



# DAILY MAINS NEWSLETTER

10.05.2021

## Index

Mains Value Addition		
Mains Analysis		
Topic No	Topic Name	Source
1	A TRIPS waiver is useful but not a magic pill	<b>The Hindu</b>
2	Second wave, double challenge	<b>Indian Express</b>

## Mains Value Addition

### China rocket debris falls in Indian Ocean near Maldives

#### Syllabus - GS 3: Science and Technology

#### Analysis: -

- Debris from the last stage of China's Long March rocket that had last month carried a key component of its under-construction space station fell into the waters of the Indian Ocean west of the Maldives on Sunday.
- The re-entry of the rocket, described by astrophysicists as the fourth-largest uncontrolled re-entry in history, had evoked concerns in recent days about possible damage should it have fallen on land, and had been criticised by the National Aeronautics and Space Administration

(NASA) in the U.S. for "failing to meet responsible standards".

- China had rejected those concerns, saying most of the debris had been burned during re-entry and that a fall into international waters was most likely.
- The China Manned Space Agency (CSMA) said on Sunday "the vast majority of the device burned up during the re-entry, and the rest of the debris fell into a sea area with the centre at 2.65 degrees north latitude and 72.47 degrees east longitude," placing it west of the Maldives in the Indian Ocean.

### FCRA amendments crippling our work, say NGOs

#### Syllabus - GS 2: Pressure groups & formal/informal associations and their role in the polity.

#### Analysis: -

- The amendments to the Foreign Contribution Regulation Act (FCRA) enacted last year that among others made it compulsory for NGOs to open a bank account in Delhi has crippled the work of many organisations who are unable to receive foreign funds.
- Registered NGOs can receive foreign contribution for five purposes — social, educational, religious, economic and



---

cultural. An FCRA registration is mandatory for NGOs to receive foreign funds.

- There are 22,591 FCRA registered NGOs. An NGO has now moved the Delhi High Court seeking exemption from the Union Home Ministry's March 31 deadline to open an FCRA account with the SBI branch at Parliament Street here.
- The petitioner argued that it applied to open the account before the March 31 deadline but the administrative delays on the part of the bank and the Ministry severely restricted its activities including providing COVID-19 related relief and paying of urgent salaries of staff and also affected its charitable and educational activities.

## Mains Analysis

### A TRIPS waiver is useful but not a magic pill

#### Why in News?

The U.S.-supported move will have an effect if countries simultaneously address non-IP bottlenecks among other things

#### Syllabus-- GS 3 : Intellectual Property Rights

---

##### Background:

- In the year 2020, India and South Africa, at the WTO, proposed waiving Sections 1, 4, 5, and 7 of Part II of the TRIPS agreement (covering copyrights, industrial designs, patents, and undisclosed trade information) related to the prevention, containment, or treatment of COVID-19.

- But this move was opposed by many developed countries like UK, US, EU, Canada etc.
- But most recently United States has declared its support for a temporary waiver of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement for COVID-19 vaccines at the World Trade Organisation (WTO)
- Hopefully, the U.S.'s decision would cause other holdouts like Canada and the European Union to give up their opposition. The stumbling block is the political will of the richer countries.
- Legally, the waiver is a possibility under Article IX of the WTO Agreement which allows for waiving obligations in 'exceptional circumstances' which the COVID-19 pandemic undoubtedly is.

#### Challenges: -

- The countries would now negotiate on the text of the waiver at the WTO. But with the prior experience at hand of the 2003 waiver of TRIPS obligations aftermath of HIV/AIDS crisis of 1990 did not yield expected results.
- This is so because specifically, the obligation contained in Article 31(f) of TRIPS that medicines produced under a compulsory licence are predominantly for the domestic market of that country was waived, paving the way for the export of such medicines to a country that lacked manufacturing capability.

- It was subject to several stringent requirements such as the drugs so manufactured are to be exported to that nation only; the medicines should be easily identifiable through different colour, or shape; etc. these cumbersome requirements, didn't allow effective use of this waiver.

### **Need of intervention by Developing world:-**

- The statement issued by Katherine Tai, (U.S. Trade Representative) states that the negotiations on the text of the waiver will 'take time' given the WTO's consensus-based decision-making process and the complexity of the issues involved.
- This signals that the negotiations on the waiver are going to be difficult. While the U.S. would not like to be seen as blocking the TRIPS waiver and attracting the ire of the global community, but it will strongly defend the interests of pharma giants.
- Currently the IP waiver talks only about vaccines but India and South Africa also proposed a waiver on medicines and technologies related to COVID-19. But the latest statement of US representative has narrowed the approach to vaccines only.

### **Overcoming key obstacles**

- Waiving IP protection does not impose a legal requirement on pharmaceutical companies to transfer or share technology. Coercive legal measures for a forced transfer of technology, would be too draconian and counterproductive.

- Therefore, governments would have to be proactive in negotiating and cajoling pharmaceutical companies to transfer technology using various legal and policy tools including financial incentives
- A TRIPS waiver would enable countries to escape WTO obligations, it will not change the nature of domestic IP regulations.
- Therefore, countries should start working towards making suitable changes in their domestic legal framework to operationalise and enforce the TRIPS waiver.
- In this regard, the Indian government should immediately put in place a team of best IP lawyers who could study the various TRIPS waiver scenarios and accordingly recommend the changes to be made in the Indian legal framework.

### **Way Forward: -**

- Notwithstanding the usefulness of the TRIPS waiver, it is not a magic pill.
- It would work well only if countries simultaneously address the non-IP bottlenecks such as technology transfer, production constraints, and other logistical challenges such as inadequacy of supply chains and unavailability of raw materials to manufacture vaccines and medicines.

### **Question: -**

While the TRIPS waiver would lift the legal restrictions on manufacturing COVID-19 vaccines, it would not solve the problem of the lack of access to technological 'know-how' related to manufacturing COVID-19 vaccines. Discuss.

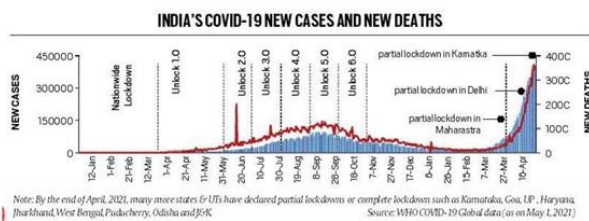
## Second wave, double challenge

### Why in News?

As COVID spreads in rural areas, corporate, social & religious leaders must come forward. Government must provide a framework for their effective participation in this difficult hour

### Syllabus-- GS2: Issues related to Health Sector.

India with nearly 4 lakh cases & 4 thousand fatalities every day seems to have landed right into the eye of the storm.



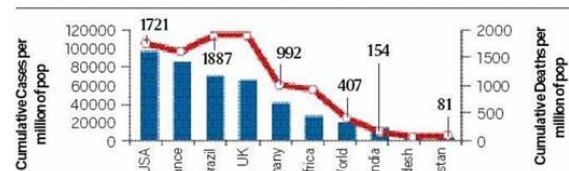
### India's dire state:

- A dire shortage of oxygen & beds in hospitals.
- Long waiting hours at crematoria & graveyards.
- Governments at the centre & state have lost control over the situation.
- Black marketing of oxygen & remdesivir injections are rife that indicates the collapse of the governance machinery.
- The virus has now reached the rural areas with a poor health care system that is waiting for further more devastation.
- Due to lack of awareness & trust, Vaccine hesitancy in rural areas is higher that results

in a low vaccinated population among rural areas.

- The only consolation for India is that deaths in India per million population are still behind Brazil, UK, USA & even the World average.
- Nevertheless, given our sheer numbers, it is time for everyone to put their shoulders to the wheel.

### COMPARISON OF INDIA'S COVID-19 INFECTION AND FATALITY RATES PER MILLION OF POPULATION WITH SELECTED COUNTRIES



Source: Cumulative Covid confirmed cases and deaths taken from WHO Covid-19 Global Data (as on May 1st, 2021) and Population projection of 2020 from World Population Prospect 2019s

### How did India land into COVID Tsunami?

- Since the peak of Sept 2020, the total number of daily infections had been coming down which led to complacency at the government level as well amongst the general public.
- Some experts believed Protests by thousands of farmers against farm laws in Nov 2020 could be potential super-spreaders.
- Then came several festivals from New year eve to Holi where people participated in thousands by disregarding COVID discipline.
- Though in March 2021, distress signals in Maharashtra started by other states have ignored that signals.

- Many states continued several mass gatherings & rallies from Kumbh Mela to election rallies even in April.
- By April 2021, hell seems to have broken loose & India officially entered into 2<sup>nd</sup> wave that dismantled every govt machinery.

### Possible Solutions?

- The first task is for elected representatives to calm down & help the distressed public.
- The national leadership needs to set up a war room comprising top medical experts & corporate leaders to ramp up oxygen supplies & necessary drugs & mobilize logistics to deliver them to the last mile.
- The losing public trust in the government machinery has to be overcome by addressing the nation at least twice a week & disclosing the facts about the disease.
- Although the Corporate sector had already come forward in supplying oxygen for medical use.
- It is time for them to adopt PHCs in rural areas & second & third-tier towns, pump in resources from CSR funds & bank loans & upgrade health facilities.
- The govt should issue directives in this regard & the state govt should allow them to have equal say in managing PHCs.
- NGOs, Social activists, religious leaders & medical students come forward with financial & physical help & bring attitudinal change among people to get vaccinated.

### Way Forward

- There is no dearth of good people & organizations in India who can contribute to bringing back public trust & fighting against the crisis effectively.
- The ample experience in managing larger outfits of corporate, social & religious leaders would come in handy in collating information, giving medical advice & saving lives & livelihoods.
- It is high time for govt to provide a framework for their effective participation & joining hands can turn the tables & the crisis can help India emerge stronger.

### Question: -

Critically evaluate the socio-economic challenges in front of India posed by the second COVID-19 wave.