

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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