



RESOLUTION n°2

UNITAID Executive Board meeting

May 7 and 9, 2007

Review of the hosting Agreement with WHO

In accordance with the MoU signed in New York on September 19, 2006, the UNITAID Executive Secretariat and Trust Fund are hosted by the World Health Organization (WHO).

The 5 UNITAID founding countries (Brazil, Chile, France, Norway and United Kingdom) decided to place UNITAID within the WHO because of the latter's unquestionable legitimacy to coordinate international action in the field of health, and at the same time so that UNITAID could benefit from a large degree of autonomy. The Executive Board of UNITAID gives leadership and direction to UNITAID, while the Executive Secretariat should ensure the rapid and innovative implementation of the orientations of the Executive Board.

The Agreement signed on September 19, 2006 specifies these objectives, recalling that the rules applied by the WHO must be respected, but meaning that - within this framework - UNITAID should have autonomy, effectiveness, flexibility and visibility, and an operational cost as low as possible to respect its core principles.

This Agreement provides for the possibility for the Executive Board to review its partnership with WHO, and either to end the Agreement or to re-negotiate its terms with a 4-month notice period. The change can occur at the earliest 1 year after the signature of the Agreement.

The Executive Board discussed this issue on several occasions, and decided to take its decision during its meeting on 7 and 9 May 2007. After 7 months of hosting by WHO, there is a need to strengthen the strategic partnership with WHO, and also the terms of the MoU concerning the principles of autonomy, efficiency, flexibility, visibility and cost control.

1) Strengthening the strategic partnership

The Executive Board is delighted to note the willingness shown by the new Director-General, Dr CHAN, as was the case with Dr LEE, to better underline the strategic orientations to fight against the 3 pandemics on which UNITAID is focussing its actions, in connection with the other concerned actors: UNAIDS, UNICEF, the Global Fund, etc.

In this context, the Executive Board wishes that the dialogue with WHO focus first on the strategic framework and the coordination of principal actors : UNITAID strongly stresses that its objective is not to duplicate the action of existing institutions, but - on the contrary - to play, through the drug policy, a role of impetus and coordination. The positioning within the WHO remains, therefore, strategic, both with regards to administrative and normative aspects.

The Executive Board requests therefore that within the WHO the partnership with UNITAID be above all organised according to this priority. Indeed, the focus on strategic framework and coordination has been somewhat overshadowed by technical and legal considerations, which, despite their legitimacy, can seriously prejudice the quality of the dialogue between UNITAID, the WHO Departments and external partners if the specificity of UNITAID is not taken into account.

2) Principles of autonomy, effectiveness, flexibility and visibility must be translated into action

The WHO Departments and the temporary UNITAID Executive Secretariat have tried for 7 months to reach, in a spirit of mutual willingness, a balance between WHO internal rules and UNITAID principles.

In spite of this mutual willingness, the necessary dynamism of UNITAID as an innovative structure should not be hampered by the application of WHO rules, without considering sufficiently the specificity of the partnership.

UNITAID is not just one of the many partnerships hosted by WHO, but a structure that has an exceptional scope and that must fulfill its ambitions:

- A budget which exceeds \$300m from 2007, and which should exceed \$400m in 2008;
- An innovative action necessary to ease and accelerate the access to quality treatments at an affordable price;
- all of which means, the implementation of specific modes of intervention, which do not correspond to ordinary WHO actions while at the same time respecting WHO transparency and ethics principles,

In this context, the schedule set, for example, in terms of recruitment has considerably hampered UNITAID's ability to progress at pace in its first few months.

It will be also necessary to actively pursue with WHO the implementation of innovative models, in particular in the field of procurement, a key UNITAID priority, which implies an innovative approach by the WHO teams. The conclusion of the agreement on a procurement model for the 2nd line ARV program with CHAI goes in the right direction.

Furthermore, while being hosted by WHO, UNITAID must get full visibility to enhance the actions decided by the Executive Board, which implies that there should be no ambiguity about which logo is used in its communication and Internet policy, and in its relationships with other partners. In addition, full visibility requires, in accordance with the Transparency Policy adopted, information to be posted on the webpage of UNITAID without delay.

Finally, UNITAID gives priority to keeping its operational costs low: the main part of its budget must fund the fight against pandemics. We propose to review carefully the spending patterns, with a particular focus on additional costs compared with initial costs, which had been negotiated for the Trust Fund and the Secretariat.

3) Remaining within WHO while gaining efficiency and visibility

The Executive Board confirms that Board members are content, at present, to maintain their partnership and to strengthen their strategic dialogue with WHO. Hence, the Board wishes, as far as possible, that UNITAID may remain hosted by WHO.

The Board also notes that, despite mutual efforts, administrative and legal constraints applied to UNITAID, in spite of the scope and specificity of this partnership, should not jeopardize the fast and ambitious implementation of the priorities set up by the Board.

Hence, the Board decides to call for a revision of the Agreement signed on September 19, 2006 in order to find a better balance between strategic orientations and the capacity to implement innovatively and rapidly, with the objective to reach an agreement on a revised version within the next four months.

Therefore, the Board asks the Executive Secretariat to follow the technical procedure necessary for the review. It asks its Chair to ensure the taking into account of this issue through a direct dialogue with the WHO Director General.

Philippe Douste-Blazy

