

Summary of the Secretariat analysis prepared for the consideration of the Working Group on Strengthening WHO Preparedness and Response to Health Emergencies

BACKGROUND

1. In order to support Member State preparation for the Second special session of the World Health Assembly (hereinafter referred to as the Second special session), this document summarizes the main tools and documents developed by the Secretariat to support the Working Group on Strengthening WHO Preparedness and Response to Health Emergencies (hereinafter referred to as the Working Group), at the request of the Working Group, in its work and discussions leading up to the Second special session.
2. In May 2021, the Seventy-fourth Health Assembly adopted resolution WHA74.7 on strengthening WHO preparedness for and response to health emergencies, and decision WHA74(16) concerning the special session of the World Health Assembly to consider developing a WHO convention, agreement or other international instrument on pandemic preparedness and response.
3. Through resolution WHA74.7, the Health Assembly decided to establish the Working Group and set forth its mandate to consider the findings and recommendations of the Independent Panel for Pandemic Preparedness and Response, the IHR Review Committee and the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme, taking into account relevant work of WHO, including that stemming from resolution WHA73.1 (2020) and decision EB148(12) (2021), as well as the work of other relevant bodies, organizations, non-State actors and any other relevant information.
4. Through decision WHA74(16), the Health Assembly further requested the Working Group to prioritize the assessment of the benefits of developing a WHO convention, agreement or other international instrument on pandemic preparedness and response and to provide a report to be considered at the Second special session, called for in paragraph 2 of that decision, to be held in November 2021.
5. Through resolution WHA74.7, the Health Assembly also requested the Director-General to support the Working Group in its work by, inter alia, providing complete, relevant and timely information to the Working Group for its discussions. Further to this request, during and in preparation for its meetings up to the date of the Second special session, the Working Group requested the WHO Secretariat to provide certain resources and analysis, the key points of which are summarized in this document.

WORKING GROUP REQUEST FOR A DASHBOARD OF PANDEMIC PREPAREDNESS AND RESPONSE RECOMMENDATIONS

6. Following the outbreak of the coronavirus disease (COVID-19) pandemic, numerous evaluations, reviews and assessments of the global COVID-19 response have been carried out by various panels and committees and recommendations proposed. Following a request from the Working Group, the WHO Secretariat compiled such recommendations into a dashboard¹ in order to provide an objective overview of the gaps in global pandemic preparedness and response. The work to map these recommendations took into account proposals of how to strengthen WHO preparedness for and response to health emergencies and highlights the similarities and differences between the various recommendations.

7. The themes, target groups and areas of work used to categorize the COVID-19-related recommendations were derived from the original recommendations themselves. The dashboard is regularly updated to reflect new information.

WORKING GROUP REQUEST TO MAP PANDEMIC PREPAREDNESS AND RESPONSE RECOMMENDATIONS

8. Further to the requests from the Working Group, the Secretariat developed a document that maps COVID-19-related recommendations from four source documents – the report of the Independent Panel for Pandemic Preparedness and Response; the report of the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme; the report of the Review Committee on the Functioning of the International Health Regulations (2005) during the COVID-19 Response; and the report of the Global Preparedness and Monitoring Board – into four areas identified by Member States: leadership and governance; equity; financing; and systems and tools.²

9. Among other high-level analyses, the document further groups the recommendations into five categories of possible mechanisms for their implementation:

- recommendations that can be implemented through the regular technical work of WHO as per its normative functions;
- recommendations that can be implemented immediately through existing frameworks (including the International Health Regulations (2005) and existing Health Assembly resolutions/decisions);
- recommendations that can be implemented by amending or building on existing frameworks (including the International Health Regulations (2005) and existing Health Assembly resolutions/decisions);

¹ WHO dashboard of COVID-19-related recommendations. (<https://app.powerbi.com/view?r=eyJrIjojODgyYjRmZjQtN2UyNi00NGE4LTg1YzYzE2OGFhZjBiYzFjLiwidCI6ImY2MTBjMGI3LWJkMjQtNGIzOS04MTBiLTNkYzI4MGMFmYjU5MCIslmMiOjh9&pageName=ReportSection729b5bf5a0b579e86134>, accessed 10 November 2021).

² See document A/WGPR/3/5.

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- recommendations that may effectively/optimally be implemented through new WHO international agreement(s)/instrument(s); and
 - recommendations that may address/or involve external bodies/actors.

WORKING GROUP REQUEST FOR ANALYSIS OF THE INCENTIVES FOR A NEW INSTRUMENT IN PANDEMIC PREPAREDNESS AND RESPONSE AND THE OPTIONS FOR STRENGTHENING THE EFFECTIVENESS OF THE INTERNATIONAL HEALTH REGULATIONS (2005)

10. Pursuant to the request of the Bureau of the Working Group at the Working Group's second meeting, the WHO Secretariat developed a document¹ providing analysis, for consideration by the Working Group, to further identify the incentives for a new instrument in pandemic preparedness and response and the options for strengthening the effectiveness of the International Health Regulations (2005), including a consideration of the benefits, risks and legal implications.

11. The Secretariat's document presents the types of instruments available to the Health Assembly under the WHO Constitution;² describes certain modalities and instruments proposed by Member States during Working Group discussions up to the date of the document; and summarizes key benefits and risks of (i) possible adjustments to the International Health Regulations (2005) and (ii) a potential new instrument for pandemic preparedness and response rooted in the WHO Constitution. A key point of emphasis in this regard is that, from a structural and legal perspective, Member States are free to select from none, all, or a mix, of the three instrument types under the WHO Constitution (that is conventions or agreements, regulations and/or resolutions); it is not a case of "either/or".

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¹ Document A/WGPR/3/6.

² In particular, the Health Assembly may: (i) adopt conventions or agreements, per Article 19 (opt-in); (ii) adopt regulations, per Article 21 (opt-out); and (iii) make recommendations, per Article 23 (non-binding).