

Consultative Expert Working Group on Research and Development: Financing and Coordination

OPERATIVE PARAGRAPHS OF CONFERENCE PAPERS:

A65/A/Conf.Paper No 1 - Kenya

A65/A/Conf.Paper No 2 - Switzerland

A65/A/Conf.Paper No 4 - UNASUR

A65/A/Conf.Paper No 5 - USA et al.

WELCOMES

KENYA

the report of CEWG and expresses its appreciation to the Chair, Vice Chair and all the Members of the Group for their work;

SWITZERLAND

the report of the Consultative Expert Working Group and expresses its appreciation to the Chair and Members of the Group for their work;

UNASUR

(1) the report of the Consultative Expert Working Group on Research and Development: Financing and Coordination – CEWG – (document A65/24), and notes that it fully complies with the mandate established by the Sixty-third WHA

(2) the conclusion of the CEWG that the current system of intellectual property does not sufficiently incentivize research and development of medical products to treat diseases that affect developing countries

NOTES

USA et al.

the report of the Consultative Expert Working Group and expresses its appreciation to the Chair and Members of the Group for their work;

CONGRATULATES

UNASUR

the Director-General of WHO on carrying out the established mandate

DECIDES

KENYA

To establish an Intergovernmental Negotiating Body to develop the WHO Convention on Research and Development Financing and Coordination taking into account the CEWG recommendations, in particular

the strengthening and securing sustainable funding to address identified R&D priorities of developing countries; promoting R&D in diseases that disproportionately affect developing countries; delinking R&D costs and prices of products; enhancing innovative capacity of developing countries and technology transfer; generating R&D outcomes as public goods and strengthening R&D coordination mechanisms all predicated on five key principles of:

- (1) knowledge sharing as a condition for the implementation of the universal right to health which encompasses an obligation on the State to generate health research and development that address the health needs of disadvantaged individuals, communities and populations,
- (2) knowledge as a global public good that requires collective action and de-links research and development costs from product prices for diseases that disproportionately affect 2.7 billion people living in developing countries;
- (3) capacity building and institutional strengthening to ensure the use of scientific knowledge to respond to people's health needs,
- (4) ensuring sustainable financing mechanism for R&D for health needs of developing countries, and
- (5) access to affordable medicines as a key component of primary health care and universal coverage;

UNASUR

To promote and incentivize the development of the proposal recommended by CEWG whereby Member States would set in motion a process to negotiate a binding agreement and resolutions on research and development to satisfy the needs of developing countries, in accordance with the provisions of article 19 of the Constitution of WHO, the essence of which would be to stimulate and prioritize science, technology and innovation in a less asymmetrical manner and would address the issue of access to medicines, in accordance with the Global Strategy on Public Health, Innovation and Intellectual Property.

URGES Member States

KENYA

- (1) to consider the recommendations of the report, and ensure that the report is included on the agenda of the WHO's regional Committees in 2012
- (2) to give high priority to accelerating work on the development of the WHO Convention on Research and Development Financing and Coordination for health needs of developing countries;
- (3) to provide additional resources and enhance cooperation to accelerate the work of the INB on the WHO Convention on Research and Development Financing and Coordination;
- (4) to significantly increase funding for implementation of the WHO Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property, including additional funding for national, regional and international health research and development institutions;
- (5) to make access to affordable medicines, diagnostics, vaccines and medical devices a priority sector for investment and sustainable development;

SWITZERLAND

to analyse thoroughly and consider the feasibility, at national level, of the recommendations of the Consultative Expert Working Group in its report;

UNASUR

- (1) to participate actively in the meeting referred to in paragraph 5 of this resolution
- (2) to implement on a complementary basis in their respective countries and regions the proposals outlined in the report of the CEWG, and to continue to develop proposals that contribute to the promotion of research and development, separating out the costs of the research and development from the price of the products.
- (3) to ensure that, under the auspices of WHO and in collaboration with its regional offices, mechanisms to coordinate research and development for diseases affecting developing countries are established and strengthened with a view to expanding access to medicines and other health technologies.

USA et al.

to analyze thoroughly and consider the feasibility, at national level, of the recommendations proposed by the Consultative Expert Working Group in its report;

CALLS UPON

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Member States, the private sector, academic institutions and nongovernmental organizations to invest in health research and development related to Type II and Type III diseases and the specific research and development needs of developing countries in relation to Type I diseases;

REQUESTS the Director-General

KENYA

- (1) to convene immediately the Intergovernmental Negotiating Body to draft and negotiate the WHO Convention on Research and Development Financing and Coordination, and to allocate the necessary resources to it;
- (2) to provide secretarial and other support to the Intergovernmental Negotiating Body including required financial resources, services and facilities for the performance of its work, and as necessary regional consultations;
- (3) to invite in consultation with Member States, six experts to attend the sessions of the Intergovernmental Negotiating Body to provide advice and expertise, as necessary upon request of the Chairman, taking into account the need to avoid conflicts of interest;
- (4) to invite observers at sessions of the INB on the WHO Convention on Research and Development Financing and Coordination in accordance with the provisions of resolution WHA27.37 and other relevant Rules of Procedures and resolutions of the Health Assembly;
- (5) to submit progress report to the Sixty-seventh World Health Assembly and the final WHO Convention on Research and Development Financing and Coordination through the Executive Board to the Sixty-eighth World Health Assembly.

SWITZERLAND

(1) to hold informal, in-depth consultations with Member States on the feasibility of the recommendations contained in the report, in particular concerning a binding global instrument for research and development and innovation in health related to Type II and Type III diseases and the specific research and development needs of developing countries in relation to Type I diseases, together with the funding implications of such an instrument;

(2) to compile the views expressed during the consultations in a document to be presented under a substantive item dedicated to the follow up to the Consultative Expert Working Group's report, which shall be included in the agenda of the Sixty-sixth World Health Assembly through the 132nd session of the Executive Board;

UNASUR

To convene a meeting of all Member States, represented by their health authorities, in order to:

a) initiate an open-ended, Member State-driven process to make a detailed, in-depth study of the mechanisms proposed by the CEWG with a view to their implementation

b) achieve consensus on the principles, objectives and governance instruments that could form part of a binding agreement, and the necessary means of bringing this about

c) submit a progress report on these activities to the 132nd Executive Board and subsequently to the Sixty-sixth WHA

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(1) to hold informal, in-depth consultations with Member States on improving coordination of and financing for research and development to better address the health-care needs of developing countries, including, but not limited to, the possible methods recommended by the Consultative Expert Working Group, in the context of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property;

(2) to request WHO Regional Committees to include on the agenda of their meetings in 2012 a consideration of methods to improve coordination and financing of research and development to better address the health care needs of developing countries, including but not limited to the possible methods recommended by the Consultative Expert Working Group;

(3) to compile the views expressed during the consultations and regional committees in a document to be presented under a substantive item dedicated to the follow-up to the Consultative Expert Working Group's report, which shall be included in the agenda of the Sixty-sixth World Health Assembly, through the 132nd session of the Executive Board.

REQUESTS the Regional-Directors

SWITZERLAND

to include a debate on the recommendations of the report of the Consultative Expert Working Group on research and development in the agenda of the regional committees in 2012.