

Pandemic Agreement – The Final Hurdle

The adoption of the pandemic agreement at the World Health Assembly earlier this year was hailed by many as a milestone. After over two years of often difficult—and at times acrimonious— negotiations, World Health Organization (WHO) Member States [adopted resolution WHA78.1](#).

Proposals for effective access clauses to health technologies, limits on intellectual property enforcement during pandemics and more tangible measures related to equity were dismissed along the way. What did stick was an emphasis on voluntary measures (doubled down with the addition of the Mutually Agreed Terms). Also agreed was the promise of a last chance to negotiate one of the most critical elements of pandemic preparedness and response; for some, the core of the pandemic accord—pathogen access and benefit sharing (PABS).

North vs South?

PABS was one of the most intractable topics up for discussion during the negotiations. It pitted the Global South (where most pathogens with pandemic potential are to be found) against United States, some European countries and Japan, as well as pharmaceutical companies (tasked with developing vaccines and other medical countermeasures and delivering them to market).

It is a divide that predated the COVID-19 pandemic and is based on a fundamental imbalance in the geographical distribution of pharmaceutical manufacturing (including development and production) and a disparity in access conditions (both in availability and affordability) of medical countermeasures. During previous outbreaks, including SARS and H1N1, voices were already raised in alarm about the inevitable shortcomings in global responses to health emergencies.

The pandemic agreement was intended as a response to these and other concerns by ensuring a workable system where pathogens were shared among researchers and the resulting products made available swiftly and seamlessly. However, it proved impossible for delegations to agree over the need for pharmaceutical companies to have rapid access to pathogens and the rights of governments over biological material. Various compensation schemes that would see a percentage of production reserved for those countries where pathogens had been found were rejected.

To (eventually) find a way forward, the agreement established the [Intergovernmental Working Group](#) (IGWG) on PABS to agree, by the next World Health Assembly, on an annex that would guide this fundamental principle of

pandemic prevention, preparedness and response. Without it the pandemic agreement would be seriously weakened both politically and technically.

Contributions submitted since the first meeting of the IGWG (July 2025), which set out the modalities and timeline of the group, indicate interest from some delegations in going beyond voluntary measures when setting access conditions for vaccines and therapeutics developed on the back of shared pathogens.

A Daunting Task

The task ahead for governments and other stakeholders is a daunting one — negotiators face a tight deadline, profound disagreements and vanishing political momentum.

This will all happen against the backdrop of political upheavals, and their economic impact on WHO and other global health actors, which have transformed the ecosystem where these discussions will be taking place, along with jeopardising the ability to implement any resulting agreement.

Most governments are fully aware that lack of agreement on PABS would seriously hinder the WHO's ability to coordinate a global response. They should also be reminded that there has never been a more important opportunity for the international community to fulfill their commitments to fighting pandemics and health emergencies in an equitable and sustainable way.

Some contributions put forward by Member States ahead of the second session of the IGWG (15-19 September) address the main challenges of access to pathogens, development of vaccines and treatments, and delivery of countermeasures. While consensus may not seem likely at this point, it is of paramount importance that the discussion plays out in the most transparent and constructive way possible. Multilateralism not just be a formality but a genuine basis for collective action.

Feature image by [Shahin Khalaji](#) on [Unsplash](#)