

19 December 2024

The Joint Standing Committee on Treaties
via email: jsct@aph.gov.au

To: The Joint Standing Committee on Treaties

I am writing on behalf of the Australian Medical Professionals Society to express our grave concerns regarding the proposed 2024 amendments to the International Health Regulations (IHR). After careful analysis of these amendments, we have identified several critical issues that pose serious risks to Australia's national sovereignty, democratic processes, and the fundamental rights of our citizens. The proposed changes represent an unprecedented transfer of power to the World Health Organisation (WHO) with insufficient checks and balances. They would effectively subordinate Australia's public health decision-making to an unelected international body, bypassing our parliamentary oversight and democratic institutions. Our specific objections are detailed below:

Re: Objections to the 2005 International Health Regulations (IHR) Amendments

- Erosion of National Sovereignty:** The proposed amendments fundamentally undermine Australia's national sovereignty by transferring critical public health decision-making powers to an unelected international bureaucracy. The World Health Organisation (WHO) would gain unprecedented authority to declare health emergencies and mandate responses, effectively bypassing national democratic processes and local government accountability.
- Lack of Democratic Accountability:** The WHO Director-General would be empowered to declare health emergencies based on potentially arbitrary or politically-motivated criteria, without meaningful oversight or accountability. This concentration of power in the hands of a single unelected official represents a dangerous precedent that could compromise the fundamental democratic principles of national self-determination.
- Conflicts of Interest and Financial Motivations:** Historical evidence suggests substantial conflicts of interest within the WHO, particularly regarding pharmaceutical industry relationships. The amendments appear to further entrench these problematic connections, potentially prioritising corporate financial interests over genuine public health outcomes. The organisation's past handling of pandemic declarations and vaccine recommendations raises serious questions about its impartiality.
- Circumvention of Local Health Governance:** The amendments would effectively sideline local health experts, politicians, and public servants, mandating a one-size-fits-all approach to health emergencies. This approach fails to recognise the unique geographical, demographic and health infrastructure differences between nations and regions.
- Potential for Overreach and Abuse:** The broad and vaguely defined powers granted to the WHO could be exploited to declare unnecessary health emergencies, potentially serving political or economic agendas rather than genuine public health needs. The lack of clear, stringent checks and balances is a critical concern.
- Economic and Social Disruption Previous:** WHO-guided responses have demonstrated the potential for devastating economic and social consequences. The amendments could enable

rapid, sweeping interventions that cause substantial harm to national economies, social structures, and individual livelihoods without adequate justification or recourse.

7. **Diminished Local Response Flexibility:** Each nation has unique health challenges, populations and resources. The proposed amendments would restrict the ability of local health authorities to develop targeted, contextually-appropriate responses to health challenges, instead mandating a globalised approach that may be ineffective or even harmful.
8. **Privacy and Individual Rights Concerns:** The amendments potentially open the door to increased surveillance, data collection and intrusive health interventions, raising important concerns about individual privacy rights and personal medical autonomy. The lack of clear protections against potential abuses is alarming.
9. **Scientific Integrity and Methodology:** The amendments appear to prioritise bureaucratic control over scientific rigour. There are substantial concerns about the scientific basis of the proposed changes, with many independent experts arguing that the amendments are not grounded in robust, transparent scientific evidence.
10. **Historical Precedent of WHO Mismanagement:** Recent historical examples, including the controversial handling of the COVID-19 pandemic, demonstrate the WHO's potential for misguided and potentially harmful global health interventions. The proposed amendments would further entrench and expand these problematic decision-making processes.
11. **Fundamentally Flawed and Undemocratic Adoption Process:** The IHR amendments were passed under extraordinarily questionable circumstances that fundamentally compromise their legitimacy. Reportedly, only approximately 40 out of 194 World Health Assembly member states were present during the final deliberations. Delegates were allegedly coerced, being told they would not be allowed to leave the room until they agreed to the amendments. This process represents a stark departure from genuine international democratic consultation and represents a profound breach of diplomatic norms. If we were to disregard all else, on this ground alone the amendments must be denied. The manner of adoption raises critical questions about the amendments' validity:
 - Minimal global representation (less than 25% of member states)
 - Alleged use of coercive negotiation tactics
 - Lack of transparent, inclusive deliberation
 - Apparent disregard for meaningful international consensus

Such a process cannot be considered a legitimate or representative endorsement of changes to international health regulations. This procedural irregularity compounds the previous concerns about the WHO's accountability and further undermines any claim to legitimate global health governance.

Recommendation: The proposed changes represent an unacceptable transfer of critical public health decision-making powers to an unaccountable unelected international body.

In light of these serious concerns, we strongly urge JSCOT to recommend that the Prime Minister and Health Secretary reject these amendments. The proposed changes would fundamentally alter Australia's ability to make sovereign decisions about public health matters affecting our citizens. They would establish a concerning precedent of ceding national authority to an international organisation without adequate democratic safeguards or accountability measures.

We call upon the Committee to protect Australia's sovereignty, and democratic principles, and also the health of its people, by opposing these amendments. The pandemic response must remain primarily under national control, with international cooperation occurring through proper democratic channels that respect member state autonomy.

Thank you for your consideration of these critical matters.

Respectfully submitted

The Australian Medical Professionals Society

Key Recommended Resources for Further Investigation:

- Dr. David Bell (Brownstone Institute)
- James Roguski (Substack)