

REASONS BEHIND GERMANY DECISION TO CHANGE STANCE FROM INITIALLY AGAINST IP WAIVER POLICY TO AGREE TO WAIVE THE IP

Roy V. Pratikno^{1)*}, Maria M. Utomo²⁾

¹⁾*Dosen, Fakultas Ilmu Sosial dan Ilmu Politik, Program Studi Hubungan Internasional, Universitas Pelita Harapan*

²⁾*Alumni, Fakultas Ilmu Sosial dan Ilmu Politik, Program Studi Hubungan Internasional, Universitas Pelita Harapan*

e-mail: roy.pratikno@uph.edu, 01043190026@student.uph.edu

ABSTRACT

To equalize the distribution of the COVID-19 vaccine, South Africa, and India as representatives of the Global South submitted the proposal to the World Trade Organization. This paper through the lens of neoclassical realism aims to discuss the factors that influenced the change in German stance, which initially did not agree with IP waivers, face about to support the existence of the IP waiver policy. Neoclassical realism along with concepts such as national interests, international behavior, non-traditional security, and balance of power is used in the analysis. This research used a qualitative approach, and a descriptive method is applied, the data collection technique that the authors use is secondary data sources, and the data analysis technique that the authors use is narrative analysis. Pressure from the green parties, and NGOs and the spreading of this infectious disease have forced Germany to finally support the Intellectual Property (IP) waiver and to be implemented immediately. In addition, other external factors namely international organizations, non-governmental organizations, encouragement from other countries, and cooperation between countries play a role in the reversal of the decision. From the results of the discussion that the author has described, national interests contribute to the formation of Germany's foreign policy.

Keywords: Intellectual Property, COVID-19, Vaccines, Security, Waiver Policy

1. Introduction

The COVID-19 pandemic has forced nations around the world to strategize to cope with such adversity, ranging from lockdowns to the distribution of vaccines. It has placed the distribution of vaccines at the top of the world's politics. There has been increasing discussion about the Intellectual Property (IP) rights of vaccine manufacturers as countries rush to get vaccines for their citizens. The World Trade Organization (WTO) has been under increasing amounts of pressure to forgo the protection of intellectual property rights to facilitate more expedient and extensive access to vaccines against the COVID-19 virus. The United States (the US) expressed its approval for the IP waiver in May 2021, and then the European Union (the EU) followed suit in March 2022 (Mercurio, 2021a). Germany, however, was at first one of the countries that were against the IP waiver which interest factors that influenced its decision to finally reversed the policy.

This paper tries to demonstrate how domestic forces along with external forces influenced Germany's position on the IP waiver of COVID-19 vaccination via the lens of neoclassical realism. In addition, we can gain a better understanding of how domestic politics and foreign relations influence foreign governance and vaccine distribution by studying Germany's decision-making process. This essay will look at the various aspects that affected Germany's choice to surrender its intellectual property rights. The national interest of Germany in relation to the COVID-19 epidemic and vaccine distribution will be discussed first. Then, we'll examine Germany's foreign policy, unconventional security issues, and power-balance considerations. The analysis of Germany's choice to waive the COVID-19 vaccines' intellectual property rights is particularly pertinent to neoclassical realism. As a substantial member of the EU, Germany has a big say in how the EU conducts its

foreign policy. Germany's decision-making is influenced by a complex interaction of national and global variables. We can learn more about Germany's foreign policy decisions and how those affect global governance by studying these variables.

2. Literature Review

Domestic and external factors are the main priority of concern to establish a crucial foreign policy that aims to achieve community welfare and to implement a political system to adapt to the current international system as a form of national interest (Dermawan, 2020). The first literature aims to acknowledge domestic factors that could shape foreign policies whereas the second is the contribution of external factors.

2.1. Domestic Factors that Play a Role in Enacting Foreign Policies

In a similar vein, Jiri Pehe (1998) states that a policy not only reflects domestic factors but also as a part of economic conditions that aim to describe political changes, which usually is hard to accept by the international community. Economic factors are not the only factor that influences policy, stated by Lawson that historically, the domestic economy may incite political tensions between domestic and strong political power (Lawson, 1985) that shape foreign policy. To further support the claim, Brower and Chalk state that the growing AIDS cases in South Africa lead to economic deterioration, and this economic catastrophe forces the South African authority to pass bills to ease foreign investment requirements to help the domestic economy and decrease the interest rate (Brower & Chalk, 2003).

National interest is a key consideration when deciding on a country's foreign policy since it affects how that country engages in political, economic, and military relations with other countries. Domestic political issues, economic needs, and the geopolitical climate frequently influence national interest. The presumption

that nations act in their own best interests is frequently the foundation for the significance of a country's interest in determining foreign policy (Nuechterlein, 1976). This presumption is founded on the belief that states are actors that weigh the costs and benefits of many options before making decisions (De Leon & Santamaria, 2003).

2.2. External Factors Contribution to Foreign Policy

External factors also play a significant role in the establishment of foreign policy. The COVID-19 pandemic is a good example of how non-traditional security concerns, like cyberattacks, are becoming more important in the current world. Social, economic, and health security have all been put at risk because of the COVID-19 pandemic's widespread disruptions (Mercurio, 2021b). The virus has quickly crossed international borders, created a global medical problem, and highlighted the weakness of nations around the world. Middle-income and low-income countries have had a difficult time gaining access to vaccines, whereas those with the means and infrastructure to produce and distribute them have been able to acquire a large number of doses for their citizens (Foss-Solbrekk, 2021).

The discrimination of vaccines is a major non-traditional security hazard caused by the COVID-19 pandemic. The pandemic has shown the significance of non-traditional security risks and the relevance of international cooperation to solve these problems (Le & Samson, 2022). Many considered that hegemonic countries such as the US can strongly influence the establishment of a policy of a country. These hegemonic countries indirectly push smaller countries to follow the established system (Li, 2017); the so-called hegemonic control institutions subsequently control and influence our thought (Clark, 1978).

3. Research Method

The research approach used is qualitative and it is utilized a descriptive

research method in analyzing factors that influenced Germany's decision to change its stance. Secondary data is collected by using the information taken from previous research, and the data analysis technique that the authors use is narrative to glue social events and data into logical action linkage (Neuman, 2014). This essay uses the theory of neoclassical realism with concepts consisting of national interests, international behavior, non-traditional security, and balance of power in guiding the analysis and description of factors that contribute to Germany's decision to overturn its original position on covid-19 vaccine waiver.

4. Result and Discussion

4.1. Neoclassical Realism and Its Relevance

A theoretical system known as neoclassical realism aims to clarify foreign policy choices by considering both domestic and global factors. It claims that a state's domestic factors, such as its political structures, societal preferences, and financial opportunities, influence its choices toward foreign policy (Zakaria & Snyder, 1992). The analysis of Germany's choice to waive the COVID-19 vaccines' intellectual property rights is particularly pertinent to neoclassical realism. As a substantial member of the EU, Germany has a big say in how the EU conducts its foreign policy. Germany's decision-making is influenced by a complex interaction of national and global variables. We can learn more about Germany's foreign policy decisions and also how this later affects global governance by studying these variables.

One of the significant characteristics of neoclassical realism is the way in which it lays a significant amount of weight on the concept of national interest. One definition of being of national interest is having objectives and goals for the state that are inspired by the requirements of the nation as a whole and the people living within it. According to the tenets of neoclassical realism, nations' decisions about their foreign policy are made

with the goal of promoting their own national interests (Nuechterlein, 1976). When considering the distribution of the COVID-19 vaccine in the context of the goal to protect individuals and improve public health, one could argue that there is a national interest involved. The pursuit of Germany's national interests has a significant role in the country's decision to give up its intellectual property rights. Previously, Germany was one of the countries that fought against the idea of waiving intellectual property rights due to concerns regarding the impact it would have on innovation and the availability of vaccinations. But, as the COVID-19 pandemic continued to spread, Germany's posture began to shift. Civil society groups, especially healthcare workers and humanitarian organizations, put increasing pressure on the German government to approve the IP waiver (Algazian, Arya, Katkoria, & Puri, 2023). This pressure came from Germany's civil society. Several different organizations presented their case, arguing that the IP waiver might be necessary to ensure that all nations, particularly poor nations, have equal access to vaccines.

Germany's economic interests also played a role in the decision-making process. Some opponents claimed that the resistance to the IP waiver was motivated by a desire to protect pharmaceutical companies' profits due to Germany's robust pharmaceutical industry. Yet, as the pandemic developed, it became obvious that the potential advantages for the pharmaceutical business were greatly overshadowed by the economic consequences of the pandemic (Geiger, 2023). Neoclassical realism emphasizes the significance of international behavior in addition to local interest. International behavior is the term used to describe how other states' deeds affect a state's choice of foreign policy. International activity in COVID-19 vaccine supply could be interpreted as the acts of other nations in their vaccination policy. The US and EU's decision to back the IP waiver plan places stress on Germany to modify its position.

Moreover, Germany's participation in the EU had an impact on how decisions were made. Germany is one of the EU's largest economies, and as such, it has a big say in how the EU conducts its foreign policy. Germany's decision to alter its position was significantly influenced by the EU's decision to accept the IP waiver proposal. Germany's change in stance was viewed as a crucial step in fostering agreement among EU members regarding the necessity of more equal vaccine distribution (Dos Santos, Ncube & Ouma, 2022).

Neoclassical realism highlights the significance of non-conventional security issues. Threats without a military component, such as public health emergencies, are referred to as non-traditional security risks. A non-traditional security concern that has significantly impacted international politics is the COVID-19 pandemic. The requirement to ensure that vaccines are given fairly in order to stop the virus from spreading further could be considered as non-traditional security considerations in the aspect of vaccine distribution (Ho, 2023).

Germany's unique security concerns affected its choice of IP waiver. As the pandemic advanced, it became obvious that the disparity of vaccines was a problem for both public health and morality. The German government understood that if people were not immunized around the world, new variations might appear and endanger its own population. By ensuring that vaccines are accessible to those who need them most, the German government's policy to approve the IP waiver was viewed as a step toward promoting global health security.

In the international system, the balance of power is highlighted by neoclassical realism. The power distribution across governments and how this impacts their choice of foreign policy is referred to as the balance of power. The dynamics of power between rich and developing nations can be viewed as the balance of power in the context of the COVID-19 vaccine distribution. The unequal allocation of authority in the

worldwide system has been brought to light by the COVID-19 pandemic. While many developing nations have been refused access to vaccines, developed nations like the US and the EU have been able to acquire significant vaccine supplies.

Germany's choice to back the IP waiver was viewed as a move toward addressing this power disparity by supporting equitable vaccination distribution. An effective foundation for examining Germany's decision to forego the IP protection for the COVID-19 vaccines is provided by neoclassical realism. We can learn more about the intricate aspects that influence foreign policy decisions by considering factors including national interest, global behavior, unconventional security issues, and the power balance. A variety of local and global factors, including stress from civil society organizations, economic interests, international behavior, unconventional security concerns, and the shifting power dynamics in the international system, all had an impact on Germany's decision to support the IP waiver (Kampmark, 2022).

4.2. Germany's National Interest Influenced Its Decision to Change Its Stance on the IP Waiver

Germany's decision to shift its position on the IP waiver was heavily influenced by its national interests. As was mentioned earlier, Germany initially opposed the IP waiver plan due to concerns about how it may affect development and the pharmaceutical sector. But, when the pandemic spread to more nations and the unequal distribution of vaccines became more obvious, Germany's national interests started to change. Maintaining its global leadership position in international affairs is one of Germany's primary national objectives. Germany was given a rare opportunity by the COVID-19 pandemic to show its leadership and participate actively in the international response. Germany was able to establish its position as a leader in global health equity &

show its dedication to multilateralism by accepting the IP waiver (Mercurio, 2021a).

Promoting economic stability and growth is another one of Germany's national interests. The COVID-19 pandemic had a significant effect on the world economy, with many nations facing hitherto unheard-of economic difficulties. Germany acknowledged the potential economic gains that could result from increased worldwide vaccine manufacturing and distribution by supporting the IP waiver. More access to vaccines would be made possible by the waiver, which in turn might encourage economic recovery and growth (Mercurio & Upreti, 2022).

Germany's dedication to nontraditional security can also be credited with its choice to approve the IP waiver. The need to handle non-traditional security threats like pandemics, with the potential to cause extensive destruction, has been brought to light by the COVID-19 pandemic. Germany helped the international effort to fight the epidemic and lessen the effects of upcoming pandemics by accepting the IP waiver. Germany's decision to approve the IP waiver was also influenced by its desire to retain good relations with its international allies. The COVID-19 pandemic had given nations a chance to unite and work together on a common problem. Germany was able to show that it was willing to cooperate with other nations and help to a global solution by approving the IP waiver (Zupruk, 2022).

Germany's developing national interests in response to the COVID-19 outbreak can be ascribed to its decision to approve the IP waiver. Germany understood the need to act and supported a more equal system of vaccines as the pandemic ravaged nations all over the world when vaccine inequities grew more and more obvious (Thrasher, et al., 2021). By doing this, Germany was able to establish itself as a leader in the worldwide effort to combat the pandemic, support economic expansion and recovery, and show its dedication to non-

traditional security on constructive international relations.

4.3. Germany's International Behavior Influenced Its Decision to Change Its Stance on the IP Waiver

Germany's shift in position on the IP waiver of the COVID-19 vaccine was heavily influenced by its actions abroad. Germany is a key actor on the international stage and Europe's largest economy, so it stands to reason that the country's foreign policy would be informed by its economic and geopolitical interests. Germany's convictions to international cooperation and multilateralism, as well as its obligations as a leader in the European Union, impacted the country's international stance in the context of the COVID-19 epidemic. Germany's dedication to global health governance and collaboration has been a major factor in its foreign policy during the pandemic (Abbott & Reichman, 2020).

Seeing that the pandemic virus does not care about national borders, Germany has been a vocal proponent of international coordination and collaboration in response to the epidemic. Germany has made major contributions to international efforts to produce and distribute COVID-19 vaccines as part of this commitment, including sponsoring the COVAX initiative and supporting the World Health Organization's Full Rights to COVID-19 Tools Accelerator (Satyaprakash, 2021). Germany has also come to terms with the fact that its foreign policy must be informed by domestic concerns. To safeguard the public's health and aid with the economic revival of the country, the government has prioritized providing COVID-19 vaccines to its own citizens. Therefore, Germany has been helping with global vaccination distribution while also working with vaccine manufacturers to ensure enough doses for its own population.

Germany's position on the issue of the IP waiver for COVID-19 vaccines has been informed by the country's commitment to

both global health cooperation and national self-interest. Germany was one of the countries that initially voted against the waiver because of concerns that it wouldn't do enough to solve the root issues with vaccine manufacturing and distribution. But as the virus spread and vaccination supplies ran low worldwide, Germany's stance abroad began to change. Germany saw that the waiver may be a useful instrument in helping low and middle-income nations increase vaccine production and distribution, which would help the worldwide fight against the pandemic. The mounting pressure of civil society groups, public health professionals, and other countries who have stated support for the waiver likely probably played a role in Germany's decision to back the waiver (Mercurio & Upreti, 2022).

There was a delicate balancing act going on in Germany's international behavior during the COVID-19 pandemic between the country's pledges to global health cooperation and its own national geopolitical goals. Germany's changing international behavior, in particular its dedication to equitable vaccination distribution, caused it to change its mind about opposing the IP waiver of COVID-19 vaccines. This development illustrates the intricate relationship among national interests, international conduct, and global health governance, and stresses the need for multilateralism and cooperation to overcome the pandemic's obstacles.

4.4. Non-traditional Security Concerns Influenced Germany's Decision to Change Its Stance on the IP Waiver

The term non-traditional security threats refer to transnational threats that go beyond the scope of traditional military threats. Pandemics, global warming, and cyber-attacks are all examples of non-traditional security threats. The severe effects of the COVID-19 pandemic on global wellness and economic growth have elevated the importance of non-traditional security considerations. To address the non-

traditional security threats posed by the COVID-19 epidemic, Germany reversed its position on the IP waiver. Because of its status as an economic superpower, Germany is well aware of the worldwide impact on the economy of the pandemic and the potential long-term damage if the virus continues to go unchecked. It's not just the economy that's been affected by the pandemic; many nations are finding it difficult to get their hands on the tools they need to combat the infection (Geiger, 2023). Because of this, many are worried about whether or not vaccines are being distributed fairly around the world, and about whether or not governments are working together effectively to counter the pandemic.

Germany's shift in IP waiver policy can be understood as a reaction to these new security risks. Germany's vote in favor of the IP waiver demonstrates its dedication to international collaboration and its acknowledgment of the need for universal access to vaccines in the battle against the pandemic (Dos Santos, Ncube & Ouma, 2022). Germany's move might also be interpreted as an acknowledgment of the significance of handling non-traditional security concerns in the context of foreign policy. Non-traditional security threats, such as the COVID-19 pandemic, can have a profound effect on global peace and security and necessitate a concerted reaction from the international community. Germany's support for the IP waiver reflects the country's broader dedication to dealing with non-traditional security risks in its foreign policy decisions. This is indicative of politicians' increased awareness that they must address both classic military threats and other, less conventional security challenges (Mercurio, 2021a).

Germany has changed its mind about the IP waiver in large part due to non-traditional security concerns. Germany's commitment to international cooperation and the acknowledgment of the need of handling non-traditional security threats for foreign policy decisions have been underlined by the

country's determination to make vaccines available on an equitable basis in the battle against the pandemic (Ho, 2023). Foreign policy decisions and the global reaction to the epidemic are expected to be heavily influenced by non-traditional security concerns as the outbreak progresses.

4.5. Germany's Decision to Change Its Stance on the IP Waiver Influenced the Balance of Power among States

The IP waiver for COVID-19 vaccines has shifted the balance of power, and Germany's decision to support it has played a role. The term balance of power is used to describe the relationship between the relative strengths of various governments and their ability to influence global affairs. It has become increasingly important for states to exert their influence on the issue of vaccine availability and distribution in light of the COVID-19 pandemic. The patent holders, which included industrialized countries and pharmaceutical industries, had an upper hand before Germany decided to back the IP waiver (Ranjan, 2022). Because of their superior vaccine production and distribution infrastructures, these nations and corporations were able to set the market price and supply. As a result, developing nations were disadvantaged and vaccination availability was restricted, prompting pushback against wealthy nations and drug manufacturers.

However, the IP waiver for COVID-19 vaccines is receiving additional support after Germany's decision to back it. Developed nations like the United States and France have joined Germany in supporting the IP waiver. Because of this shift in the balance of power, rich nations and pharmaceutical companies can no longer dictate the availability and cost of vaccines. As a result of this power shift, discussions on vaccine distribution have moved to developing nations (Zaman, 2022). Germany's backing, along with that of other rich nations, has given developing nations additional leverage in their negotiations for

expanded vaccine access and more equitable distribution. As a result, nations are more committed to working together to solve the public health emergency posed by the pandemic. Germany's decision to back the intellectual property waiver for COVID-19 vaccines has major ramifications for international power dynamics. This decision has put poor countries on the front lines of the debate over vaccine distribution, challenging the power of wealthier nations and pharmaceutical corporations. As a result, there is now stronger international solidarity and collaboration to deal with the pandemic's impact on global health.

4.6. Other Domestic Factors that Influenced the Reversal of IP Waiver Policy

The Green Party has established itself to become a prominent player in mainstream politics in Europe. It has become the vote-getter, large enough to win the election or manage to place its candidates in the highest position in the government i.e., the foreign minister (McBride, 2022). The European Green Parties (EGP) along with NGOs, especially health NGOs and the European Parliament keep pushing the European Commission to pressure the EU's biggest states who opposed the waiver to about-face. The EGP, both in European Parliament and in Germany persuades pharmaceutical companies to share their technologies to companies in the Global Souths (Gonzalez, 2022). These mounting pressures and the voices in the parliament may influence Germany to alter its position.

Most of the people in Germany agree with mandatory vaccination, they rallied in the streets of Germany to oppose the conspiracy theorist who oppose vaccinations (Bahgat, 2022). These people who are the proponent of vaccination voice out that vaccination is needed for all people in the world, including people who are unable to access the vaccines. In other words, they are indirectly voicing out for the COVID-19 vaccine IP waiver, and because they are the

majority of people in Germany, their voices cannot be ignored.

5. Conclusion

Analysis shows that national interest, specifically the need to confront the COVID-19 pandemic and provide equal access to vaccines, played a significant role in Germany's decision to revise its position on the IP waiver. Germany's international actions were equally significant because the country cared deeply about both global health and the success of its home pharmaceutical industry. Germany's decision was influenced by factors other than typical security concerns, including the desire to stop the spread of the epidemic and prevent further outbreaks.

In addition, the paper pointed out the importance of the sensitive power

equilibrium that exists between nations, pointing out that Germany's decision to back the intellectual property waiver could cause a shift in the power dynamics that exist in international relations, especially in terms of global health governance. This article has shown that neoclassical realism is essential for comprehending Germany's choice to alter its position on the IP waiver of the COVID-19 vaccine. It has demonstrated how a variety of issues, such as public interest, international behavior, non-traditional security, and balance of power, had impacted the decision-making process in Germany. The insights that were acquired from this analysis can serve to inform future research that is conducted on the dynamic behavior of global health policy and international cooperation during times of crisis.

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