (WHO 2021b).

The proposed TRIPS waiver becomes leverage to incentivize such sharing. Without it, there would be little compulsion for current vaccine patent-holders to voluntarily share, given their reluctance to do so since the race for COVID-19 vaccine discovery began. It would allow governments that presently oppose the waiver to recognize its role less as a temporary denial of intellectual property rights than acknowledgement that the ‘warp speed’ development of COVID-19 vaccines was almost entirely funded or underwritten by public funds. It will also require governments that are home countries to vaccine patentee companies to persuade them to share, which could include some modest royalties but not the multi-billion-dollar profits some of them anticipate.

#### Yes production capacity – IP is the only barrier

Fatton, Jr., 9/6 [Robert, Department of Politics, University of Virginia, Charlottesville, VA; “The Paradoxes of the Pandemic and World Inequalities;” Soc. Sci. 2021, 10, 332. doi.org/10.3390/socsci10090332//lhs-ap]

Given such obdurate limitations to developing a modicum of equity, what is to be done? The best hope is compelling pharmaceutical giants to accept a temporary waiver of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) regulating the production of COVID-19 vaccines. The waiver, which has the support of over 100 countries would grant intellectual property (IP) exemption to potential producers until a majority of the world’s population had been immunized against Covid.105 In December 2020, wealthy nations hosting “big pharma” companies pressured the World Trade Organization (WTO to reject the waiver that South Africa and India had proposed. The waiver would allow countries like India, South Africa, Thailand, Bangladesh and Brazil to manufacture the vaccines themselves, thereby increasing global production and satisfying the unmet needs of the Global South.106 As of February 2021, “only 43 per cent of reported COVID-19 vaccine production capacity [was] being used for the approved vaccines. According to the People’s Vaccine campaign, the three biggest manufacturers in the world [were] only producing vaccines for about 1.5 per cent of the global population—much less than their total capacity if patents did not stand in the way”.107 Unless the IP waiver is granted, there is a danger that “it will take seven years for enough of the world to be vaccinated to prevent further transmission”.108

#### Public funding, not intellectual property, drives vaccine innovation

Rajeesh Kumar is Associate Fellow at Manohar Parrikar Institute for Defence Studies and Analyses, New Delhi. 7/12/21 <https://www.idsa.in/issuebrief/wto-trips-waiver-covid-vaccine-rkumar-120721>

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.

#### Waiver solves funding by incentivizing investment

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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.

### 1AC – Framing

#### The meta-ethic is desire.

#### We can’t obtain evidence of goodness without desire – a posteriori knowledge outweighs.

Sayre-McCord 01

Geoffrey Sayre-McCord, Philosophy, University of North Carolina, Chapel Hill, "Mill's “Proof” Of The Principle of Utility: A More Than Half-Hearted Defense", Social Philosophy and Policy, 2001, accessed: 1 April 2020, <https://www.cambridge.org/core/journals/social-philosophy-and-policy/article/mills-proof-of-the-principle-of-utility-a-more-than-halfhearted-defense/FDBE07CBE08D4E17523930BF8C7BBC32>, R.S.

How is the argument supposed to go, if not by way of these multiple fallacies? Let us start with the principle of evidence and the analogy Mill draws between visibility and desirability. What is the analogy supposed to be if not one that commits Mill to interpreting "desirable" as "capable of being desired"? When it comes to visibility, no less than desirability, Mill explicitly denies that a "proof" in the "ordinary acceptation of the term" can be offered.25 As he notes, "To be incapable of proof by reasoning is com mon to all first principles; to the first premises of our knowledge, as well as to those of our conduct."26 Nonetheless, support -- that is, evidence, though not proof -- for the first premises of our **knowledge** is **provided by** "our **senses, and** our internal **consciousness.**" Mill's suggestion is that, when it comes to the first principles of conduct, desire play the same epistemic role that the senses play, when it comes to the first principles of knowledge. To understand this role, it is important to distinguish the fact that someone is sensing something from what is sensed, which is a distinction mirrored in the contrast bet ween the fact that someone is desiring something and what is desired. In the case of our senses, the evidence we have for our judgments concerning sensible qualities traces back to what is sensed, to the content of our sense-experience. Likewise, Mill is suggesting, in the case of value, the evidence we have for our judgments concerning value traces back to what is desired, to the content of our desires. Ultimately, the grounds we have for holding the principles we do must, he thinks, be traced back to our experience, to our senses and desires. Yet the evidence we have is not that we are sensing or desiring something but what it is that is sensed or desired.27 When we are having sensations of red, when what we are looking at appears red to us, we have evidence (albeit overrideable and defeasible evidence) that the thing is red. Moreover, if things never looked red to us, we could never get evidence that things were red, and would indeed never have developed the concept of redness. Similarly, when we are desiring things, when what we are considering appears good to us, we have evidence (albeit overrideable and defeasible evidence) that the thing is good. Moreover, **if we never desired** things, **we could never get evidence** that **things were good, and** would indeed **never have developed** the concept of **value.**

28 Recall that desire, for Mill, like taste, touch, sight, and smell, is a "passive sensibility." All of these, he holds, provide us with both the content that makes thought possible and the evidence we have for the conclusions that thought leads us to embrace. "Desiring a thing" and "thinking of it as desirable (unless for the sake of its consequences)" are treated by Mill as one an d the same, just as seeing a thing as red and thinking of it as red are one and the same.29 Accordingly, a person who desires x is a person who ipso facto sees x as desirable.30 Desiring something, for Mill, is a matter of seeing it under the guise of the good.31 This means that it is important, in the context of Mill's argument, that one not think of desires as mere preferences or as just any sort of motive. They constitute, according to Mill, a distinctive subclass of our motivational states, and are distinguished (at least in part) by t heir evaluative content.32 Thus, Mill is neither assuming nor arguing that something is good because we desire it; rather, he is depending on our desiring it as establishing that we see it as good. Mill's aim is to take what people already, and he thinks inevitably, see as desirable and argue that those views commit them to the value of the general happiness (whet her or not their desires follow the deliverances of t heir reason). Those who, like Mill, desire the general happiness already hold the view that the general happiness is desirable. They accept the claim that Mill is trying to defend. As Mill knows, however, there are many who do not have this desire -- many who desire only their own happiness, and some who even desire that others suffer. These are the people he sets out to persuade, along with others who are more generous and benevolent, but who nonetheless do not see happiness as desirable, and the only thin g desirable, as an end. Mill's argument is directed at convincing t hem all -- whether their desires follow or not -- that they have grounds for, and are in fact already com mitted to, regarding the happiness of others as valuable as an end. At the same time, while desiring something is a matter of seeing it as good, one could, on Mill's view, believe that something is good without desiring it, just as one can believe something is red without seeing it as red. While desire is supposed to be the fundamental source of our concept of, and evidence for, desirability, once the concept is in place there are contexts in which we will have reason to think it applies even when the corresponding sensible experience is lacking. Indeed, in Chapter IV, Mill is concerned not with generating a desire but with justifying the belief that happiness is desirable, and the only thing desirable, as an end, and so concerned with defending the standard for determining what should be desired.33 Mill recognizes that whatever argument he might hope to offer will need to appeal to evaluative claims people already accept (since he takes to heart Hume's caution concerning inferring an 'ought' from an 'is').34 The claim Mill thinks he can appeal to -- that one's own happiness is a good (i.e. desirable) -- is something licensed as available by people desiring their own happiness. Yet he is not supposing here that the fact that they desire their own happiness, or anything else, is proof that it is desirable, just as he would not suppose that the fact that someone sees something as red is proof that it is. Rather, he is supposing that if people desire their own happiness, or see something as red, one can rely on t hem having available, as a premise for further argument, the claim that their own happiness is desirable or that the thing is red (at least absent contrary evidence).35 As he puts it in the third paragraph, "If the end which the utilitarian doctrine proposes to itself were not, in theory and in practice, acknowledged to be an end nothing could ever convince any person that it was so." Thus, in appealing to the analogy bet ween judgments of sensible qualities and judgments of value, Mill is not trading on an ambiguity, nor does his argument here involve identifying being desirable with being desired or assuming that "desirable" means "desired." He is instead relying consistently on an empiricist account of concepts and their application -- on a view according to which we have the concepts, evidence, and knowledge we do only thanks to our having experiences of a certain sort. In the absence of the relevant experiences, he holds (with other empiricists), we would not only lack the required evidence for our judgments, we would lack the capacity to make the judgments in the first place. **In** the **presence of** the relevant **experience**s, though, **we have** both the concepts and the required **evidence** -- "not only all the proof which the case admits of, but all which it is possible to require."36

#### The standard is maximizing expected wellbeing.

#### 1] Pleasure is intrinsically valuable and pain is intrinsically disvaluable

Moen 16 [Ole Martin Moen, Research Fellow in Philosophy at University of Oslo “An Argument for Hedonism” Journal of Value Inquiry (Springer), 50 (2) 2016: 267–281] SJDI

Let us start by observing, empirically, that **a widely shared judgment about intrinsic value and disvalue is that pleasure is intrinsically valuable and pain is intrinsically disvaluable.** **On virtually any proposed list of intrinsic values and disvalues (we will look at some of them below), pleasure is included among the intrinsic values and pain among the intrinsic disvalues.** This inclusion makes intuitive sense, moreover, for **there is something undeniably good about the way pleasure feels and something undeniably bad about the way pain feels, and neither the goodness of pleasure nor the badness of pain seems to be exhausted by the further effects**

**that these experiences might have.** “Pleasure” and “pain” are here understood inclusively, as encompassing anything hedonically positive and anything hedonically negative.2 **The special value statuses of pleasure and pain are manifested in how we treat these experiences in our everyday reasoning about values.** If you tell me that you are heading for the convenience store, **I might ask: “What for?” This is a reasonable question, for when you go to the convenience store you usually do so**, not merely for the sake of going to the convenience store, but **for the sake of achieving something further that you deem to be valuable.** You might answer, for example: “To buy soda.” This answer makes sense, for soda is a nice thing and you can get it at the convenience store. I might further inquire, however: “What is buying the soda good for?” This further question can also be a reasonable one, for it need not be obvious why you want the soda. You might answer: “Well, I want it for the pleasure of drinking it.” **If I then proceed by asking “But what is the pleasure of drinking the soda good for?” the discussion is likely to reach an awkward end. The reason is that the pleasure is not good for anything further; it is simply that for which going to the convenience store and buying the soda is good.**3 As Aristotle observes**: “We never ask [a man] what his end is in being pleased, because we assume that pleasure is choice worthy in itself.**”4 Presumably, a similar story can be told in the case of pains, for if someone says “This is painful!” we never respond by asking: “And why is that a problem?” We take for granted that if something is painful, we have a sufficient explanation of why it is bad. If we are onto something in our everyday reasoning about values, it seems that **pleasure and pain are both places where we reach the end of the line in matters of value.**