Open letter to Members of the Intergovernmental Negotiating Body Bureau ahead of the resumed session (14-15 March 2022)

11 March 2022

Dear Ms Precious Matsoso, Mr Roland Driece, Ambassador Tovar da Silva Nunes, Mr Ahmed Salama Soliman, Mr Kazuho Taguchi and Dr Viroj Tangcharoensathien,

Civil society and community engagement in the development of a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response

We are writing as civil society, community organisations and concerned individuals to ensure the work of the Intergovernmental Negotiating Body (INB) in drafting and negotiating a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response, upholds the human right to participate in international forums by ensuring the full and meaningful participation of civil society and communities throughout the treaty drafting and negotiation process.

The proposed method of work of the INB, released on 21 February 2022, sets out working methods and timelines based on the principles of “inclusiveness, transparency, efficiency, Member State leadership and consensus.” It recognises the importance of broad engagement in the work of the INB to ensure a successful outcome. While the document outlines limited potential opportunities for civil society and community input through “public hearings,” “written submissions,” and “expert input” the frequency and parameters of these avenues for engagement have yet to be defined, and moreover, a formal role for these stakeholders is still not envisaged in the treaty development process.

As the INB meets for the resumed session of the first meeting (14-15 March 2022) to determine an inclusive Member State led process with a view to identifying the substantive elements of the instrument and to begin the development of a working draft, civil society and community participation is conspicuously limited. Whilst we welcome the recent invitation extended to certain non-State actors to the deliberations of this resumed session, we express disappointment that this invitation is limited to organisations in official relations with WHO and even then, it is unclear if non-State actors can deliver statements during the meeting.

1 A/INB/1/3
The right to participation in international forums, grounded in international human rights law and standards, is emphasised in recent UN guidance and by the United Nations Office of the High Commissioner for Human Rights, which notes in its recent report that such a right includes “participation in the formulation and implementation of policies” at international levels. In the context of the INB’s method of work, the right to participation requires the full and meaningful engagement of civil society and communities in the development of the WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response.

The meaningful engagement of civil society and communities requires formal participation with engagement that reflects both the expertise and diversity of civil society and communities, ensuring civil society organisations in different parts of the world are represented and, in particular, recognising the critical importance of the right to self-representation and the distinct voice of communities. In addition there must be clear mechanisms for civil society and communities to engage their broader constituencies, with adequate resourcing to effectively convene and facilitate the participation of community and civil society voices throughout the process.

This full and meaningful participation of civil society and communities at the earliest stages of drafting, and throughout the process, is essential to ensure a human rights based approach.

We call on the INB to review the proposed modalities of engagement for relevant stakeholders released on 10 March 2022 to ensure the full and meaningful participation of civil society and communities beyond those in official relations with WHO, by providing opportunities to engage directly in the drafting process of the WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response. This participation should include (but not be limited to), opportunities to speak at INB sessions (both in-person and remotely), regional consultations, civil society briefings, opportunities to submit written statements and recommendations, timely access to documents, and the provision of interpretation services.

With assurances of our highest consideration,

Mike Podmore (Director, STOPAIDS)
on behalf of the organisations and individuals listed below,

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5 A/HRC/49/42
6 A/INB/1/7
Organisations:
Advocacy Network Africa (AdNetA)
Afrihealth Optonet Association (AHOA) - CSOs Network
afrivac
Agenda Developers
Aidsfonds
Alliance for Public Health
Amnesty International
Association For Promotion Sustainable Development
Association for Protection of Human Rights and Community Development
Association of Women of Southern Europe AFEM
BARAC UK
BenNewman Hope Care Foundation
Cancer Alliance, South Africa
Centre for Environment, Human Rights & Development Forum- CEHRDF
Centre for Health Science and Law
Chronic Illness Advocacy & Awareness Group
CIVICUS: World Alliance for citizen participation
Civil Society Platform for Peacebuilding and Statebuilding [CSPPS]
CORDAID
Favour Lowcost Healthcare Foundation
FOCUS 1000
Foundation for Integrative AIDS Research (FIAR)
Frontline AIDS
Gavi CSO Constituency/Steering Committee
Global Alliance for Surgical, Obstetric, Trauma, & Anaesthesia Care (G4 Alliance)
Global Health Council (GHC)
Global Health Law Consortium, Human Rights Working Group
GNP+
Good Health Community Programmes
Harm Reduction International
HIV + Aging Research Project--Palm Springs
HIV Justice Network
ICHANGE
IFARMA Foundation
Institute for Health, Social Policy and Research Development
International Center for Not-for-Profit Law
International Network of People who Use Drugs (INPUD)
International Service for Human Rights
IPPF
Jerusalem Impact Vaccination Initiative
Kamukunji Paralegal Trust (KAPLET)
KANCO
Malaria and childhood illness NGO Network Secretariat Uganda
Muslim Family Counselling Services
NAP+
Network of Young Key Populations
People’s Health Movement
Privacy International
Public Health Initiative Liberia (PHIL)
Rekat Peduli Indonesia
Results Canada
Right to Health Action
SAF-TESO
Salamander Trust
Society for Conservation and Sustainability of Energy and Environment in Nigeria (SOCSEEN)
STOPAIDS
TB Europe Coalition
Treatment Action Group
Vietnam Network of People living with HIV (VNP+)
WaterAid
Wemos
Women in Global Health
Wote Youth Development Projects

Individuals:
Anna Tormen
Arush Lal - Department of Health Policy, London School of Economics & Political Science
Balasubramanian, PhD
Bonny Ibhawoh
Chiara Dogliatti
Dr. Alexandra Phelan, Assistant Professor, Georgetown University
Dr Fifa A Rahman, Civil Society Representative, Access to COVID Tools Accelerator Facilitation Council
Dr Sara (Meg) Davis, Ph.D.
Dr. Uzodinma Adirieje
Dr. Wenzhen (Jen) Zuo
Gian Luca Burci
Gisa Dang
Giulia Perrone, PhD candidate, Università degli Studi di Torino
Laia Ruiz Mingote
Lindokuhle Sibiya
Mattia Colli Vignarelli, PhD Student, University of Turin
Md. Ilias Miah
Molly Thompson
Nantambi Faith Gloria
Obiora C. Okafor
Pham Huyen Trang - project officer - VNP+
Prof Joe Amon, Drexel University Dornsife School of Public Health
Professor Sophie Harman
Roberta Rombolà
Roojin Habibi
Tala Dowlatshahi
Thomas Schwarz, Executive Secretary, Medicus Mundi International - Network Health for All
Yassen Tcholakov, Assistant Professor in the Department of Epidemiology, Biostatistics, and Occupational Health, McGill University
Zahedul Islam