The co-chair of the GPMB has written to the bureau of the *Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response* (INB) offering to provide a position paper on independent monitoring, which the GPMB views as being a substantive element of the instrument.

Such a mechanism would support governments and other stakeholders in their actions to strengthen pandemic prevention preparedness and response (PPPR).

**The GPMB calls on the INB to identify independent monitoring as a substantive element of the Instrument. Independent monitoring should be included as a topic from the beginning of negotiations, and a proposed mechanism for independent monitoring included in the working draft of the instrument, for the consideration of the INB at its second meeting.**

### 1. INTRODUCTION

*The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States.*

Collective action and global public goods are fundamental aspects of human security, which means mutual accountability is of paramount importance. Independent monitoring is the cornerstone of accountability for human security, and particularly to PPPR, due to the transboundary nature of pathogens with pandemic potential.

Mechanisms for assessing PPPR have varying degrees of independence, from self-assessment (e.g., the IHR State Party Self-Assessment Annual Report (SPAR)), to models based on peer review (such as Joint External Evaluations (JEE) and Universal Health & Preparedness Review (UHPR), to models based on independent monitoring (for example the Global Preparedness Monitoring Board (GPMB), the Independent Oversight Advisory Committee (IOAC), the Advisory Group established under the Pandemic Influenza Preparedness Framework, and the Independent Monitoring Board (IMB) of the Global Polio Eradication Initiative). Some legally binding international agreements also include formal verification/inspection mechanisms, such as the IAEA Safeguards Agreements.

All these mechanisms will continue to be important components of the ecosystem of assessment of PPPR, together with mechanisms for monitoring the adherence to and implementation of other relevant instruments, including the Sendai Framework, the TRIPS Agreement, the Nagoya Protocol, and the Convention on Biological Weapons.

Without independent monitoring, mutual accountability is compromised, as self-reporting may overestimate capacity and performance, and consequently does not always lead to the corrective actions required. Equally, independent monitoring without mutual accountability has little impact, as it has limited influence on those responsible for taking the actions required.

Independent monitoring is most effective when recognised and legitimized by those being monitored, i.e., national governments, international/regional organizations, and non-State actors, as part of an international convention or agreement, or through regional or bilateral agreements. It can encourage compliance if linked to incentives and sanctions.
2. PURPOSE

The purpose of independent monitoring of PPPR is to support governments and other stakeholders across all sectors to:

(a) Identify risks, determinants, and threats; the drivers and amplifiers that increase the likelihood and impact of health emergencies
(b) Identify gaps and weaknesses in the capacity and performance of systems and their financing and governance
(c) Identify solutions to ensure equity, effectiveness and efficiency of PPPR
(d) Track implementation of obligations under international law, and pledges for actions and resources, to promote mutual accountability and compliance with agreed commitments.

3. CHARACTERISTICS

The GPMB identifies the following principles as critical for credible independent monitoring:

(a) Objectivity; assessments are evidence-based, based on quantitative and qualitative information from identifiable Member State and complementary sources, and independently verifiable
(b) Transparency: the sources of data, analytical process and development of recommendations are published and independently verifiable. The procedures for selection and appointment of experts responsible for the assessments are published and open.
(c) Impartiality; assessments are unconstrained by political, organizational, operational or financial considerations that could adversely influence assessments, conclusions or recommendations
(d) Impact; assessments and recommendations are followed up and lead to action. Those responsible for follow up hold themselves accountable for taking these actions.

In developing an independent monitoring mechanism for the Instrument, it will be important to build on the lessons learnt from existing mechanisms linked to other international agreements, regulations, and instruments. It is also important to build on and further strengthen existing monitoring systems in PPPR, notably the IHR Monitoring Framework, and existing bodies responsible for independent monitoring, including the GPMB and IOAC, rather than develop new mechanisms, which could duplicate work and increase fragmentation.

A suitable mechanism for independent monitoring of the Instrument would have the following characteristics:

- it would have technical, operational, political, organizational and financial independence, comprised of experts selected on the basis of their impartiality, qualifications and experience, ensuring gender, geographic and sectoral diversity, and financed on a burden-sharing basis by State Parties to the Instrument;
- it would have clear authorities from State Parties to the Instrument (potentially to include a Member State review and verification/inspection mechanism relating to legally binding commitments);
- it would have the mandate to identify gaps and weaknesses and recommend solutions and actions;
- it would report directly to the governance mechanism of the Instrument. State Parties and other stakeholders would hold themselves accountable for taking these actions;
- it would encourage compliance by linking independent monitoring of PPPR to relevant incentives and sanctions.
4. CHALLENGES

The GPMB recognizes that there are several significant challenges for independent monitoring of PPPR that must be addressed, which will necessitate flexibility in establishing an effective monitoring mechanism. These include the following:

**Reconciling independent monitoring with national sovereignty and ownership.** PPPR is a collective responsibility of all Member States and stakeholders. At times, this collective responsibility can be at odds with the principle of national sovereignty, especially if collective action depends on voluntary arrangements, rather than legally binding commitments under international law.

**Ensuring a multisectoral approach to monitoring.** The ecosystem of PPPR is broad, complex, and fragmented. The scope of monitoring must be comprehensive, encompassing several dimensions, including geopolitical (global, regional, national, and subnational), multisectoral (One Health & environment, socio-economic, finance, transport & trade, R&D, etc), multistakeholder (Member States, international/regional organizations, and non-State actors) and the continuum of health emergencies (prevention, preparedness, alert, response, recovery, and resilience). Effective monitoring must be able to assess risks and determinants, systems and their financing and governance, and assess these in terms of equity, effectiveness, and efficiency.

**Improving the coordination and quality of information systems, data, and analysis.** Information systems are not fully developed across all these dimensions, and where data is available, it is not consistently reliable, complete, or up to date. Multiple parallel information systems, both existing and currently under development, lead to fragmentation of data and its use.

**Adapting to new digital technologies.** Rapid developments in information technology, social media, and artificial intelligence, etc, mean that information systems need to be flexible and adaptable. Rapid innovation has resulted in a lack of standardisation, has frequently outpaced regulatory and governance mechanisms, and has deepened the digital divide in access to these new technologies.

**Expanding the focus on systems and financing to include leadership, communities, and governance.** Assessment mechanisms and indices tend to focus on the capacity and performance of systems and financing, as these are relatively easier to measure and monitor. There is growing awareness that other behavioural aspects of PPPR that have previously been neglected are of equal if not greater importance, such as trust, engagement, and transparency.

**Identifying predictive indicators of PPPR for all hazards across all sectors.** Existing national measures of health systems and emergency preparedness did not appear to predict health outcomes in COVID-19. There is a tendency to design systems around the most recent health emergency, rather than in anticipation of the next. Health emergencies are extremely diverse in their cause and context, and indicators of preparedness that are consistently predictive across all hazards have yet to be identified.
5. RECOMMENDATIONS

The GPMB makes the following recommendations:

(a) The INB should identify independent monitoring as a substantive element of the Instrument. Independent monitoring should be included as a topic from the beginning of negotiations, and a proposed mechanism for independent monitoring included in the working draft of the instrument, for the consideration of the INB at its second meeting.

(b) The INB should establish an independent monitoring mechanism for the Instrument that provides broad, independent, evidence- and science-based expert analysis and facilitates mutual accountability. The independent monitoring mechanism should report at regular intervals to the governing body of the Instrument, such as the Conference of the Parties or the World Health Assembly, with its mandate formalized in the Instrument, and resourced appropriately.

(c) The independent monitoring mechanism should identify and assess different dimensions of PPPR and based on a One Health approach. This would include; (i) the impacts of health emergencies; (ii) risks and determinants, i.e. the drivers and amplifiers that increase the likelihood and impact of health emergencies; (iii) gaps and weaknesses in the capacity and performance of systems and their financing and governance; and (iv) implementation of obligations under international law, and pledges for actions and resources, to promote mutual accountability.

(d) The independent monitoring mechanism should propose solutions and make recommendations to strengthen PPPR and accountability. Solutions should be actionable and designed to ensure equity, effectiveness and efficiency in PPPR and encourage compliance with the Instrument.

(e) The independent monitoring mechanism should be modelled on best practice in independent monitoring of international instruments. This would include the following:
   a. The mechanism should be composed of high-level independent leaders and experts and include a multi-tiered review process involving independent experts to ensure that assessments are credible, balanced, reliable, and comprehensive.
   b. The mechanism should be informed by experts from all Member States and across all relevant sectors and stakeholders, including civil society and the private sector, to compile the best evidence on the current state of PPPR. This would ensure the perspectives of different countries and communities are captured and assessments are based on current science and evidence.

(f) The independent monitoring mechanism should build on and strengthen existing monitoring mechanisms. These include voluntary and mandatory monitoring mechanisms within the IHR Monitoring Framework, the Universal Health and Preparedness Reviews, the IOAC and the GPMB. The INB may wish to consider strengthening the GPMB as a mechanism for independent monitoring of IPPR within the Instrument under negotiation.

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1 Constitution of the World Health Organization
2 ‘Mutual accountability is a process by which two (or multiple) partners agree to be held responsible for the commitments that they have voluntarily made to each other. It relies on trust and partnership around shared agendas, rather than on ‘hard’ sanctions for non-compliance, to encourage the behaviour change needed to meet commitments. It is supported by evidence that is collected and shared among all partners.’ OECD https://www.oecd.org/dac/effectiveness/49656340.pdf
3 https://extranet.who.int/e-spar/
4 https://www.who.int/groups/technical-advisory-group-for-universal-health-and-preparedness-review
5 https://www.gpmb.org/
6 https://www.who.int/groups/independent-oversight-and-advisory-committee
7 https://www.who.int/groups/pip-framework-advisory-group
8 https://polioeradication.org/who-we-are/governance-and-structure/independent-monitoring-board/