

Report of the sixth meeting of the Working Group on Amendments to the International Health Regulations (2005)

1. The sixth meeting of the Working Group on Amendments to the International Health Regulations (2005) (WGIHR) was held from 7 to 8 December 2023 in a hybrid format under the leadership of Dr Abdullah Asiri of Saudi Arabia and Dr Ashley Bloomfield of New Zealand as Co-Chairs, with the following Vice-Chairs: Dr Sultani Matendehero of Kenya, Mr Colin McIff of the United States of America, Ambassador François Rivasseau of France and Ambassador Achsanul Habib of Indonesia.
2. In accordance with the Working Group's decision on webcasting and participation of relevant stakeholders, agenda items 1, 5 and 6 were considered in open sessions that were webcast.¹ Agenda items 2, 3 and 4 were reserved for the drafting group and were considered in closed sessions.
3. Following the adoption of the agenda² and programme of work,³ the Co-Chairs provided an update on intersessional activities and coordination with the Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response (INB). They reported that two intersessional activities had been held since the fifth meeting of the WGIHR in October 2023. The first had been an informal consultation on Articles 44 and 44A, Annex 1 and new Annex 10, and had been organized by Saudi Arabia on 20 November 2023. The second had been a joint INB and WGIHR briefing session on the public health alert – public health emergency of international concern (PHEIC) – pandemic continuum, including definitions, criteria and the process for determining each, and had been held on 21 November 2023.
4. Regarding coordination with the INB, two joint meetings of the INB and WGIHR Bureaus had been held during the intersessional period. The first of these was held on 25 October to discuss issues related to financing mechanisms and preparations for the joint INB and WGIHR briefing on the public health alert – PHEIC – pandemic continuum, including definitions, criteria and the process for determining each. The second joint meeting of the two Bureaus was held on 6 December and was used to continue discussions on key areas of common interest between the two processes, particularly financing, surveillance and prevention (including One Health), capacity-building and know-how. It was clear from the discussions of the two Bureaus that a coordinated approach would be needed to ensure financing is properly reflected across the two processes.

¹ Document A/WGIHR/2/8 Rev.1.

² Document A/WGIHR/6/1.

³ Document A/WGIHR/6/2.

5. Following an initial discussion on the proposed amendments held in an open session, the Working Group transitioned into a drafting session and proceeded with a discussion on financing mechanisms. The drafting group agreed to continue discussions during the intersessional period, in coordination with the INB, to develop an approach to financing that meets the needs and mandates of both processes.

6. Member States and regional groups shared updates on text proposals related to the following articles: Article 13, Article 13A; Article 53A, Article 53 bis–quater, Article 54 and Article 54 bis; Article 44 and Article 44A; and Annexes 1 and 10. The drafting group agreed that the Bureau would consider the proposals and share proposed text with the drafting group ahead of the seventh meeting of the WGIHR in February 2024.

7. Regarding the proposed amendments to Article 13, Article 13A, Article 44, Article 44A, Annex 1 and new Annex 10 relating broadly to equity, capacity-building and financing to support capacity-building and the implementation of the International Health Regulations (2005), the Bureau will consider the proposals and facilitate informal consultations during the intersessional period with a view to sharing a revised text ahead of the seventh meeting of the WGIHR. The drafting group also supported the suggestion for Bureau members to attend related INB subgroup discussions.

8. Regarding proposed amendments related to the public health alert – PHEIC – pandemic continuum, including definitions, criteria and the process for determining each, the drafting group agreed to form a subgroup, convened by the Bureau and open to all drafting group members and in coordination with the INB, to move the discussions forward and to provide an update at the seventh meeting of the WGIHR.

9. The drafting group then considered the Bureau’s proposed text for articles discussed at previous meetings of the WGIHR and during the intersessional period. The proposals were considered in the following groups:

- Group 1: Article 19, Article 24, Article 27, Article 28 and Annex 4;
- Group 2: Article 23, Article 31, Article 35, Article 36, Article 45, Annex 3, Annex 6 and Annex 8;
- Group 3: Article 15, Article 16, Article 17, Article 18, Article 42, Article 43 and Article 56; and
- Group 4: Article 4, Article 5, Article 8, Article 9 and Annex 2.

The drafting group provided constructive feedback on the Bureau’s draft text proposals and underscored the need to continue working on draft text proposals on all the Articles with proposed amendments so that an overall package of amendments could be finalized and agreed. The Secretariat would provide to States Parties a channel for providing feedback on Articles enumerated under Group 4 and circulate proposals on those Group 4 articles for feedback as well.

10. The Working Group agreed that efforts should continue during the intersessional period, supported by the Bureau and the Secretariat, including as follows:

- discussions among the proponents of various proposed amendments, with a view to the presentation of any outcomes for the consideration of the drafting group;

- discussions with relevant subgroups of INB on issues of common interest;
- intersessional briefings and facilitated intersessional consultations, in a hybrid format and open to all drafting group members, as well as joint intersessional work with the INB at dates and times to be announced, covering articles, annexes and topics discussed during the sixth and previous meetings of the WGIHR, including those that had been the subject of intersessional work. The outcomes of facilitated intersessional consultations were understood not to constitute agreed text and would be made available in advance of the seventh meeting of the WGIHR in February 2024; and
- preparation, as relevant, by the Bureau, with the assistance of the Secretariat, of draft text proposals based on the discussions so far, for consideration by the Working Group at its seventh meeting, without prejudice to the status of the proposed amendments by States Parties.

11. The Working Group then considered proposals from Member States for entities to be included in Annex D and/or Annex E of document A/WGIHR/2/9. The Working Group was reminded that, ahead of the meeting, the Secretariat had invited Member States to put forward the names of additional entities to be included in those annexes. It was noted that no proposals for additional entities had been shared with the Secretariat by the deadline. The list of relevant stakeholders would remain a living document, to be updated as necessary.

12. The Working Group considered and approved its meeting report, and the Co-Chairs closed the session.

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