

Dr. Chris Fearne.
Deputy Prime Minister and Minister of Health
President of International Health Regulations at
The World Health Organisation

Honourable Minister

We refer to our previous correspondence to you dated 21st September 2023, Independence Day.

We are in direct communication with MEPs from other countries who recognise our concerns regarding the upcoming December 1, 2023 deadline and support our call to REJECT THE AMENDMENTS to Article 59 of the International Health Regulations adopted in May 2022. We are disappointed that our own MEPs have not shown any interest in engaging with the people who elected them.

We have also requested a public inquiry into the handling of Covid-19 in Malta to ensure lessons are learned and will never be repeated, such as when the recommendations of the World Health Organization were blindly enforced by the Superintendent of Public Health without considering the appropriateness, proportionality or severity of the measures and then deferring responsibility to the same organisation when challenged in any way, including when testifying in court.

We kindly call your attention to the urgency of rejecting the amendments to the International Health Regulations adopted in May 2022, before the deadline of December 1, 2023.

Even more now that we know that the WHO did not hold a legitimate voting on the amendments of the 2005 treaty during the Eight Plenary Session of the World Health Assembly on May 28, 2022. We call on you to immediately and publicly reject the amendments to the International Health Regulations on behalf of the people and in doing so, reinforce the sovereignty and constitution of our great country.

It is pertinent to mention that although The European Union is not a member of the World Health Organisation, it is one of the most significant providers of funds and dictates the decisions of the European Union member states mandating a bloc wide approach to health and preventing local health authorities from taking decisions in the best interest of their people.

The amendments to Article 59 of the International Health Regulations, reduce the amount of time permitted for future amendments to be reviewed and if necessary rejected from 18 to 10 months and shorten the amount of time before future amendments go into force from 24 to 12 months. The amendments to Article 59 serve no legitimate health-related purpose. They will not improve health nor will they enhance the lives of anyone in Malta or anywhere in the world. The main purpose of the amendments is to reduce the time to reject the next round of amendments that are being negotiated, in secret, with no transparency, by the Working Group for amendments to the International Health Regulations.

The amendments appear to have been submitted illegally and with no legitimate life-related purpose and the Health Assembly did not have the authority to adopt them! The adopted amendments to Article 59 of the International Health Regulations were submitted during the World Health Assembly meeting in May 2022, in clear violation of Article 55, Section 2 of the International Health Regulations which states:

“The text of any proposed amendment shall be communicated to all State Parties by the Director-General at least four months before the Health Assembly at which it is proposed for consideration.”

The original amendments that were proposed in accordance with Article 55, Section 2 of the International Health Regulations were effectively included from May 2022 and now form part of the 307 proposed amendments currently being negotiated.

Furthermore, the World Health Assembly did not have the authority to even consider the amendments as they were not within the scope of the powers of the Assembly according to Article 21 of the Constitution of World Health Organisation, which clearly states the scope of their authority as follows:

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;*
- (b) nomenclatures with respect to diseases, causes of death and public health practices;*
- (c) standards with respect to diagnostic procedures for international use;*
- (d) standards with respect to the safety, purity and potency of biological, pharmaceutical and similar*

*products moving in international commerce;
(e) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce.*

If the Maltese Parliament does not take action and allows the 1st December 2023 deadline to pass, these illegal amendments will become international law and Malta will have to comply with them. In the light of the above irregularities it is in the nation's interest to abide by the constitution of The World Health Organisation to ensure that these measures are legal, as otherwise they are null and void.

We trust that you will stand with us and uphold our Constitution. We need to ensure that the proposed changes are done legally and in the interest of our nation.

Alexander D`Agata
On behalf of Concerned Citizens of Malta

--

