Do We Need a Pandemic Treaty?

Findings from a Research Project: Geneva Global Health Hub

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What we will cover:

• The **Context** of Our Research
• The Research **Questions**
• What We **Found**
• **Insights** From Findings
The context of research

• Socio-Economic Stresses
• The Securitization Agenda: Historical Context
• The Political Factors (The battle for supremacy in global health)
• Current State of Play: The WGPR

(Working group on strengthening WHO preparedness and response to health emergencies)
Research Questions

i. Are existing legal instruments sufficient?
ii. What are the geopolitical and others drivers for a pandemic treaty?
iii. What are the alternative approaches to govern health emergencies?
Methodology

- A **conceptual framing** of the research in consultation with members of the Geneva Global Health Hub.
- A **scoping literature review** of academic journals; policy documents and online media – focusing on the pandemic treaty and governance of international outbreaks in recent history (since 2000).
- This has also **looked laterally** into political and diplomatic developments in other sectors and policy-areas, such as in security, economic, trade, ecological and food domains.
- **Semi-structured interviews** with a select group of diverse participants including international policy makers, health diplomats, civil society actors, academic and public health professionals
- We reached out 35 interviewees, nearly 65% of them participated in the interviews.
- Research report will be finalised in an iterative process with the participation of a wider community.
Findings: Are **existing** legal instruments sufficient?

- **Gaps in the existing system are acknowledged**
  - Addressing Zoonotic Threats
  - Trade and Travel Measures
  - Information-sharing

- **Amendments to the IHRs?**
  - Where have the IHRs failed?
  - IHRs represent a collective wisdom reflecting multilateral participation

- **The Treaty Approach: What, Where, How?**
  - All encompassing
  - Aspires for greater compliance of parties
  - A multilateral framework for pathogen sharing
Findings: The **drivers** for a pandemic treaty

• **Political Legacy** as a Common Denominator for Both Developed and Developing Countries
• The **Proponents**: The Group of Friends of the Treaty
• “Access” as a **driver** for Developing Countries
• The **Unfinished Agenda** of the R&D Treaty
• **Information as Power**: The Pathogen-Sharing Imperative
• To Rein in the Influence of **Non-State Actors** (Foundations and the Industry)
Findings: Alternative Approaches

• Human Rights as a basis
• The Duty to Cooperate [Positive Obligations]
• Strategy for Developing Countries: Negotiating as a bloc?
• Moving Away from the Securitization Approach
• A Greater Role for Communities and Civil Society
• Going Beyond Financial Assistance to Address Governance of Emergencies: Redistribution of Wealth
Insights from Findings

• Concerns on process and goals
• Diversity in motivations
• A perception of a “push” for consensus by the WHO secretariat
• “Equity” as a Gambit?
• Many Countries don’t have National Positions on a treaty yet
• Transposing the Power of the TRIPS Waiver Coalition
• The Risks of Further Fragmentation in Governance
• Forced Multilateralism to Achieve a Consensus for a Treaty
Do we need a treaty **under the circumstances**?

- In a **fragmented** state of governance
- In the **midst** of a pandemic
- Without addressing **current vaccine inequities**
- Before working on fixing gaps in **existing instruments**
For meaningful outcomes on a new instrument:

**Substantive**
- Address equity meaningfully
- Ensure provisions for access to medicines: diagnostics, therapeutics and vaccines.
- Strong rules that put health over IP/Trade
- Protect the access to benefits in return for sharing information on pathogens
- Rein in non-state actors (Foundations and industry)

**Procedural**
- Needs to be an inclusive process
- Engagement of civil society and communities
- A treaty anchored in the UN (more inclusive)
- Sustainable financing of WHO in the context of emergency response & governance
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