



Summary of the discussions on the follow up to the Consultative Expert Working Group on
Research and Development: Financing and Coordination

MS recognised that capacity for R&D must be strengthened. They supported WHO hosting a global health R&D observatory, and referred to this resolution as a way to address diseases predominantly affecting developing countries.

AFRO supported the resolution and stated that it looked forward to an international R&D treaty. The US stated that the agreement on the resolution reached at the November meetings was the best outcome possible. Lithuania and EU supported the resolution without reopening it for the following reasons: the draft is a balanced compromise and based on consensus, it allows WHO and Sec to take immediate action, it relies on enhancing regional capacities and a bottom up approach. Switzerland also supported the staged approach, stating that pilot projects such as those against NTDs will make it possible to test the efficacy of this model.

Ecuador speaking on behalf of the UNASUR stated its support for the report of the CEWG. The current paradigm of providing incentives is not enough to address the health needs of developing countries. Ecuador argued that the resolution was ambiguous with a lack of correlation between the preamble and operative parts. They stressed continuing efforts for coordination, priority setting and funding beyond the status quo. Ecuador called upon the EB to consider the possibility of strengthening operative paragraphs 5 and 6 – to strengthen coordination and funding, and to consider submitting the draft resolution to the WHA in a very open way bearing in mind principles of democracy and participation of all MS. They also proposed an amendment to paragraph 7 - to ensure open discussions and to hold a further open meeting before the 68th WHA in 2015.

China sought clarification on recommendation that the EB adopt without opening it, recalling that not all members took part in the discussions, and that since WHA is the highest level of the organisation, the WHA should decide whether to discuss it or not. China also sought the EB to make revisions on the text – paragraph 2(3): urges MS .. China sought to add the key word SHARING: sharing of relevant information on health R&D. They also sought to add the word SHARE to the paragraph that requested the DG to establish a health observatory - to monitor, analyse and share information on health R&D. They also sought to add financing and implementation to paragraph 4.

Cuba, Argentina and Bolivia supported Ecuador and China for the call to open the discussion at the WHA.

Morocco expressed concern that the EB was being asked to approve the strategic work plan which had not been completed. Morocco suggested amendments to paragraph 2 – to make clear that the observatory is informed by national observatories and that MS make institutional reforms for these.

The US reflected on the November discussions recalling that all MS were invited, and argued that a great deal of give and take had occurred on both sides. The US had understood that this resolution, which contains elements that the US personally does not agree with, was a package for moving forward and that this is the final outcome. Monaco, the EU, Japan, Mexico and Norway supported this.

The US stated that the changes proposed raised a question of governance and process in WHO in the ways in which agreements are reached and maintained. They expressed frustration and questioned why they had flown specialists around the world in November only to find it: I wouldn't say tossed out, on the basis that someone didn't like part of it.

The Chair requested legal Council advice. The advice was that, because the draft resolution is the result of the resolution adopted by WHA65.22 which required the DG to hold an open ended consultation, to present to the WHA through the EB, the Board can make comments and bring attention to these at the WHA. Whether the EB had the authority to amend the resolution was questionable.

Reflecting on this advice, the DG suggested that any amendments would not be acceptable and the draft resolution, the whole package would need to go to the WHA as it stood. China suggested providing its amendments to the SEC to facilitate effective discussion at the WHA.

Dr Viroj Tangcharoensathien, the Chair of the IGWG, was invited to speak to the EB. He wished that the EB mind its business and honour the agreement from November not to reopen the resolution. He further said that due to the delicate nature of the resolution, that the WHA must also trust the outcome of the open ended meeting – this is the best compromised text.

Bolivia explicitly called for a focus on solutions such as milestone prizes, open co-operation, promoting innovation in an open way so the results can be seen as public goods and the importance of delinkage. Indonesia also supported delinking the costs of R&D as a fundamental principle, and that a legally binding mechanism is important to secure funding for such measures. Argentina argued that moving forward on equitable access requires R&D free from monopolies.

The US, in response to the call by some MS for a further open meeting before 2015, stated that there is little reason because of a lack of consensus: the EB has a clear choice – it can accept the resolution and report it or it can reject it and not send anything forward to WHA. Australia supported this, reflecting that: everyone should think just how long we should spend on this; maybe there are better uses of our time.

The DG stated that: honestly maybe we should fight it out in the assembly. We all want to go home tonight.

NGOs MSF, HAI and KEI, MMI and PHM argued that the draft resolution was weak and did not address the recommendations of the CEWG including for a MS led legally binding framework on health R&D, incorporating the concepts of delinkage. They also expressed concern over the recommendation that the EB not reopen the resolution, given that it was adopted by twenty five member states late in the hours in November without official language interpretation.

MS disagreed on whether to reopen the draft resolution or not and decided to attach a summary of the debate to the resolution to go to the WHA - where MS can reopen it if they wish to.