

## ReAct Feedback on the draft ToR of the Independent Panel on Evidence for Action against Antimicrobial Resistance

We appreciate the opportunity to provide feedback on the draft terms of reference of the Independent Panel on Evidence for Action against Antimicrobial Resistance.

### Important role of the Panel

We welcome the steps towards establishing the Independent Panel on Evidence. Independent and sound evidence is a well-acknowledged dimension of an effective and credible policy development process, and it is an important aspect of global and national governance on AMR. Such assessments of the evidence will provide critical support not just to Member States, but also to the Global Leaders Group, the Tripartite and other UN agencies part of the AMR response, and other actors in designing strategies for addressing AMR.

To ensure that the outputs of the Panel are authoritative, credible and legitimate, a rigorous and robust scientific process must be ensured. While preparing this feedback, we have looked in detail on the ToR of other independent panels and expert groups. This ToR is rather abridged and does not provide the level of detail many other ToR or rules of procedures do. It lacks clarity on many aspects of how the panel will function and thereby risks undermining the credibility of the Panel.

### Clarity on procedures

The ToR needs more clarity on the procedures for how the panel will operate and not place this responsibility on the Panel itself to develop its own operational guidance. The current language leaves it open for different interpretations. A clearer vision on what is expected would be good to outline. More clarity is needed on the process to define the scope and topics of the reports of the Panel, how the Panel will engage with other stakeholders to develop proposals for reports and evidence synthesis, how the process to produce the Panel's outputs will look like, and the ways the Panel will seek feedback on draft reports. Therefore, we suggest:

- To introduce a new section providing further details on procedures and modes of working that the Panel can then use as a starting point for developing its more detailed operational guidance.
- To provide details on opportunities for different stakeholders including CSOs, so as to initiate suggestions on reports and evidence synthesis, especially clarifying the role of the partnership platform and any consultations beyond this mechanism.

The Panel's outputs will be an essential component of the global governance mechanisms, to facilitate informed discussions and decision-making processes. The establishment of the Panel must not happen in isolation of establishing the Global Leaders Group and the Partnership Platform. Unless the relative interactions and dynamics of the whole governance system and its relations with stakeholders beyond it is developed and clearly described, it might be difficult to correct and change course at a later stage. We suggest:

- To include mentioning of the Global Leaders Group and the Partnership Platform in the *Background*, and to more clearly describe the interlinkages and respective roles of the different components of the global governance mechanism beyond the communication aspects brought up in 7. *Communication with governments and other stakeholders*.

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 analysis of existing evidence in a One Health context. There is also the need for a mechanism that is an adjudicator of the knowledge base that manages scientific disagreements, and synthesizes evidence from a systems perspective with engagement of experts from different disciplines. We suggest:

- Adding language to the second point in 2. *Objectives* to the following effect: [...], to synthesize and interrogate the knowledge base from a systems perspective by addressing scientific disagreements and competing views on priorities arising from the assessed evidence and interventions.

### **Independence and safeguarding from conflicts of interest**

Adhering to the principles of transparency, scientific inclusiveness and independence is at the core of ensuring authoritative and credible outputs from the Independent Panel. The Panel's work should be produced independent of influence of financial interests by governments, and financial conflicts of interest of businesses. The guiding principle of "independence and political neutrality" states that "the work of the Panel should be free from political and group influence." This raises questions on what is meant by political neutrality and what group influences would be covered by this principle. Also, this principle does not specifically address financial conflicts of interest. More could be done to ensure financial conflict of interest does not bias the work of the Independent Panel. Therefore, we suggest:

- To reconsider the framing of "political neutrality" and "political and group influence" of 4. *Guiding Principles "independence and political neutrality"*, and to add language on "safeguarding from financial conflicts of interests".
- Some additions in 6. *Declaration of interests*: 1) to assign the Panel's Chair to have the main responsibility that the panel and all its work adheres to the guiding principles, including safeguard from conflicts of interests; 2) to task the Panel with developing a strategy and operating procedures on how to manage conflicts of interests; and 3) to introduce more stringent language to ensure that mere disclosure of potential financial conflicts of interest is not considered as having met the bar for participation on the Panel or in working groups.

An important step towards securing the panel's independence is reflected in making the Independent Panel accountable to the UN Secretary General and placing it "beyond the mandate of any one agency of the United Nations or other international organizations." To ensure this foundational principle however, the Panel's workings must also be independent 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 Tripartite will provide secretariat support to the Panel;
- 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.

To secure an independent process for the nomination and the selection of panel members, that also adheres to the principle of safeguarding conflict of interests, we suggest:

- To modify the language in 5. *Nomination and selection*, to place the convening of the Nomination Committee in the Secretary General's office, instead of the Tripartite organizations. Seeking inspiration from the Rules of Procedure of the Committee on World Food Security, we would also suggest that the Nomination Committee should have representation of civil society organizations.
- In addition, seeking inspiration from Appendix C to the Principles Governing the Intergovernmental Panel on Climate Change (IPCC) work, we suggest adding that "Nominations should be submitted in writing to the Nomination Committee. A nomination should include the curriculum vitae of the person nominated, as well as a Disclosure on Conflict of Interest."

To address the matters of where the Panel is housed, by whom it receives secretariat support, and what the role of the Tripartite Secretariat should be in relation to the Panel, we ask:

- That alternative proposals for secretariat support of the Panel are considered, and how the Panel's independence can be ensured.

The content of the Guiding principle 'Non-duplication and complementarity' is phrased in a way that could not only compromise the independence of the Panel, but also strip the Panel of the necessary scope and 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). As it is framed now, any international organization could claim that they are exploring an issue within their broad ambit, thereby blocking the Panel from fulfilling its charge. We suggest:

- To delete the content of the principle *Non-duplication and complementarity*;
- To add Complementarity to the *Comprehensiveness and inclusivity* principle. With inspiration from the Principles of the Intergovernmental science-policy platform on biodiversity and ecosystem services (IPBES), language to include could be to the effect of "Collaborate with existing initiatives, including United Nations bodies and networks of scientists and knowledge holders, to fill gaps and build upon their work while avoiding duplication through processes of knowledge sharing and consultations."
- With inspiration from the IPBES, additional language to include in either 2. *Objectives of the Panel* or 4. *Guiding Principles* could be to the effect of: "Provide policy-relevant information, but not policy-prescriptive advice."

### **Enable low- and middle-income countries' involvement**

Finally, we call on strengthening the language on low- and middle-income countries' involvement, throughout the ToR. This also includes reconsidering the point on compensation for the work and the notion that "Members will receive no fees or remuneration for their time". Depending on the amount of work required, it may be difficult even for members from high-income countries to contribute without receiving compensation, but will pose an even greater barrier for LMIC representation, and must be addressed in the crafting and funding of the Panel.

The establishment of an Independent Panel on Evidence for Action on Antimicrobial Resistance is a key recommendation from the UN IACG that requires follow-through. It is instrumental that the approach by which it is implemented, and how it functions, will ensure its independence, as this is critical to its success, credibility and strategic value.