

Information and discussion session on One Health in the pandemic instrument



Workshop Report

September 20th, 2023

This report was developed as part of a workshop aimed at supporting WHO Member States by bringing expert perspectives on questions tied to One Health approach in the pandemic instrument.

Co-conveners of the workshop were the Permanent Mission of Canada to the UN in Geneva and the Group of Friends of One Health.

The workshop was supported by the Geneva Graduate Institute and FOUR PAWS (VIER PFOTEN) International.

The workshop report was drafted by Nina Jamal and Adam Strobeyko and revised by Gian Luca Burci.

The workshop took place at the Permanent Mission of Canada to the UN in Geneva.

Meeting background

The Permanent Mission of Canada, on behalf of the Group of Friends of One Health, and with the support of FOUR PAWS and the Geneva Graduate Institute, invited WHO Member States to an information and discussion session on One Health in the pandemic instrument.

The workshop was attended by 31 in-person and 37 online participants, representing 28 countries. The discussions followed Chatham House rules and were facilitated by Gian Luca Burci, Geneva Graduate Institute.

The workshop consisted of two panels that were attended by the following speakers.

Panel I on the mandate of international organizations in the area of One Health:

Jorge Viñuales, Harold Samuel Professor of Law and Environmental Policy, Cambridge University, UK

John E. Scanlon AO, Chair of the Global Initiative to End Wildlife Crime, and former Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Wondwosen Asnake Kibret, Policy and Partnerships Coordinator, United Nations Environment Programme (UNEP)

Panel II on the intersection of health and trade issues in the context of One Health:

Łukasz Gruszczyński, Associate Professor, Head of Public International and EU Law Department, Kozminski University, Poland

Julio Pinto, Animal Health Officer, Food and Agriculture Organization of the United Nations Food and Agriculture Organisation (FAO)

Chadia Wannous, One Health Global Coordinator and Senior Specialist, World Organisation for Animal Health (WOAH)

Summary

In the first panel concerning the mandates of international organizations with regard to One Health, John Scanlon and Wondwosen Asnake shared their insights regarding the role of various environmental and conservation instruments and institutions in addressing complex intersectional issues. They discussed how international institutions can support Member States in implementing obligations under relevant international frameworks. Forms of collaboration among different institutions with marginally coinciding mandates include the establishment of consortia,

memoranda of understanding, or other coordination structures related to the work of the international organizations in question. These structures bring together different institutions and stakeholders that share common goals and respective functions.

Drawing on these examples, John Scanlon stated that the World Health Organization should be seen as the leading organization with regard to protection of public health. Prof. Viñuales called for the inclusion of midstream deep prevention in the pandemic instrument and the need to set up an “institutional umbrella” to address regulatory gaps and to bring together instruments and institutions that cover the various stages of prevention. He suggested that the Quadripartite's role could be expanded to provide an institutional umbrella for housing the expert panel, or to operate as an expert body itself.

In the panel on the intersection of health and trade issues, Prof. Łukasz Gruszczyński explained how the WTO Agreement on Sanitary and Phytosanitary Measures (SPS) addresses barriers to trade. He argued that the SPS was already using a number of international standards as references, (Codex Alimentarius, WOH, IPPC) and that standards adopted by the conference of the parties of the future pandemic agreement could also receive recognition is the SPS Committee so agreed. Julio Pinto and Chadia Wannous elaborated on the voluntary guidelines developed by FAO, WHO and WOH, which help WTO Member States to regulate trade in animals. Such standards cover food safety, human health and animal health, but do not cover all measures that can prevent zoonotic disease outbreaks via a One Health approach. International institutions that administer those standards support Member States in enabling their implementation. The speakers stated that more work needs to be done to complement existing standards and enable effective implementation. They argued that implementing the One Health approach in the pandemic instrument can aid the implementation of these standards.

The main messages that came across were:

- The pandemic instrument should support the implementation of the One Health approach. It should include regulation in line with midstream deep prevention, to address the drivers of zoonotic spillovers. A science-policy interface to support the adoption of standards is needed to bring together relevant international instruments and institutions. Such an entity should be established through the pandemic instrument.
- The regulation of international trade already takes into account relevant technical and scientific standards, which do not need to be reinvented. There is however a need to support and complement existing efforts. The WHO Pandemic Agreement should therefore include an integrated One Health approach and ensure that a legal framework is in place for prioritizing and enabling One Health implementation, including by means of relevant scientific standards related to intersections of human and animal health.
- Operationalizing the One Health approach must be tied to the provision of technical support.

Panel I on mandates of international organizations operating in the area of One Health

The panelists shared how international instruments and institutions with complementary mandates can collaborate to identify, address and fill implementation gaps and drew lessons in relation to the One Health approach in the WHO Pandemic Agreement.

Prof. Gian Luca Burci started by describing the evolving role of international institutions over time with regard to the challenges they are asked to address. He cited the positive and negative examples of the changing mandate of the WHO. On the one hand, the WHO's request for the Advisory opinion on the Legality of the Threat or Use of Nuclear Weapons, was deemed to exceed the organization's mandate.¹ On the other hand, the WHO's lead in the regulation of tobacco through the Framework Convention on Tobacco Control (FCTC) in matters involving marketing, taxation and smuggling, among other issues, is seen as a success for public health and there are currently 182 State Parties to the FCTC.

Prof. Viñuales argued that provisions within the pandemic instrument tied to One Health must promote “mid-stream deep prevention”. Such an approach should address the risk of spillover from animals to human hosts and of mutation of pathogens in a host.

John Scanlon spoke about matters of mandate while drawing upon his experience as former Secretary General of CITES, his policy advocacy on the Convention on Biological Diversity and in his current role as the chair of the Global Initiative to End Wildlife Crime.

He explained that CITES' main function is conservation and not prevention of zoonotic disease outbreaks. Under CITES, authorities issue permits based on implications on trade and based on the survival of species in the wild and not if the trade in these species creates a zoonotic risk. An illustrative example he gave was of the horseshoe bat, a known host of pathogens with zoonotic potential, that is not listed as a species to be regulated under CITES.

An attempt to amend CITES to include public health implications failed to garner support from Member States during the latest Conference of the Parties (COP19) in 2022. A decision was however adopted on the “Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade” inviting authorities to collaborate with their counterparts in animal health and human health institutions.²

¹ Advisory Opinion on Nuclear Weapons Legality of the Threat or Use of Nuclear Weapons (icj-cij.org) <https://www.icj-cij.org/case/95>

² Decision 19.15 to 19.19 Role of CITES in reducing risk of future zoonotic disease emergence associated with international wildlife trade. <https://cites.org/eng/dec/index.php/44356>

Additionally a memorandum of understanding was set up between CITES and WOAHA to address animal health matters, showing willingness to collaborate among the institutions.³

The Convention on Biological Diversity recognizes links to public health. The Kunming-Montreal Global Biodiversity Framework adopted in 2022 includes a target that makes specific reference to pathogen spillover, the importance of One Health, need for complementarity with the pandemic instrument, the need for national biodiversity plans where member states are expected to develop national strategies – all from the perspective of protecting biodiversity rather than from a public health perspective.⁴

Mr. Scanlon then emphasized that a center of gravity for One Health is needed and it must be embedded in the pandemic instrument, because measures in CITES and the CBD cannot prioritize public health or One Health over their conservation mandates. He pointed out that only a subset of wild animals are tied to zoonotic disease risk and can be the species of focus.

He then explained how matters exceeding the mandates of CITES and other institutions tackling the various stages of illegal trade have been coordinated to date. To tackle the transnational crime of trading elephant parts, for example, a consortium was created within CITES, with the heads of several organizations including Interpol, UNODC (United Nations Office on Drugs and Crime), the World Bank and the Customs Cooperation Council (World Customs Organisation (WCO), to combat trafficking of wildlife.⁵ The Consortium became the joint center of gravity and the UNODC took over as the leading entity with the most appropriate mandate.

He finished by saying that, at the moment, there is a lack of instruments addressing the impact of high-risk activities on human health. The holistic One Health approach offers the needed frame and can be enabled through coordination across existing institutions across the prevention, preparedness and response pathway.

Wondwosen Asnake Kibret stated that coordination and coherent implementation of instruments are necessary, given UNEP's role of administering several multilateral environmental agreements (MEAs). Part of UNEP's function is to support member states with the implementation of MEAs, which includes supporting environmental law stakeholders, convening regular dialogue and joint messaging across multilateral

³ see PC26 Doc. 10 / AC32 Doc. 10 / Annex 3A Amendments to the memorandum of understanding between the Secretariat and the World Organisation for Animal Health PC26 Doc. (cites.org) https://cites.org/sites/default/files/documents/E-PC26-10-AC32-10_7.pdf

⁴ Kunming-Montreal Global Biodiversity Framework adopted 15/4. Kunming-Montreal Global Biodiversity Framework (cbd.int) <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>

⁵ Letter of understanding on establishing the International Consortium on Combating Wildlife Crime mou_0.pdf (cites.org) https://cites.org/sites/default/files/i/iccwc/mou_0.pdf

environment agreements to exchange science-based data, strategic and programmatic cooperation.

Mr. Asnake gave the examples of the Chemicals Cluster⁶ and the New Kunming-Montreal Global Biodiversity Framework⁷ where several international instruments had different mandates and there was a need to work together closely. These processes established their respective mandates and Conferences of the Parties, nevertheless complementarity whether on One Health or sustainable use of national resources was needed. Concrete measures included setting up national focal points, collaboration across various MEAs, as well as supporting and promoting information sharing and research. Working towards coherence and coordination can lead to a better overview and streamlining through an assessment of overall needs, monitoring of progress, capacity building and technical cooperation.

Mr. Asnake also highlighted growing support among member states for the integration of One Health into the UN governance structure, in the context of the Kunming-Montreal Global Biodiversity Framework,⁸ strategic action plans, as well as the UN Environment Assembly where two resolutions on biodiversity and health as well as on animal welfare, sustainable development and the environment were adopted.

Mr. Asnake concluded with the message that there is no health without One Health and that it is an unavoidable ingredient to public health policy.

Panel I Q&A: Mandate

In the Q&A section, workshop participants emphasized the need to work on the Bureau's text of the Pandemic Agreement in order to make progress on the provisions concerning One Health in detail.

Questions were raised about the scope and mandate of the pandemic instrument, particularly regarding the extent of One Health commitments and the potential inclusion of animal health and trade interlinkages. Several workshop participants expressed concerns about the range of topics that could be covered by the new instrument and suggested reinforcing existing instruments and tools instead.

⁶ Chemicals & pollution action | UNEP - UN Environment Programme <https://www.unep.org/explore-topics/chemicals-waste>

⁷ Kunming – Montreal Global Biodiversity Framework Draft Decision submitted by the President of COP-15 to the CBD which was adopted at the COP RECOMMENDATION ADOPTED BY THE WORKING GROUP ON THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK (cbd.int)
<https://www.cbd.int/doc/c/e6d3/cd1d/daf663719a03902a9b116c34/cop-15-l-25-en.pdf>

⁸ Ibid.

Mr. Scanlon responded by highlighting that the risk of pathogen spillover arises from unregulated trade in species not covered by CITES, which applies to only 0.5% of species globally. He also mentioned the risk associated with trade regulated under CITES but not considering public health implications. Prof. Viñuales stressed the need for detailed obligations and the inclusion of “midstream deep prevention” in the pandemic instrument.

Another set of questions pertained to the implementation of the WHO Pandemic Agreement and the involvement of various ministries and agencies in the process. Several workshop participants highlighted the need for clarity regarding new obligations and their implementation. Mr. Asnake emphasized the importance of implementing existing environmental agreements supporting a One Health approach. Prof. Viñuales pointed out the crucial role envisioned for the Panel of Experts under Article 23 of the Bureau’s text of WHO Pandemic Agreement in providing guidance to states and setting standards. In this context, the Quadripartite’s role could be expanded to provide an institutional umbrella for housing the expert panel or operating as an expert body.

Workshop participants also discussed the costs associated with new obligations, noting that prevention is less costly than pandemic preparedness and response. The Montreal Protocol was cited as an example of a successful financing arrangement from another sector. The importance of mutual trust between countries was also highlighted in the discussions.

Panel II One Health and trade

Prof. Gruszczyński described the role of the Agreement on Sanitary and Phytosanitary Measures (SPS Agreement). He explained that the SPS Agreement’s aim is not to constitute a restriction on trade, while at the same time recognizing the need to protect human health. Prof. Gruszczyński described the international standards that are referenced in the SPS Agreement and the possibility of including further standards related to human and animal health.

The SPS Agreement treats international standards, such as Codex Alimentarius and WOH standards as well as International Plant Protection Convention, as points of reference. WTO Member States are free to adopt measures, but in principle those measures should conform, or at least be based on, the aforementioned standards. Any deviation from international standards should be based on scientific evidence and a risk assessment which should specify grounds on which the decision was taken. Prof. Gruszczyński added that it is possible for additional standards to be listed as a point of reference.

In addition to scientific standards and risk assessments, other considerations include the principle of non-discrimination and the requirement to consider the least trade restrictive alternative.

Ahead of adopting national SPS measures, Member States have the obligation to notify the WTO to give other Member States the chance to respond. While there is usually a time gap between adoption of measures and entry into force, emergency situations can result in a shorter process for entry into force. Parties to the WTO are prohibited from taking arbitrary and unjustifiable measures.

The WTO dispute settlement mechanism has been previously relied upon for cases of meat imports. However, most disputes are settled in negotiations within the SPS Committee where WTO Member States can address issues related to trade in agriculture products without further escalation.

Mr. Pinto briefly introduced the work of the FAO in the context of One Health and zoonotic disease outbreaks and explained the work of the Codex Alimentarius.

With regard to the FAO's work on One Health, Mr. Pinto mentioned FAO's latest strategic framework (2022-2031) which includes four pillars: better life, better environment, better nutrition and better production.⁹ He highlighted the FAO's work on tackling zoonotic diseases and argued that prevention of outbreaks is more effective and cost-effective than response. The main recommendation given to address risk of mutation and zoonotic disease spread tied to livestock intensification (for example in cases of avian influenza or African swine fever) include prevention measures, setting up or improving early warning systems, supporting livestock systems to improve biosecurity, more effective emergency preparedness and response, heightened AMR risk management and enhanced One Health systems that integrate tackling risks to environmental health.

The joint nature of the Codex Alimentarius is a good example of inter-institutional coordination. The Codex Alimentarius was established as a set of standards, guidelines and codes of practice for food safety and quality in order to protect consumer health and increase harmonization as a standard and reference in the context of international trade. In addition to setting such standards, the FAO works with countries to support them with the implementation of and compliance with these standards.

While the Codex includes standards that tackle issues including surveillance and AMR, they do not cover all needed measures. More work needs to be done to complement existing standards and to enable effective implementation of One Health. The latter cannot be operationalized by any single sector in isolation, and multisectoral coordination

⁹ Strategic Framework 2022-31 (fao.org) <https://www.fao.org/3/cb7099en/cb7099en.pdf>

is needed both internationally and nationally. The One Health Joint Plan of Action offers an effective frame on the measures that need to be undertaken and supported within the pandemic instrument.

Chadia Wannous discussed WOAHS standards, how WOAHS supports their implementation and how they link with the SPS and WTO. She also shared insights on how the pandemic instrument can complement these efforts highlighting the importance of incorporating a One Health approach into the instrument.

Standards set by WOAHS and recognized under the SPS agreement aim to foster safe trade and avoid unnecessary trade barriers. Ms. Wannous mentioned that, similarly to the other standards recognized under the SPS, WOAHS standards are not legally binding. WOAHS members vote for their adoption and commit to translate them into national legislation.

Examples of the standards and guidelines include vaccine manuals to develop capacities, or guidance to perform diagnoses and verify whether animals are free of disease.

To support Member States, capacity building is offered to ensure deeper understanding and compliance. WOAHS also offers technical support e.g. with setting up laboratories. To monitor implementation and track progress, the organization has developed an observatory.¹⁰ The data collected through the observatory shows where countries are, in terms of implementation, and what challenges they face. In 2022, WOAHS published a report looking at how standards are implemented. Executive summaries under these standards as well as a dashboard were developed to help member states explore certain topics. Despite their voluntary nature, Member States are working with these standards: a notable increase in reporting by Member States has been observed. Notifications to WTO in relation to trade in animals are linked to WOAHS standards and linked to the capacities of local veterinary services.

In addition to the standards recognized within the SPS, WOAHS is working on other areas tied to zoonotic diseases and One Health. For example, WOAHS recently developed a framework to manage risks across the supply chain, as well as risk and conservation objectives regarding wildlife.¹¹ The work is done across 6 work packages on promoting multi-sectoral coordination, strengthening capacity in wildlife health, improving reporting and analysis of quality, updating and developing relevant international standards, dissemination of scientific knowledge and awareness and advocacy. Efforts tied to the framework include capacity building, improved surveillance, better understanding of

¹⁰ WOAHS Observatory <https://www.woah.org/en/what-we-do/standards/observatory/>

¹¹ OIE Wildlife Health Framework 'Protecting Wildlife Health to Achieve One Health' https://www.woah.org/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/WGWildlife/A_Wildlifehealth_conceptnote.pdf

spillover, and a review of legislation in countries to enable the development of effective plans.

To illustrate how trade agreements fit in with other instruments as well as what the scope of the WHO Pandemic Agreement should be, Ms. Wannous discussed the table (below) “International law agreements and other instruments relevant for Pandemic prevention, preparedness and control under a One Health approach”.¹² She highlighted that the WHO Pandemic Agreement would need to include an integrated One Health approach to support existing efforts and ensure a legal framework is in place prioritizing and enabling One Health implementation.

Overall goal	Reduce risk of infectious disease (re)emergence and spread in humans and animals		
Context	Environmental governance	Animal health and agriculture governance	Public health governance
Approach	Drivers of pandemics (Deep prevention)		Containment
Instruments	Environmental Conventions Multilateral Environmental Agreements (MEAs) under the auspices of UNEP, e.g. on wildlife trade (CITES), biological diversity (CBD, Biosafety Protocol), Nagoya protocol on ABS, Convention on Migratory Species of Wild Animals (CMS), Pollution-related conventions UN framework Convention on climate change (UNFCCC/PA), international traffic, population movements, etc Other MEAs	Trade law and sanitary measures Global Agreement on Tariffs and Trade (GATT) Agreement (exceptions) WTO Agreement on Sanitary and Phytosanitary Measures (SPS Agreement) <i>& International standards considered as international reference standards under the SPS Agreement (FAO/WHO Codex Alimentarius standards, WOA standards).</i> Free Trade Agreements	Human Health law IHR
	WHO CA+: Integrated One Health approach		

Ms. Wannous noted that the WHO and WOA are working to link the existing legal frameworks, such as the IHR and the Performance of Veterinary Services and to analyze the points of alignment and the existing gaps.

In closing Mrs. Wannous highlighted the importance and benefit of ensuring that the drivers of disease outbreaks are addressed within the pandemic instrument, as a prerequisite to spillover prevention and as a more cost-effective approach than response.

¹² Modified table from an earlier version presented by the Global health Centre of the Geneva Graduate Institute and included in: G. Le Moli et al, 'The Deep Prevention of Future Pandemics through a One Health Approach: What role for a Pandemic Instrument?' (GHC/C-EERNG, June 2022).

The concluding message in the panel was that regulation of international trade already takes into account relevant technical and scientific standards, which do not need to be reinvented. However, including the One Health approach in the pandemic instrument would result in better implementation of relevant commitments and help Member States achieve their pandemic prevention and trade objectives.

Panel II Q&A: Trade

During the second Q&A session focused on trade, workshop participants raised questions regarding the areas in which further international regulation aligned with the One Health approach may be necessary. They inquired about the potential contributions of the WHO Pandemic Agreement to the regulation of trade and discussed whether it could extend beyond the boundaries of existing commitments.

While some workshop participants contended that the commitments outlined in the SPS agreement are adequate for regulating trade from One Health perspective, others held the view that the agreement is relatively limited. A specific area of interest was the consideration of whether an overhaul of current international frameworks is necessary and how the WHO Pandemic Agreement could play a role in regulating trade from the perspective of global PPR.

In response to these queries, Prof. Gruszczyński suggested that the SPS agreement is capable of recognizing and incorporating new regulatory standards which could potentially stem from the WHO Pandemic Agreement. Ms. Wannous emphasized the importance of establishing a legal framework in support of One Health, coupled with the necessary financial and technical support and aligned with the overarching objective of preventing future pandemics. Mr. Pinto highlighted the need to address unregulated trade and to account for currently unregulated risks arising from livestock intensification and climate change. He also highlighted the necessity of the Quadripartite having a shared position on the implications of the One Health approach for trade within the context of pandemic prevention, preparedness, and response.