

(English version)

**Question for written answer E-002977/24
to the Commission
Aurelijus Veryga (ECR)
(17 December 2024)**

Subject: Decision-making authority under the WHO pandemic prevention, preparedness and response accord

As the European Commission is WHO partner and prominent financial contributor, I would like to ask the following question regarding these developments:

Can the Commission clarify who holds the decision-making authority during a pandemic under the terms of the proposed World Health Organisation pandemic prevention, preparedness and response accord (Pandemic Treaty) and how it will deal with the obligations set out in the Pandemic Treaty in light of national sovereignty?

Submitted: 17.12.2024

**Answer given by Mr Várhelyi on behalf of the European Commission
(18 March 2025)**

As outlined on the World Health Organisation's (WHO) webpage ⁽¹⁾, under the draft WHO pandemic agreement on prevention, preparedness, and response, decision-making during a pandemic remains with the future parties to that agreement.

The current draft of the agreement ⁽²⁾ reaffirms 'the principle of the sovereignty of States in addressing public health matters'.

In addition, Article 24, paragraph 2 of the draft agreement clarifies that 'Nothing in the WHO Pandemic Agreement shall be interpreted as providing the WHO Secretariat, including the WHO Director-General, any authority to direct, order, alter or otherwise prescribe the national and/or domestic laws, as appropriate, or policies of any Party, or to mandate or otherwise impose any requirements that Parties take specific actions, such as ban or accept travellers, impose vaccination mandates or therapeutic or diagnostic measures or implement lockdowns'.

A guiding principle of the draft agreement is the full respect for the dignity, human rights and fundamental freedoms of persons.

The aim of the agreement is to help prevent, be prepared for, and respond to future pandemic emergencies and hence help preserve people's ability to travel, work, seek education, and lead a healthy life free of avoidable disease, as called for by the WHO Constitution.

The agreement will not affect the responsibility of Member States for 'the definition of their health policy and for the organisation and delivery of health services and medical care' as enshrined in Article 168(7) of the Treaty on the Functioning of the European Union.

⁽¹⁾ See reply to the question 'How much authority could an accord have over signatory countries? Will it take sovereignty away from signatory countries?' at <https://www.who.int/news-room/questions-and-answers/item/pandemic-prevention--preparedness-and-response-accord>

⁽²⁾ Available at https://apps.who.int/gb/ebwha/pdf_files/WHA77/A77_10-en.pdf