

October 2021

country report

Multilateral Dialogue Geneva



Geneva Barometer

Developments in the Geneva-based International Organisations from mid-July 2021 to end-October 2021

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The “Geneva Barometer” takes an occasional look at selected developments in the international organisations based in Geneva.

Several Geneva forums focused on two main issues: the consequences of the Taliban’s seizure of power in Afghanistan and climate change. Preparations for two important meetings at the end of this year are proving to be fraught with obstacles, it thus remains doubtful whether any breakthroughs can be expected at the long-awaited WTO Ministerial Conference at the end of November. A special session of the World Health Assembly on a potential pandemic treaty, which will be taking place at about the same time, is similarly open-ended. A critical stocktaking took place regarding the COVAX initiative. At the Human Rights Council, the usual tug-of-war between autocratic and democratic countries continues – with successes for both sides.

Focus on Afghanistan

Special session of the UN Human Rights Council considered a missed opportunity

At the request of Afghanistan and Pakistan (on behalf of the Organisation of Islamic Cooperation, OIC), the UN Human Rights Council convened for a special session at the end of August. The establishment of a fact-finding mission on Afghanistan had been a declared goal of Afghanistan since the beginning of August¹. China and Russia, however, who considered this meeting unnecessary, used

the session instead for anti-US rhetoric: China, for instance, argued that the session should instead be used to condemn the human rights violations of military personnel from the US, the UK and Australia². Although Afghanistan itself, the UN High Commissioner for Human Rights, Michelle Bachalet, numerous UN representatives, NGOs and states – as well as the EU – spoke out in favour of the establishment of a robust fact-finding mechanism. In the end only a heavily watered-down text drafted by Pakistan could be agreed on³. Also in light of its lacking references to the Taliban, the EU fundamentally questioned the purpose of the document, but eventually joined the consensus. A potential vote was seen as sending the wrong signal within the EU.

Creation of a Special Rapporteur

The situation was different at the 48th session of the Council, where an EU resolution not only explicitly named⁴ the Taliban, but also established a Special Rapporteur. However, as his mandate is explicitly future-oriented, Pakistan called for a vote and joined China, Russia, Eritrea and Venezuela in voting against it. Special Rapporteurs are considered a comparatively “weak” instrument of the Council – not least because of their limited staffing and powers. However, since previous mechanisms for monitoring the human rights sit-

¹ 87 other states [supported](#) this special session.

² The statement is available [here](#).

³ The Resolution Text S-31/1 can be found [here](#).

⁴ An illustration of the voting result can be found here, the resolution [here](#).

uation, such as the Afghanistan Independent Human Rights Commission (AIHRC), have been in the hands of the Taliban since they seized power, and independent media and NGOs have largely been silenced, this is considered a first step.

UN Secretary-General's high-level donor conference exceeds expectations

On 13 September, the humanitarian situation in Afghanistan was addressed by means of a high-level conference with the UN Secretary-General. With more than 1.2 billion US dollars, the need for the equivalent of 606 million US dollars until the end of this year was far exceeded – a quantum leap according to Guterres. The humanitarian situation in Afghanistan was already one of the worst in the world even before the Taliban seized power. More than half the population, around 18.4 million people, were dependent on humanitarian aid and about one third of the people were facing acute food insecurity. By mid-September, the number of households without sufficient food consumption had risen to 95%. In addition, more than 3.5 million people are displaced within the country, according to the Office of the High Commissioner for Refugees (UNHCR). Looking ahead to the winter months, the country is on the verge of a humanitarian and socio-economic collapse. Germany and France participated with pledges of 100 million euros each, the US with 64 million euros, subject to conditions, and the UN with 20 million US dollars. So far, 37.5% of these funds have been received⁵.

Climate summit casts shadows ahead

Action at the Human Rights Council

Even before the start of the 26th UN Climate Change Conference COP26 in Glasgow on 31 October, the UN Human Rights Council passed two important resolutions by a large majority: it recognised the right to a clean, healthy and sustainable environment as a universal human right. Ten Russian amendments were rejected and only China, Russia, India and Japan abstained. The resolution also recommended that the UN General Assembly

officially recognises this right. A second resolution also established a Special Rapporteur for Human Rights and Climate Change. China, Eritrea, India and Japan abstained; Russia voted against⁶. This new position will be filled in March 2022.

In recent months, Geneva-based organisations such as the World Meteorological Organization (WMO), the United Nations Office for Disaster Reduction (UNDRR), but above all the Intergovernmental Panel on Climate Change (IPCC) had repeatedly pointed out the dramatic trends and the growing risks of missing the Paris climate targets⁷. Accordingly, there was also action bilaterally: the US climate envoy John Kerry visited Geneva at the end of September, among other things to announce a coalition with China on advancing green technology. Despite the existing tensions, he reaffirmed his goal to closely cooperate with China.

New WHO report on links between climate change and health

On 11 October, the WHO published a report⁸ examining the links between climate change and health. It proposes a series of measures to address the current climate and health crisis. The WHO strongly criticised the world's dependence on fossil fuels and called for investment in a "healthier, more equitable and greener" future. Governments at COP26 are expected to address these correlations, not least because of the increased attention COVID-19 has given to the need to develop resilient health systems in a changing climate.

15th UNCTAD Conference

The 15th UN Conference on Trade and Development (UNCTAD), was held virtually from 3–7 October under the auspices of Barbados, was also dominated by climate-related issues. In accordance with the host's wishes, the least developed countries and Small Island Developing States (SIDS) were the focus of the talks. Delegates discussed solution approaches for global trade as well as ways to support those economies that have been badly hit by the pandemic. In their final

⁵ An overview of this funding can be found [here](#).

⁶ The resolution on the right to a clean environment can be found [here](#), on the new Special Rapporteur [here](#).

⁷ The WMO report can be found [here](#), the IPCC [here](#); a statement by the Secretary General [here](#).

⁸ Its report is available [here](#).

declaration, the Member States called for the strengthening of the political will to achieve sustainability goals, the protection of particularly vulnerable groups and for the support of low-income countries through targeted investments in climate adaptation measures. In doing so, the Member States underlined the important role of just and effective climate policies. The proliferation of natural disasters creates heavy burdens, which hamper the competitiveness of these countries and often drives them into a debt spiral.

WTO – Unclear situation before Ministerial Conference

Less than one month before the 12th WTO Ministerial Conference (29.11. – 3.12.) gets underway, it remains unclear what outcomes the participants will be able to achieve. Questions remain unanswered in all three dossiers that Director-General Ngozi Okonjo-Iweala had identified as key issues – agreements to reduce harmful fisheries subsidies, health and trade, and agriculture.

Time running out for fisheries deal

This would be particularly disappointing in the area of negotiations to reduce harmful subsidies to fisheries. For a long time, a deal was considered feasible, not least owing to persistent efforts by the new WTO Director-General. But recently, the various negotiating camps seemed to be sticking to their positions: India and many countries of the African, Caribbean and Pacific Group of States (ACP) want far-reaching exemptions, while the EU and the US want an agreement that is as ambitious as possible, including a ban on forced labour. China, on the other hand, rejects the latter. At least there is a consolidated text which can be discussed. Even the working group's chair, the Colombian ambassador Santiago Wills, estimated the chances of an agreement at 50:50, given the numerous open, outstanding and fundamental issues. The fisheries dossier in particular had been defined in the run-up as an important yardstick for the Ministerial Conference's success.

Talks signalled, but no breakthrough on the TRIPS waiver

It's also uncertain whether there will be any progress on the issue of "health and trade", i.e. WTO initiatives to combat the pandemic. The demand – initiated by India, South Africa and more than 60 other countries (and in the meantime also supported by the US, Australia and New Zealand, among others) – for a suspension of patent rights for vaccines and medicines via a TRIPS waiver is still lacking consensus. The UK, the EU and Switzerland in particular oppose this move. The EU had also submitted a counter-proposal advocating the use of existing flexibilities. On 13 October, an EU paper was released that envisages even more far-reaching measures⁹, but without going as far as the suspension of patent rights. In the meantime, more and more Member States are insisting on a more holistic approach that goes beyond a waiver: thus any waiver would also have to be linked to trade facilitation measures. At the last scheduled TRIPS council meeting before the Ministerial Conference, there were indeed signals from South Africa as well, for instance indicating a greater willingness to compromise; nevertheless, a solution is still a long way off.

Observers are even more pessimistic about the prospects for action on the controversial issue of agriculture.

Progress in plurilateral initiatives?

In view of the uncertain outlook, many are taking comfort in the progress made in initiatives involving only some WTO members ("plurilaterals"). The initiative on "Domestic Regulation on Services", which is supported by 63 WTO members, aims to agree on the most important key points by the time of the Ministerial Conference. Considerable importance is also attached to the e-commerce Initiative, in which 86 countries are involved¹⁰.

However, India, South Africa and Namibia have been mobilising against these plurilateral initiatives since February 2021, questioning their legal compatibility with WTO rules. This is in contrast to the position of the EU, but also of numerous other

⁹ These suggestions can also be found [here](#).

¹⁰ An overview of the current status of plurilateral initiatives can be found [here](#).

countries. In addition, India and South Africa have a fundamentally sceptical position on e-commerce: some observers believe it is possible that South Africa and India will not agree to an extension of the moratorium on customs clearance for cross-border electronic transmissions.

Ambitious projects, including a breakthrough in reforming the WTO's dispute settlement appellate body that has been blocked since 2019, are not seen as having a chance at the Ministerial Conference.

Clear US commitment to the WTO in Geneva

Given this general climate, the words of US Trade Representative Katherine Tai during her visit to Geneva on 14 October had a soothing effect: she described the WTO as a positive force that could address global challenges – in complete contrast to the Trump administration. Differences in substance remain: the US continues to call for a comprehensive reform of the WTO; Tai evaded questions about concrete steps to end the blockade of the appellate body.

UN Human Rights Council

On 14 October, the UN General Assembly re-elected the US as a full member to the UN Human Rights Council with 168 votes out of 193, the second fewest (after Eritrea)¹¹. This means that from 1 January 2022, for a period of two years, all Permanent Members of the UN Security Council will also be represented in the highest human rights body. The US is returning to a Council that has changed in many respects. Unlike before its withdrawal, it's no longer seen as the indisputably most powerful player: China has gained confidence and strength in the meantime. In addition, former alliances suffered under Trump's presidency as well. Already now, the Council looks more deeply divided than ever. How strong the

tensions are already between the US and its allies on the one hand and China, Russia and their allies in the so-called Like-Minded Group (LMG)¹² on the other was recently demonstrated in the 48th Council: any move taken as an affront to China was met with a counter-attack. For example, there were Chinese statements against Foreign Minister Maas' condemnation of the situation in Xinjiang; the US was accused of genocide against indigenous peoples or the failure to combat COVID-19; and the UK and the US were accused of systemic racism or deliberate disinformation¹³. China also introduced several resolutions: for example, one on colonialism – which specifically targeted the US and the UK. Stung by the adoption of two amendments to the text on colonialism, which were not in China's favour and included contemporary forms of colonialism such as forced assimilation of minorities, China ultimately withdrew its second resolution. For the first time in the history of the Council, a resolution was rejected by a vote, after Saudi Arabia – itself a leading conflict party in Yemen – prevented the extension of the mandate of the Group of Eminent Experts (GEE) by means of intense lobbying, especially among African council members. Many NGOs and Western ambassadors were visibly disappointed, as the GEE was the only independent UN mechanism investigating the human rights violations of all parties to the conflict in Yemen¹⁴.

Global Health – COVAX, pandemic treaty and human resources

A bumpy road to vaccine equity

Earlier this year, the World Health Organisation (WHO) set three global vaccination targets to end the pandemic: 1) 10% of the world's population is to be vaccinated by the end of September, 2) 40%

¹¹ In each of the five regional groups, it had been agreed in advance that there would be as many candidates as there were seats available. An overview of the votes obtained can be found [here](#).

¹² The LMG is not a formally conceived group. It comprises about 51 states (including Russia, China, Cuba, Venezuela, Egypt, India, Pakistan, South Africa or Saudi

Arabia), which coordinate in the Council and issue joint statements, amendments or resolutions.

¹³ The statement against Germany can be found [here](#), against the US [here](#), and against the UK [here](#).

¹⁴ The result of the vote can be found [here](#), a statement and reports/updates from GEE [here](#).

by December and 3) 70% by June next year. However, 56 countries, mainly in Africa and the Middle East, have not yet reached this 10% target¹⁵.

The COVAX mechanism¹⁶, launched in 2020 to ensure equitable distribution of COVID-19 vaccines and which continues trying to address shortcomings in this regard¹⁷, has come under increased scrutiny in October. Not only the *ACT Accelerator Strategic Review*¹⁸ published on 8 October, but also media reports are casting a critical eye on the initiative. By 27 September, only an average of less than 3% of people in the 92 eligible low and middle-income countries could be fully immunised against COVID-19 using donations received from COVAX¹⁹.

Arguably, the biggest pitfall of the mechanism has been the inability of manufacturers to provide the contracted vaccines according to schedule, or at all. When a devastating COVID-19 wave hit India in March 2021, the government banned the largest supplier of COVAX vaccines, the Serum Institute of India (SII), from exporting the agreed upon 1.1 billion doses. COVAX was heavily criticised for this logistical dependency.

Other criticisms made by civil society actors highlighted significant hurdles to join the COVAX discussions and the inability to contribute effectively to decision-making processes. Representatives from recipient countries criticised that they were left in the dark about deliveries and only given days' notice before shipments arrived. COVAX, on the other hand, rejects the former accusations and argues that the deficiencies in logistical planning were the manufacturers' fault.

The African continent experienced particular challenges in accessing COVID-19 vaccines. According to a survey of over 24 representatives from various recipient countries²⁰, Rwanda, for example,

was advised only a few days before its supplies were due to arrive and had major logistical difficulties as a result. Other countries had to destroy or return these lifesaving shipments because they had expired or were damaged due to the lack of storage or logistical capacities. With unreliable and delayed vaccines, African officials were left in vain scrambling for second shots in vain. Nigeria and Namibia, for instance, reported experiencing delays in deliveries that created time for misinformation to spread and vaccine hesitancy to increase.

Based on similar experiences with COVAX's ongoing challenges in addressing these shortages, the African Union established the Africa Vaccine Acquisition Task Team (AVATT) in August 2020 to achieve 60% coverage across the continent by 2022²¹.

On 7 October, at the launch of WHO's strategy for global COVID-19 vaccination by mid-2022, WHO Director-General Dr Tedros expressed hope that 70% global COVID-19 vaccination coverage could be achieved by June 2022, provided that countries and companies controlling vaccine supply prioritise their COVAX and the African Vaccine Acquisition Trust (AVAT) contracts.

Dr Tedros acknowledged that additional support was required and explained that the new global vaccination plan will need to be implemented by an emergency task force composed of current and potential vaccine producers, WHO, COVAX partners and international financial institutions, who will work closely with vaccine producers.

¹⁵ <https://healthpolicy-watch.org/who-believes-70-vaccination-target-is-possible/>

¹⁶ For more information on the COVAX mechanism and how it works, click [here](#).

¹⁷ The [KAS Map of the Month for August](#) illustrates donor country contributions to the two different structures through which the COVAX initiative procures and distributes vaccines.

¹⁸ <https://www.who.int/publications/m/item/act-accelerator-strategic-review>

¹⁹ The [KAS Map of the Month for September](#) shows how many COVAX vaccine donations have been delivered to recipient countries by the end of September:

²⁰ <https://www.thebureauinvestigates.com/stories/2021-10-08/how-covax-failed-on-its-promise-to-vaccinate-the-world>

²¹ <https://africacdc.org/news-item/african-vaccine-acquisition-trust-delivers-12-000-doses-of-covid-19-vaccine-to-the-african-union/>

WHA special session – Is the pandemic treaty coming?

In recent months, preparations for the World Health Assembly (WHA) special session (29 Nov – 1 Dec 2021) have been taking shape. The session is intended to discuss the possibility of a new legal framework to better prepare for future pandemics. One consideration to this end is the design of a pandemic treaty. Whether this will come about, however, remains open.

The original statement in favour of a pandemic treaty in March 2021 was signed²² by 25 governments and continues to be strongly supported and driven by the EU. Meanwhile, the US, Russia, Brazil and China have emerged as the main opponents of this initiative.

In May, the WHA tasked a Member States' working group with the critical mission of assessing "the benefits of developing a WHO convention, agreement or other international instrument on pandemic preparedness and response"²³. In September, the independent "Friends of the Treaty"²⁴ group met in a retreat in Montreux, Switzerland, to discuss key issues around a legal instrument designed to provide greater accountability, transparency and solidarity. Factors to be considered in the future range from scope, legal barriers, production capacities, distribution issues, supply chain issues, R&D capacities and technical know-how to transfers and financing.

While some stakeholders (including the US) advocate for a revision of the International Health Regulations (IHR), most stakeholders argue that a multi-sectoral approach, ownership and renewed political commitment – as well as incentives, sanctions and financing – could only be achieved with a new legal instrument.

Important to note: an agreement by the WHA for the adoption of a legally binding instrument may have much more far-reaching implications than a mere revision of the existing IHR. However, a new

treaty is only enforceable in those Member States that ratify it through a lengthy process, whereas an agreed revision of the IHR would apply immediately to all 196 WHO Member States²⁵.

With the WHA special session coming up in November, the working group is leaning towards negotiating both a new "pandemic treaty" and revising the IHR, rather than deciding between the two.

Good re-election prospects for Tedros

On 23 September – shortly before the nomination deadline – almost 20 EU countries nominated the current WHO Director-General, Dr Tedros, for a second term. There are no opposing candidates for his election at the next WHA in May 2022. Strikingly, no African country joined the EU countries' push as co-sponsor.

After the Geneva summit: 2nd round in the US-Russia Stability Dialogue

On 30 September, US Deputy Secretary of State Wendy Sherman and Russian Deputy Foreign Minister Sergei Ryabkov already met for a second round of talks as part of a resumption of their dialogue on nuclear arms control and risk reduction, or strategic stability, agreed between Putin and Biden in June. The basis for these negotiations is the New START nuclear disarmament treaty. While the first meeting at the US mission was used to build trust and did not produce any tangible outcomes, the September meeting at the Russian mission already had a number of thematic issues on its agenda. Both sides considered the talks constructive and agreed to form working groups on the principles and tasks of future arms control as well as on capabilities and actions with strategic implications²⁶.

²² The names of all 25 heads of state who signed the comments in March can be found [here](#).

²³ <https://healthpolicy-watch.org/a-new-pandemic-treaty-revised-international-health-regulations-or-both-what-is-the-actual-roadmap/>

²⁴ A list of all 27 members of the Friends of the Treaty group, can be found [here](#)

²⁵ A comparative analysis between a revision of the IHR and a pandemic treaty can be found [here](#).

²⁶ A joint press statement can be found [here](#).

Disappointment over recent talks of the Syrian Constitutional Committee

On 18 October, after an eight months long hiatus, a small body from the Syrian Constitutional Committee (15 representatives each from the Assad regime, the opposition and civil society) met in Geneva. Their last talks, held in January this year, were discontinued at an early stage amid great disappointment. In its now sixth round, UN Special Envoy Pedersen held out the prospect of a serious start to the drafting of constitutional reform and not just its preparation. For the first time ever, both co-chairs sat down with Pedersen in advance and during the talks to discuss the path forward. Although Pedersen described the atmosphere beforehand as serious, open-minded and committed and the parties had reached consensus on a methodological triad: 1) adherence to the rules of procedure, 2) submission of four texts on fundamental constitutional principles in advance (on sovereignty, the armed forces, the rule of law as well as terrorism and extremism), and 3) regular meetings between him and the co-chairs, the Committee was unable to move from submitting drafts to the actual drafting process. In addition, an agreement on dates for the seventh and eighth sessions was not achieved, wherefore Pedersen called the outcome another disappointment²⁷.

ILO – warning to strengthen social systems

The International Labour Organisation's (ILO) "World Social Protection Report"²⁸ 2020–2022, published on 1 September 2021, reveals that over 53% of the world's population is not covered by social protection services (without including health insurance). Here, clear regional disparities stand out: while in the European and Central Asian region 83.9% of the population is covered by at least one social protection system, in Africa the figure is only 18.4%. The report focuses on the negative impact and lessons learnt of the coronavirus pandemic, which revealed pre-existing inequalities in all countries. In general, the pandemic shows the importance of social provisions. Further investments are needed to strengthen social security

systems in the long term. On average, countries spent 12.9% of their GDP on their non-health social security systems during the period under consideration. However, there are enormous differences between the countries: high-income countries spent on average 16.4% and low-income countries 1.1% of their GDP on this. Significant progress has been made in covering an increasing population with social health protection: 66% of the global population is covered by corresponding systems, compared to 62% in 2015. However, a major problem remains: the sometimes limited access due to out-of-pocket payments and in some cases the lacking acceptance and quality of local health services. The report concludes with a call to use the window of opportunity opened by the pandemic for policies to improve social protection systems globally, as this would also help to better cope with upcoming megatrends such as technological progress, demographic change, urbanisation, migration and the consequences of climate change.

On 1 October, the deadline for applications to succeed Guy Ryder, the outgoing Director-General of the ILO in 2022, closed. Five candidates have thrown their hats into the ring: Greg Vines (Australia), Gilbert Houngbo (Togo), Mthunzi Mdwaba (South Africa), Muriel Pénicaud (France) and Kang Kyunghwa (South Korea).

New bridge between science and diplomacy

Accompanied by the media, the first Geneva Science and Diplomacy Anticipator (GESDA) took place from 7–9 October 2021 in the presence of senior representatives from diplomacy, business and academia. GESDA's aim is to act as a mediator between scientific and diplomatic circles. It is intended to improve mutual understanding between the two groups whilst also creating an opportunity to respond to scientific advances at an early stage. The founders of the GESDA Foundation, which include very well-known personalities such as former Nestlé CEO Peter Brabeck-Letmathe or former Secretary-General of the United Nations' Geneva Office Michael Møller, are thus hoping for a renewed strengthening of the

²⁷ A summary of the week can be found [here](#) and [here](#).

²⁸ The report is available [here](#).

multilateral system based on science and diplomacy. The GESDA Science Breakthrough Radar was also launched as part of this event²⁹. The interactive website provides an overview of current science and technology developments and ventures forecasts on their chances of breakthrough in 5, 10 and 25 years. The radar maps 24 fields of technology and is intended to serve as a tool for diplomatic and scientific negotiations. An early identification of scientific trends should help to ensure that multilateral negotiations can be conducted on the basis of this knowledge in the future.

Outlook

The high-level meetings under the auspices of WHO and WTO – World Health Assembly and Ministerial Conference – at the end of November have one thing in common: whether they will be successful still remains to be seen.

The uncertain outlook for the upcoming Ministerial Conference of the WTO can hardly be blamed on Director-General Ngozi Okonjo-Iweala. On the

contrary: not least thanks to her commitment, new momentum has been injected into these talks in the meantime. Nevertheless, the stalled negotiations continue to be a source of frustration. Recently, there were even rumours that the new WTO Director-General might throw in the towel if the Ministerial Conference fails to produce results: however, the WTO leadership vigorously denied this. Okonjo-Iweala and the Member States can still be expected to make breakthroughs, but observers also think it is possible that no major success will be registered at the Ministerial Conference. The new US administration's clear commitment to the WTO did provide some relief. However, the road back to a fully functioning WTO will be very arduous.

A somewhat more positive picture seems to be emerging for the World Health Assembly: however, even if an agreement is reached on the drafting of a pandemic treaty, this process (including ratification) will probably take several years.

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²⁹ More information [here](#).