

ZURICH/TALLIN, 16th February, 2024

# New WHO-regime: Why dangerous for: Democracy, for the Rule of Law, for Fundamental Rights, and for your Health?

Ph. Kruse, Attorney at law,  
8001 Zurich

[kruse@kruse-law.ch](mailto:kruse@kruse-law.ch)  
0041 79 388 05 88



# Introduction

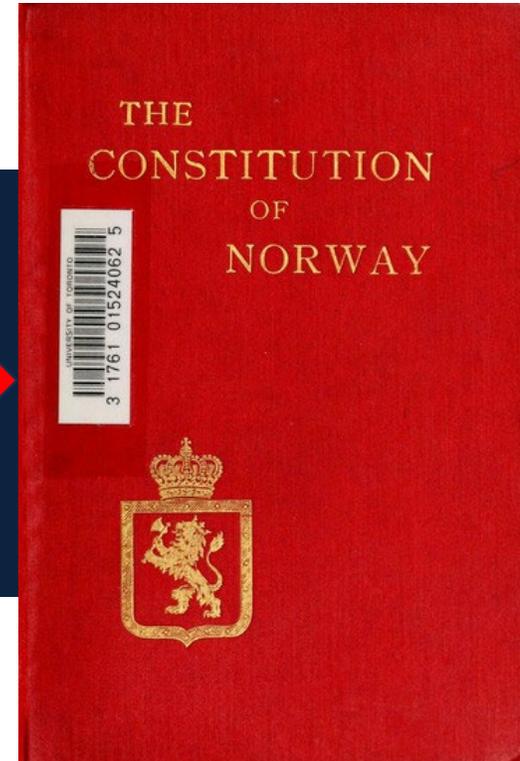
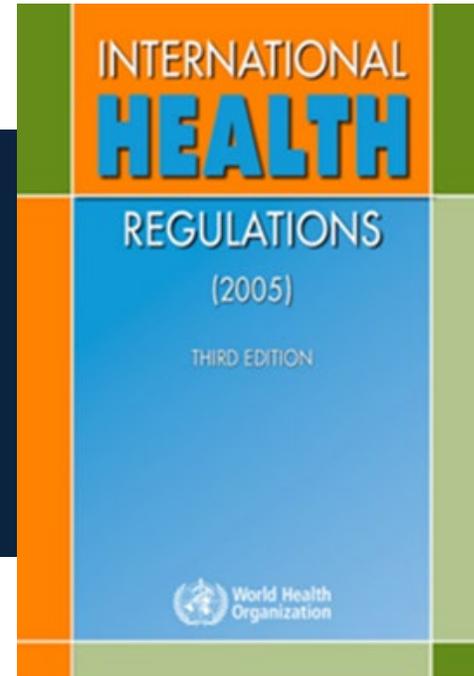
## Philipp Kruse, Attorney-at-law, LL.M. (Zurich/CH)

- Swiss Attorney at law since 1997 (Admitted to the bar);
- since 2003: specialized in Tax Law
- 2013-2016: major case in US-Swiss Banking dispute
- **Since End of 2020: > 25 ordinary court proceedings** against harmful and unconstitutional Corona-mandates (in particular for children; students; restaurant owners; for Swiss pilots);
- [...]

# Topics:

- (1) Key issue?
- (2) Timeline
- (3) Problem with the Internat. Health Regulations (IHR)
- (4) Assessment from a Constitutional View
- (5) Who finances (who is in control of) the WHO?

# (1) Key issue?



# Constitutive core elements of your Constitution

What are the  
**constitutive\*** elements  
of any democracy?



---

\*i.e.: absolutely essential and indispensable

# Constitutive core elements of any democratic constitution

- 1. Effective system of Checks and Balances | guaranteed?**  
(instead of authoritarian leadership and control)
- 2. Rule of law (Principle of legality) and proportionality**  
(instead of arbitrariness) | **guaranteed?**
- 3. [...]**

## Constitutive core elements of any democratic constitution

### 4. Free information and free speech

(instead of censorship: CH Const.) | **guaranteed?**

### 5. **Effective protection of human rights** (UN Charta; various international conventions) | **guaranteed?**

### 6. [Competence for health matters on regional level] | **guaranteed?**

## Constitutive core elements of any democratic constitution

### 7. **Democratic principle - Self-determination of the People :**

= People's rights of participation, control and information;  
**undistorted formation of the will of the people** for all fundamental decisions

(UN Charta Art. 1; U.S.: "*We the People...*" etc.). | **guaranteed?**

### 8. **Etc. ....**

\*\*\*\*\*

### **SOVEREIGNTY on the level of your entire country:**

Any decision is taken without interference / force of another country (incl. political system – constitution - prioritisation of public tasks - (UN Charta Art. 1)

| **under full control?**

# (2) Timeline

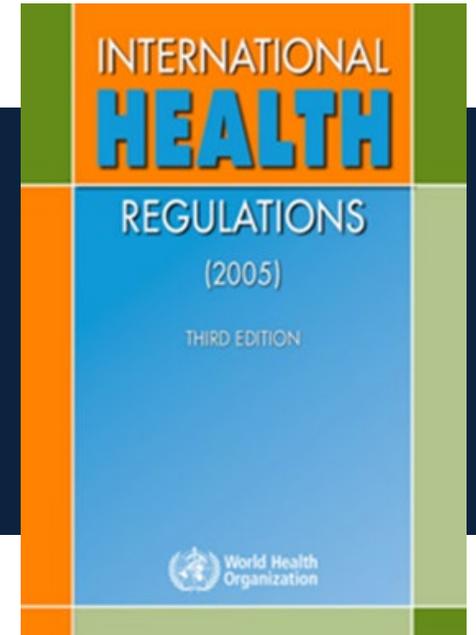


World Health  
Organization

SEVENTH MEETING OF THE INTERGOVERNMENTAL  
NEGOTIATING BODY TO DRAFT AND NEGOTIATE  
A WHO CONVENTION, AGREEMENT OR OTHER  
INTERNATIONAL INSTRUMENT ON PANDEMIC  
PREVENTION, PREPAREDNESS AND RESPONSE  
Provisional agenda item 2

A/INB/7/3  
30 October 2023

**Proposal for negotiating text  
of the WHO Pandemic Agreement**



BONUS-FOLIE

# WHO

## PREAMBLE TO THE CONSTITUTION

The STATES parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest cooperation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological, and related knowledge is essential to the fullest attainment of health.

Informed opinion and active cooperation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provisions of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of cooperation among themselves and with others to promote and protect the health of all peoples, the contracting parties agree to the present Constitution and hereby establish the World Health Organization as a specialized agency within the terms of Article 57 of the Charter of the United Nations.



World Health Organization

**SEVENTH MEETING OF THE INTERGOVERNMENTAL NEGOTIATING BODY TO DRAFT AND NEGOTIATE A WHO CONVENTION, AGREEMENT OR OTHER INTERNATIONAL INSTRUMENT ON PANDEMIC PREVENTION, PREPAREDNESS AND RESPONSE**  
Provisional agenda item 2

A/INB/7/3

30 October 2023

**Proposal for negotiating text  
of the WHO Pandemic Agreement**

NEU

19/20 WHO-Verf.

WHO-Constitution (1948)

Source:

<https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf>

New Pandemic Agreement;  
Latest Draft 30 Oct. 2023

Source:

[https://apps.who.int/gb/inb/pdf\\_files/inb7/A\\_INB7\\_3-en.pdf](https://apps.who.int/gb/inb/pdf_files/inb7/A_INB7_3-en.pdf)

## New Pandemic Treaty

- Completely new international treaty.
- 2/3-majority of the votes (194 Member States) at the World Health Assembly;
- Subject to domestic procedure for ratification according to your constitution;
- Must be ratified within 18 months after WHO-Assembly-vote (before 1st Dec. 2025; => Art. 19/20 WHO Constitution)

# New Pandemic Treaty:= Ordinary International Agreement

**Ratification needed!**

**Certain democratic**

**debate is possible**

## CONSTITUTION OF WHO

7

### *Article 19*

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements, which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

### *Article 20*

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken, and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons for non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

# WHO

## PREAMBLE TO THE CONSTITUTION

The STATES parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest cooperation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological, and related knowledge is essential to the fullest attainment of health.

Informed opinion and active cooperation on the part of the public are of the utmost importance in the improvement of the health of the people.

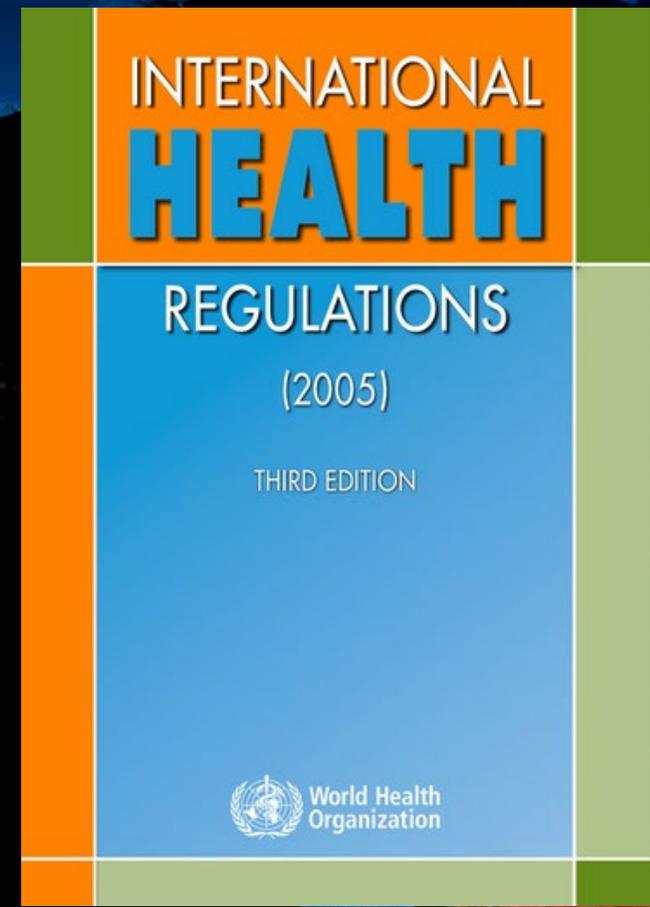
Governments have a responsibility for the health of their peoples which can be fulfilled only by the provisions of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of cooperation among themselves and with others to promote and protect the health of all peoples, the contracting parties agree to the present Constitution and hereby establish the World Health Organization as a specialized agency within the terms of Article 57 of the Charter of the United Nations.

Art. 22 WHO-Verf.



**REVISION**

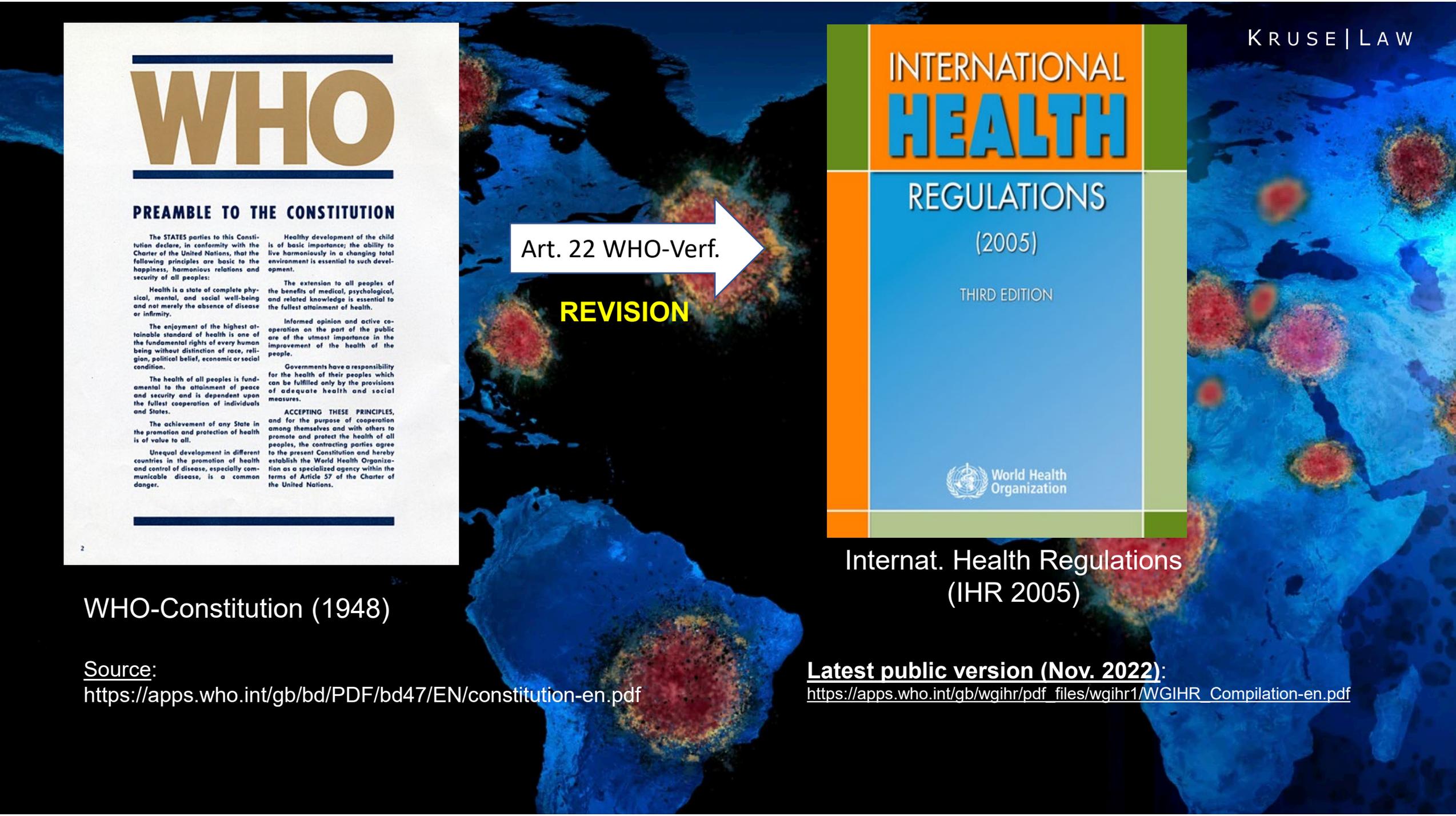


Internat. Health Regulations (IHR 2005)

WHO-Constitution (1948)

Source: <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf>

Latest public version (Nov. 2022): [https://apps.who.int/gb/wgihr/pdf\\_files/wgihr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihr/pdf_files/wgihr1/WGIHR_Compilation-en.pdf)



# IHR-Amendments:= “just technical WHO-Regulations”

„just technical ...“

WHO Constitution:

*Article 21*

The Health Assembly shall have authority to adopt regulations concerning:

- (a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;

## International Health Regulations (IHR)

- Amendment of an **already existing international treaty**.
- Due to Art. 22 WHO-Constitution, it will **automatically come into force** 12 months after final vote at World Health Assembly;
- Simple majority will be sufficient.
- NO DEMOCRATIC DEBATE;
- No domestic ratification procedure.
  
- **ONLY WAY OUT: EXPLICIT NOTE of REJECTION within 10 months after World Health Assembly**
- Otherwise: Government is legally bound.

# IHR-Amendments:= “just technical WHO-Regulations”

## No ratification foreseen:

WHO Constitution:

### *Article 22*

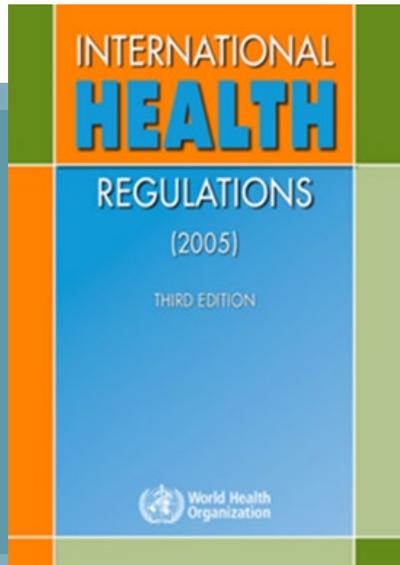


Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

# WHO | 2 projects in parallel:

77 World Health Assembly  
MAY 2024

**AUTOMATISM!**



Drafts +  
Negotiations

Simple  
majority

In force after  
**12 M: = 1<sup>st</sup> June 2025**  
Unless:  
"Rejection" declared  
within 10 M

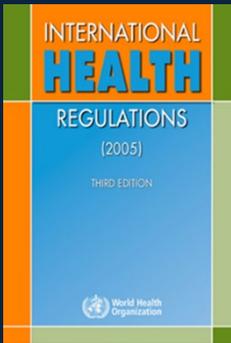
New Pandemic  
**TREATY ("CA+")**  
  
WHO-Constitution  
Art. 19/20

Drafts +  
Negotiations

**2/3rd**  
majority

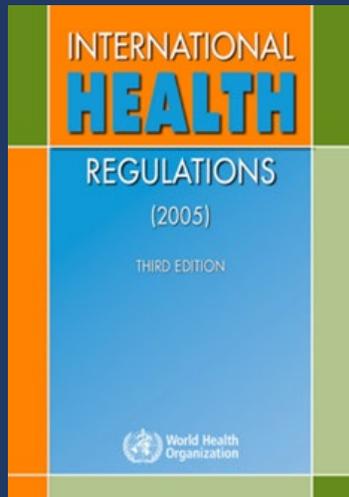
**RATIFICATION-**  
**period for each**  
**Member State:**  
18 M  
  
**until: Nov. 2025**

# (3) Most critical points of the IHR



# Problems with the IHR? (selection)

Amended International  
Health Regulations

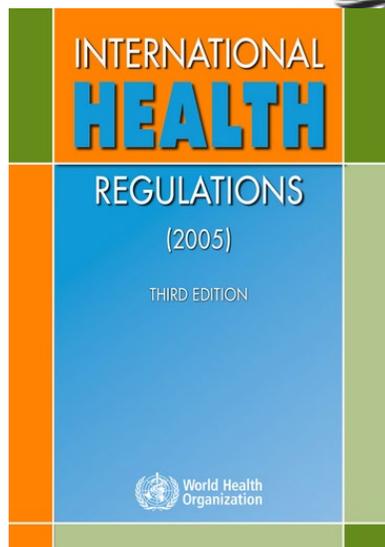


- (1) **Self-authorisation by mere declaration of a Pandemic**
- (2) **WHO-recommendations, new: legally binding**
- (3) **Infocontrol, censorship and manipulation: new normal**
- (4) **No Checks & Balances**
- (5) **No accountability; full immunity; full tax exemption**
- (6) **Fundamental Rights and Human Dignity?**

# Amendments to the IHR | since End 2022



World Health  
Organization



## Article-by-Article Compilation of Proposed Amendments to the International Health Regulations (2005) submitted in accordance with decision WHA75(9) (2022)

Selection of most critical changes

The Working Group on Amendments to the International Health Regulations (WGIHR) at its first meeting on 14–15 November 2022 decided that “the Secretariat shall also publish online an article-

Source:

Article-by-Article Compilation of Proposed Amendments to the IHR;

**Link:** [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

[https://www.who.int/teams/ihr/ihr-review-committees/review-committee-regarding-amendments-to-the-international-health-regulations-\(2005\)](https://www.who.int/teams/ihr/ihr-review-committees/review-committee-regarding-amendments-to-the-international-health-regulations-(2005))

# Will we have more harmful emergencies?



# 1. EMERGENCY LAW: Widest possible extension of mechanism for WHO's self-empowerment („PHEIC“)

*Article 12 Determination of a public health emergency of international concern public health emergency of regional concern, or intermediate health alert*

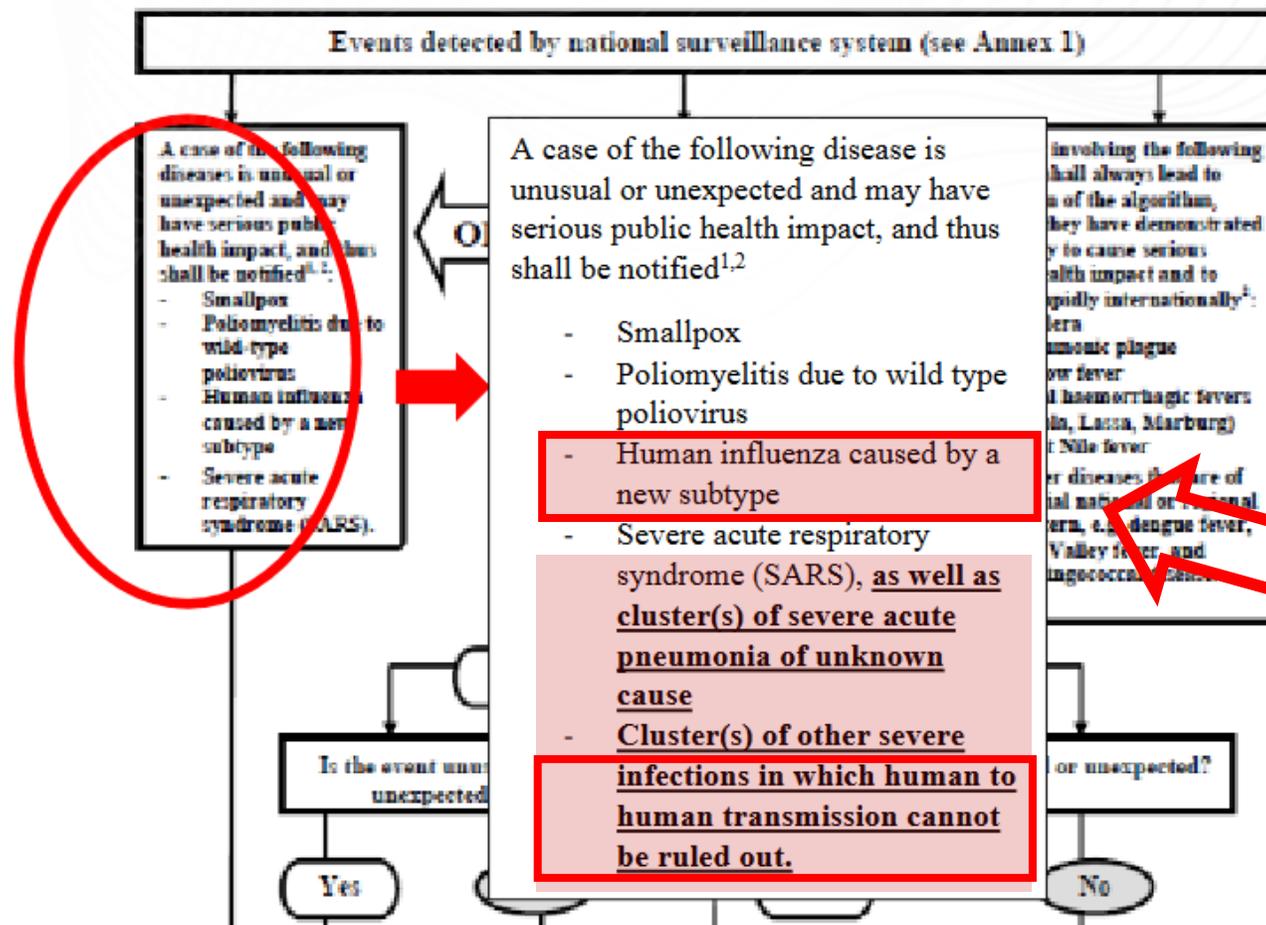
[1.] [...]

Public  
Health  
Emergency of  
International  
Concern

JUST ONE SINGLE PERSON CAN DECLARE THE RULE of EMERGENCY!

# 1. EMERGENCY LAW: Widest possible extension of mechanism for WHO's self-empowerment („PHEIC“)

ANNEX 2  
DECISION INSTRUMENT FOR THE ASSESSMENT AND NOTIFICATION OF EVENTS THAT MAY CONSTITUTE A PUBLIC HEALTH EMERGENCY OF INTERNATIONAL CONCERN



Wide extension on all eventualities for justification of EMERGENCY

# 1. EMERGENCY LAW: Widest possible extension of mechanism for WHO's self-empowerment („PHEIC“)

**Additional widening by new concept: „ONE HEALTH“**

**Article 5. Strengthening pandemic prevention and preparedness through a **One Health** approach**

4. The Parties commit to regularly assessing **One Health** capacities, in so far as they relate to pandemic prevention, preparedness, response and recovery of health systems, and to identifying gaps, policies and the funding needed to strengthen those capacities.

5. The Parties commit to strengthening synergies with other existing relevant instruments that address the drivers of pandemics, such as **climate change**, biodiversity loss, ecosystem degradation and increased risks at the human-animal-environment interface due to human activities.

**Source:**

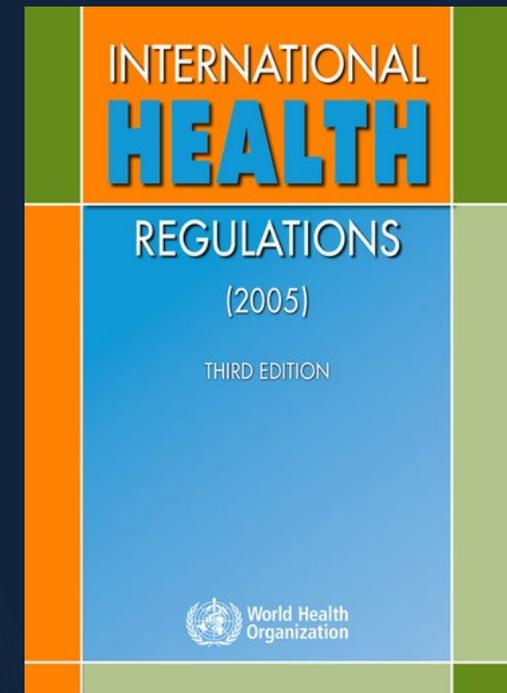
[https://apps.who.int/gb/inb/pdf\\_files/inb5/A\\_INB5\\_6-en.pdf](https://apps.who.int/gb/inb/pdf_files/inb5/A_INB5_6-en.pdf)

## Critics on extension of factual reasons for a PHEIC

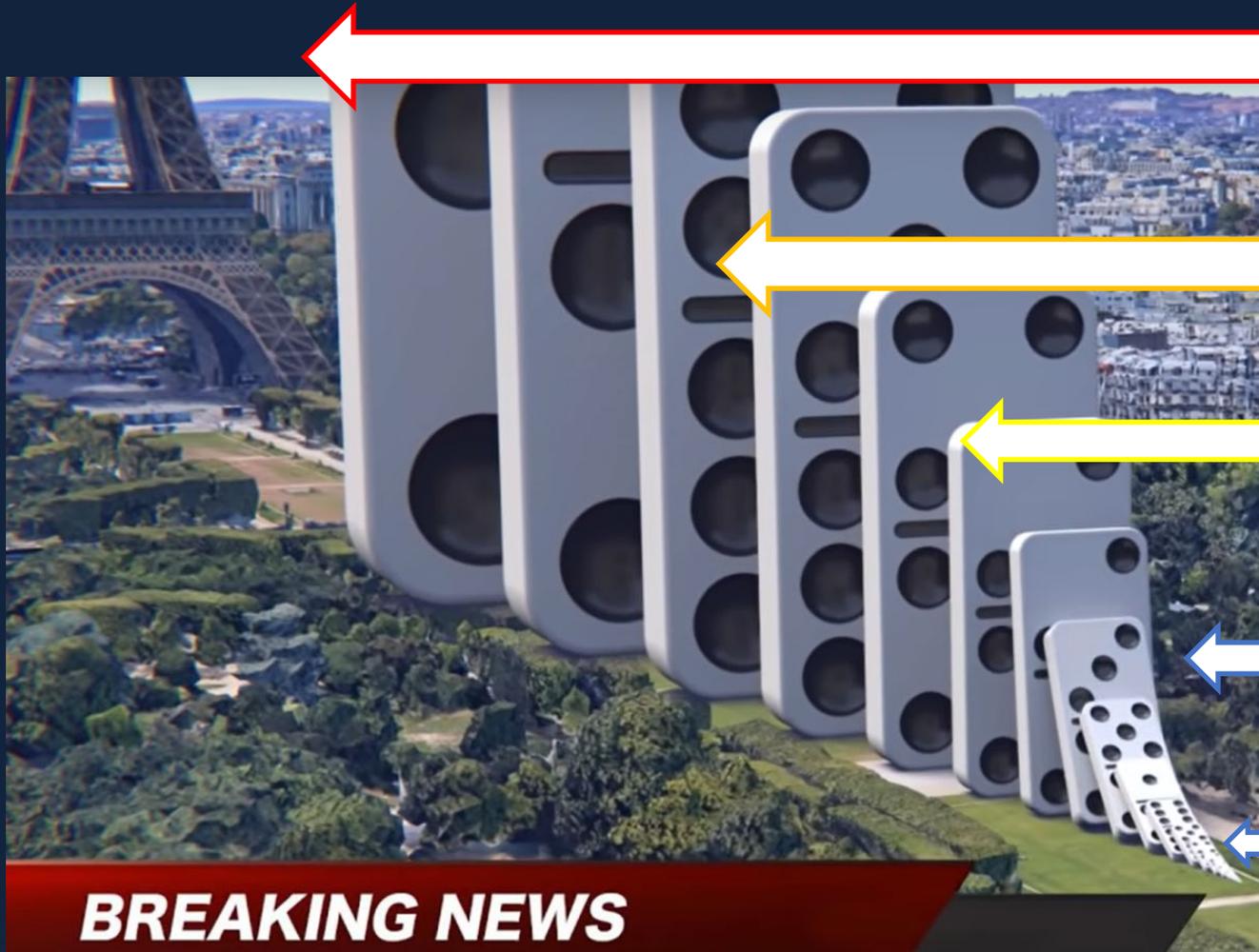
### Wide EXTENSION of reasons for an EMERGENCY:

- **Based on permanent ARBITRARINESS**
- under the sole discretion of WHO;
- With no possibility of independent verification;
- **NOBODY CONTROLS the WHO.**

=> **PERMANENT STATUS of EMERGENCY**  
to the detriment of people, economy and entire country.



# “PHEIC”: The first domino stone



Max. Collateral Damages;  
+ NO HUMAN RIGHTS  
PROTECTION

Recommendation of Vaccines  
without safeguards and  
No Checks & Balances

Lockdown; Digital Health  
Certificate vs. ISOLATION

Monopoly of Information  
Denial of free speech; Censorship  
incl. License to produce fear.

„PHEIC“:  
Declaration of emergency  
= simple self-authorization

# Legal basis for WHO's global mandatory leadership?

## **The WHO-Constitution does NOT provide any legal basis for the WHO:**

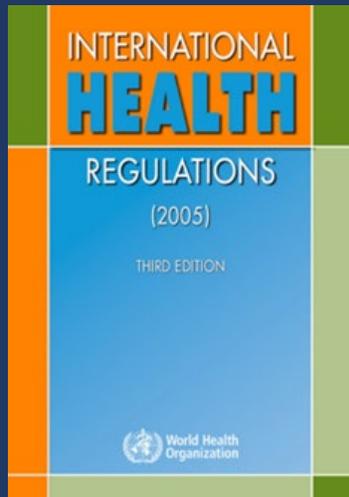
- to suspend the ordinary rule of law of the Member States on arbitrary reasons,
- to replace it by it's own global rule of emergency, and thereby
- to define the legal status of the entire world, i.e.;

(= „self-authorization based on arbitrariness“).

[Art. 1; 2 (c); (d); (r) WHO Constitution]

# Problems with the IHR? (selection)

Amended International  
Health Regulations



- (1) **Self-authorisation by mere „PHEIC-declaration“**  
=> All potential threats - without limitations – can be a „PHEIC“
- (2) **WHO-recommendations, new: binding**  
=> Member States must enforce WHO-recommendations
- (3) **Infocontrol, censorship and manipulation: new normal**  
=> Manipulation of public opinion will be even stronger  
(=End of science, end of justice, end of democracy)
- (4) **No Checks & Balances**  
=> No correction-mechanism, no effective quality control;  
no A-A-R: civil society without remedies.
- (5) **No accountability; full immunity; full tax exemption**
- (6) **Fundamental Rights and Human Dignity?**

# Past recommendations under COVID-19:

## RT-PCR tests

(Reverse transcription polymerase chain reaction test)

- Tests with the highest diagnostic accuracy
- Cost more
- Require sophisticated laboratory setting



## Recommendations for national SARS-CoV-2 testing strategies and diagnostic capacities

Interim guidance

25 June 2021



### Sources:

- 1.) [https://apps.who.int/iris/bitstream/handle/10665/342002/WHO-2019-nCoV-lab-testing-2021.1-eng.pdf?sequence=1&isAllowed=y;](https://apps.who.int/iris/bitstream/handle/10665/342002/WHO-2019-nCoV-lab-testing-2021.1-eng.pdf?sequence=1&isAllowed=y)
- 2.) <https://www.who.int/westernpacific/emergencies/covid-19/information/covid-19-testing>

## 2. WHO-Recommendations: LEGALLY BINDING

### *Article 1 Definitions*

1. For the purposes of the International Health Regulations (hereinafter “the IHR” or “Regulations”):

(...)

“standing recommendation” means ~~non-binding~~ advice issued by WHO for specific ongoing public health risks pursuant to Article 16 regarding appropriate health measures for routine or periodic application needed to prevent or reduce the international spread of disease and minimize interference with international traffic;

“temporary recommendation” means ~~non-binding~~ advice issued by WHO pursuant to Article 15 for application on a time-limited, risk-specific basis, in response to a public health emergency of international concern, so as to prevent or reduce the international spread of disease and minimize interference with international traffic;

***Recommendations will become legally binding.***

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: **LEGALLY BINDING**

### *NEW Article 13A WHO Led International Public Health Response*

**1. States Parties recognize WHO as the guidance and coordinating authority of international public health response during public health Emergency of International Concern and undertake to follow WHO's recommendations in their international public health response.**

**This is a legally binding promise!**

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR; NEW Art. 13A (S. 12);

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: LEGALLY BINDING

### *Article 42 Implementation of health measures*

Health measures taken pursuant to these Regulations, **including the recommendations made under Article 15 and 16**, shall be initiated and completed without delay **by all State Parties**, and applied in a transparent, **equitable** and non-discriminatory manner. **State Parties shall also take measures to ensure Non-State Actors operating in their respective territories comply with such measures.**

Temporary Recommendations (PHEIC)  
+ Permanent Recommendations

#### Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: **LEGALLY BINDING**

=> what kind of recommendations? See Art. 18 IHR

*Article 18 Recommendations with respect to persons, baggage, cargo, containers, conveyances, goods and postal parcels*

- review proof of medical examination and any laboratory analysis;
- require medical examinations;
- review proof of vaccination or other prophylaxis;
- require vaccination or other prophylaxis;
- place suspect persons under public health observation;
- implement quarantine or other health measures for suspect persons;
- implement isolation and treatment where necessary of affected persons;
- implement tracing of contacts of suspect or affected persons;
- refuse entry of suspect and affected persons;
- refuse entry of unaffected persons to affected areas; and
- implement exit screening and/or restrictions on persons from affected areas.

Source:

Article-by-Article Compilation of Proposed Amendments to the IHR; **Art. 18**

**Link:** [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: LEGALLY BINDING

### Article 53A - Establishment of an Implementation Committee

The State Parties shall establish an Implementation Committee, comprising of all States Parties meeting annually, that shall be responsible for:

(a) Considering information submitted to it by WHO and States Parties relating to their respective obligations under these Regulations, including under Article 54 and through the IHR monitoring and Evaluation framework;

(b) Monitoring, advising on, and/or facilitating provision of technical assistance, logistical support and mobilization of financial resources for matters relating to implementation of the regulations with a view to assisting States Parties to comply with obligations under these Regulations, with regards to

[...]

#### Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: **LEGALLY BINDING**

*NEW Chapter IV (Article 53 bis-quater): **The Compliance Committee***

*53 bis Terms of reference and composition*

[analog zum bereits zuvor zitierten Art. 53 A lit. (a) und (b)]

*New Article 54 bis – Implementation<sup>4</sup>*

**1. The Health Assembly shall be responsible to oversee and promote the effective implementation of these Regulations. For that purpose, Parties shall meet every two years, in a dedicated segment during the regular annual session of the Health Assembly.**

[...]

**From these (and the rest of the new) IHR-provisions we conclude a sophisticated regime of „compliance + supervision“, incl. *blame and shame* (see 54 para. 1 and 4 IHR: „dashboard“.**

**World Health Assembly can issue sanctions in case of a Member State's lack of compliance.**

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 2. WHO-Recommendations: LEGALLY BINDING

### *Article 54 Reporting and review*

1. States Parties and the Director-General shall report to the Health Assembly on the implementation of these Regulations as decided by the Health Assembly.
2. The Health Assembly shall periodically review the functioning of these Regulations. To that end it may request the advice of the Review Committee, through the Director-General. The first such review shall take place no later than five years after the entry into force of these Regulations.
3. WHO shall periodically conduct studies to review and evaluate the functioning of Annex 2. The first such review shall commence no later than one year after the entry into force of these Regulations. The results of such reviews shall be submitted to the Health Assembly for its consideration, as appropriate.

**New 4. Apart from providing information to the State Parties and reporting to the Health Assembly in this Article, WHO shall maintain a webpage/ dashboard to provide the details of the activities carried out under the various provisions of these Regulations including Articles 5(3), 12, 13(5), 14, 15, 16, 18, 43, 44, 46, and 49.**

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

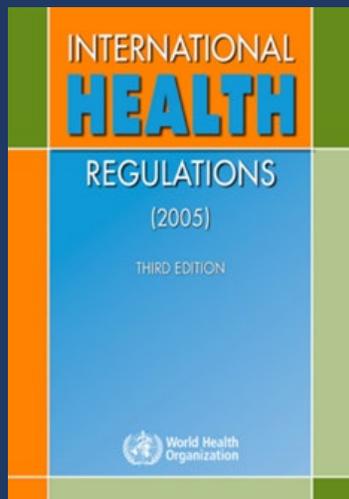
Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## Legal basis for mandatory recommendations?

**The WHO-Constitution  
does NOT provide any legal basis  
for making recommendations  
„legally binding“ for States!**  
[=> Art. 1; 2 (c); (d); (r) WHO Constitution]

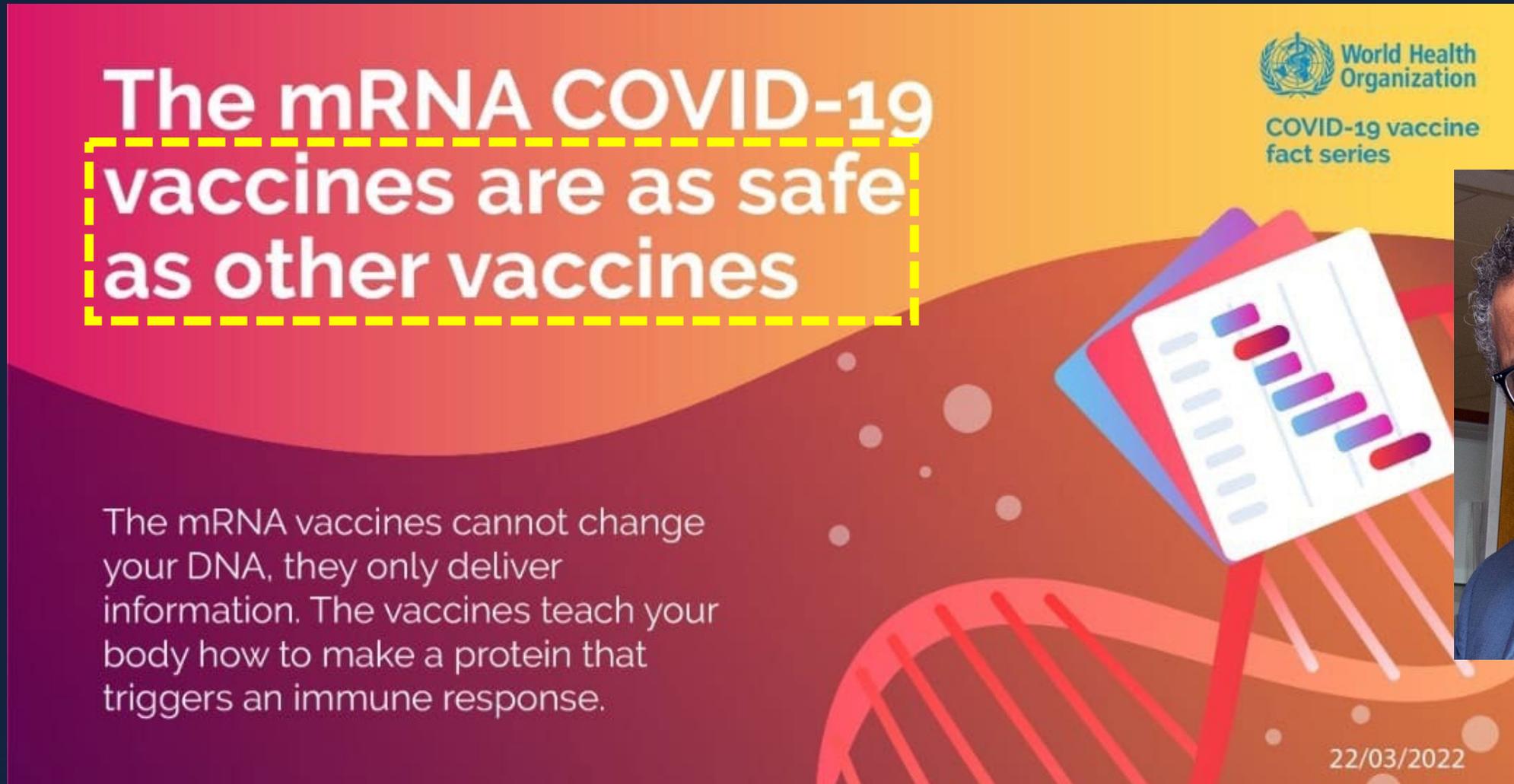
# Problems with the IHR? (selection)

Amended International  
Health Regulations



- (1) **Self-authorisation by mere „PHEIC-declaration“**  
=> All potential threats - without limitations – can be a „PHEIC“
- (2) **WHO-recommendations, new: binding**  
=> Member States must enforce WHO-recommendations
- (3) **Infocontrol, censorship and manipulation: new normal**  
=> Manipulation of public opinion will be even stronger  
(=End of science, end of justice, end of democracy)
- (4) **No Checks & Balances**  
=> No correction-mechanism, no effective quality control;  
no A-A-R: civil society without remedies.
- (5) **No accountability; full immunity; full tax exemption**
- (6) **Fundamental Rights and Human Dignity?**

# WHO's (Dis)information Campaign



The mRNA COVID-19 vaccines are as safe as other vaccines

The mRNA vaccines cannot change your DNA, they only deliver information. The vaccines teach your body how to make a protein that triggers an immune response.

World Health Organization  
COVID-19 vaccine fact series

22/03/2022

The graphic features a yellow and orange background with a DNA double helix and a bar chart. The text is in white and yellow. The WHO logo is in the top right corner.



Source:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/covid-19-vaccines/advice>

## 4. „Infodemics“ => Total Info-control

### *Article 44 Collaboration and assistance*

1. States Parties shall ~~undertake to~~ collaborate with **and assist** each other, **in particular developing countries States Parties, upon request, to the extent possible**, in:

**(h) (new) in countering the dissemination of false and unreliable information about public health events, preventive and anti-epidemic measures and activities in the media, social networks and other ways of disseminating such information**

**(i) (d) the formulation of proposed laws and other legal and administrative provisions for the implementation of these Regulations.**

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 4. „Infodemics“ => Total Info-control

### *Article 44 Collaboration and assistance*

[1.] [...] ]

2. WHO shall collaborate with **and promptly assist** States Parties, **in particular developing countries** upon request, ~~to the extent possible~~, in:

**(e) (New) countering the dissemination of false and unreliable information about public health events, preventive and anti-epidemic measures and activities in the media, social networks and other ways of disseminating such information;**

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 4. „Infodemics“ => Total Info-control

### *Article 53A - Establishment of an Implementation Committee*

The State Parties shall establish an Implementation Committee, comprising of all States Parties meeting annually, that shall be responsible for:

(c) Promote international cooperation and assistance to address concerns raised by WHO and States Parties regarding implementation of, and compliance with, obligations under these Regulations in accordance with Article 44;

(d) Submit an annual report to each Health Assembly

Quelle:

Article-by-Article Compilation of Proposed Amendments to the IHR;

Link: [https://apps.who.int/gb/wgihhr/pdf\\_files/wgihhr1/WGIHR\\_Compilation-en.pdf](https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf)

## 4. „Infodemics“ | also under New Pandemic Treaty

### Article 18. Communication and public awareness

1. The Parties shall strengthen science, public health and pandemic literacy in the population, as well as access to information on pandemics and their effects and drivers, and combat false, misleading, misinformation or disinformation, including through effective international collaboration and cooperation as referred to in Article 16 herein.
2. The Parties shall, as appropriate, conduct research and inform policies on factors that hinder adherence to public health and social measures in a pandemic and trust in science and public health institutions.

Source:

Proposal for negotiating text of the WHO Pandemic Agreement; **Draft 30 October, 2023**

**Link:** [https://apps.who.int/gb/inb/pdf\\_files/inb7/A\\_INB7\\_3-en.pdf](https://apps.who.int/gb/inb/pdf_files/inb7/A_INB7_3-en.pdf)

# WHO'S INFODEMICS destroys INFORMED CONSENT:

**NO SCIENCE** **NO DEMOCRACY**  
**NO JURISDICTION**  
**NO Informed Consent**



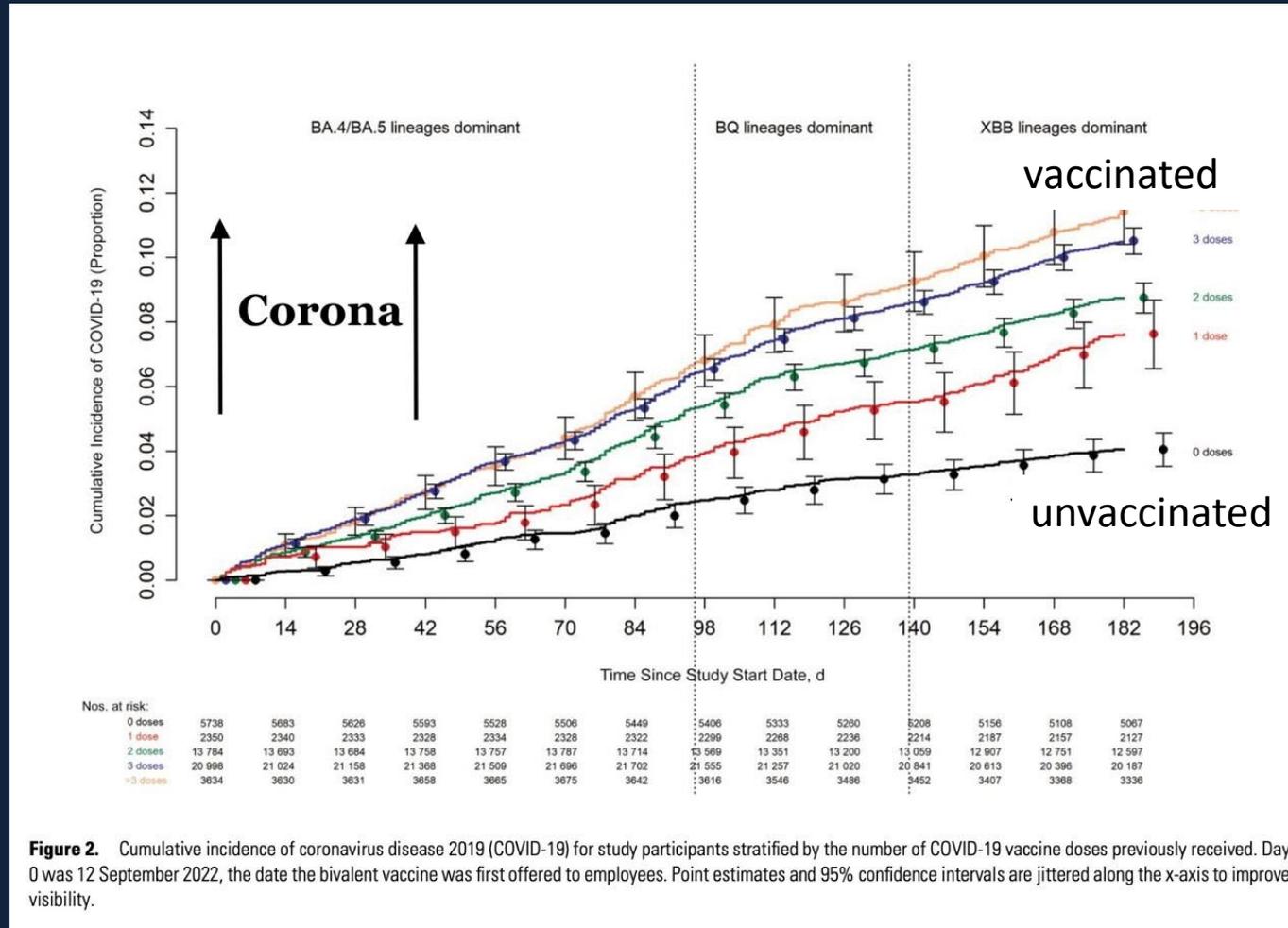
~~OPEN INFORMATION~~

~~OPEN DEBATE~~

~~NO MANIPULATION~~

# WHO's denial of empirical studies:

**DENIAL**



**Figure 2.** Cumulative incidence of coronavirus disease 2019 (COVID-19) for study participants stratified by the number of COVID-19 vaccine doses previously received. Day 0 was 12 September 2022, the date the bivalent vaccine was first offered to employees. Point estimates and 95% confidence intervals are jittered along the x-axis to improve visibility.

*The more frequently someone is vaccinated, the greater the risk of contracting Covid-19. [Hence the many cases of Long Covid.]*

**Source:**

SHRESTHA, "Effectiveness of the Coronavirus Disease 2019 (COVID-19) Bivalent Vaccine," preprint dated Dec. 19, 2022, <https://www.medrxiv.org/content/10.1101/2022.12.17.22283625v1.full>.

# Mandatory international law (incl. Nuremberg Code)

International Covenant on Civil and Political Rights (1966; ICCPR)  
Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. **In particular, no one shall be subjected to medical or scientific experimentation without his or her voluntary consent.**

This provision applies **even "in time of public emergency which threatens the life of the nation and is officially proclaimed"** (as per Article 4, paragraphs 1 and 2 ICCPR).

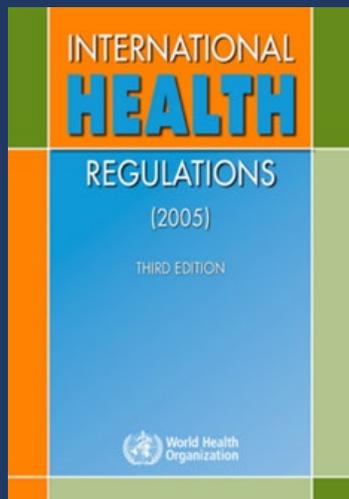
**Source::**

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

[https://treaties.un.org/doc/publication/unts/volume 999/volume-999-i-14668-english.pdf](https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf)

# Problemes with the IHR? (selection)

Amended International  
Health Regulations



- (1) **Self-authorisation by mere „PHEIC-declaration“**  
=> All potential threats - without limitations – can be a „PHEIC“
- (2) **WHO-recommendations, new: binding**  
=> Member States must enforce WHO-recommendations
- (3) **Infocontrol, censorship and manipulation: new normal**  
=> Manipulation of public opinion will be even stronger  
(=End of science, end of justice, end of democracy)
- (4) **No Checks & Balances**  
=> No correction-mechanism, no effective quality control;  
no A-A-R: civil society without remedies.
- (5) **No accountability; full immunity; full tax exemption**
- (6) **Fundamental Rights and Human Dignity?**

# Member States do not enforce WHO's true mission

## CONSTITUTION OF THE WORLD HEALTH ORGANIZATION<sup>1</sup>

THE STATES Parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

### *Article 1*

The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health.

## Why did WHO never go to the source of the problem:

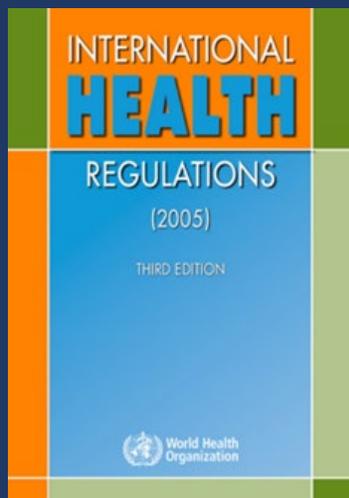
- => Identify the true **ORIGINE** of SARS-CoV-2!
- => **Stop** the pandemic profiteering with dangerous „vaccines“!
- => Protect human health from dangerous technologies and from engineered pandemics.

No Mechanisms to effectively control +  
correct WHO:

There is no effective PROTECTION for  
INDIVIDUALS and for CIVIL SOCIETY

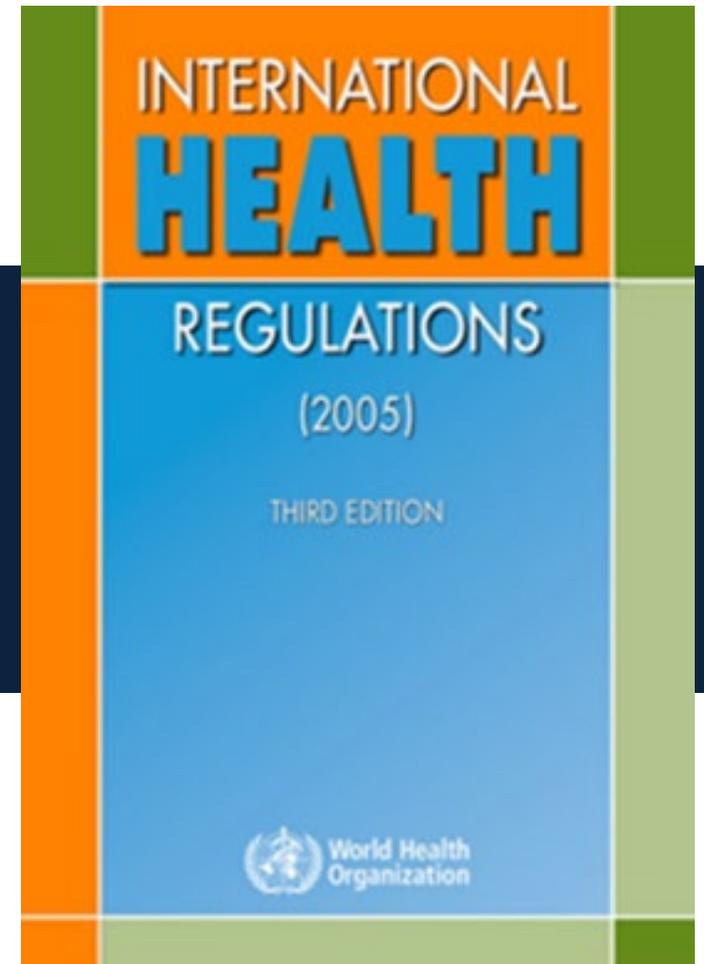
# Problemes with the IHR? (selection)

Amended International  
Health Regulations

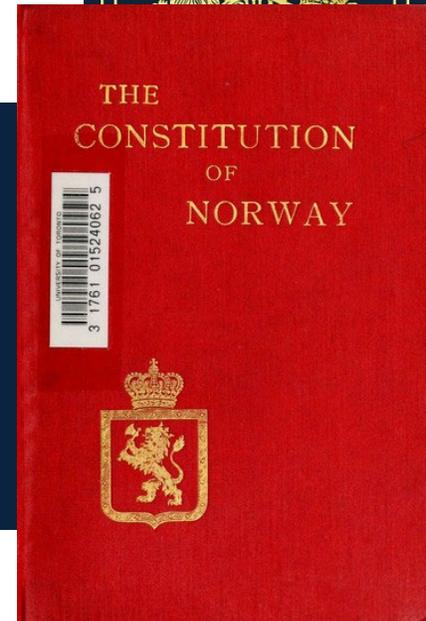
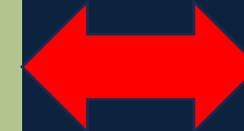
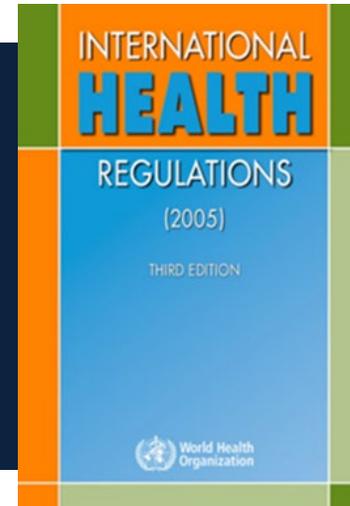


- (1) **Self-authorisation by mere „PHEIC-declaration“**  
=> All potential threats - without limitations – can be a „PHEIC“
- (2) **WHO-recommendations, new: binding**  
=> Member States must enforce WHO-recommendations
- (3) **Infocontrol, censorship and manipulation: new normal**  
=> Manipulation of public opinion will be even stronger  
(=End of science, end of justice, end of democracy)
- (4) **No Checks & Balances**  
=> No correction-mechanism, no effective quality control;  
no A-A-R: civil society without remedies.
- (5) No accountability; full immunity; full tax exemption**
- (6) **Fundamental Rights and Human Dignity?**

# (4) Legal Assessment



# (4) Legal Assessment (i.)



# Core elements of your Constitution: in DANGER

- 1. Effective system of Checks and Balances | suspendable!**  
(instead of authoritarian leadership and control)
- 2. Rule of law (Principle of legality) and proportionality**  
(instead of arbitrariness) | **suspendable!**
- 3. [...]**

## Core elements of your Constitution: in DANGER

4. **Free information and free speech**  
(instead of censorship: CH Const.) | **suspendable!**
5. **Effective protection of human rights** (UN Charta; various international conventions) | **suspendable!**
6. [Competence for health matters on regional level]  
| **suspendable!**

## Core elements of your Constitution: in DANGER

### 7. **Democratic principle - Self-determination of the People :**

= People's rights of participation, control and information;  
**undistorted formation of the will of the people** for all fundamental decisions

(UN Charta Art. 1; "We the People"). | **suspendable!**

\*\*\*\*\*

### **SOVEREIGNTY on the level of your entire country:**

Any decision is taken without interference / force of another country (incl. political system – constitution - prioritisation of public tasks - (UN Charta Art. 1) | **suspendable!...**]

# TRANSFER of constitutional POWERS

Transfer of control on [1.] – [6.] (above):

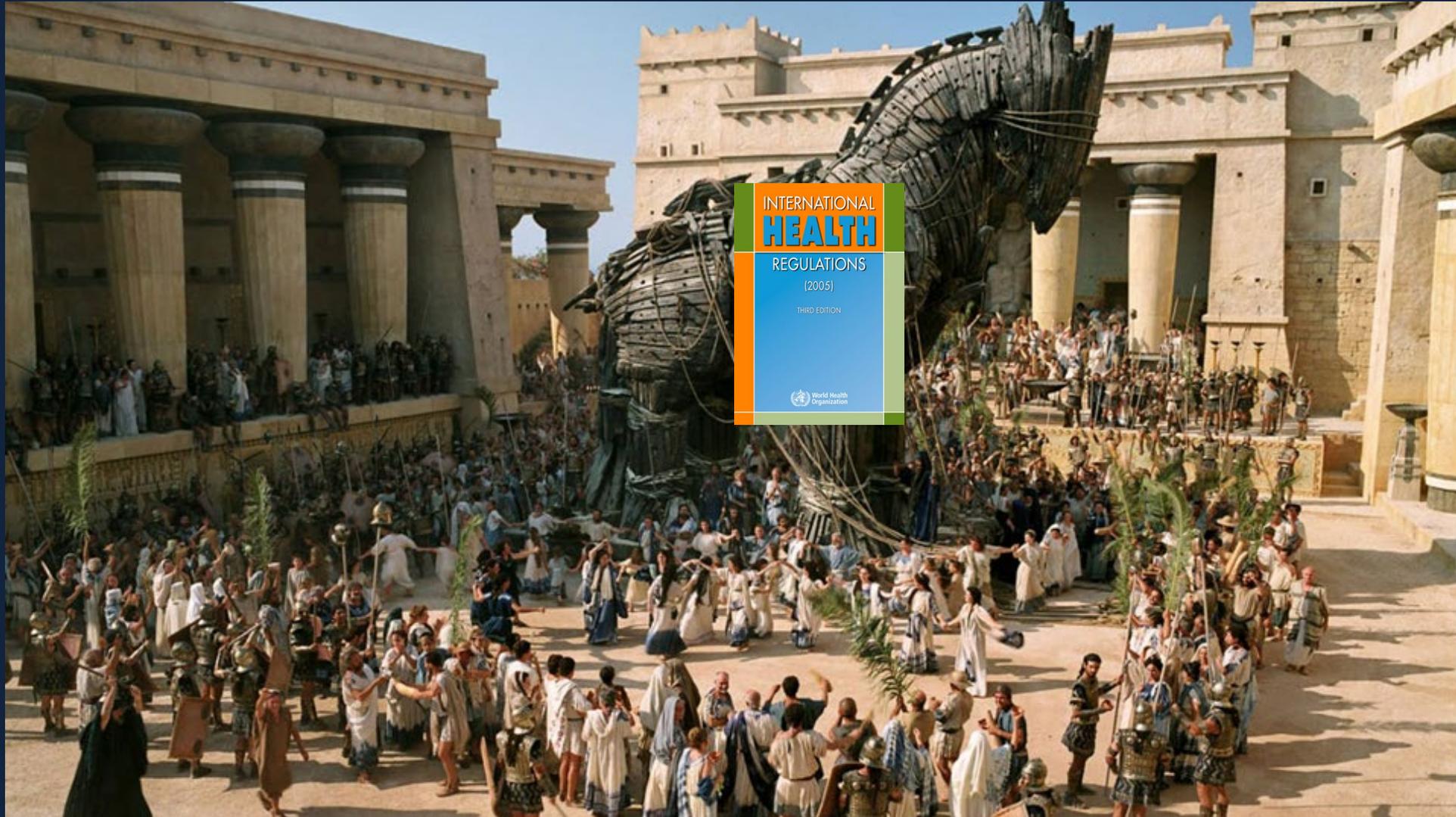
=

**Transfer of power over essential key pillars of  
your constitution + your democracy**

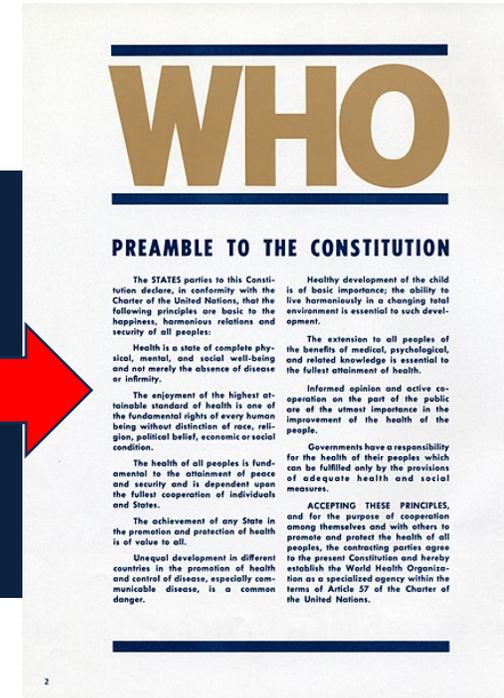
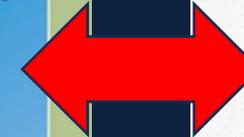
=

**Fundamental change of your constitution**

# Effective nature of the IHR:



# (4) Legal Assessment (ii.)



**“IHR 2024” are ULTRA VIRES (not based on WHO-Constitution)**

## **The WHO-Constitution does not provide the competence to WHO:**

- (i.) make emergency status for all countries legally binding;**
- (ii.) to allow WHO to define the sole truth and impose censorship;**
- (iii.) to shift from „assisting“ to „commanding“ Member States.**
- (i.-iii.) on a permanent basis.**

=> see: Art. 1; 2 (c); (d); (r) WHO Constitution

“IHR 2024” are ULTRA VIRES (not based on WHO-Constitution)

## The WHO-Constitution should be amended first[\*]:

- (i.) to authorize WHO to impose emergency on all countries any time;
  - (ii.) to allow WHO to define the sole truth and impose censorship;
  - (iii.) to shift from „assisting“ to „commanding“ Member States.
- (i.-iii.) on a permanent basis.

---

[\*] resp.:

the IHR-Amendments equal to a material change of WHO-constitution

=> see: Art. 73 WHO Constitution:

6 months ahead of WHA (= 1st of Nov. 2023 for May 2024); WHA: 2/3-majority; domestic ratification.

## Key questions for the people

Under the new WHO-regime:

*Will there be more Gain-of-function-related “accidents”?*

*Will we face more PHEICs and restrictions like under CORONA?*

most likely, **YES**

## Key questions for any Members of Parliament

- 1. Will we - as the legislator - still be in control of our constitutional powers?*
- 2. Can the key elements of our constitution still be effectively protected?*

**NO !**

## Key questions for all lawyers, diplomats and politicians

*Does the WHO-constitution provide a sufficient legal basis for*

*(a) The present amendments to the International Health Regulations?*

*(b) The present draft of the New Pandemic Treaty?*

**NO!**



# (5) Who controls the WHO?

The mother of all questions:

# Who finances (controls) the WHO?



**How WHO is funded**

Source: <https://www.who.int/about/funding>



# Who is in control of the WHO?

## **ORDINARY Contributions (“Assessed Contributions”)**

*Budget-Period 2020/21*      16% (s. WHO-Daily Update 24. Mai 2022 [WHO-source 1])

*Currently:*      “less than 20% of total budget” [WHO-source 2]

## **VOLUNTARY CONTRIBUTIONS:**

**over 80%** [WHO-source 2]

The remainder of WHO’s financing is in the form of **voluntary contributions (VC)**, largely from Member States as well as from other United Nations organizations, intergovernmental organizations, philanthropic foundations, the private sector, and other sources.

Source:

[1] <https://www.who.int/news/item/24-05-2022-daily-update---24-may-2022>

[2] <https://www.who.int/about/funding>

# Who is in control of the WHO?

**Ordinary  
Contributions**  
of the 194 WHO-  
Member States:  
**<20%**

**Voluntary Contributions:**  
**>80%**

30%

# Who is in control of the WHO?

**Voluntary Contributions:**  
**>80%**

4.1%

95.9% (7.9% Thematic  
88% Specified)

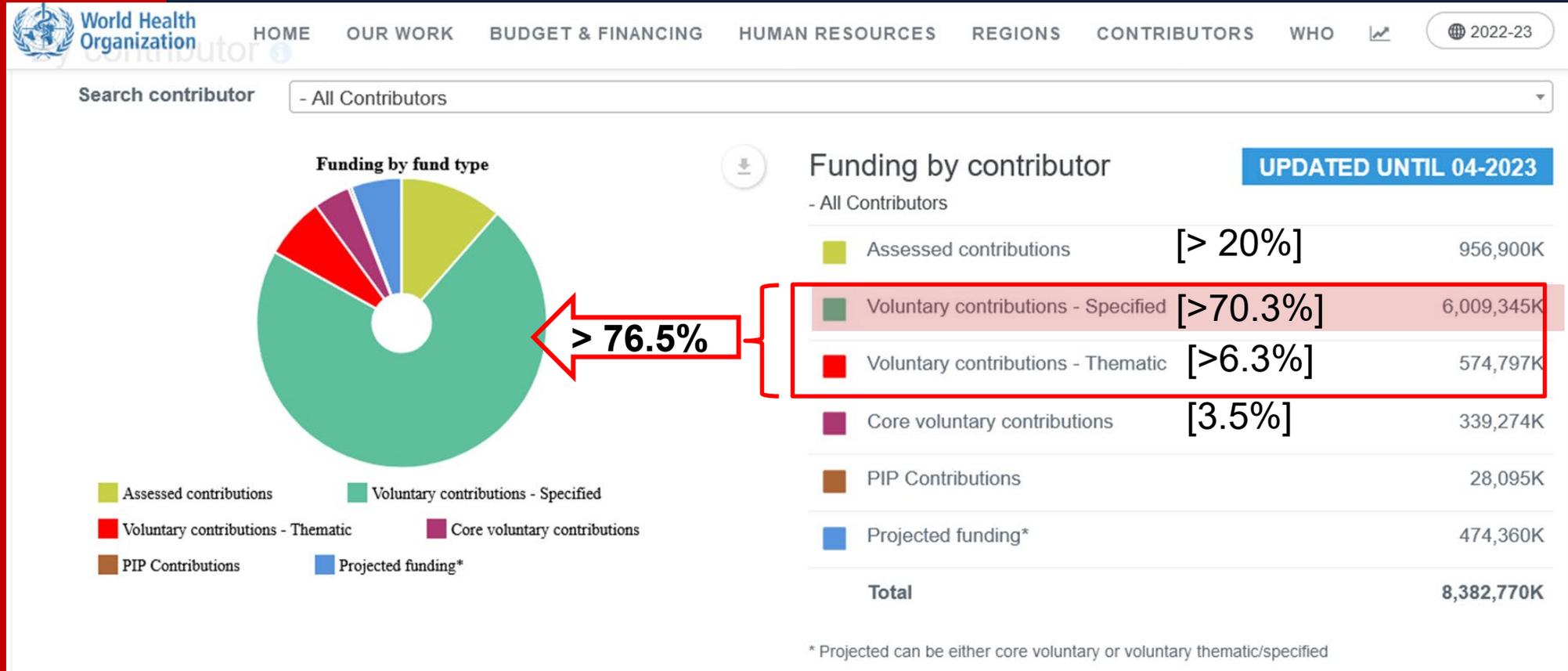
80%

**Voluntary Contributions**  
**without conditions:**  
**>3.5%**

**Voluntary contributions with conditions:**  
**>76.5%**

WHO are these SPONSORS?

# Who is in control of the WHO?



Source: <https://open.who.int/2022-23/contributors/contributor>

# Who is in control of the WHO?

## Voluntary contributions - Specified

Shows the total funds available in this biennium and are exclusive of Programme Supports Costs.

Germany	952,843K
Bill & Melinda Gates Foundation	592,277K
United States of America	447,837K
GAVI Alliance	413,190K
United Kingdom of Great Britain and Northern Ireland	367,093K
European Commission	309,580K
World Bank	158,134K
Rotary International	151,550K

**Bill Gates** directly and indirectly:  
1'005'467 K = **1.005 Mrd USD**

Source: <https://open.who.int/2020-21/contributors/overview/vcs>

# Who is in control of the WHO?

## WHO Constitution: AGAINST ANY CONFLICT of INTEREST

### *Article 37*

In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

Source: WHO Constitution <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf?ua=1>

*Protect your people,  
Protect your children,  
Protect your democracy,  
against the any abuse of powers!*

Thank you for your attention!

Philipp Kruse,  
Attorney at law, LL.M. (CH)

[kruse@kruse-law.ch](mailto:kruse@kruse-law.ch)