## 1

#### **FDI is expected to recover but is tentative – uncertainties from pandemic and economic recovery**

UNCTAD 7/21, 6-21-2021, [United Nations Conference on Trade and Development "Global foreign direct investment set to partially recover in 2021 but uncertainty remains," UNCTAD, https://unctad.org/news/global-foreign-direct-investment-set-partially-recover-2021-uncertainty-remains]//anop

Looking ahead, global FDI flows are expected to bottom out in 2021 and recover some lost ground with an increase of 10% to 15% (Figure 2). “This would still leave FDI some 25% below the 2019 level. Current forecasts show a further increase in 2022 which, at the upper bound of projections, bring FDI back to the 2019 level,” said UNCTAD’s director of investment and enterprise, James Zhan. Figure 2 - Foreign direct investment outflows, top 20 home economies, 2017 and 2018 (Billions of dollars) Figure 2 - Foreign direct investment outflows Source: UNCTAD, World Investment Report 2021. Prospects are highly uncertain and will depend on, among other factors, the pace of economic recovery and the possibility of pandemic relapses, the potential impact of recovery spending packages on FDI, and policy pressures. The relatively modest recovery in global FDI projected for 2021 reflects lingering uncertainty about access to vaccines, the emergence of virus mutations and the reopening of economic sectors. “Increased expenditures on both fixed assets and intangibles will not translate directly into a rapid FDI rebound, as confirmed by the sharp contrast between rosy forecasts for capex and still-depressed greenfield project announcements,” Mr. Zhan said. The FDI recovery will be uneven. Developed economies are expected to drive global growth in FDI, both because of strong cross-border mergers and acquisitions (M&A) activity and large-scale public investment support. FDI inflows to Asia will remain resilient as the region has stood out as an attractive destination for international investment throughout the pandemic. A substantial recovery of FDI to Africa and to Latin America and the Caribbean is unlikely in the near term.

#### **The plan decreases foreign direct investment from lack of confidence – turns case**

Mansuri 15, Daniel E. Mr., [In Partial Fulfillment of the Requirements for the Degree of Bachelors of Science "Compulsory Licenses: Damaging Firm Value in the Short Run?" (2015). Honors Theses. 141. http://scarab.bates.edu/honorstheses/141]//anop  
The issuance of a compulsory license by a developing nation may also come with other negative consequences like divestment by large multinational pharmaceutical companies. This can be assessed by the change in total foreign direct investment (FDI) into a country. FDI is the flow of people, capital, and technology from one country to another. In the pharmaceutical industry, FDI is usually the acquisition or production of subsidiaries in the host country(R. C. C. Bird, Daniel R. , 2008). FDI has been used in the past as a metric to judge confidence in the host nation. A significant portion of pharmaceutical companies’ worry comes about due to the potential for compulsory license mishandling and very high transaction costs for both companies and nations. If a country is likely to enter into a compulsory license, it may be in the multinational firm’s best interest to avoid ventures into that country and seek a more friendly business environment rather than deal with the constant threat of a license and the high legal costs if they do come to fruition (Bird, 2009). Additionally, manufacturers tasked with production of the compulsory licensed drug may take advantage of the license and attempt to generate profit rather than alleviate the epidemic through low cost 21 medication. For example, the Washington Post in 2002 reported that “Nearly $18 million worth of reduced-price HIV drugs intended for impoverished Africans have been intercepted by profiteers and shipped back to Europe to be sold at marked-up price” (HST, 2002). While this number is not large for the bottom line of a pharmaceutical company, parallel imports / arbitrages have the potential to eat away significantly at the earnings potential of a drug and also harm the intended beneficiaries of the drug. Due to parallel imports, there is the potential for extreme negative consequences of a compulsory license for the multinational entities (MNEs) profits even if the issuing nation is a negligible market, especially since the company itself cannot control the distribution during a compulsory license. Egypt is an example of what can happen when a country seemingly oversteps their bounds with respect to a compulsory license and then suffers significant negative consequences. Egypt has, historically, been in favor of the use of compulsory licensing for drugs, although perhaps for questionable reasons (Aziz, 2003). It has cited reasons including that the current price of the drug is too high, and it does not meet demand. As unfortunate as this may be, the drug price being too high for a non-essential medication is not in itself enough to warrant the issuance of a compulsory license under the Doha declaration. Egypt’s issuance of a compulsory license on Viagra in 2002 illustrates this perfectly. While some may argue this medication is of the utmost importance, it is difficult to believe that Egypt was suffering so severely, or so much worse than the rest of the world, as to warrant considering it a public health issue. Although “local pharmaceutical manufacturers [accused] the Egyptian Ministry of Health of exploiting Egypt’s poor by granting Pfizer the exclusive right to sell Viagra within Egypt’s 22 borders,” that is not enough reason to grant a compulsory license (R. C. Bird, 2009). The issuance of the license exemplifies the potential misuse of the compulsory license system. This license was granted because of political pressure applied by small pharmaceutical companies within Egypt, not by individuals looking out for the public health of Egyptian citizens. Additionally, the argument made for the compulsory license was a financial one, and not an essential medicine one, which does not constitute a reason for a compulsory license under TRIPS and the Doha Declaration. Multinational corporations met the issuance of a compulsory license by Egypt first with harsh criticism, then with action. Their action was catalyzed by their lack of faith in Egypt’s intellectual property laws. This was highlighted when Egyptian representatives to pharmaceuticals were informed that their weak patent landscape had cost them over $300 million of investment into their pharmaceutical sector (Aziz, 2003). While the Viagra license exemplifies the potential for abuse, the weak patent landscape had already been hurting Egypt’s economy significantly. The amount of foreign direct investment into Egypt declined from about $950 million dollars in 1987 to $425 million in 2002 (R. C. C. Bird, Daniel R. , 2008). While the authors’ conclusion does seem a little ambitious and one-dimensional given Egypt’s tumultuous political scene, it is clear that when used and misused, the issuance of a compulsory license can have strong negative consequences on the non-generic pharmaceutical sector of a nation. While Egypt is a good example of the potential impacts of compulsory license misuse on foreign direct investment, other nations have dealt with similar issues as well. In the time immediately following TRIPS, the Argentine Senate forced through 23 legislation which enacted patent law inconsistent with TRIPS, causing a reduction in trust from MNE’s (R. C. Bird, 2009). For example, upon filing an appeal against a compulsory license, the license would not be suspended immediately. Rather, the patent office would wait for the ruling of the court (R. C. Bird, 2009) to require the suspension of the license. This allowed for imitation to occur easier, causing serious revenue loss for MNE’s. In the period after this new Argentine legislation, countries such as Germany and Sweden actively voiced concern and stated that the lack of IPR was the central concern of business owners considering entering into Argentina (R. C. Bird, 2009). Overall, it has been shown that the issuance of a compulsory license has the potential to cause severe negative consequences to the issuing nation. There is not much information about how the license affects the value of the company that the license was issued against. I will address this by examining how the value of a firm does or does not change after the announcement of a compulsory license.

#### **FDI is key to long term economic stability – it dictates future investments and industries**

Susic et al 17 [I Susic1 , M Stojanovic-Trivanovic2 and M Susic3 1University of Business Studies, Jovan Ducic Street, No 23A, 78000 Banja Luka, Bosnia and Herzegovina 2 Independent University Banjaluka, Veljka Mladjenovica Street No 12E, 78000 Banja Luka, Bosnia and Herzegovina 3Enterprise Fructa Trade – Kort, Marije Bursac Street No 70, 74400 Derventa, Bosnia and Herzegovina 2017 IOP Conf. Ser.: Mater. Sci. Eng. 200 012019. https://iopscience.iop.org/article/10.1088/1757-899X/200/1/012019/pdf]//anop

Foreign direct investments (FDI) represent such a form of investment in which foreign investor keeps the ownership right, provides the control and the management of the firm in which they invested the funds, in order to achieve long-term interests. These investments are the most important instrument of foreign capital inflow because they represent a direct inflow from abroad, i.e. direct inflow of the capital in the economic system of the host country. Foreign direct investment, as a form of international capital mobility, represents an important contributor to more efficient activities in the economy. They provide faster exit to the international market and as the aftermath are ensuring improved the living standard of the society. Evaluation of investment efficiency is the basis for making investment decisions from one country to another, which will consequently lead to improvement of the economy. Foreign investments are a key development factor in the modern economy, and jointly with the trade, represent the most important leverage of an enterprise, organization of production, supplying goods and services on a global scale. FDI are supporting the companies in organizing production on a global scale, providing an efficient supply of raw materials, energy, labor as the input, and are facilitating the placement of products and services as the output in the most important markets in a profitable way. On the basis of such activities, the companies can on optimal way use its advantages in technology, expertise, and economies of scale. Developing countries having high state debt and unfavorable economic situation show huge interest in gaining as higher foreign investments as possible. It has been especially important after bank loans and various financial aid ceased to arrive in some countries. Countries in transition, aiming to integrate into the world economic system, can overcome negative economic tendencies with the help of international capital inflow. Developed countries, faced with a financial crisis, have been also interested in an increased inflow of foreign capital, since the foreign investments are the most important element of development strategies in general. With foreign direct investment is not coming just the capital from one country to another, but also the investment package containing new technologies, managerial skills and new markets. In addition, bearing higher risks, FDIs are significantly increasing the opportunities for making profits. Foreign direct investments are autonomous transactions of long-term capital movements, motivated by economic interests, with the profit at the first place.\

#### **FDI is key to COVID recovery – increases employment and strengthens relations between countries.**

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Just as the adverse health effects of COVID-19 will not vanish immediately but will be resolved in stages, so too will the global economy recover in stages, across industries and around the world. As both Western economies and emerging markets consider approaches to accelerate post COVID-19 economic recovery, foreign direct investment (FDI) will be an important tool for success. FDI has been one of the primary drivers of global GDP growth in recent years. FDI not only benefits economies by creating good paying jobs, it also strengthens bilateral and regional diplomatic and commercial relations among countries. Further, FDI enables the private sector to “export” best business practices, such as good corporate governance, anti-corruption, and transparency. During the pre-COVID-19 economic boom, for example, FDI in the U.S. grew dramatically. In 2015, total foreign investment in America peaked at $477 billion. In 2018, FDI fell to $296 billion, but was still significant. Attracting FDI was also an important policy objective in emerging economies prior to the COVID-19 pandemic. According to the UNCTAD 2020 World Investment Report, in 2019, 54 countries introduced at least 107 measures affecting foreign investment, most of them focused on investment liberalization, promotion and facilitation. This effort was led by Asian developing countries and emerging economies. The goal of expanding investment incentives regimes in diverse sectors, from mining to financial services, and streamlining administrative procedures, has been to maintain and increase high volumes of FDI into developing markets. COVID-19 may lead to some changes in the tactics that countries employ to attract FDI. Governments will be under pressure to ensure that the quest for FDI is appropriately balanced with efforts to protect economic resilience and national security. Can FDI stimulate the world economy post-COVID-19? It appears likely, as many assets have seen reduced valuations that can attract foreign investment. Yet while both developed and emerging economies signal that they are open for investment, COVID-19 may lead to some changes in the tactics that countries employ to attract FDI. Governments will be under pressure to ensure that the quest for FDI is appropriately balanced with efforts to protect economic resilience and national security. This may mean increased screening by investment review agencies, such as the Committee on Foreign Investment in the United States (CFIUS). COVID-19 has exposed supply chain vulnerabilities in the U.S. and other countries and has shown how struggles to acquire the products to meet citizens’ healthcare needs can become a matter of national security. In COVID-19’s wake, the scope of transactions to be reviewed by entities like CFIUS from a national security standpoint may need to be expanded to include health care considerations, to ensure that FDI does not interfere with the ability to procure necessary supplies.

#### Continued recession causes war – stats support transition wars, resource conflicts, terrorism, and diversionary wars – other authors don’t base their analysis on global studies

Royal ’10 [Jedediah, Director of Cooperative Threat Reduction at the U.S. Department of Defense, “Economic Integration, Economic Signaling and the Problem of Economic Crises”, 2010, Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215]PM

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent slates. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level. Pollins (2008) advances Modelski and Thompson's (19%) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often-bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (sec also Gilpin. 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fearon, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner, 1999). Separately. Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level. Copeland's (1996. 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, likelihood for conflict increases. as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write, The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession lends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & I less. 2002. p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg. Hess. & Wccrapana. 2004). which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory' suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DcRoucn (1995), and Blomberg. Mess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DcRoucn (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention. This observation is not contradictory to other perspectives that link economic interdependence with a decrease in the likelihood of external conflict, such as those mentioned in the first paragraph of this chapter. Those studies tend to focus on dyadic interdependence instead of global interdependence and do not specifically consider the occurrence of and conditions created by economic crises. As such, the view presented here should be considered ancillary to those views.

**That causes global nuclear war.**

Merlini ’11 [Cesare, was a nonresident senior fellow at the Center on the United States and Europe and is chairman of the Board of Trustees of the Italian Institute for International Affairs (IAI) in Rome, “A Post-Secular World?”, 03-30-2011, Routledge, https://www.brookings.edu/wp-content/uploads/2016/06/04\_international\_relations\_merlini.pdf]PM

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails the premature crumbling of the post-Westphalian system. One or more of the acute tensions apparent today evolves into an open and traditional conflict between states, perhaps even involving the use of nuclear weapons. The crisis might be triggered by a collapse of the global economic and financial system, the vulnerability of which we have just experienced, and the prospect of a second Great Depression, with consequences for peace and democracy similar to those of the first. Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism.

## 2

#### CP: Member nations of the World Trade Organization should enter into a prior and binding consultation with the World Health Organization over reducing intellectual property protections by implementing a one-and-done approach for patent protection. Member nations will support the proposal and adopt the results of consultation.

#### WHO says yes – it supports increasing the availability of generics and limiting TRIPS

Hoen 03 [(Ellen T., researcher at the University Medical Centre at the University of Groningen, The Netherlands who has been listed as one of the 50 most influential people in intellectual property by the journal Managing Intellectual Property, PhD from the University of Groningen) “TRIPS, Pharmaceutical Patents and Access to Essential Medicines: Seattle, Doha and Beyond,” Chicago Journal of International Law, 2003] JL

However, subsequent resolutions of the World Health Assembly have strengthened the WHO’s mandate in the trade arena. In 2001, the World Health Assembly adopted two resolutions in particular that had a bearing on the debate over TRIPS [30]. The resolutions addressed:

– the need to strengthen policies to increase the availability of generic drugs;

– and the need to evaluate the impact of TRIPS on access to drugs, local manufacturing capacity, and the development of new drugs

#### Consultation displays strong leadership, authority, and cohesion among member states which are key to WHO legitimacy

Gostin et al 15 [(Lawrence O., Linda D. & Timothy J. O’Neill Professor of Global Health Law at Georgetown University, Faculty Director of the O’Neill Institute for National & Global Health Law, Director of the World Health Organization Collaborating Center on Public Health Law & Human Rights, JD from Duke University) “The Normative Authority of the World Health Organization,” Georgetown University Law Center, 5/2/2015] JL

Members want the WHO to exert leadership, harmonize disparate activities, and set priorities. Yet they resist intrusions into their sovereignty, and want to exert control. In other words, ‘everyone desires coordination, but no one wants to be coordinated.’ States often ardently defend their geostrategic interests. As the Indonesian virus-sharing episode illustrates, the WHO is pulled between power blocs, with North America and Europe (the primary funders) on one side and emerging economies such as Brazil, China, and India on the other. An inherent tension exists between richer ‘net contributor’ states and poorer ‘net recipient’ states, with the former seeking smaller WHO budgets and the latter larger budgets.

Overall, national politics drive self-interest, with states resisting externally imposed obligations for funding and action. Some political leaders express antipathy to, even distrust of, UN institutions, viewing them as bureaucratic and inefficient. In this political environment, it is unsurprising that members fail to act as shareholders. Ebola placed into stark relief the failure of the international community to increase capacities as required by the IHR. Guinea, Liberia and Sierra Leone had some of the world's weakest health systems, with little capacity to either monitor or respond to the Ebola epidemic.20 This caused enormous suffering in West Africa and placed countries throughout the region e and the world e at risk. Member states should recognize that the health of their citizens depends on strengthening others' capacity. The WHO has a central role in creating systems to facilitate and encourage such cooperation.

The WHO cannot succeed unless members act as shareholders, foregoing a measure of sovereignty for the global common good. It is in all states' interests to have a strong global health leader, safeguarding health security, building health systems, and reducing health inequalities. But that will not happen unless members fund the Organization generously, grant it authority and flexibility, and hold it accountable.

#### WHO is critical to disease prevention – it is the only international institution that can disperse information, standardize global public health, and facilitate public-private cooperation

Murtugudde 20 [(Raghu, professor of atmospheric and oceanic science at the University of Maryland, PhD in mechanical engineering from Columbia University) “Why We Need the World Health Organization Now More Than Ever,” Science, 4/19/2020] JL

WHO continues to play an indispensable role during the current COVID-19 outbreak itself. In November 2018, the US National Academies of Sciences, Engineering and Medicine organised a workshop to explore lessons from past influenza outbreaks and so develop recommendations for pandemic preparedness for 2030. The salient findings serve well to underscore the critical role of WHO for humankind.

The world’s influenza burden has only increased in the last two decades, a period in which there have also been 30 new zoonotic diseases. A warming world with increasing humidity, lost habitats and industrial livestock/poultry farming has many opportunities for pathogens to move from animals and birds to humans. Increasing global connectivity simply catalyses this process, as much as it catalyses economic growth.

WHO coordinates health research, clinical trials, drug safety, vaccine development, surveillance, virus sharing, etc. The importance of WHO’s work on immunisation across the globe, especially with HIV, can hardly be overstated. It has a rich track record of collaborating with private-sector organisations to advance research and development of health solutions and improving their access in the global south.

It discharges its duties while maintaining a dynamic equilibrium between such diverse and powerful forces as national securities, economic interests, human rights and ethics. COVID-19 has highlighted how political calculations can hamper data-sharing and mitigation efforts within and across national borders, and WHO often simply becomes a convenient political scapegoat in such situations.

International Health Regulations, a 2005 agreement between 196 countries to work together for global health security, focuses on detection, assessment and reporting of public health events, and also includes non-pharmaceutical interventions such as travel and trade restrictions. WHO coordinates and helps build capacity to implement IHR.

#### WHO diplomacy solves great power conflict

Murphy 20 [(Chris, U.S. senator from Connecticut serving on the U.S. Senate Foreign Relations Committee) “The Answer is to Empower, Not Attack, the World Health Organization,” War on the Rocks, 4/21/2020] JL

The World Health Organization is critical to stopping disease outbreaks and strengthening public health systems in developing countries, where COVID-19 is starting to appear. Yemen announced its first infection earlier this month, and other countries in Africa, Asia and the Middle East are at severe risk. Millions of refugees rely on the World Health Organization for their health care, and millions of children rely on the WHO and UNICEF to access vaccines.

The World Health Organization is not perfect, but its team of doctors and public health experts have had major successes. Their most impressive claim to fame is the eradication of smallpox – no small feat. More recently, the World Health Organization has led an effort to rid the world of two of the three strains of polio, and they are close to completing the trifecta.

These investments are not just the right thing to do; they benefit the United States. Improving health outcomes abroad provides greater political and economic stability, increasing demand for U.S. exports. And, as we are all learning now, it is in America’s national security interest for countries to effectively detect and respond to potential pandemics before they reach our shores.

As the United States looks to develop a new global system of pandemic prevention, there is absolutely no way to do that job without the World Health Organization. Uniquely, it puts traditional adversaries – like Russia and the United States, India and Pakistan, or Iran and Saudi Arabia – all around the same big table to take on global health challenges. It has relationships with the public health leaders of every nation, decades of experience in tackling viruses and diseases, and the ability to bring countries together to tackle big projects. This ability to bridge divides and work across borders cannot be torn down and recreated – not in today’s environment of major power competition – and so there is simply no way to build an effective international anti-pandemic infrastructure without the World Health Organization at the center.

## 3

#### First, Practical Reason exists—

#### [A] An agent’s will acts on a law that it gives to itself. If pleasure were a law, then you would straightaway do the pleasurable act, but since you’re autonomous, you can reason about taking the action. Thus a condition of action is that the will is self-determined. Without practical reason, moral reason and action could not exist

#### Korsgaard

“Self-Constitution in the Ethics of Plato and Kant” by Christine M. Korsgaard

“Now I’m going to argue that that sort of willing is impossible. The first step is this: : **to conceive** of **yourself as the cause of your actions is to identify with** **the principle of choice on which you act.** A rational will is a self-conscious causality, and a self-conscious causality is aware of itself as a cause. To be aware of yourself as a cause is to identify yourself with something in the scenario that gives rise to the action, and this must be the principle of choice. For instance**, suppose you experience a conflict** of desire: you have a desire to do both A and B, and they are incompatible. You have **some principle** that **favors** **A over B,** so you exercise this principle, and **you choose** to do **A. In this** kind of **case**, you do not regard yourself as a mere passive spectator to the battle between A and B. **You regard the choice as yours**, as the product of your own activity, **because you regard the principle** of choice **as expressive**, or representative, **of yourself.** You must do so, for **the** only **alternative** to identifying with the principle of choice **is regarding the principle** of choice **as some third** **thing in you**, another force on a par with the incentives to do A and to do B, which happened to throw in its weight in favor of A, in a battle at which you were, after all, a mere passive spectator. **But then you are not the cause** **of the action.** Self-conscious or rational agency, then, requires identification with the principle of choice on which you act.” (123)

#### [B] Reason’s inescapable – Questioning if one can reason or why to reason requires reason, conceding authority to practical reason—outweighs because any other ethic begs the question of why, meaning it’s arbitrary and nonbinding

#### [C] Performativity – debating in this round forces reason in terms of evaluating arguments and having the authority to decide what to read

#### Second, a rational will must set ends with reciprocal constraints—

#### [A] Anything else justifies that someone could impede your ability to achieve your end in the first place and would restrict self-sufficiency, the root cause of action, which also means reason contains end-based framework.

**Engstrom**, Stephen [“Universal Legislation As the Form of Practical Knowledge. University of Pittsburgh, ND]

I’ll begin with the case of natural justice. **Since this obligation is founded on the practical knowledge of self-sufficiency as an end, and since self-sufficiency, according to its very idea, can never be augmented, but only restricted, by the actions of others, the maxim we have to consider is one prescribing action that restricts others’ self-sufficiency**. This restriction can be more precisely characterized, however, as the **limitation of what Kant calls outer freedom**. For as I’ll now try to explain, outer freedom is just what self-sufficiency requires, as a negative condition, in relation to others. Kant describes outer freedom as an “**independence from the necessitating power of choice of another**” (MS237). In other words, **outer freedom lies in the independence of one’s capacity to pursue one’s ends from hindrance to its exercise stemming from the power of choice of 19another.** That one’s capacity to pursue one’s ends can be subject to such hindrance from another is, of course, clear. Where diverse persons share a practical world, where in other words they are present together in the world in such a way that it’s possible for any one of them both to know what action another of them intends and also to act in ways that prevent or hinder that action (or, as we might also say, where mutual recognition and mutual influence are possible), **the outer freedom of one such person is limited to the extent that another chooses to prevent or to hinder the former’s action and succeeds in the attempt.** Where a person’s actions constitute such hindrances they can accordingly be described—to borrow a phrase from Kant—as “assaults on the freedom... of others” (G430).**19 Now since the material ends a person pursues in acting are all united in the fundamental end of happiness, generically conceived, outer freedom amounts to independence from hindrances by others to one’s pursuit of that basic end. Thus any assault on this freedom, to the extent that it’s successful, is a limitation of a person’s capacity to realize this end. And since this capacity is just what self-sufficiency consists in, this freedom is nothing other than the independence from other persons requisite for self-sufficiency, and it can therefore be regarded,** in a negative sense**, as self-sufficiency itself in relation to others.** Given the preceding considerations, it’s a straightforward matter to see how a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law in accordance with the foregoing account of the formula of universal law. **Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so** augments, or **extends, one’s own outer freedom and so also one’s own self-sufficiency.** 20Now on the interpretation we’ve been entertaining, applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share the practical judgment asserting the goodness of every person’s acting according to the maxim in question. **Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. Since here all persons are on the one hand deeming good both the limitation of others’ freedom and the extension of their own freedom, while on the other hand, insofar as they agree with the similar judgments of others, also deeming good the limitation of their own freedom and the extension of others’ freedom, they are all deeming good both the extension and the limitation of both their own and others’ freedom. These judgments are inconsistent insofar as the extension of a person’s outer freedom is incompatible with the limitation of that same freedom**.

#### [B] If we are under that authority of reason, we act since we reason action is good. Actions can only be good because we have rationally chosen them. Respecting someone as a rational being means respecting their right to make decisions on their actions. That forbids infringing on other’s freedoms because it undermines value to action in the first place because every agent must be able to attribute value to an end. Anything else fails to attribute value to an action – making it impossible to determine moral action.

#### Thus, the standard is respecting a system of inner and outer freedom

#### Prefer:

#### Action Theory: Only reason can explain why we take transitional action to an overall end. For example, setting the end of tea provides me a reason to unify the necessary actions to produce tea, like getting a pot, filling it with water, etc. Any other explanation fails since it can’t give meaning to why we take transitioning action – freezing action. 2 Impacts—

#### That’s a side constraint on the AC—ethics is a guide to action so it must appeal to a structure of action.

#### Bindingness—reason is intrinsic to actions since only it can provide value to transitioning action, which justifies universality

#### Presume freedom since it allows each of us to pursue our individual search for ethics so the NC co-opts every reason your framework is good, but adds an additional side constraint. This also serves as a tiebreaker

#### Negate –

#### Reducing IP rights allows for freeriding which is against the categorical imperative.

**Van Dyke, 18** (Raymond Van Dyke, Raymond Van Dyke is an Attorney and Educator. In his practice he helps a variety of clients in their IP matters., 7-17-2018, accessed on 8-14-2021, IPWatchdog.com | Patents & Patent Law, "The Categorical Imperative for Innovation and Patenting - IPWatchdog.com | Patents & Patent Law", https://www.ipwatchdog.com/2018/07/17/categorical-imperative-innovation-patenting/id=99178/)

But there was another philosopher, contemporaneous with the Founders, that bears notice, Immanuel Kant, who had a different take on moral and political philosophy, including the Categorical Imperative. Kant spent his life trying to distill the issues of morality into a logical framework. Just as the natural scientists of the Enlightenment were forming logical arguments concerning the physical world, e.g., physics, natural science and other disciplines, Kant tried to do the same with human morality: systematize it. In his Categorical Imperative, Kant simplifies a moral argument position for an individual by asking a question: if you thought that your position or Statement would be Universal, i.e., applicable to all people, it would have the stance of a Categorical Imperative and thus you must do it. For example, a Statement that I should try to save a person that is drowning can be considered a Categorical Imperative since this would be a betterment of humanity. However, the proposition or Statement that it should be ok for me to steal another’s car is not a betterment at all. Applying this as a universal law would lead to societal chaos and possible collapse since thievery would reign, and anarchy would result. Since the entire purpose of government is the protection of people (and their possessions), this Statement fails, and you are NOT compelled to act in that manner. This Statement does not rise to the level of a categorical Imperative. Intellectual property has been attacked of late on various grounds, including being less than property, and thus not entitled to the protections of the Constitution, despite the evidence to the contrary. This attitude is most recently, and most troublingly, exemplified by the U.S. Supreme Court in Oil States, where the Court equated patent rights to taxicab medallion rights. Freeriding is also being touted, subverting copyright law. Information must be free is the mantra. As we shall see, applying Kantian logic entails first acknowledging some basic principles; that the people have a right to express themselves, that that expression (the fruits of their labor) has value and is theirs (unless consent is given otherwise), and that government is obligated to protect people and their property. Thus, an inventor or creator has a right in their own creation, which cannot be taken from them without their consent. So, employing this canon, a proposed Categorical Imperative (CI) is the following Statement: creators should be protected against the unlawful taking of their creation by others. Applying this Statement to everyone, i.e., does the Statement hold water if everyone does this, leads to a yes determination. Whether a child, a book or a prototype, creations of all sorts should be protected, and this CI stands. This result also dovetails with the purpose of government: to protect the people and their possessions by providing laws to that effect, whether for the protection of tangible or intangible things. However, a contrary proposal can be postulated: everyone should be able to use the creations of another without charge. Can this Statement rise to the level of a CI? This proposal, upon analysis would also lead to chaos. Hollywood, for example, unable to protect their films, television shows or any content, would either be out of business or have robust encryption and other trade secret protections, which would seriously undermine content distribution and consumer enjoyment. Likewise, inventors, unable to license or sell their innovations or make any money to cover R&D, would not bother to invent or also resort to strong trade secret. Why even create? This approach thus undermines and greatly hinders the distribution of ideas in a free society, which is contrary to the paradigm of the U.S. patent and copyright systems, which promotes dissemination. By allowing freeriding, innovation and creativity would be thwarted (or at least not encouraged) and trade secret protection would become the mainstay for society with the heightened distrust. Also, allowing the free taking of ideas, content and valuable data, i.e., the fruits of individual intellectual endeavor, would disrupt capitalism in a radical way. The resulting more secretive approach in support of the above free-riding Statement would be akin to a Communist environment where the State owned everything and the citizen owned nothing, i.e., the people “consented” to this. It is, accordingly, manifestly clear that no reasonable and supportable Categorical Imperative can be made for the unwarranted theft of property, whether tangible or intangible, apart from legitimate exigencies. On the positive front, there is a Categorical Imperative that creators should be encouraged to create, which is imminently reasonable and supportable. Likewise, the statement set forth in the Constitution that Congress should pass laws “To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries” is supportive, as a Categorical Imperative, for the many reasons elucidated two centuries ago by Madison and others, and endorsed by George Washington, Thomas Jefferson, and later by Abraham Lincoln. A Categorical Imperative, universality, however, may be a stretch outside of the United States since other cultures may not treasure the progress of science and the useful arts and freedoms that we Americans do. Nonetheless, it is certainly a supportable proposition in the United States, and even a Categorical Imperative that we must do it!

## Case

### Framing

#### Problem of induction—I predict based on past experiences, but there’s no justification for why those past experiences are true besides they worked in the past, which is based on experiences and is circular

#### Pain and pleasure arbitrary and not a stasis point—people have different interps on whether 3 headaches or a migraine is worse

#### Extinction freezes action – there’s always a small chance I could die, which means can’t prescribe any action

#### Bindingness triggers skep, if I pull back immediately then I don’t have any control over my actions

#### Is-ought fallacy – just because the state uses aggregation doesn’t mean it should – Kant operates as a side-constraint.

### WTO Cred

They don't solve WTO cred: their Meyer 6 card is NOT about a unilateral US waiver. It says: "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."

It also says that other countries are key: "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."

They don't access the nuke war impact: their Hamann card is about voluntary compliance with WTO rules, which isn't what the plan does! The plan is ONLY unilateral US action and doesn't require other nations to voluntarily sign on.

#### Empirics confirm the WTO causes conflict --- it limits options for states to take action against others, which escalates tensions by cutting off avenues for bargaining and conflict resolution

Chatagnier and Lim 16 J. Tyson Chatagnier and Haeyong Lim, Professors of Political Science at the University of Houston, “Does the WTO Exacerbate International Conflict?” Texas Triangle. 2016. http://texastriangle.weebly.com/uploads/2/5/2/4/25249202/chatagnier\_lim\_wto\_conflict.pdf

While there has been significant empirical work on issue linkage in other areas (e.g., Davis 2004; Long and Leeds 2006; Poast 2012, 2013), there is relatively little work on the pacifying effect of issue linkage (but see Wiegand 2009). One reason might be that coding is quite demanding, and that, unlike formal alliances or trade deals, international agreements over conflict are rarely well documented.1 Nonetheless, the theoretical literature suggests that there should be a negative relationship between the ability to link issues together and the likelihood of dyadic conflict. We provide an indirect test of this hypothesis below. The GATT and the WTO In the wake of the devastation of two world wars, American and European governments looked for ways to bring about peace and prosperity in the international system. Amid fears that the destabilization of the Great Depression had been precipitated by protectionist trade policies, leaders sought to establish an institution that could facilitate trade liberalization and end trade wars. To 1This may be why Wiegand’s study—which is qualitative in nature—is one of the few that attempts to examine issue linkage directly. 5 this end, in 1947, they created the GATT. The GATT was a multilateral agreement between states (23, initially, but more than 100 by the time it was subsumed by the WTO) to reduce tariffs and other trade barriers substantially and to eliminate preferential treatment among signatories. The institution provided states with a set of agreed-upon rules, as well as a forum for negotiation, facilitating cooperation among members. When one member state believed that another was in violation of the agreement, it could invoke provisions in Articles XXII and XXIII of the agreement that called for consultation and dispute settlement. While this allowed parties to form an investigative panel to assess and resolve the dispute, Zangl (2008) points out three major obstacles to settlement: panel composition was determined by the disputants (Jackson 1997); panel reports were the result of political negotiation, rather than legal decisions (Zangl 2008); and both empanelment (Hudec 1993) and sanctions (Rosendorff 2005) required unanimous approval, meaning that the defendant ultimately held veto power. Such a system is ultimately predicated on compromise and the negotiation of self-enforcing agreements. Under GATT, aggrieved parties had no recourse but to persuade violators to alter their behavior. With the establishment of the WTO, the aforementioned problems—along with a host of other issues—were resolved. The dispute settlement mechanism (DSM) under the WTO is highly legalized, with independent judicial bodies that are charged with rendering verdicts and authorizing sanctions (Goldstein and Martin 2000; Rosendorff 2005). Under the present system, complainants have significantly increased power, and they are no longer restricted to negotiating in order to convince defendants to comply with the rules.2 For this reason, it should be unsurprising that compliance has generally increased following the judicialization of the institution (Jackson 1997; Zangl 2008). The move from the GATT framework to the WTO undoubtedly deepened the institutionalization of the trade agreement, binding its member states more tightly. Kant’s (2007 [1795]) idea of a “federation of free states” dealt primarily with the imposition of law and order upon the anarchic international system. By increasing the institution’s degree of legalization, the trade organization 2Of course, negotiation still occurs within the WTO DSM. However, disputants do so in the shadow of the panel, significantly increasing the complainant’s bargaining leverage (Poletti, De Bièvre and Chatagnier 2015). 6 brought itself closer to the Kantian ideal.3 Indeed, while the GATT satisfies only the second and fourth roles of an IGO listed above (to some extent), the WTO quite clearly fulfills all four. From this perspective, we would expect the more heavily-institutionalized WTO to reduce conflict among member states to a greater degree than its predecessor. Hypothesis 1. The establishment of the WTO reduced the instances of militarized conflict among member states. At the same time, the increase in the organization’s power has limited the actions of the constituent actors. WTO members are required to behave in a non-discriminatory manner and to abide by agreed-upon standards. Failure to comply with these rules can lead to sanctions. While many of these behaviors were prohibited under the GATT as well, the much more credible threat of punishment likely reduces a state’s economic toolkit to a greater degree. If the U.S. believes, for example, that Chinese currency manipulation is adversely affecting trade, it cannot retaliate with tariffs or import quotas without a favorable ruling from the DSM. To do otherwise would be to invite sanctions against itself. Moreover, states are stripped of a range of options that could “sweeten the deal” in negotiations. A state that attempted to offer favorable terms of trade in exchange for concessions on a different dimension would be unable to do so without offering the same terms to all other trading partners; a state that offered to rein in a trade violation would have no leverage as the opponent could appeal to the DSM to have the trade-distorting measure removed. Thus, states are left with fewer options for issue-linkage in bargaining scenarios, which suggests an opposing hypothesis.

#### WTO collapse solves extinction

Hilary 15 John Hilary 2015 “Want to know how to really tackle climate change? Pull the plug on the World Trade Organisation” <http://www.independent.co.uk/voices/want-to-know-how-to-really-tackle-climate-change-pull-the-plug-on-the-world-trade-organisation-a6774391.html> (Executive Director, War on Want)//Elmer

Yet this grandiose plan soon fell victim to its own ambition. The WTO’s first summit after the launch of the Doha Round collapsed in acrimonious failure. The next was marked by pitched battles in the streets of Hong Kong as riot police fought Asian farmers desperately trying to save their livelihoods from the WTO’s free trade agenda. The WTO slipped into a coma. Government ministers must decide this week whether to turn off its life support. The answer is surely yes. It was the WTO’s poisonous cocktail of trade expansion and market deregulation that led to the economic crisis of 2008. Years of export-led growth resulted in a crisis of overproduction that could only be sustained with mountains of debt. The parallel deregulation of financial services meant that this debt soon turned out to be toxic, and the world’s banking system went into freefall. Nor is the WTO fit for purpose on ecological grounds. If last week’s climate talks in Paris taught us anything, it is that we must rethink the model of ever-expanding production and consumption in order to avoid planetary meltdown. Global capitalism may need limitless expansion in order to survive, but the planet is already at the very limits of what it can take. The choice is ours. Worst of all, it is the WTO’s ideology of unrestricted trade and corporate domination that lies behind all the bilateral trade deals that are proliferating at the moment, including the infamous Transatlantic Trade and Investment Partnership (TTIP). We need a radically different model of regulated trade and controlled investment if we are to have any chance of breaking the cycle of economic and ecological crisis. For the planet to survive, the WTO must die.

### COVID

#### TRIPs waiver doesn’t solve- it doesn’t obligate countries to do anything, just makes it legal.

Mercurio 21 [Bryan; Professor of Law, The Chinese University of Hong Kong; "The IP Waiver for COVID-19: Bad Policy, Bad Precedent," 2021; 1-6. International Review of Intellectual Property and Competition Law.] Justin

It is not only the length of time which is an issue but also the ultimate impact of the waiver. A waiver simply means that a WTO Member would not be in violation of its WTO obligations if it does not protect and enforce the COVID-19-related IPRs for the duration of the waiver. The waiver would thus allow Members to deviate from their international obligations but not obligate Members to suspend protection and enforcement of the IPRs. Members like the US who support the waiver may not implement the necessary domestic legislation to waive IPRs within the jurisdiction. It is questionable whether the US could even legally implement the waiver given that IPRs are a matter of constitutional law.17

#### 2] 1AC solvency is contingent on winning that a vaccine waiver would solve COVID, but they never prove the infrastructure exists – prefer the NC evidence – it’s a key internal link to aff solvency that they just didn’t bother reading.

#### TL -- their only COVID impact scenario is about future pandemics, there’s no reason in the 1AC why COVID waivers solve that--only new innovation can. Squo empirically denies extinction.

**No solvency and reject "empirical" claims -- vaccines require complex infrastructure to manufacture, not just patents**

**Hotez 5/10** [Peter J. Hotez, Maria Elena Bottazzi, and Prashant Yadav. "Producing a Vaccine Requires More Than a Patent," Foreign Affairs, 5-10-2021, accessed 8-8-2021, https://www.foreignaffairs.com/articles/united-states/2021-05-10/producing-vaccine-requires-more-patent] HWIC

On May 5, President Joe Biden announced that the United States would support an international bid to waive intellectual property rights to vaccines for the duration of the coronavirus pandemic, thereby ostensibly allowing other countries to ramp up production even of the sophisticated technology behind the Pfizer-BioNTech and Moderna vaccines against COVID-19. Many in the global health community and developing world welcomed the decision as a victory for greater equity in vaccine distribution, in which middle- and low-income countries are lagging far behind wealthy ones. But the jubilation may be premature. The drive for intellectual property waivers originates in part from the world’s experience fighting the last war, against HIV/AIDS. Patent pools, intellectual property waivers, and other liberalizing mechanisms were urgent in assuring equity of access to lifesaving drugs during that epidemic. But these tools are better suited to medicines and other pharmaceuticals than to vaccines. Producing vaccines—particularly those as technologically complex as the messenger RNA (mRNA) inoculations against COVID-19—requires not only patents but an entire infrastructure that cannot be transferred overnight. The sharing of patents is an important and welcome development for the long term, but it may not even be the most pressing first step. JUST OPEN THE SPIGOT At the turn of the millennium, multinational pharmaceutical companies were charging $10,000 per patient for a daily drug regimen that could keep those infected with HIV/AIDS alive. Those in low- and middle-income countries in Africa and elsewhere could access this cocktail only under limited circumstances. Then, in 2001, the Indian drug manufacturer Cipla Limited began producing versions of a triple antiretroviral drug cocktail for a mere $350. Cipla, in collaboration with Médecins Sans Frontières (Doctors Without Borders), helped usher in a new era of global access to essential medicines—one that justified relaxing or even ignoring international patents and other property rights to produce and distribute an important and lifesaving drug as a generic. Since that time, global health advocacy organizations have found increasingly sophisticated ways to work with multinationals in ensuring access to essential medicines for low- and middle-income countries. In the 2010s, the global health initiative Unitaid helped create a Medicines Patent Pool, in which pharmaceutical companies from all over the world offered antiretroviral drug licenses, thereby creating a path for developing generic versions so long as the patent holders received royalties. The mechanism supplied voluntary licenses to new producers even while protecting the legal rights of the drugs’ original manufacturers. Companies such as Gilead, for example, have supplied voluntary licenses for their antivirals directly to generic manufacturers, allowing for tiered pricing across countries. Barely any COVID-19 vaccines have been administered in the African continent or in low- or middle-income countries in Asia and Latin America. Global health professionals have understandably sought to ascertain whether a similar approach could help make the distribution of COVID-19 vaccines less lopsided. More than one billion vaccine doses have now been administered—but overwhelmingly to people living in just a few countries. More than half have been administered in the United States (250 million) and China (290 million) alone, followed by India (160 million), the United Kingdom (51 million), and Germany (32 million). In contrast, for all practical purposes, barely any COVID-19 vaccines have been [administered](https://www.nytimes.com/interactive/2021/world/covid-vaccinations-tracker.html) in the African continent or in low- or middle-income countries in Asia and Latin America. Global health advocates have responded to this inequity by seeking to apply the lessons they learned from antiretroviral drugs and demanding patent pools or other intellectual property waivers for COVID-19 vaccines. In March 2021, Médecins Sans Frontières organized protests at the World Trade Organization (WTO) headquarters in Geneva, unfurling a banner that read, “No COVID Monopolies—Wealthy Countries Stop Blocking TRIPS Waiver,” referring to the organization’s Agreement on Trade-Related Aspects of Intellectual Property Rights. The assumption underlying such demands is that intellectual property is a crucial barrier blocking vaccine developers, especially in low- and middle-income countries, from producing COVID-19 vaccines to scale—particularly the high-performing mRNA vaccines that Pfizer-BioNTech and Moderna currently produce. These vaccines elicit more than 90 percent protective immunity against both symptomatic illness and documented infection, including asymptomatic infection, with COVID-19. They are successfully driving the recovery of the United States, Israel, and other nations. But so far, mRNA vaccines are mostly invisible to Africa, Latin America, and low- and middle-income countries in other regions. The hope of those pushing for TRIPS waivers and patent pools is that these will unleash the technology to make the recovery global. IT TAKES A WHOLE ECOSYSTEM Intellectual property sharing may be helpful in the long term. But producing complicated biologics, especially innovative ones such as mRNA or adenovirus-vectored vaccines, is not solely a matter of patent access. Small-molecule antiviral drugs are comparatively straightforward: the multistep chemical processes through which they are synthesized are often fully detailed in published patents or scientific papers. Chemists and formulation experts can often synthesize and scale up production just from knowing the drug structure. But vaccines are different. Producing and manufacturing lipid-encased mRNA molecules, recombinant adenoviruses, or even the proteins or whole inactivated viruses used in older-generation vaccines requires a far higher level of sophistication than is needed for producing small-molecule drugs. Moreover, vaccine production must meet stringent requirements for quality control, quality assurance, and regulatory oversight. The **effective transfer of such complex technology requires a receiving ecosystem that can take years, sometimes decades, to build**. Countries seeking to ramp up vaccine production will need to train staff scientists and technicians. They will also need scientific administrators versed not only in basic research and development but also in detailed record keeping, including specific documentation practices such as batch production records. Moreover, they will need strong quality control systems and regulatory guardrails. Building such an infrastructure requires intensive training and often considerable financial investment and risk. It also takes time—by some estimates, vaccine development requires at least 11 years, and even then the probability that such efforts will result in bringing a vaccine to market is less than ten percent. Consider that the COVID-19 vaccines were themselves the outcome of decades of research and development. Few nations are prepared to take such risks. Only a handful of low- or middle-income countries currently have the capacity to produce new vaccines. Only a handful of low- or middle-income countries currently have the capacity to produce new vaccines. The most notable and largest is India, which currently makes the adenovirus-vectored vaccines developed by Janssen and by Oxford and AstraZeneca, as well as an older-technology recombinant protein vaccine and a whole inactivated virus vaccine. Manufacturers in Brazil, Cuba, and some Southeast Asian countries have experience producing childhood vaccines and may be able to develop the capacity to make COVID-19 vaccines as well. Other possibilities may develop elsewhere, including in the Middle East and Africa. But in the near term, such manufacturers will require financing, access to very large amounts of raw materials and supplies (possibly including relaxation of export controls), and some technical expertise in manufacturing and quality control if they are to produce the existing vaccines against COVID-19. Vaccinating India alone will require almost two billion doses, and more than 12 billion doses will be required to vaccinate the world. The emergence of new variants and the need for booster doses may increase demand even further. Whether mRNA vaccine technology can be scaled to produce billions of doses in 2021, or even by early 2022, remains entirely unknown, but the goal is worth pursuing. To this end, some kind of patent relaxation may be necessary, but far from sufficient. Would-be producers will need technical know-how, regulatory controls, and components that are currently in very short supply, such as nucleotides and lipids.