



## Health Action International Briefing Note

WHA66, May 2013 - Provisional agenda item 17.2: follow up of the CEWG report

### Being Ambitious and Keeping Focus

At the open-ended meeting (26-28 November 2012) on the follow-up of the report of the Consultative Expert Working Group on Research and Development (CEWG), Member States produced a draft report containing a draft resolution.<sup>i</sup> The Executive Board confirmed in January that the draft resolution is to be considered in open form by this year's WHA.

Despite the clear recommendations set out by the CEWG to move towards an integrated solution, **this draft resolution does not provide a clear agenda for addressing pressing unmet R&D needs.** It takes a minimalist approach in terms of commitments and does not adequately respond to the urgent need to repair a broken R&D system with a comprehensive solution in the form of a global framework for health R&D.

**The draft resolution does however contain valuable elements** to move towards a global health R&D framework that produces needs-driven innovation and affordable access to results. It identifies '*demonstration projects*' and a global *R&D observatory* as the main stepping stones towards a solution and also urges Member States to review and explore existing and possible mechanisms of coordination and financing of global health R&D.

Though concerned over the lack of ambition and clarity in language, **HAI welcomes the commitment to an R&D observatory, the demonstration projects and the exploration of improved coordination and financing** and encourages the prompt development of these initiatives. However, HAI would like to express caution with regards to losing sight of the core principles needed to structurally address the current market failures of global health R&D in terms of lack of innovation and affordable access. The CEWG report contained - apart from its recommendation on starting negotiations on a binding instrument - the key recommendations of i) de-linking of the costs of R&D from the price of the end product, and ii) open knowledge innovation- collaboration in the R&D process while generating knowledge as a public good, not bound by exclusive rights for a few privileged users.

**To effectively address the current market failures in global health R&D it is vital that considerations of priority health needs and affordable access to health products are built into the innovation systems as key pre-requisites.** In the joint open NGO letter in November a broad coalition of health NGOs emphasized the need for global health R&D to be conditioned by principles and norms that duly acknowledge *i) that priority health needs should drive R&D funding, ii) that the outputs of publicly funded R&D are global public goods iii) the need to de-link the costs of R&D from the price of the end product and iv) the need for transparency in R&D funding and results.*<sup>ii</sup>

These norms & principles should be built into any project that comes out of this effort to improve global health R&D. Without it, the post CEWG process risks being reduced to merely another -- albeit better coordinated - pooled fund that puts money into an existing unsustainable system. Once projects that actively promote technology transfer and knowledge sharing, are implemented widely, these norms can be adopted by the local environments and spread further

**Health R&D needs to be located in a system that privileges cooperation instead of competition, and inclusion instead of exclusion from knowledge goods.** When a decade ago, discussions began on improving global health R&D through an R&D treaty, open innovation and implementing de-linkage, Member States were ahead of the curve in considering these issues. Now, the world has caught up and open innovation in its many forms is being used in different industries and fields. WHO Member States should not let this global CEWG process fall behind but instead take back the lead by creating the right incentives and setting adequate norms for biomedical research. The post CEWG process represents the opportunity to do this on a grand scale.

#### **HAI encourages the Member States to:**

- **Include core principles and norms** that should govern public health R&D in the draft resolution
- Clarify in the draft resolution that the actions proposed are **stepping stones** towards a comprehensive solution in the form of **global framework for health R&D.**
- Move quickly with the **demonstration projects** which should be used to learn how to address the systemic failures in global health R&D. The projects should operationalize the concrete push and pull mechanisms that according to the CEWG best incorporate principles of **delinkage** and enhance knowledge sharing, affordability and needs driven innovation. These proposals include open knowledge innovation, innovation inducement prizes, patent pools, direct grants and pooled funds.  
Regions (and nations) should be pro-active in this effort: We would expect to see the **European Union** take leadership, as it is currently developing its new 80 billion multi-annual research and innovation framework, Horizon 2020, which provides the EU with ample room and flexibility to make ambitious commitments to explore new biomedical innovation models.<sup>iii</sup>
- Commit to the effort needed to have the **R&D observatory** in place, and to be designed in a way that is open and transparent. It should be clear from the start that this observatory, located in the WHO, will have sufficient resources and is established to perform three critical functions: Firstly, monitoring and mapping of existing R&D resources, secondly identifying research gaps, and thirdly the evidence-based identification and co-ordination of priority areas of needs-driven R&D.

#### **Endnotes**

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<sup>i</sup> A/CEWG/4 -5 December 2012, [http://apps.who.int/gb/cewg/pdf/A\\_CEWG\\_4-en.pdf](http://apps.who.int/gb/cewg/pdf/A_CEWG_4-en.pdf).

<sup>ii</sup> Open letter to WHO Member States on the occasion of the open-ended Member States meeting on the follow up of the report of the Consultative Expert Working Group (CEWG) on Research and Development: Financing and Coordination, November 26-28th 2012 Signed by over 50 NGOs. <http://haieurope.org/wp-content/uploads/2012/11/Joint-NGO-position-post-CEWG-November-23.pdf>.

<sup>iii</sup> Horizon 2020: The EU Framework Programme for Research and Innovation.