14 May 2024

The Hon Anthony Albanese MP
Prime Minister
Parliament House
Canberra ACT 2600

By Email

Dear Prime Minister

WHO Pandemic Treaty

Australia is set to take part in the Seventy-Seventh World Health Assembly (**"WHA77"**) beginning on 27 May 2024.

We are deeply concerned that the Australian Government may be considering agreeing to and committing Australia to:

1. Amendments to the International Health Regulations (2005) (**"IHR Amendments"**); and

2. The Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response (**"WHO Pandemic Treaty"**).

The instruments referred to above pose a significant threat to Australia's autonomy and independence on the global stage. If adopted, and implemented into Australian domestic law, the World Health Organisation will hold an unacceptable level of authority, power and influence over Australia's affairs under the guise of declaring "emergencies".

We have received a large volume of correspondence from Australians who are rightly concerned about the IHR Amendments and the WHO Pandemic Treaty, and we share those concerns.

The WHO has demonstrated throughout the COVID period that its global approach to providing recommendations to respond to actual or perceived public health emergencies consistently resulted in more damage than was prevented and has caused untold losses both economically and socially.

Moreover, there are concerning jurisdictional issues which ought to prevent the IHR Amendments and WHO Pandemic Treaty from being agreed to at WHA77.

1. The WHO's constitution establishes the WHO as an advisory and co-ordinating body only, the function of which is to "assist Governments, upon request, in strengthening health services". The WHO has no power or jurisdiction to implement a WHO Pandemic Treaty which goes well beyond its jurisdiction.

2. Schedule 2, Article 55 of the International Health Regulations require all matters being voted on to be circulated four months in advance of any meeting. The IHR Amendments have not been presented in their final form within that timeframe and therefore cannot be agreed to at WHA77.

3. Article 21 of the WHO Constitution provides authority for the WHA to make regulations such as the International Health Regulations. This power is specifically limited to adopting regulations with respect to international matters only and does not provide any authority for IHR Regulations which dictate to member states how they must respond to health "emergencies" domestically.

The IHR Amendments and the WHO Pandemic Treaty will transform the WHO from an advisory organisation to a supranational health authority dictating how governments must respond to emergencies which the WHO itself declares.

For the reasons above, that outcome is well outside the jurisdictional competence of the WHO and the WHA, and in any event, is unacceptable to many Australians. We call on the Government to reject the IHR Amendments and the WHO Pandemic Treaty at WHA77.

Yours faithfully

Alex Antic
Senator for South Australia

Pauline Hanson
Senator for Queensland

Hon Matt Canavan
Senator for Queensland

Malcolm Roberts
Senator for Queensland

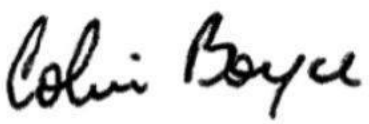
Ralph Babet
Senator for Victoria

Terry Young MP
Member for Longman

Tony Pasin MP
Member for Barker

Russell Broadbent MP
Member for Monash

Matthew O'Sullivan
Senator for Western Australia



Colin Boyce MP
Member for Flynn

Hon Luke Howarth MP
Member for Petrie

Hon David Gillespie MP
Member for Lyne

Hon Barnaby Joyce MP
Member for New England

Llew O'Brien MP
Member for Wide Bay

CC: Minister for Foreign Affairs
Minister for Health and Wellbeing