



CONSTITUTION OF THE WORLD HEALTH ORGANIZATION

ANNEX

CONVENTION

ON ACHIEVING "HEALTH FOR ALL - WITHOUT COMMERCIALIZATION"

PREAMBLE

The Contracting Parties to this Convention,

- (a) Affirming that the World Health Organization has defined in its documents health as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity;
- (b) Committing to the preservation of health as one of the basic human rights, the World Health Organization confirms its constitutional obligation to protect health as a right, not health as a commodity;
- (c) Bearing in mind that the World Health Organization, already at the first session of the Assembly of the World Health Organization, presented its position that the goal of the World Health Organization should be health that contributes to the complete achievement of health for everyone, so that the Assembly of the World Health Organization in 1977 would confirm its position and adopted the Resolution "Health for All";
- (d) Dedicated to the realization of the basic principle "Health for all - without commercialization", the World Health Organization is committed to the full realization of health as a human right and not as a commodity, which will ensure the maximum quality of human health and humanity in the broadest sense with minimal resources;
- (e) Noting that the virus pandemic is the greatest global problem for all of humanity, with serious and unpredictable consequences, which requires comprehensive international cooperation of all countries of the world on the suppression and mitigation of smallpox and other similar future plagues;
- (f) Noting also that the current presence of a virus pandemic is only a warning to humanity, the signatories to this Convention will create conditions to prevent the causes of current and future pandemics, otherwise catastrophes for humanity are unpredictable and very worrying;
- (g) Deeply concerned about the unpreparedness of the health systems to adequately respond to the emergence of the present virus, as well as the uncontrolled spread of the same or other viruses with catastrophic consequences for all of humanity;

(h) Also concerned that, after the outbreak of the current pandemic virus, interstate cooperation in the process of medical assistance was not at an enviable level, considering that the basic principles of solidarity, fairness and equality were not fully respected;

(i) Noting that the world's health systems are in the greatest crisis of their existence because health is less and less a right and more and more a commodity. Corruption / commercialization of health care is responsible for such a state of affairs;

(j) Reaffirming that by achieving the basic principle of "Health for All - without commercialization", it will fully realize health as a human / natural right and reduce corruption / robbery as the biggest cause of commercialization in healthcare to a minimum with a tendency to destroy it;

(k) Recalling also the preamble to the Constitution of the World Health Organization, which states that the enjoyment of the highest attainable standard of health is a fundamental right of every human being, regardless of race, religion, political opinion, economic or social status;

(l) Recalling the provisions of Article 2, paragraph (k). The Constitution of the World Health Organization, adopted by the International Health Conference from July 19 to 22, 1946, and entered into force on April 7, 1948, "The World Health Organization, proposes conventions, agreements and regulations and makes recommendations on international health issues. and perform such tasks as may be assigned to the Organization and in accordance with its purpose".

They agreed on the following:

Article 1.

The objectives of this Convention are:

(a) to accept, in addition to the general principle "Health for all", the general principle "Health without commercialization", as a permanent process in all health systems with the ultimate goal of equal health quality for all;

(b) that the general principles of "Health for All" and "Health without Commercialization" constitute a single general principle of "Health for All - without Commercialization";

(c) that the general principle of "Health for all - without commercialization" contributes to the maximum quality of health for all with minimal financial resources;

(d) That health be fully realized, both de jure and de facto, as one of the fundamental human rights of the individual, regardless of race, religion, political opinion, economic or social status;

(e) to prohibit the commercialization of health both de jure and de facto in health systems, to prohibit the establishment of market relations in health systems, and to prohibit the creation of any profit in health systems;

(f) that with the realization of the general principle "Health for all–without tcommercialization", the conditions for reducing the existing pandemic corruption/robbery to a minimum until its final destruction are ensured, while ensuring that health must not under any circumstances have any status as a commodity.

Article 2.

Definitions

For the purposes of this Convention:

(a) "Health for all" means: an ongoing process aimed at contributing to the full realization of the highest level of health of all peoples - health as a fundamental human natural right for each individual and humanity in the broadest sense,
„HEALTH FOR ALL - HEALTH IS NO PRICE"

(b) "Health without commercialization" means: an ongoing process of eradication of crime and corruption / commercialization in all segments of health systems, aimed at ensuring that health is fully realized as a right,
„THE MARKET DOES NOT SUFFER TIME - TIME IS LIFE"

(c) "Health for all - without commercialization" means: sublimation of the general principles "Health for all" and "Health without commercialization" and constitute a single general principle **„Health for all - without commercialization"**,

(d) "Commercialization" means: Introducing market / trade methods into a business or relationship in order to gain as much as possible, regardless of the consequences of others,

(e) "Corruption" means: Abuse of the authority entrusted to private gain for oneself or others; Pandemic corruption means: sublimation of all forms of corruption in the economy and non-economy in order to gain private benefit for themselves or for the benefit of others.

Article 3.

General principle "Health for all - without commercialization"

In order for health to fully ensure basic human rights, in addition to the already existing basic principle "Health for All", it establishes the basic principle "Health without commercialization" and forms a single principle "Health for all - without commercialization";

Article 4.

The Contracting Parties undertake to regulate, both de jure and de facto, health as a "right" by their domicile legislation, regardless of race, religion, political opinion, economic, social status or other differences;

Article 5.

The contracting parties are obliged to use their domestic legislation both de iure and de facto to prohibit health in all segments from having any status as a "commodity" in order to save humanity with unforeseeable consequences;

Article 6.

The provisions of this Convention shall apply in order to prevent corruption / robbery in health care with special emphasis on pandemic corruption, the main product of which is the commercialization of health systems with special emphasis on the subsystem "health" which is becoming more and more a commodity right;

Article 7.

Sovereignty of the Contracting Parties

1. The Contracting Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and of non-interference in the internal affairs of other States.
2. Nothing in this Convention entitles a Contracting State to exercise in the territory of the other State competences and functions which belong exclusively to the authorities of that other State under domestic law.
3. In the development and implementation of regulations and policies for the implementation of this Convention, as well as in other decision-making processes related to the implementation of the general principle of "Health for all - without commercialization", States Parties shall cooperate closely and actively involve and service users and insurers.

Article 8.

General obligations

1. The Contracting Parties agree that, with the full realization of the general principle of "Health for all - without commercialization", it will ensure and promote health as one of the basic natural human rights of man in the broadest sense. To this end, the Contracting Parties undertake to:
 - (a) adopt all appropriate legislative measures, actions and procedures for the exercise of the rights set forth in this Convention not later than twelve months after the signature of this Convention;
 - (b) adopt all appropriate legislative measures, actions and procedures on the prohibition of health as a commodity in all segments of the health system established by this convention, no later than twelve months from the signing of this convention;
 - (c) implement all established measures, actions and procedures with a view to amending or repealing existing positive regulations relating to the eradication of crime and corruption / robbery in health systems and to create health conditions without commercialization;
 - (d) to refrain from any measure, action or act inconsistent with this Convention, and that public authorities, organizations or institutions shall ensure compliance with this Convention;
 - (e) adopt all legislative, administrative and other provisions in pursuit of the general principle of "Health for all - without commercialization" in the process of providing health care to the population;
 - (f) adopt all appropriate legislative and other provisions for the implementation of the general principle of "Health for all - without commercialization" in the process of providing and allocating funds from health insurance;

(g) the provisions of the domicile legislation prescribe the preparation, production, procedure, and sale of all pharmaceutical products and medical devices, respecting the general principle "Health for all - without commercialization";

(h) take all appropriate measures, including legislation, to amend or repeal existing laws; other positive regulations that constitute discrimination against health as one of the basic human rights regardless of race, religion, political opinion, economic or social status;

(i) establish, by its legislation, criminal and other liability for non-compliance with the provisions of this Convention and the provisions of the domestic legislation governing health or the health system;

2. Each Party shall adopt and implement effective legal, executive, administrative or other measures to combat all forms of corruption / commercialization of health in order to ensure the realization of the general principle of "Health for all - without commercialization" and that, in accordance with national laws and relevant bilateral or multilateral agreements, establish the place of movement of legal flows, and to monitor, record and control the collection and distribution of funds intended for human health;

3. The provisions of this Convention shall apply to all parts of the Contracting Parties without any limitations or exceptions.

Article 9.

1. The Contracting Parties undertake to collect appropriate information, including statistics and research data, enabling them to formulate and implement policies relating to the implementation of this Convention.

2. The Parties recognize the importance of international cooperation and its promotion in support of national efforts to achieve the purpose and objectives of this Convention, and shall take appropriate and effective measures in this regard, between two or more States and, where appropriate, in cooperation with relevant international and regional organizations.

Article 10.

Implementation and monitoring

1. The Contracting Parties shall provide, in accordance with their legislation, one or more bodies for matters relating to the implementation of this Convention, and shall establish a coordination mechanism to facilitate appropriate action in all areas of the social, political and economic system.

2. The Contracting Parties shall, in accordance with their domestic law, maintain, strengthen, designate or establish one or more independent mechanisms for the promotion, protection and monitoring of the application of this Convention.

Article 11.

Committee for the Implementation of the Principles "Health for All - Without Commercialization"

1. The Executive Board of the World Health Organization shall establish a Committee for the Implementation of the Principles "Health for All - without Commercialization". The procedure, manner, election, number and activities of the Committee shall be prescribed by the body established by the Committee. At least once a year, the Committee submits a report on its work to the WHO Executive.

2. The Contracting Parties shall, in accordance with their legislation, establish their own Committee for the Implementation of the Principles of Health for All - No Commercialization. The procedure, manner, election, number and operation of the Committee shall be prescribed by the body established by the Committee. At least once a year, the Committee shall submit a report on its work to the body that established the Committee.

3. Each Contracting Party undertakes to co-operate with the Committee and to assist its members.

Article 12.

Depositary

The Director of the World Health Organization shall be the Depositary of this Convention.

Article 13.

Signature, ratification, acceptance, approval and accession

This Convention is subject to ratification by the signatory states. The Convention shall be open for accession by any State or regional integration organization which has not signed this Convention

Article 14.

1. The Contracting Parties may become Parties to this Convention by:

- (a) signature without reservation as to approval;
- (b) signature with approval is followed by acceptance; or
- (c) acceptance.

2. Acceptance shall be effected by the deposit of a formal document with the Director-General of the World Health Organization.

Article 15.

Everything not regulated by this Convention shall be governed by the provisions of the Constitution of the World Health Organization

Article 16.

Entry into force.

