



## **Statement to IGWG5 on the WHO Pandemic Agreement**

*9 February 2026*

Thank you, Chair.

We are deeply concerned about the fundamental imbalance in the Bureau's text as of 22 January 2026. While Parties would have binding obligations for rapid sharing of pathogen materials and sequence information, benefit-sharing remains entirely voluntary. Parties have no obligation to require manufacturers to sign WHO PABS contracts, which should contain standard terms and conditions, nor to enforce them once signed. This ignores the "equal footing" principle mandated by Article 12 of the Pandemic Agreement.

The changed methodology—from a composite text reflecting all Member State proposals to Bureau-led textual proposals—can lead to unbalanced outcomes. For instance, the detailed proposals for Standard Material Transfer Agreements and data sharing agreements by the African Group and the Group for Equity are not reflected in the current text.

Technology transfer must be central to PABS obligations, not merely a voluntary endeavour. The PABS system, in particular, must include Party obligations to provide access to sequencing technologies, genomic analysis tools and infrastructure on favourable terms for developing countries.

If benefit-sharing remains voluntary, then access to PABS materials and sequence information should likewise be voluntary to ensure both pillars operate on equal footing.