



The World Together: Strengthening Pandemic  
Prevention, Preparedness and Response – INB  
Developing the zero draft

INB Bureau

# Zero draft of the WHO CA+ [\(A/INB/4/3\)](#)



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## **Zero draft of the WHO CA+ for the consideration of the Intergovernmental Negotiating Body at its fourth meeting**

**WHO convention, agreement or other international instrument on  
pandemic prevention, preparedness and response (“WHO CA+”)**

# Mandate of INB: Decision SSA2(5) (Dec 2021)

*“...INB shall determine an inclusive Member State led process, to be facilitated by the co-chairs and vice-chairs, to first identify the substantive elements of the instrument and to then begin the development of a working draft to be presented, on the basis of progress achieved, for the consideration of the INB at its second meeting, to be held no later than 1 August 2022, at the end of which the INB will identify the provision of the WHO Constitution under which the instrument should be adopted...”*

# Decision at INB3 ([A/INB/3/6](#))

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The INB “agreed that, with respect to the zero draft of the WHO CA+, the INB Bureau – with support from the WHO Secretariat – will prepare the zero draft, based on the conceptual zero draft and input received during the third meeting of the INB (INB3), with legal provisions, for consideration by the INB at its next meeting, and as a proposed basis for commencing negotiations at the fourth meeting of the INB (INB4)”.

# Methodology and approach

- Conceptual zero draft [A/INB/3/3](#) (December 2022) is the basis for the work.
- Developing the zero draft was informed by:
  - [INB3 interventions](#), and
  - Existing international instruments of Member States, particularly within the WHO framework.
- Comprehensive section by section review, for example:
  - Reorganized to make the flow better.
  - Consolidated overlaps and repetitions.
  - Added select definitions/terms identified by MS as essential for the discussion.
  - Revised terminology: “Pandemic-related products” reflects the broader scope of these products – that is, they are beyond “response”.

# Contents of the Zero Draft

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- Forty-nine preambular paragraphs
- Eight chapters
- Eighteen guiding principles
- Thirty-Eight Articles

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# Preamble and Chapter I

	Section / Article	Source(s)
n/a	Vision (*NB: Preambular paras not proposed to be discussed during INB4/5)	CZD*
Chapter I.	<b>Introduction</b>	
	Article 1. Definitions and use of terms	under development with the technical support of Bureau members and WHO subject matter experts
	Article 2. Relationship with other international agreements and instruments	CZD; WHO FCTC**, Article 2; IHR(2005), Article 57



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# Chapter II

	<i>Section / Article</i>	Source(s)
Chapter II.	<b>Objective, guiding principles, and scope</b>	
	Article 3. Objectives	CZD
	Article 4. Guiding principles and rights	CZD inspired by: WHO Constitution, Universal Declaration of Human Rights, general principles of international law, UN Charter, WHO resolutions, OHHLEP <sup>1</sup> , CBD <sup>2</sup> , UNFCCC/Paris Accord <sup>3</sup> , IHR
	Article 5. Scope	CZD

1 One Health High-Level Expert Panel

2 Convention on Biological Diversity

3 UN Framework Convention on Climate Change

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# Chapter III

	Section / Article	Source(s)
Chapter III.	<b>Achieving equity in, for and through pandemic prevention, preparedness, response and recovery of health systems</b>	
	Article 6. Predictable global supply chain and logistics network	CZD, INB3 interventions and COVID-19 supply chain system
	Article 7. Access to technology: promoting sustainable and equitably distributed production and transfer of technology and know-how	CZD, WTO <sup>1</sup> Ministerial Declaration 2022 para 15. WT/MIN(22)/31 WT/L/1142, PIP <sup>2</sup> section 6.13.4, WTO Ministerial decision on the TRIPS <sup>3</sup> Agreement (17 June 2022) – para 1. WT/MIN(22)/30 WT/L/1141, MedImmune statement 2004 regarding reverse genetics technology
	Article 8. Regulatory strengthening	CZD, INB3 interventions
	Article 9. Increasing research and development capacities	CZD, INB3 interventions
	Article 10. WHO Pathogen Access and Benefit-Sharing System	CZD, PIP, International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

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# Chapter IV

	Section / Article	Source(s)
Chapter IV.	<b>Strengthening and sustaining capacities for pandemic prevention, preparedness, response and recovery of health systems</b>	
	Article 11. Strengthening and sustaining preparedness and health systems' resilience	CZD, INB3 interventions
	Article 12. Strengthening and sustaining a skilled and competent health and care workforce	CZD, INB3 interventions
	Article 13. Preparedness monitoring, simulation exercises and universal peer review	CZD, INB3 interventions
	Article 14. Protection of Human Rights	INB3 interventions, Siracusa Principles on the Limitation and Derogation Provisions of the International Covenant on Civil and Political Rights

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# Chapter V

	Section / Article	Source(s)
Chapter V.	<b><i>Coordination, collaboration, and cooperation for pandemic prevention, preparedness, response and health system recovery</i></b>	
	Article 15. Global coordination, collaboration and cooperation	CZD, INB3 interventions
	Article 16. Whole-of-government and whole-of-society actions at the national level	CZD, INB3 interventions
	Article 17. Strengthening pandemic and public health literacy	CZD, INB3 interventions
	Article 18. One Health	CZD, INB3 interventions



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# Chapter VI

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Chapter VI.	<b>Financing for pandemic prevention, preparedness, response and recovery of health systems</b>	
	Article 19. Sustainable and predictable financing	CZD, INB3 interventions, WHO FCTC, Article 26

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# Chapter VII

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	Article 20. Governing body for the WHO CA+	CZD; INB3 interventions, WHO FCTC, Article 23
	Article 21. Consultative Body for the WHO CA+	CZD, INB3 interventions
	Article 22. Oversight mechanisms for the WHO CA+	CZD; INB3 interventions, Nagoya Protocol, Article 30
	Article 23. Assessment and review	CZD; Nagoya Protocol, Article 31
	Article 24. Secretariat	INB3 interventions; WHO FCTC, Article 24; United Nations Convention to Combat Desertification, Article 23

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	Article 26. Confidentiality and data protection	INB3 interventions
	Article 27. Withdrawal	CZD; WHO FCTC, Article 31
	Article 28. Right to vote	CZD; WHO FCTC, Article 32
	Article 29. Amendments to the WHO CA+	CZD; WHO FCTC, Article 28
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	Article 31. Protocols to the WHO CA+	CZD; WHO FCTC, Article 33
	Article 32. Signature	CZD; WHO FCTC, Article 34
	Article 33. Ratification, acceptance, approval, formal confirmation or accession	CZD; WHO FCTC, Article 35
	Article 34. Entry into force	CZD; WHO FCTC, Article 36
	Article 35. Provisional application by the Parties, and actions to give effect to provisions of the WHO CA+ by the World Health Assembly	CZD; draft text of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, Article 62
	Article 36. Settlement of disputes	CZD; WHO FCTC, Article 27
	Article 37. Depositary	CZD; WHO FCTC, Article 37
Article 38. Authentic texts	CZD; WHO FCTC, Article 38	

