



THE
GRADUATE
INSTITUTE
GENEVA

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CENTRE

THE PANDEMIC TREATY AND BEYOND IN RECENT REVIEWS

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RECENT COVID-19 REVIEWS

- Report of the Review Committee on the functioning of the IHR
https://apps.who.int/gb/ebwha/pdf_files/WHA74/A74_9Add1-en.pdf
- COVID-19: Make it the Last Pandemic, report of the Independent Panel for Pandemic Preparedness and Response
- <https://theindependentpanel.org/mainreport/>
- A World in Disorder, report of the Global Preparedness Monitoring Board (GPMB, 2020)
https://apps.who.int/gpmb/assets/annual_report/2020/GPMB_2020_AR_EN_WEB.pdf
- Report of the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme to WHA74 https://apps.who.int/gb/ebwha/pdf_files/WHA74/A74_16-en.pdf
- Envisioning an International Normative Framework for Pandemic Preparedness and Response, report to the GPMB, Graduate Institute, Global Health Centre (May 2021)
<https://repository.graduateinstitute.ch/record/299175>

THE BROADER CONTEXT

IHR AND WHO – GAPS AND CHALLENGES

- Tension between speed of outbreaks and digital communication, and pace of WHO's functions
- WHO too conservative in its assessment and recommendations
- Public health emergency of international concern (PHEIC) proved ineffective to spur national action
- Need for more transparent governance of the process to declare PHEIC and temporary recommendations
- WHO is under-resourced and its funding model is dysfunctional
- Risk of politicization and constraints for WHO's role and functions
- Insufficient role of WHO's governing bodies in response coordination, in particular the Executive Board.
- Lack of a credible accountability mechanism on compliance with IHR obligations

IHR AND WHO – PROPOSED SOLUTIONS

- WHO should use precautionary approach in its normative and alert functions
- Use of digital tools to increase speed
- Use of unverified information for alert and guidance
- Enhanced powers of WHO to deploy field teams for assessment and verification
- Reform of WHO's funding model
- A single 7-year term for the Director-General and Regional Directors to increase political independence
- PHEIC and temporary recommendations linked to clear guidance and measurable actions
- Increased cooperation with FAO, OIE and UNEP to develop One-Health approach
- Formalization of peer review of core capacities and other IHR obligations
- Stronger involvement of the Executive Board – establishment of a Standing Committee for Emergencies

STATES AND OTHER ACTORS

- Stronger political leadership based on science and evidence
- Consistent non-pharmaceutical interventions and risk communication
- Consistent compliance with IHR obligations
- Investment in preparedness and health systems at highest political level, integrating a One-Health approach and with better predictive tools
- Showing and demanding accountability for compliance with commitments and obligations
- Risk-based approach to travel and trade restrictions and additional health measures
- Adequate and sustainable financing of national preparedness and response capacities outside
- Commitment to technology transfer and voluntary licenses in return for public funding
- Commitment by G7/G20 countries to fill current funding gaps

GLOBAL AND INSTITUTIONAL

- Institutionalize ACT-A and COVAX as platforms to facilitate planning and deliver public goods
- Pandemic preparedness should be integrated in the functions of international and regional organizations, e.g. the international financial institutions - "whole of international system"
- Global institutional level: establishment of a multi-stakeholder Global Health Threat Council under the aegis of the UN General Assembly
- Global financial level: establishment of an International Pandemic Financing Facility for preparedness and response
- Global political level: UN summit or UN General Assembly special session to adopt a political declaration/framework
- Regional capacities in manufacturing, procurement and access to countermeasures

EMERGING GENERAL THEMES

- Solidarity and cooperation: “share information, pathogens, technologies”
- Governmental commitment and responsibility at highest level
- Emphasis on prevention and preparedness
- Use of digital technology
- Precautionary approach
- One-health approach
- Accountability
- Enhanced WHO authority, independence and resources
- Sustainable financing as investment in global public goods
- Equitable access to countermeasures

THE “PANDEMIC TREATY” IN RECENT REVIEWS

- General support for a proposed treaty on pandemic preparedness and response
- The treaty should be adopted by, and housed in, WHO in the form of a “framework convention”
- Functions:
 - 1) Strengthen compliance with the IHR (2005)
 - 2) Strengthen national capacities for preparedness and resilience for pandemic response
 - 3) Prevention and management of zoonotic risks – one health approach
 - 4) Enhanced WHO’s power for deployment and verification
 - 5) Sharing pathogen samples and research outcomes
 - 6) equitable access to medical countermeasures
 - 7) Sustainable funding for national preparedness and response
 - 8) Enhanced accountability and enforcement

NORMATIVE LANDSCAPE

Different types of normative instruments performing different functions

- 1) Strengthen/revise the IHR (2005)
- 2) Amend/revise existing instruments (Nagoya Protocol, trade agreements)
- 3) Adopt a new “pandemic treaty” /detailed and prescriptive instrument or “framework convention”?
- 4) Adopt a political declaration setting principles, priorities and directions (e.g. 1992 Rio Declaration)
- 5) Adopt a political framework with review and follow-up mechanism (e.g. Sendai Framework)
- Alternatives or complementary? “Package approach”
- What is “soft” and “hard” in international relations?



THANK YOU!

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