

Health Action International at the 65th World Health Assembly

5 June 2012

Geneva – At this year's World Health Assembly (WHA) Health Action International (HAI) followed what was arguably the most controversial issue up for discussion: The debates and action around agenda item 13.14: *Consultative Expert Working Group on Research and Development: Financing and Coordination*. This debate soon polarised between the global North and South's broadly opposing positions, but Member States did manage to find consensus and adopt a resolution that will take this agenda item forward.

Agenda item 13.14: Consultative Expert Working Group on Research and Development: Financing and Coordination

It has been widely acknowledged that new approaches to research and development (R&D) and innovation are needed, because although intellectual property rights (IPRs) can provide an incentive for innovation, this incentive is insufficient to address the majority of global health priorities in developing countries.ⁱ Member States have looked to the World Health Organization (WHO) to promote the shift that clearly needs to be made and the Consultative Expert Working Group (CEWG) established specifically for this purpose issued its report with recommendations just before the start of this WHA in April. As key recommendation the CEWG singled out a *binding biomedical R&D convention* as the politically and financially sustainable institutional arrangement to ensure a realistic structural change in how R&D for priority health needs is financed, prioritised and incentivized.ⁱⁱ

How to take forward the CEWG recommendations was at the centre of debate at this year's WHA. Broadly, those in favour of adopting the CEWG's recommendation and moving towards a binding convention were found among the southern countries, with a vocal role played by the Union of South America Nations (UNASUR), most notably Brazil, Argentina and Bolivia, and strong support from Bangladesh and Kenya. On the other end of the spectrum, the European Union and United States appeared to block any attempt to start a process towards any binding commitment.

During the WHA, HAI and other NGOs, including Medicines Sans Frontières (MSF) and Knowledge Ecology International (KEI), expressed their concerns over attempts to block progress, through press releases and interventions.ⁱⁱⁱ Despite these differences, one day before the closing of the WHA Member States managed to reach a consensus.

Resolution adopted 26 May 2012

HAI cautiously welcomes the resolution adopted at the 65th WHA requesting the Director-General to hold an open-ended Member States meeting to analyze thoroughly the report and the feasibility of the recommendations of the CEWG.^{iv} Although HAI regrets that not more progress was made towards a binding legal framework, we are optimistic that the resolution established a formal process and commitment to further develop the CEWG recommendations, including its key recommendation to start negotiating a binding biomedical R&D convention.



EVENT MEMO

Overtoom 60, II
1054 HK Amsterdam
The Netherlands
Tel: +31 20 683 3684
Fax: +31 20 685 5002
info@haieurope.org
www.haieurope.org

ⁱSupported [in part] by a grant from the Open Society Foundations.”

Consultations and open-ended Member State Meeting

The CEWG recommendations will now be further discussed by Member States and other stakeholders in national, regional and global consultation meetings and the results of these discussions will be reported to the open-ended Member States meeting.^v This meeting is expected to take place in November this year.

The resolution adopted at the WHA singles out three specific elements for Member States to develop proposals on – the need to improve transparency, coordination and sustainable financing of R&D. These three elements are crucial, but not sufficient. It is widely recognised – and repeated by the CEWG in its April 2012 report - that current R&D *incentives* fail to address the majority of global health priorities in developing countries.

Therefore, any comprehensive and sustainable solution should include innovative approaches to govern publicly funded R&D that ensure both needs-driven innovation and affordable access. To achieve this, the CEWG and other public health experts recommend encouraging the use of incentive mechanisms that facilitate knowledge sharing and incorporate the principle of de-linkage. Mechanisms that embrace de-linkage allow for competitive generic production of drugs, which is the proven most effective means to drive down medicines prices and improve affordability in lower and middle income countries. Examples of such new mechanisms already developed are Product Development Partnerships, the Medicines Patent Pool and prize funds.

HAI calls on Member States to deliver on their commitment to respond to the challenge of global public health and use the consultations and Member State meeting to develop a substantive and ambitious roadmap that delivers a binding agreement on R&D to meet the health priorities of developing countries. A roadmap addressing *all* elements that are currently failing. This will not only require improved coordination, full transparency of R&D and sustainable financing, but also incentive mechanisms that ensure both needs-driven innovation and affordable access.

For more information please contact Tessel Mellema, Projects Officer: tessel@haieurope.org

Endnotes

ⁱ WHO (2006) CIPIH Report; WHO (2008). 'Global strategy and plan of action on public health, innovation and intellectual property'. *WHA61/2008/REC/1*. Available at: http://apps.who.int/gb/ebwha/pdf_files/WHA61-REC1/A61_Rec1-part2-en.pdf; Council of the European Union (2010). 'Council conclusions on the EU role in global health'. *3011th Foreign Affairs Council meeting*. Available at: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/114352.

ⁱⁱ WHO (2012) 'Research and Development to Meet Health Needs in Developing Countries: Strengthening Global Financing and Coordination'. Report of the CEWG on Research and Development: Financing and Coordination (CEWG Report). April 2012. http://www.who.int/phi/CEWG_Report_5_April_2012.pdf.

ⁱⁱⁱ Press releases available at: <http://haieurope.org/wp-content/uploads/2012/05/press-release-F.pdf>; <http://www.doctorswithoutborders.org/press/release.cfm?id=6043>; <http://keionline.org/node/1418>.

^{iv} WHA draft resolution Agenda Item 13:14, A65/A/Conf.Paper No.10 26 May 2012. Available at: <http://haieurope.org/wp-content/uploads/2012/06/CEWG-Financing-and-Coordination-Draft-Resolution.pdf>.

^v An overview of the upcoming meetings of the regional committees can be found at: <http://www.who.int/governance/calendar/2012/en/index.html>.