

February 2023

country report

Multilateral Dialogue Geneva



Geneva Barometer

Developments among Geneva-based international organisations from mid-December 2022 to February 2023

Olaf Wientzek, Cedric Amon, Sarah Ultes

The 'Geneva Barometer' takes an occasional look at selected developments among international organizations based in Geneva.

2023 could be an important year of negotiations for several projects in different organisations: The talks on a possible pandemic accord and on the revision of the International Health Regulations are now entering an important phase at the World Health Organization (WHO). The same applies to the negotiations on an extension of the Fisheries Agreement at the World Trade Organization (WTO). At the same time, old unresolved issues (such as the WTO's still damaged dispute settlement function) are making multilateral problem-solving more difficult.

It is already shaping up to be a very busy year at the Human Rights Council.

Several Geneva-based organisations are busy fighting the consequences of the catastrophic earthquake in Türkiye and Syria. The fact that Russia's war of aggression against Ukraine will continue to be one of the dominant topics in all organisations became clear not only at the World Economic Forum in Davos, but also at the meeting of the last WHO Executive Board. Hardly noticed, Geneva is increasingly trying to establish itself as an international data hub.

World Health Organization

Start of important negotiations

Both, the preparation of a pandemic accord and the revision of the International Health Regulations (IHR) enter an important phase in February:

On 1 February, after months of consultations particularly with member states but also non-state actors, the so-called "zero draft" for a possible **pandemic accord** was published.¹ The aim of the text, which is also described by the unwieldy term "WHO CA+."² due to its as yet undefined legal form, is to strengthen the capacity of the global community to prevent, prepare for and respond to future pandemics (Art. 3). At the fourth meeting of the International Negotiating Body (INB) at the end of February, which was established in 2021 to negotiate such a text, the official negotiations about the text will begin.

The draft contains a placeholder for clarifying terms such as "pathogens with pandemic potential", "one health approach", "infodemic", etc. In addition, it contains a long list of principles, including solidarity, transparency, equity, but also the principle of "Common but differentiated responsibilities"³, which originated in the environmental field: States that "hold more resources relevant to pandemics, including pandemic-related products and manufacturing capacity", should make a greater contribution to pandemic prevention and

¹ The draft can be found [here](#).

² The abbreviation stands for "WHO convention, agreement

or other international instrument on pandemic prevention, preparedness and response"

³ Common But Differentiated Responsibilities, CBDR

response. The text covers a wide range of topics: from coordination of global cooperation, capacity building, equity, technology transfer to financing issues. The strong focus of the "zero draft" on reaction and especially on the issue of equity is noteworthy. For example, Article 10 of the "zero draft" stipulates that 20% of all pandemic-related products (vaccines, therapeutics, diagnostics, protective equipment) are to be made available to the WHO for worldwide distribution (10% of which are to be donated and a further 10% at affordable prices). The request to the member states to support a temporary waiver of patent rights for pandemic-related products in the event of a pandemic is a cause for concern. Copyright issues have been the subject of highly controversial discussions at the WTO in recent years. On the other hand, the document remains comparatively brief and vague regarding prevention.

The "zero draft" is very broad and attempts to strike a balance between the demands of different groups of countries: for example, the EU, other European countries and the US emphasise issues of prevention, surveillance and information exchange. On the other hand, after the experience of the very uneven distribution of vaccines and therapeutics in the course of the COVID-19 pandemic, numerous countries particularly in Africa, South and Southeast Asia as well as non-governmental organisations are calling for binding regulations on the distribution of pandemic-related products, technology transfer and the waiving of intellectual property rights.

It remains to be seen how specifically the One Health approach and antimicrobial resistance (AMR) will be addressed in the report. The EU is in favour of including AMR issues in the document, but other WHO member states are more sceptical.

The working group on the revision of the legally binding **International Health Regulations (IHR)** also met from 20-24 February. Unlike the discussions on a pandemic accord, this one has received rather little public attention. Sixteen groups of countries or individual countries had already submitted proposals for amendments to the IHR last year, and a total of 300 amendments are under

discussion.⁴ Here, too, the lines of conflict are similar to those in the debate on a pandemic accord: the issues of distribution and access to information and control are core issues. Furthermore, some countries advocate a clearer design of the process for declaring a Public Health Emergency of International Concern (PHEIC). Noteworthy are demands for the recommendations of the WHO to be legally binding in the event of a PHEIC (which some experts view with scepticism). The idea of intermediate alert levels is equally under discussion.

The EU is calling for stronger oversight of IHR implementation in a joint proposal.

Many diplomats see both processes as part of a package solution, also to avoid overlaps. Controversial discussions are to be expected in both negotiation formats. The "zero draft" of the pandemic accord drew criticism from several sides. Groups that had already campaigned for the softening of copyright in recent years do not think the passages contained in it go far enough. For other observers, the report is unbalanced: it puts a significantly stronger focus on reaction and equity rather than prevention. In this respect, the draft was written too much under the impression of the COVID-19 crisis and the distribution problem that was very present there. However, future pandemics could be quite different. In any case, the "zero draft" is no more than a first attempt, which can still change massively in the course of the coming negotiations. In view of the very different positions, observers and diplomats are sceptical about the target of reaching an agreement by the 77th World Health Assembly in May 2024.

Comment

The first draft of a pandemic agreement does indeed have some weaknesses. On the one hand, this was unavoidable in view of the incompatible demands of different states (groups). On the other hand, the bias in favour of crisis response compared to crisis prevention is remarkable.

If both processes (pandemic accord and reform of the IHR) are to be brought to a successful conclusion, painful compromises for all sides are unavoidable: Credible guarantees to improve access

⁴ See [Map of the Month February 2023](#).

to pandemic products are – understandably - a key issue for many developing countries. However, it is to be hoped that all sides will not spend all the energy in discussions about property rights where positions seem hardly reconcilable: After all, it is highly controversial whether a weakening of copy-right protection - for example, by suspending patent rights (so-called "TRIPS waiver") for vaccines and therapeutics - would have led to a better distribution. The toxic atmosphere in the discussion about the TRIPS waiver at the WTO and the resulting distortions are a cautionary example.

Scandal over Russia at the Executive Board

At the WHO Executive Board meeting at the end of January/beginning of February, the WHO Director for Health Emergencies, Mike Ryan, warned that the conditions for the development of pandemics (famine, war, epidemics and natural disasters) are currently coming together in an unprecedented way. The WHO is currently addressing 55 emergencies worldwide, a historically high number. This situation is also the background of repeated calls, especially from African countries, for better financial and human resources for underfunded WHO country offices.

Russia's war of aggression against Ukraine was also discussed at the meeting. Speaking on behalf of the EU and several other countries, Denmark pointed out the disastrous consequences of the war for health and food security. In total, there have been nearly 750 attacks on health facilities since the beginning of the war. The Russian representative then deplored the "politicisation" of the WHO. In addition, Russia caused a scandal by refusing to acknowledge the WHO report on the crisis response in Ukraine because it explicitly spoke of an "invasion" by Russia. In the end, the report was clearly accepted after a vote of 18:4 (with 6 absent and 6 abstentions).⁵ Voting on WHO reports is unusual in the Executive Board. At the meeting, WHO Director-General Dr Tedros vehemently defended both the impartiality of the report and its wording.

Human Rights

2023 as a special year for human rights

The year 2023 is of special significance for the Office of the High Commissioner for Human Rights (OHCHR), as it marks the 30th anniversary of the 1993 Vienna Declaration and Programme of Action and the 75th anniversary of the 1948 Universal Declaration of Human Rights (UDHR). Unlike the Universal Declaration of Human Rights (UDHR), which was adopted by only a few UN member states existing at the time, a total of 171 states declared their support for human rights as the basis for state action in 1993 and also created the post of a High Commissioner for Human Rights. The current holder of the post, Volker Türk, is trying to revive this global consensus on the universality and indivisibility of human rights in view of these anniversaries. Right at the beginning of the year, he underlined the inherent opportunity of the texts to address existing problems and promote dialogue when he met with Latin American government representatives and civil society, including in Haiti, Colombia, Ecuador and Venezuela.

Outlook on the 52nd session of the UN Human Rights Council

From 27 February to 4 April, the 52nd UN Human Rights Council will meet in a new composition, including Germany as a full member, which was re-elected to the Council in October.⁶ The February session is also considered the most important session of the year because of the high-level segment at the beginning. In addition to several heads of state and government (including Felix Tshisekedi from the DR Congo) and numerous foreign ministers, German Foreign Minister Annalena Baerbock is also expected to attend the opening in Geneva in person.⁷ For the first time, the session will be opened by the new President of the Council, Czech Ambassador Václav Bálek. Among other things, the appointment of new Special Procedure mandate holders, including the Special Rapporteur for Russia, is expected in the coming weeks.⁸ Bálek had proposed Mariana Katarova from Bulgaria

⁵ Besides Russia, also Syria, Belarus and China have a seat in the WHO Executive Board.

⁶ The current composition is depicted in the [Map of the Month October 2022](#) (map 6/6).

⁷ A list of all dignitaries expected to speak at the high-level segment, can be found [here](#).

⁸ All other proposed candidates can be found [here](#).

for this post, who already coordinated the OHCHR investigations on Belarus and headed the UN Human Rights Monitoring Mission in Ukraine (UN HRMMU). In addition, the extension of several other special procedures and investigate mechanisms, such as the Commission of Inquiry on Ukraine, which was mandated for the first time a year ago, the Commission of Inquiry on Syria, the group of human rights experts on Nicaragua, the Commission on Human Rights in South Sudan, the OHCHR investigations on Belarus or the Special Rapporteurs on Iran or Myanmar is under discussion. According to observers, this undertaking is likely to become increasingly difficult. The reason for this is, among other things, the reduction and deletion of funds for UN human rights mechanisms by members of the Administrative and Budgetary Committee of the UN General Assembly (Fifth Committee). It remains to be seen whether the situation in China will also be addressed beyond joint statements, after even a very minimalistic text was rejected last September. Due to the increasing workload, the Council will meet for no less than 14 weeks per year (up from 10 weeks in previous years).

World Trade Organization

Negotiations on fishery subsidies

Last June, WTO Members adopted a package deal at the 12th Ministerial Conference,⁹ which contains an agreement to reduce harmful fisheries subsidies, covering some (mainly illegal and unreported fishing, IUU) but not all areas. Earlier this year, Switzerland and Singapore became the first two WTO members to adopt the agreement, and several other countries have already initiated their ratification processes.

In the meantime, negotiations to adopt further measures have already begun. If members do not come to an agreement over “comprehensive disciplines” within four years, the agreement would lapse. The newly-appointed chair of the negotiating group, Einar Gunnarsson (Iceland), hopes to build on the readiness of WTO Members to push

the discussions further and will convene four thematic ‘fish weeks’ until July.

US appeal Dispute Settlement Body decisions

At the World Trade Organisation, preparations are already in full swing for the 13th Ministerial Conference in Abu Dhabi in February 2024. In recent weeks, high-ranking representatives of the organisation have repeatedly spoken of the need to reform the WTO, especially in the areas of development cooperation and agriculture negotiations. They also referred to one of the biggest challenges, the reform of the Appellate Body of the Dispute Settlement Mechanism. It is currently not functioning due to the blockade of the USA regarding the nomination of new members. The Appellate Body's importance was highlighted again in late January when the US appealed two cases that were ruled against them in the first instance. In one case, China, Norway, Switzerland and Turkey successfully challenged the US steel and aluminum tariffs in front of a WTO arbitration panel. The second ruling against the US concerned Hong Kong's designations of origin, whose products had to be labelled as originating from China since November 2020. The appeal of both these cases by the US means that, for the time being, no settlement can be expected within the framework of WTO dispute settlement as they were appealed “into the void”. Although the United States announced that it would present a constructive proposal to address this issue in 2024, it is unclear whether it will be submitted before or at the next Ministerial Conference in February. The US Trade Representative, Amb. Katherine Tai, recently reiterated her government's criticism of the Appellate Body at the Munich Security Conference: “has really become extremely activist ... to the point where it has, in our view, hampered the negotiation function over the last many, many years.”¹⁰

As a side note...

After David Malpass, President of the World Bank Group, announced his resignation on 15 February, Dr. Ngozi Okonjo-Iweala, Director-General of the WTO, was named several times as a possible suc-

⁹ See [Geneva Telegram June 2022](#)

¹⁰ [Washington grapples for a post-globalization vision - POLITICO](#)

cessor. The 68-year-old is a US citizen having previously worked for 21 years as a development economist at the World Bank and had already applied for the post in March 2012. It is unclear whether the current Director-General of the WTO is interested in the post again.¹¹

Humanitarian Aid

2022 Pakistan floods: 9bn USD for climate-resilient reconstruction

After more than 33m people were affected by devastating floods in over about one third of Pakistan's territory last August (more than 1730 dead, 8m displaced, about 2m houses damaged or destroyed), the South Asian country was in need of international support for climate-resilient reconstruction. At a conference with about 40 bilateral and multilateral donors in Geneva on 9 January, more than half of the estimated total need of 16.3bn (9bn USD) was raised.¹² The unusually strong response exceeded Pakistan's expectations.

2023 Türkiye-Syria earthquake

Several Geneva-based organisations are involved in the fight against the consequences of the devastating earthquake in the Syrian-Turkish border region on 6 February, which left more than 49,000 people dead and 125,000 injured. The World Health Organization (WHO) estimates that a total of 26m people have been affected.¹³, while the UN Development Programme (UNDP) estimates that 1.5m people are homeless. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) therefore launched a 1bn USD appeal for Türkiye and a 400m USD appeal for Syria.¹⁴ Türkiye has so far received 11.8m USD, or 1.2% of the funds needed, 86% of which came from the UN Central Emergency Response Fund (CERF) itself and 68.5m USD, or 17.2% was received for Syria. While international aid was already arriving in Türkiye, the Syrian provinces of Idlib and Aleppo in north-western Syria, which are controlled by opposition forces, were left by themselves for days. The only remaining border crossing since 2020, "Bab al-Hawa", which the UN Security Council had

just extended for six more months for humanitarian aid on 9 January, was initially impassable. Although UN Secretary-General Guterres and UN Emergency Relief Coordinator Griffiths repeatedly called for the opening of further border crossings, the Syrian government, with the support of Russia, still refused to do so eight days after the quake and insisted on aid deliveries across the government-controlled areas ("cross-line"). It was only after a meeting between Griffin and Bashar al-Assad in Damascus on 13 February that two more border crossings could be opened for (only) three months. By 21 February, 227 trucks with aid supplies had been able to cross the border.

Conference on Disarmament

At the end of January, the Conference on Disarmament (CD), the only remaining multilateral forum in the world entrusted with negotiating agreements on arms control and disarmament, resumed its work. Germany will hold the chair from June to August this year. Initial talks and the third meeting of the Open-Ended Working Group on Reducing Space Threats (OEWG) were again dominated by Russia's war against Ukraine. The developments of the past year are considered a watershed moment among diplomats, and had further complicated the already stalled work of the CD. It remains to be seen how the latest announcements by the Russian President on the suspension of participation in the "New START Treaty", will be received in Geneva. All in all, there are currently fewer measures and mechanisms to control the risk of a nuclear confrontation than there were during the Cold War.

53rd WEF-Summit in Davos

After more than two years in which the annual summit of the World Economic Forum (WEF) had to be held virtually or was postponed, the global elites from business and politics gathered again in Davos. The 53rd meeting took place under the motto "Cooperation in a Fragmented World". Against the backdrop of ongoing geopolitical tensions between the US and China, the Russian war of aggression and the continued impact of the

¹¹ More [here](#).

¹² More information [here](#); an UN-OCHA appeal [here](#).

¹³ More information from WHO can be found [here](#).

¹⁴ Both flash appeals can be found [here](#).

COVID-19 pandemic, many of the panel discussions revolved around maintaining a global trading system, supply chain stability and the use of renewable energy to combat climate change. New technologies and investment models, such as cryptocurrencies, played a lesser role than in previous years. The crash of the crypto exchange FTX and the multiple crises left little room for such topics. The much-debated decoupling of global supply chains and the resurgence of protectionist tendencies were of great concern to many of the participants.

European and US participants tried to ease the tension in transatlantic relations in view of the upheavals surrounding the US subsidy programme for domestic industry, the Inflation Reduction Act (IRA). The reaction of Okonjo-Iweala, Director-General of the WTO, to questions regarding a potential WTO dispute settlement case on the IRA was noteworthy. She tried to keep the issue away from the WTO, classifying it as a bilateral dispute between the EU and the US. Observers fear that the worsening of the relationship between two of the most important trade blocs, could have negative impacts on rules-based trade as a whole. Therefore, some would have wished for a clearer statement from the Director General.¹⁵ On the other hand, the Appellate Body of the WTO's dispute settlement mechanism remains blocked (see above), which could explain the reaction.

A press conference on 19 January on "Trade and Investment" caused confusion. Contrary to what many expected, no negotiation breakthroughs were declared regarding a WTO agreement on Trade Facilitation for Development. Instead, it was announced that the agreement would be negotiated before the end of 2023. The negotiations had initially been expected to be concluded by the end of 2022.

Digital Affairs

Geneva as a global data hub

The recently founded 'Project Rosling'¹⁶ aims to build a bridge between the data and statistics community worldwide. The project, which is funded by the Swiss Confederation among others,

and named after the family of Swedish statisticians Hans, Ola and Anna Rosling, is dedicated to fulfilling the 2030 Agenda for Sustainable Development. International Geneva, with its numerous international institutions and countless data sources, has been identified as the ideal location for the project to make data available and to strengthen 'data literacy', i.e. the ability to identify, collect and interpret data. The aim is to ensure that policy decisions are fact- and evidence-based. How exactly the volumes of data that converge in Geneva institutions can be linked with each other is currently being worked out in the various working groups around the topics of data financing, handling health data and population scenarios and climate change.

ITU – soon also in Brussels?

After the successful election of Doreen Bogdan-Martin from the US as Secretary General and Tomas Lamanauskas from Lithuania as Vice Secretary General of the International Telecommunication Union (ITU) in September last year, first rumours emerged about plans for an ITU regional office in Brussels, according to Euractiv.¹⁷ The idea behind it, would be to improve the relationship between the EU and the ITU. With the exception of Europe, all continents have a regional office through which they coordinate their work in relation to the Geneva headquarters.

The regional group of European ITU members, CEPT, also hosts non-EU members and is overly dominated by the UK from a EU perspective. There is no unanimous position among EU member states on the need for a Brussels office or its role. Germany is among the critics of such a project, raising financial and logistical concerns in particular. Despite those differences, Member states and the Commission are in agreement on the question of strengthening the digital dimension of EU foreign policy.

At a technical meeting of the "Working Party on Telecommunications and Information Society", where EU-ITU relations were discussed, some members assessed the election of Tomas Lamanauskas as proof that a united EU is quite ca-

¹⁵ A comment over [here](#).

¹⁶ [Project Rosling](#)

¹⁷ [UN telecom standardisation agency mulls new Brussels office – EURACTIV.com](#)

pable of asserting itself in digital infrastructure issues. Nevertheless, members noted that the division of competences between the working groups of the Council of the European Union would not meet the current challenges.¹⁸

CERN

The Geneva-based European Organisation for Nuclear Research (CERN) was able to reach a compromise on dealing with authors from Russia and Belarus after almost a year. After Russia's war of aggression in February last year, CERN had announced that it would phase out its cooperation

with Russian research institutes. However, it was not clarified how publications, (co-)authored by scientists from Russia and Belarus, should be handled. Now a technical solution was agreed upon, according to which the above-mentioned authors would not be listed under their respective names, but under their Open Researcher and Contributor ID (ORCID).¹⁹

Konrad-Adenauer-Stiftung e. V

Dr Olaf Wientzek
Director Multilateral Dialogue Geneva
European and International Cooperation
olaf.wientzek@kas.de



The text of this work is licensed under the terms of by "Creative Commons Attribution-ShareAlike same conditions 4.0 international", CC BY-SA 4.0

¹⁸ More [here](#).

¹⁹ More [here](#).