



How to strengthen pandemic preparedness and response: Proposals for new legal, financial and institutional instruments

Thomas Schwarz, Medicus Mundi International Network
MMS Symposium, Basel, 3 November 2021

In a world that still cannot breathe...

- People/patients can't breathe
- Families and communities can't breathe
- Health workers can't breathe
- Political activists can't breathe
- Governments can't breathe
- the WHO can't breathe

...there is a breathless search for

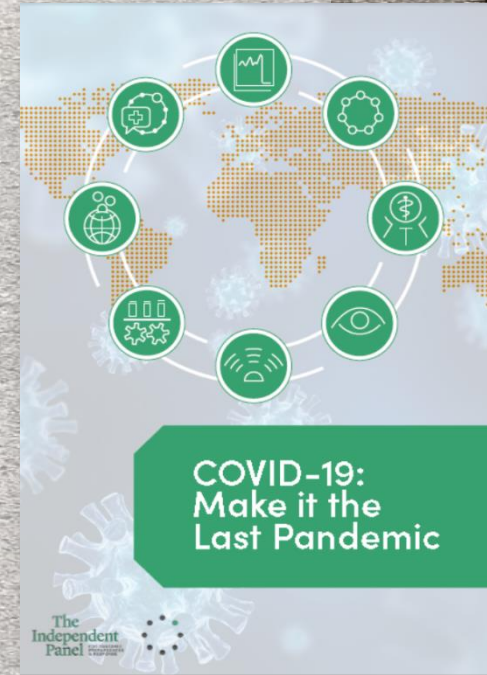
- saving lives and livelihoods
- getting out of the pandemic
- strengthening pandemic preparedness and response.



Covid-19: A tale of failures

“Covid-19 remains a global disaster. Worse, it was a preventable disaster. (...) For the Panel it is clear that the combination of poor strategic choices, unwillingness to tackle inequalities, and an uncoordinated system created a toxic cocktail which allowed the pandemic to turn into a catastrophic human crisis.”

IPPPR, May 2021



Covid-19: A wake-up call for change (?)

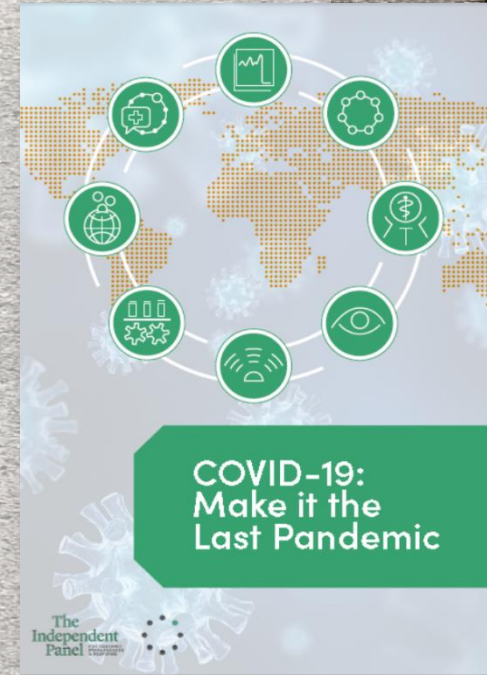
Rüdiger Krech, WHO, at today's symposium



International/global health: Choices needed to “build the future”

“The world needs a new international system for pandemic preparedness and response, and it needs one fast, to stop future infectious disease outbreaks from becoming catastrophic pandemics.”

IPPPR, May 2021



There are many recommendations...

“The WHO Secretariat has been analyzing and compiling recommendations from various sources regarding the COVID-19 pandemic response in order to obtain an objective overview of the gaps in global pandemic preparedness and response.”

WGPR, September 2021

WHO Dashboard: [here](#)



Working group on strengthening WHO preparedness and response to health emergencies



THIRD MEETING OF THE WORKING GROUP ON STRENGTHENING WHO PREPAREDNESS AND RESPONSE TO HEALTH EMERGENCIES

AWGPR/3/6
29 September 2021

Update of the preliminary findings from COVID-19-related recommendation mapping

I. OVERVIEW

Introduction

1. Following the outbreak of the coronavirus disease (COVID-19) pandemic, numerous evaluations, reviews and assessments of the global COVID-19 response have been carried out by various panels and committees.
2. The WHO Secretariat has been analyzing and compiling recommendations from various sources regarding the COVID-19 pandemic response in order to obtain an objective overview of the gaps in global pandemic preparedness and response. This work to map the COVID-19-related recommendations also takes into account proposals of how to strengthen WHO preparedness for and response to health emergencies and highlights the similarities and differences between the various recommendations.
3. In line with the request of the Working Group on Strengthening WHO Preparedness and Response to Health Emergencies (the “Working Group”) at its first meeting, this document has been developed to present the preliminary findings of the WHO Secretariat’s COVID-19-related recommendation mapping exercise. It is divided into two substantive sections that offer the following analysis as of 16 August 2021:

- Section II provides a high-level mapping of 215 recommendations found in 11 source documents, including:
 - official reports mandated by Member States and presented to the Seventy-fourth World Health Assembly (the Independent Panel for Pandemic Preparedness and Response, the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme, and the Review Committee on the Functioning of the International Health Regulations (2005) during the COVID-19 Response),
 - documents issued by intergovernmental bodies (such as the G20, the G7,¹ and the Global Health Summit).

¹ This includes recommendations from two sources: the G7 100 Days Mission to Respond to Future Pandemic Threats (<http://www.g7.utoronto.ca/summit/2021/comm/1/pandemic-report/210612-pandemic-report.html>, accessed 20 August 2021) and the G7 Panel on Economic Resilience (<http://www.g7uk.org/economic-resilience-panel/>, accessed 20 August 2021).

Classification of recommendations by “overarching topic” (Working group on strengthening WHO preparedness and response to health emergencies)

- Global health architecture and governance for pandemic preparedness and response; role of WHO
- Proper implementation and enforcement mechanisms for the International Health Regulations (IHR) to ensure compliance
- Financing of pandemic preparedness and response
- Equitable access to COVID-19 countermeasures, including vaccines

WGPR, September 2021



How to take up recommendations? Two (three) track approach by the Working group on strengthening WHO preparedness and response to health emergencies

“Based on Member State discussions, emerging consensus has evolved that the WGPR will need to continue its discussions on the feasibility of implementing the recommendations, particularly how to implement through:

- a) Existing tools and mechanisms available to WHO;
- b) Strengthening the IHR (2005) including through strengthening implementation, compliance and targeted amendments; and
- c) Role and scope of a new instrument and its relationship to existing legal instruments.”

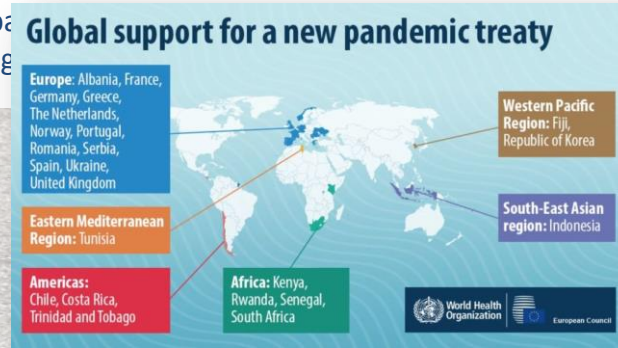


Global architecture/governance: More (other) instruments

Legal	Financial	Institutional	Other
<ul style="list-style-type: none">▪ International Health Regulations: “Targeted amendments to strengthen IHR implementation and compliance”▪ “A new WHO convention, agreement or other international instrument”▪ Intellectual property Trips Waiver (WTO)▪ Pathogen sharing (Nagoya Protocol)	<ul style="list-style-type: none">▪ Global Health Threats Fund or Financing Facility (G20)	<ul style="list-style-type: none">▪ Global Health Threats Council (IPPPR proposal)▪ Global Health Security Agenda Interagency Review Council (US proposal)▪ IHR Reporting Conference IHR Conference of Parties▪ Pandemic Treaty: Conference of Parties▪ G20 Joint Finance-Health Task Force	<ul style="list-style-type: none">▪ “Strengthen WHO and its leading, coordinating and convening role”▪ Universal Health Preparedness Review (pilot by WHO)▪ Extend/expand ACT-A (“Super-PPP”)▪ Pandemic Prevention Institute (Rockefeller)

“Pandemic Treaty”

- **Proposed and promoted** by European Commission and a group of “friends of the treaty”, with support by WHO DG
- **Controversial juridical and geopolitical debate** before and during the 74th World Health Assembly, May 2021
- **...leading to the decision to convene a WHA Special Session** “to consider developing a WHO convention, agreement or other international instrument on pandemic preparedness and response” (WHASS, 29 November-1 December 2021)
- **Working group on strengthening WHO preparedness and response (WGPR)** mandated to submit a report on “benefits of developing a convention” to the WHASS.



SEVENTY-FOURTH WORLD HEALTH ASSEMBLY
Agenda item 17.3

WHA74(16)
31 May 2021

Special session of the World Health Assembly to consider developing a WHO convention, agreement or other international instrument on pandemic preparedness and response

WGPR: “Issues that fall outside the scope of the IHR”

- One Health approach
- Equity “is at the core of the breakdown in the current system and ideally situated for negotiation under the potential new instrument”
- Rapid risk assessment and response*
- Compliance*
- Financing, in particular for WHO’s technical and convening role
- Sample sharing: more comprehensive mechanism
- Health Systems Strengthening, resilience, PHC, social protection
- “Structural solutions to promote a whole-of-government and whole-of-society approach to pandemic preparedness and response.”



Source: Draft WGPR report, 1 November 2021

*diverging assessments

Why a pandemic treaty? Current debates: Of process, power, paradigms - and blind spots

- Negotiate a treaty while the pandemic is still in full swing?
- Give priority to access to medical countermeasures / TRIPS waiver
- Concerns regarding the process; Pandemic Treaty vs. IHR review; Further fragmentation of global health governance? Risk of failure
- Health security agenda (vs. Human Security): Who benefits? Who remains on losing end? Geopolitical drivers? Political economy?
- Equity element introduced as “gambit”, or honestly?
- How to fully consider and integrate human/civic rights?
- **How to address structural drivers of the pandemic?**
- **How to achieve an alternative governance for the right to health, based on principles of cooperation and solidarity?**

Priti Patnaik / October 22, 2021 / COVID19, WHO

“Equity” Expands in Pandemic Treaty Discussions at WHO

WHO member states continue to engage and wrestle with the question on whether the world needs a new legal instrument to address future emergencies. Considerations on equity are fast-assuming center-space in these discussions.

Under
to he
week

thebmjopinion

Access thebmj.com - thebmj

An international pandemic treaty must centre on human rights

May 10, 2021

The proposed International Pandemic Treaty could be undermined by political posturing and national protectionism—or it could be an

**The pandemic treaty proposal:
a new dress-up of the same globalization?**

G2H2 RESEARCH AND ADVOCACY PROJECT

1. In the pandemic, still: a preliminary context analysis

The devastating impact of the COVID-19 pandemic has left world leaders bewildered and scurrying for avoidance of such a debilitating situation in future. Meanwhile, the world is yet to be out of the woods, and when it comes to the Global South the worse has still to come, as admitted by the UN Secretary General speaking at the G20 Global Health Summit in Rome in May 2021.

A deep understanding and broad assessment of why and how the world has come to this appear to be sorely missing still, one and a half year after the outbreak. One attempt in this direction has been made by the WHO Independent Panel's report released last May¹, but the full use of its analyses and implications is yet to be seen. At the same time, it appears somewhat weird that while COVID-19 is still raging globally, with its third way hitting Asia and Africa and the Delta variant spoiling Europe's hope of a return to normality, the international community's focus now is towards negotiating a new

Why a pandemic treaty? Current debates: Of process, power, paradigms - and blind spots

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health, based on original principles of cooperation and solidarity?**

**LET'S
TALK**



Why a pandemic treaty?

Process, power, paradigms - and blind spots

- Topic of a research and advocacy project undertaken by the Geneva Global Health Hub G2H2
- We presented and discussed preliminary results in a webinar on 25 October
- Report to be launched on 24 November in Geneva

Contact: www.g2h2.org

Thomas Schwarz, info@g2h2.org

Do we need a Pandemic Treaty?
A CSO Perspective: Preliminary Findings of G2H2 Study



"The global health architecture will change in the next few years. It's better to have an alternative like a pandemic treaty which will be negotiated in a transparent manner with all member states at the table."

Björn Kummel
Division Global Health, Ministry of Health Germany

#WhyPandemicTreaty

Do we need a Pandemic Treaty?
A CSO Perspective: Preliminary Findings of G2H2 Study



"Some of the research respondents shared there are risks on concerns of fragmentation of the global health governance with this pandemic treaty."

Priti Patnaik
Editor Geneva Health Files, Geneva

Do we need a Pandemic Treaty?
A CSO Perspective: Preliminary Findings of G2H2 Study



"Rich countries have allowed big pharma to reap profits while millions remain unvaccinated. Many countries have blocked the TRIPs waiver while pushing for a pandemic treaty."

Unni Karunakara
Senior Fellow Global Health Justice Partnership
Yale Law School/Yale School of Public Health

#WhyPandemicTreaty

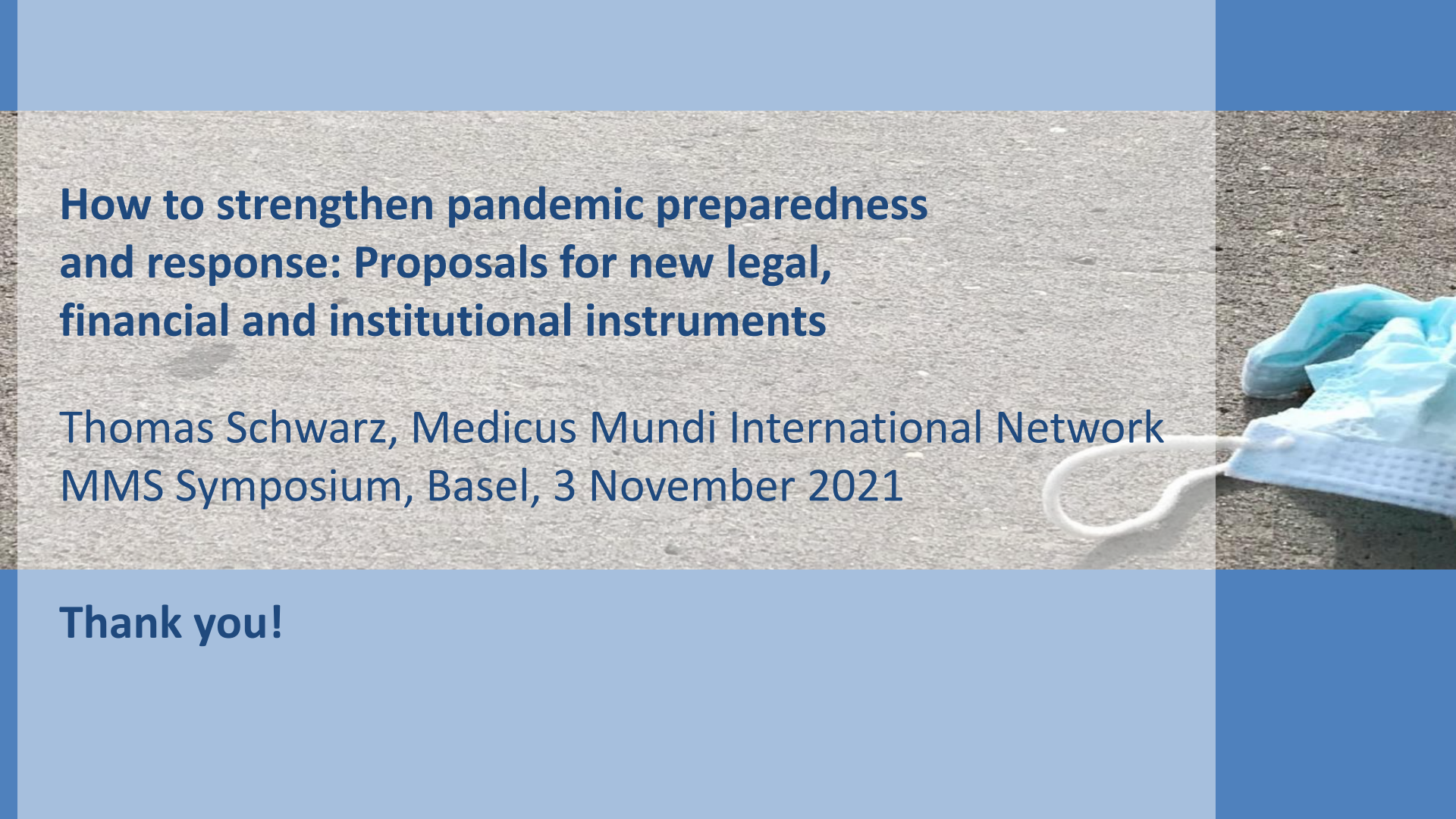
Choices needed to “build the future”

“Humanity needs to make a choice. Will we travel down the route of disunity, or will we adopt the path of global solidarity?”

If we choose global solidarity, it will be a victory not only against the coronavirus, but against all future epidemics and crises that might assail humankind in the 21st century.”

Yuval Harari, FT, March 2020





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Thank you!