

Comments for the
Tripartite Secretariat's
Public Discussion on
Terms of Reference for
the Independent Panel on
Evidence for Action
Against Antimicrobial
Resistance

**Antibiotic Resistance
Coalition**

Antibiotic Resistance Coalition Feedback on the Independent Panel on Evidence for Action against Antimicrobial Resistance

As members of an intersectoral, global coalition of civil society organizations, we appreciate the opportunity to provide feedback on the proposed terms of reference for the Independent Panel on Evidence for Action against Antimicrobial Resistance in a One Health context. The UN IACG on AMR recognized the need for such a Panel “to provide robust and authoritative assessments of the science, data and evidence related to antimicrobial resistance across all sectors, assess its impacts and future risks and recommend options for adaptation and mitigation to governments and all stakeholders in the form of periodic reports.”

Role of Independent Panel in Governance

In previous feedback to the Tripartite Secretariat on AMR, members of the Antibiotic Resistance Coalition made [several key recommendations](#) that still apply:

- The potential roles of the Independent Panel on Evidence for Action Against Antimicrobial Resistance should be considered alongside the Global Leaders Group and the Multi-stakeholder Partnership Platform.
- The Independent Panel on Evidence for Action Against Antimicrobial Resistance must be considered a critical part of the proposed global governance structure. Today there is no global, cross-sectoral mechanism to manage the assimilation of the rapidly expanding scientific literature on AMR, and there is a gap in providing independent and multi-sectoral analyses of existing evidence in a One Health context. There is also the need for mechanisms that manage scientific disagreements and synthesize evidence from a systems perspective with engagement of experts from different disciplines. This process must have robust safeguards against the influence and bias of financial conflict of interest.
- Avoiding the appointment of those with fiduciary and financial conflict of interests from representational roles in the governance structures will be critical. FENSA was set up to deal with institutional conflict of interest, particularly among non-State actors, with the World Health Organization. The guidelines for Declaration of Interests for independent experts at the WHO, however, have raised considerable confusion and concern. Rather than focus on fiduciary and financial interests, it puts forward a standard of “intellectual” bias. Diversity of views is where we can better strike a balance, if needed. Otherwise, these governance structures risk overregulating intellectual viewpoints and leaving out important perspectives.
- The workings of the Independent Panel should be transparent and independent. Adhering to the principles of transparency, scientific inclusiveness and independence is at the core of ensuring authoritative and credible outputs from the Independent Panel. To ensure that the outputs of the Independent Panel are authoritative, credible and legitimate, a rigorous and robust scientific process must be in place. Finally, the advice should be produced independent of the influence of governments and businesses.

Principles behind the Independent Panel

The recently drafted Terms of Reference for the Independent Panel provide a useful starting framework for discussion. We concur that making the Independent Panel accountable to the UN Secretary General is critical to place it “beyond the mandate of any one agency of the United Nations or other international organizations.” A key principle proposed to guide the evidence assessment and reporting of the Panel is “independence and political neutrality.”

To ensure this foundational principle, however, the Panel’s workings must be independent and politically neutral with respect to the Tripartite agencies. In order to bridge the intersectoral gaps among the work of these agencies, the Panel must have the freedom to operate truly independent of them. Several parts of the Terms of Reference risk compromising this foundational principle, including the fact that:

- The Nomination Committee recommending its membership will be convened by the Tripartite organizations;
- The Panel’s support will be reliant on the Tripartite Joint Secretariat;
- The Secretariat also plays a consultative role in reconsidering membership “if a member has acted in a manner that undermines the scientific and/or **operational integrity** of the Panel.

Collectively, these factors undermine the necessary independence of the Panel. The Panel’s Nomination process, its staffing, and the handling of its membership should all be independent of the Tripartite Secretariat. Alternative approaches to dealing with these factors could be proposed in the revised Terms of Reference. The Nomination Committee could be convened out of the UN Secretary-General’s office. For example, the Panel also might have a Secretariat hosted in UNOPS, as the Stop TB Partnership does, with core funding mandated and guaranteed from the AMR Multi-Partner Trust Fund.

However, we take issue with the framing of “political neutrality” as part of the foundational principle of independence. This conflates two quite different issues. Maintaining political neutrality is at odds with finding optimal policy options based on the weight of the available evidence. Having a commitment to tackle antimicrobial resistance and save human lives is not politically neutral, but it should be the guiding beacon to the Independent Panel’s work.

We are also unclear and concerned about the statement in the Terms of Reference that “the work of the Panel should be free from political and group influence.” While requiring the Panel’s work to be rooted in scientific evidence, divorcing the Panel’s work from “group influence” sounds like its membership could only include scientists who have no ties to groups grounded in the reality of AMR policymaking, and there is no reason that such insularity would lead to better development of policy options. By contrast, more could be done to ensure financial conflict of interest does not bias the work of the Independent Panel. Mere disclosure of potential financial conflicts of interest should not be considered as having met the bar for participation on the Panel or for involvement of non-Panel members in working group processes.

The proposed principle of “non-duplication and complementarity” would limit the Panel’s charge to “complement and not duplicate, the ongoing normative and standard setting activities

of the Tripartite and other international organizations.” This principle not only could compromise the independence of the Panel, but also strip the Panel of the necessary scope and the ability to apply the interdisciplinary systems approach to problems that might be under the jurisdiction of one or more of the Tripartite agencies (or other international organizations), none of which have such independence from the political interests of their Member States. Any international organization could claim that they are exploring an issue within their broad ambit, thereby blocking the Panel from fulfilling its charge. So this proposed principle should be dropped in its entirety.

The other proposed principles of inter and intradisciplinary (trans-disciplinary) systems approach; transparency, peer review and open access; and comprehensiveness and inclusivity speak importantly to the process that the Independent Panel must take. A trans-disciplinary systems approach, for example, might have prioritized the need to address how an environmental surveillance system might identify hotspots for emerging infections, including drug-resistant pathogens. The global monitoring of sewage might have value not only in tracking [antimicrobial resistance through metagenomic analyses](#), but also serve as a [sentinel alert system for the spread of COVID-19](#) as it has for [polio eradication efforts](#). Transparency in the evidence base, the methods of analysis, and the synthesis in laying out policy options, as well as the peer review process, is core to establishing credibility to the workings of the Independent Panel. Transparency must include not only freely available, online access to the products contributing to this stepwise process, but also an openness of the process itself, without encumbering the deliberative discussions of Independent Panel members and its workgroups with interference from vested interest groups that have financial interests in the outcome.

Similarly, the proposed Communication with governments and other stakeholders draws its bidirectionality from the principles of “comprehensiveness and inclusivity,” where the “Panel will seek input and feedback on its work (including its priorities) from national, regional and global stakeholders.” For civil society, the Independent Panel plays a critical role in analyzing evidence objectively, and in so doing, this supports the “systematic and meaningful engagement of civil society groups and organizations as key stakeholders in the One Health response to antimicrobial resistance,” as recommended in the UN IACG report. We urge that the Terms of Reference for the Independent Panel assure a clearer specification of how civil society would be engaged in its input process, involved in public consultations in the gathering of evidence for its reports, and enlisted in efforts to carry forward the findings of the Independent Panel.

Accountability to Independent Panel Findings

The Terms of Reference for the Independent Panel do not provide, however, much clarity as to how its systematic reviews laying out policy options might influence the work of the Tripartite agencies, other parts of the global governance of AMR (specifically the Global Leaders Group and the Multi-stakeholder Partnership Platform), Member States, or the three standard-setting organizations (Codex, IPPC and OIE) which serve as reference for the WTO’s Sanitary and Phytosanitary Agreement. To ensure that the expert and evidence-based findings of the Independent Panel receive consideration, a pathway might be established to place its reports forward before the Codex Alimentarius.

The review period is oddly long at five years when the full-term of a Panel member is three years. We would recommend taking stock earlier than five years, so that mid-course adjustments can be made and evidence-based guidance can feed into the global policy making process on AMR in a timely manner.

The Antibiotic Resistance Coalition considers the establishment of an Independent Panel on Evidence for Action on Antimicrobial Resistance as a key recommendation from the UN IACG on the AMR report that requires follow-through. However, a half-way approach in implementing this approach would add little to the global governance of AMR, so the steps we suggest in ensuring its independence are critical to its credibility and strategic value in tackling this global health challenge. We appreciate the opportunity afforded by the Tripartite Secretariat on AMR in providing this input to the public consultation process on these terms of reference.

Signatories

- Alliance to Save Our Antibiotics
- Consumers' Association of Penang
- European Public Health Alliance
- Food Animal Concerns Trust
- Health Action International
- Health Care Without Harm
- IFARMA Foundation
- Initiative for Health & Equity in Society
- Instituto Brasileiro de Defesa do Consumidor
- Natural Resources Defense Council
- Pan-African Treatment Access Movement
- Public Citizen
- ReAct–Action on Antibiotic Resistance
- Sahabat Alam Malaysia (Friends of the Earth Malaysia)
- Society for International Development
- Third World Network
- Universities Allied for Essential Medicine
- What Next Forum
- US Public Interest Research Group

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