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 0041 79 388 05 88



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) | 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?

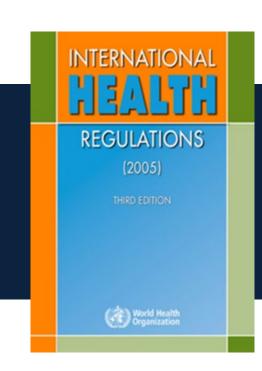
Timeline



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



PREAMBLE TO THE CONSTITUTION

The STATES parties to this Constitution declare, in conformity with the is of basic importance; the ability to Charter of the United Nations, that the live harmoniously in a changing total happiness, harmonious relations and

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

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

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

The achievement of any State in the promotion and protection of health

Unequal development in different countries in the promotion of health municable disease, is a common

following principles are basic to the environment is essential to such devel-

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

Informed opinion and active cooperation on the part of the public are of the utmost importance in the

for the health of their peoples which can be fulfilled only by the provisions of adequate health and social

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 Organizaand control of disease, especially com- tion as a specialized agency within the terms of Article 57 of the Charter of

Art. 22 WHO-Verf.

REVISION

WHO-Constitution (1948)

Source:

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

INTERNATIONAL

KRUSE | LAW

REGULATIONS

(2005)

THIRD EDITION



Internat. Health Regulations (IHR 2005)

Latest public version (Nov. 2022):

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;

IHR-Amendments:= "just technical WHO-Regulations"

No ratification forseen:

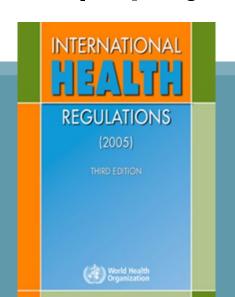
WHO Constitution:



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

Simple majority

AUTOMATISM!

In force after
12 M: = 1st June 2025

<u>Unless</u>:

"Rejection" declared within 10 M

New Pandemic TREATY ("CA+")

WHO-Constitution
Art. 19/20

Drafts + Negotiations

Drafts +

Negotiations

2/3rd majority

RATIFICATIONperiod for each Member State: 18 M

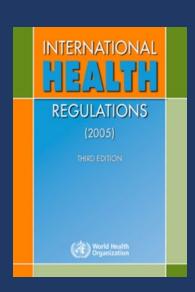
until: Nov. 2025

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 accountibility; full immunity; full tax exemption
- (6) Fundamental Rights and Human Dignity?

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

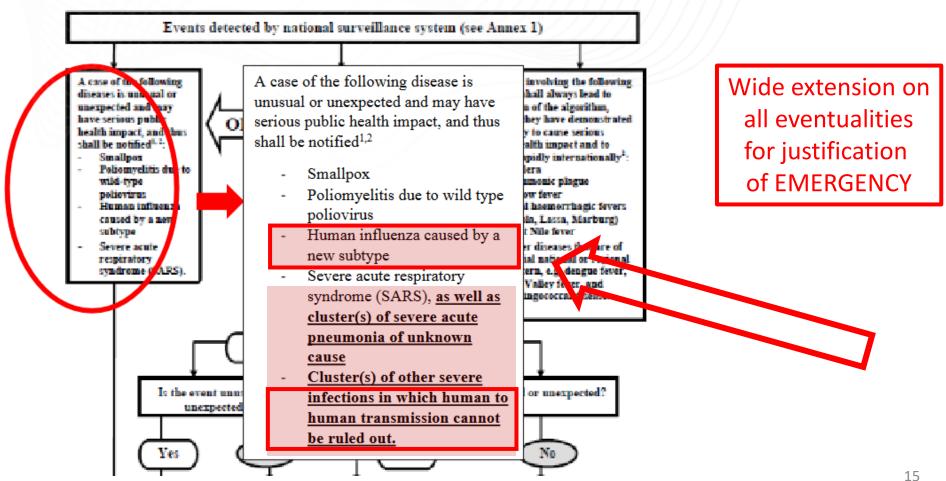
Article 12 Determination of a public health emergency of international concern public health emergency of regional concern, or intermediate health alert

[1.] [...]

Public
Health
Emergency of
International
Concern

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

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



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.

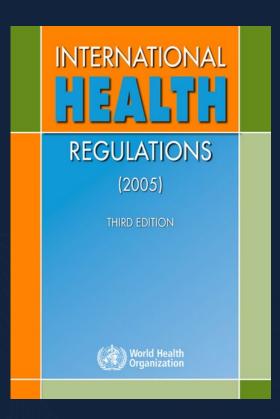
Source:

https://apps.who.int/gb/inb/pdf_files/inb5/A_INB5_6-en.pdf

Critics on extension of factual reasons for a PHEIC

Justification for a ,PHEIC'-EMERGENCY is extremely extended:

- Based on permanent ARBITRARINESS
- under the sole discretion of WHO;
- With no possibility of independant 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 PROTECT.ION

Recommendation of Vaccines without safeguards and No Checks & Balances

Lockdown; Digital Health Certificate vs. ISOLATION

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

,PHEIC":

Declaration of emergency = simple self-authorization

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 accountibility; full immunity; full tax exemption
- (6) Fundamental Rights and Human Dignity?

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 <u>legally binding</u>.

Quelle:

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

Link: https://apps.who.int/gb/wgihr/pdf files/wgihr1/WGIHR Compilation-en.pdf

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/wgihr/pdf_files/wgihr1/WGIHR_Compilation-en.pdf

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/wgihr/pdf files/wgihr1/WGIHR Compilation-en.pdf

=> 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.

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/wgihr/pdf files/wgihr1/WGIHR Compilation-en.pdf

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 – Implementation⁴]

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.

Quelle:

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

Link: https://apps.who.int/gb/wgihr/pdf files/wgihr1/WGIHR Compilation-en.pdf

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.

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;

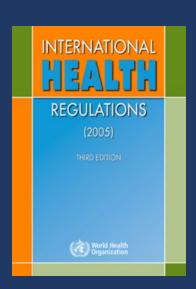
Link: https://apps.who.int/gb/wgihr/pdf_files/wgihr1/WGIHR_Compilation-en.pdf

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

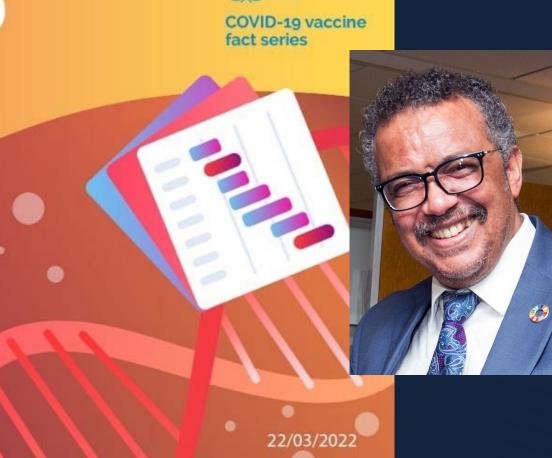


- (1) Self-authorisation by mere "PHEIC-declaration"
 - => All potential threats without limitations can be a "PHEIC"
- (2) WHO-recommendations, new: binding
 - => Member States must enforce WHO-recommendations
- (3) Infocontrol, censorship and manipulation: new normal
 - => Manipulation of public opinion 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 accountibility; 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.



Organization

Source:

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

"INFODEMICS" will destroy INFORMED CONSENT:

NO SCIENCE NO DEMOCRACY NO JURISDICTION **No Informed Consent** OPEN INFERMATION | O PEN DEBATE NO MANIPULATION

WHO's denial of empirical studies:

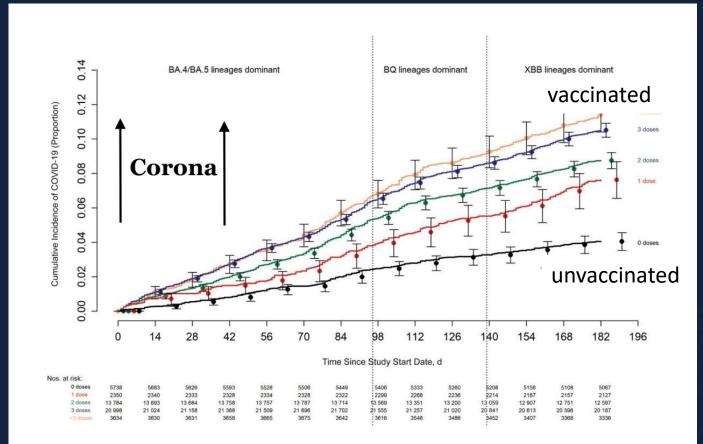


Figure 2. Cumulative incidence of coronavirus disease 2019 (COVID-19) for study participants stratified by the number of COVID-19 vaccine doses previously received. Day 0 was 12 September 2022, the date the bivalent vaccine was first offered to employees. Point estimates and 95% confidence intervals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

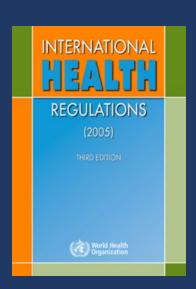
Legal basis for mandatory recommendations?

The WHO-Constitution does NOT provide any legal basis for: global info-monopoly and info-control

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

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 accountibility; 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 ORGANIZATION¹

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

Mandatory international law (incl. Nuremberg Code)

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

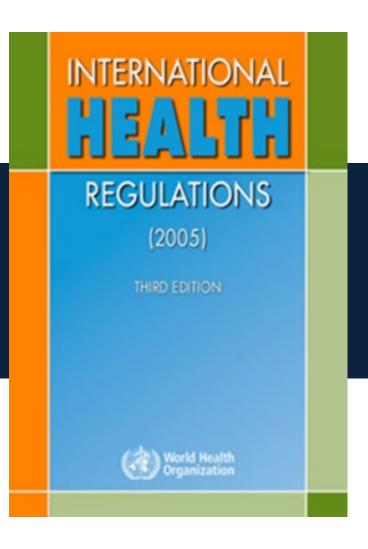
Article 7

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).

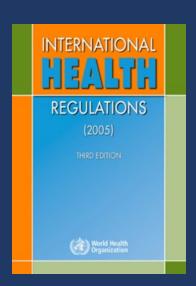
Source:::

Legal Assessment



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 accountibility; full immunity; full tax exemption
- (6) Fundamental Rights and Human Dignity?

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) 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):

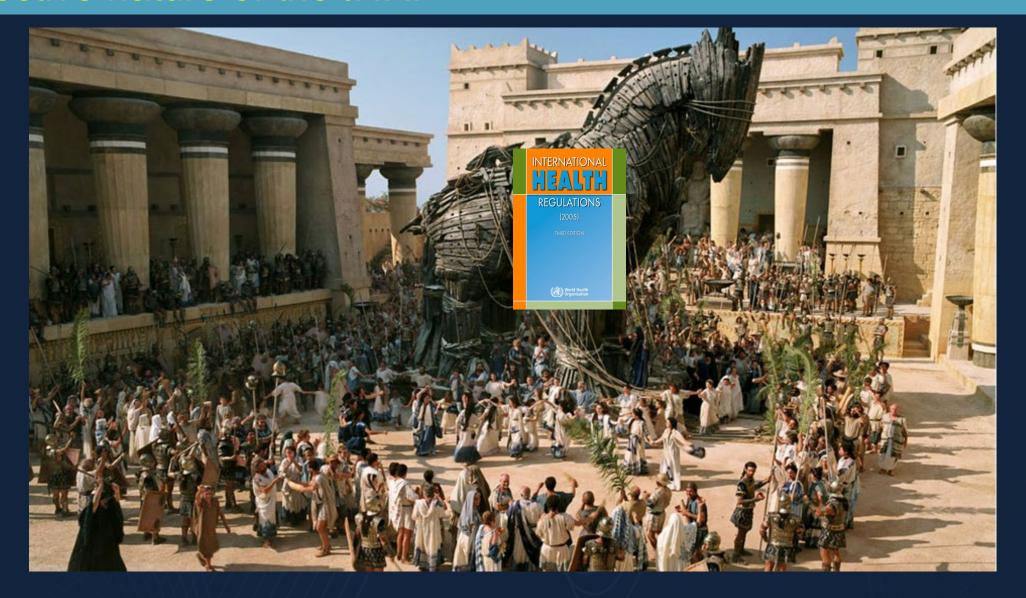
Transfer of power over essential key pillars of your constitution + your democracy

-//

Fundamental change of your constitution



Effective nature of the IHR:



The mother of all questions:

Who finances (controls) the WHO?





WHO – far away from its original constitutional purpose...

BRITISH MEDICAL JOURNAL

LONDON SATURDAY MAY 6 1950

THE WORLD HEALTH ORGANIZATION

BY

BROCK CHISHOLM, C.B.E., M.D.

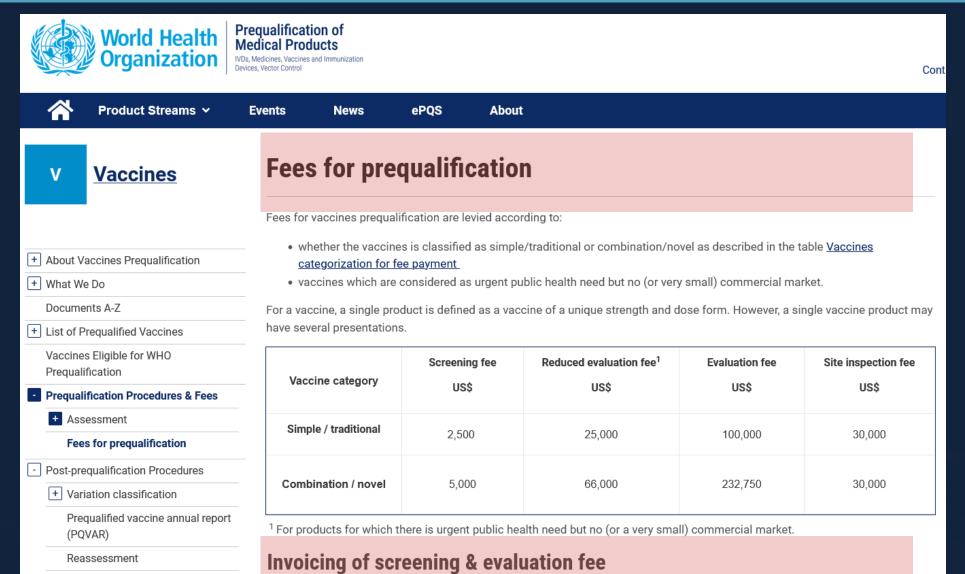
Director-General, World Health Organization

Constitution, Aims, and Scope of Its Work

Another guiding principle of W.H.O. can be found in its definition of the word "health." "Health," the Constitu-

The third principle essential for the understanding of W.H.O. is related to its role in the battle for better health. W.H.O. was not established as a supranational health administration to take the place of national health authorities in the carrying out of their normal functions. It was created to help those authorities directly, by putting at their disposal the knowledge and the skills needed for the improvement of their own health services, and, indirectly, by mobilizing all available resources for the solution of problems which lend themselves to international action. This double task, assigned to W.H.O. by its Consti-

WHO – far away from its original constitutional purpose...



WHO – far away from its constitutional purpose...



WHO:=

Reassessment

Regulator, paid by the industry!

Reassessment

Prequalified vaccine annual report (PQVAR)

Reassessment

Invoicing of screening

Reassessment

Invoicing of screening

Reassessment

Reassessment

Reassessment

Invoicing of screening

Reassessment

Reassessment

Reassessment

Reassessment

Reassessment

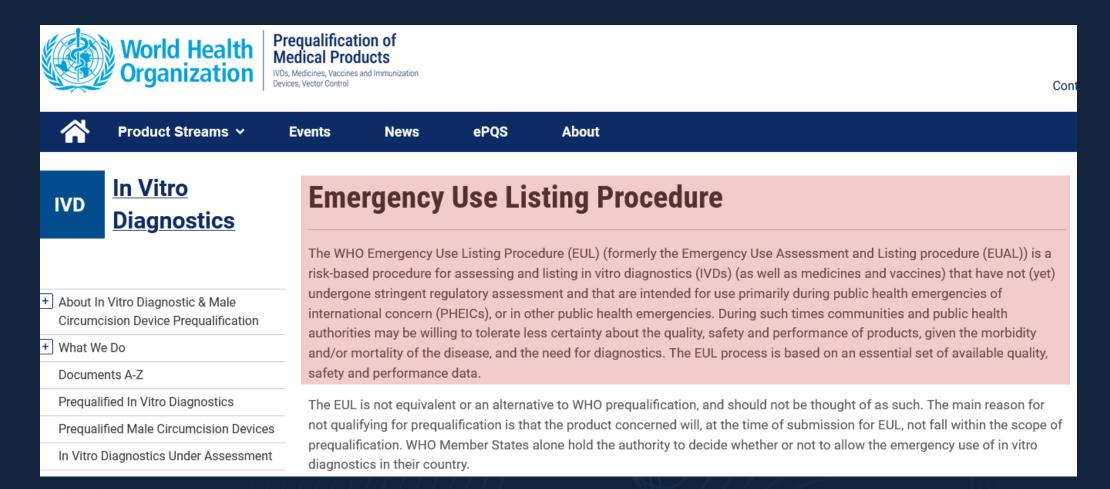
Invoicing of screening

Reassessment

Rea

Source: https://extranet.who.int/prequal/vaccines/fees-prequalification

WHO:= Regulator, paid by the industry (II)



<u>Source</u>: https://extranet.who.int/prequal/vitro-diagnostics/emergency-use-listing-procedure

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