

CIVICS AND LAW
MONITORING COMMITTEE

(WHO) World Health Organization, WGIHR and IHRRC

Monday October 31, 2022

Dear Friends,

According to the WHO Information Disclosure Policy: The World Health Organization (WHO) is committed to making information about its activities available to the public. WHO considers public access to information a key component of effective engagement with all stakeholders, including WHO's Member States and the public, in the fulfillment of its mandate. Public access to WHO information facilitates transparency and accountability and enhances trust in WHO's activities to further public health. This Policy applies to all Information in the custody of WHO. For the purposes of this Policy, "Information" means any produced content, in any medium (paper, electronic or sound, visual or audiovisual recording) concerning a matter relating to WHO's activities.

As per "Basic Documents" of the World Health Organization: Pg 6: Informed opinion and active co-operation on the part of the public are of the utmost importance in the improvement of the health of the people. On page 98-99: Principles 5. WHO's engagement with non-State actors is guided by the following overarching principles. Any engagement must: (h) be conducted on the basis of transparency, openness, inclusiveness, accountability, integrity and mutual respect.

IOJ is a non State actor, internationally domiciled organization that is considered an interested stakeholder in pandemic preparedness and response according to the WHO INB. We represent

CIVICS AND LAW
MONITORING COMMITTEE

and are comprised of many thousands of citizens from 78+ countries, world class scientists, citizen journalists, political and legal experts and activists.

On April 12, 2022 IOJ spoke at the first WHO pandemic treaty hearing. On May 13, 2022 IOJ spoke 8 times to HHS OGA in the Stakeholder Listening Session In Preparation of The 77th WHA to demand the IHR Amendments at the time were not adopted. See IOJ Participation videos [here](https://rumble.com/c/c-1567585) (https://rumble.com/c/c-1567585). Our international organization joined many CSO's who set up a public portal to allow the public to protest directly to the WHO, HHS OGA, key delegates and decision makers.

Our organization proudly sent the WHO around 50,000 public comments throughout May 2022, most of which were adamantly against the IHR amendments being proposed at the time. As a result of our organization being made aware of the previous publicly available IHR Amendments we were able to effectively exercise our right to participate and speak to the WHO's legal staff and Member State (USA's HHS OGA) that proposed the contested amendments and ***we were able to impact the process to not adopt 12 of the 13 amendments at the time.***

The ability to review all proposed amendments and actually participate in the entire process allows the CSO's such as ours and the public to feel a sense of equity and inclusion, which gives legitimacy to the process and is the best way to facilitate public acceptance of the adoption and implementation of any amendment.

Excluding the public is causing distrust in the public. Discussions are understandably starting to circulate online that the WHO is keeping secrets from the public to hide the amendments, which on its face appears true.

CIVICS AND LAW
MONITORING COMMITTEE

IOJ requires the following information to fulfill our mandate of safeguarding the international community and ensure procedures are created when needed in order to defend human rights.

Please EXPEDITE the delivery of the following information:

First, Please provide all submitted IHR proposed amendments from the following countries in an expedited manner. When we go to the site where they are supposed to be posted it states “NO DOCUMENTS FOR THE MOMENT” (see: https://apps.who.int/gb/wgihir/e/e_wgihir-1.html). It is our understanding these proposed amendments have not been made public and we are interested stakeholders which require the information to conduct a report and to allow for participation by due process.

1. Armenia
2. Bangladesh
3. Brazil
4. Czech Republic on behalf of the Member States of the European Union
5. Eswatini on behalf of the WHO African Region Member States
6. India
7. Indonesia
8. Japan
9. Namibia
10. New Zealand

CIVICS AND LAW
MONITORING COMMITTEE

11. Russian Federation on behalf of the Member States of the Eurasian Economic Union

12. Switzerland

13. United States of America

14. Uruguay on behalf of MERCOSUR.

Second, Please include which states have submitted amendments to the IHR on behalf of both themselves and also for other States.

Third, Please name all states who the 14 countries are submitting proposed amendments on behalf of.

Fourth, Please inform us if all 194 delegates received the proposed amendments and if so, when were they notified?

Fifth, Please provide a list of every delegate and their contact information such as email for the 194 nation states regarding IHR amendments and also the Pandemic treaty.

Sixth, Please provide a list of all members of the WGIHR, the agenda, any associated documents and information of the WGIHR.

Seventh, We have written the INB on multiple occasions and have received no response.

A. Is there a deadline for information requests to WHO staff for them to respond?

B. Is there a deadline for expedited requests such as this to WHO staff for them to respond?

Notice: This is an exceptional common law freedom of information request which broadens our right to receive said information which may ordinarily be held confidential under WHO exceptions

CIVICS AND LAW
MONITORING COMMITTEE

to disclosure. The exceptions to disclosure reflect what is necessary to preserve legitimate public or private (including personal privacy) interests, however, under the common law right to freedom of information these exceptions must yield to the weighing of public interests.

All WHO regulations must harmonize to the member states laws and the common law freedom of information request is a widely accepted tool to give the public an exception to public authorities confidentiality loopholes where corruption may breed. For instance, to illustrate our point, the WHO gives themselves an exception to disclosure for the following internal rule:

Information that is subject to obligations of confidentiality or non-disclosure pursuant to confidentiality agreements or other contractual or legal obligations of the Organization or which could, if disclosed, expose the Organization to legal risk or violate applicable law or the Organization's internal regulations, rules and procedures.

This WHO exception to disclosure is intended to protect information which "violates applicable law or the Organization's internal regulations, rules and procedures" .

This exception is PROHIBITED under common law and most member states, because it is not in the public interest to keep confidential the activity which "violates applicable law or the Organization's internal regulations, rules and procedures", therefore the exceptions to disclosure for this particular information in which we allege corruption and harm to public interest may be inside the confidential information clearly violates WHO's obligations to abide faithfully by applicable law and always conform to the Organization's internal regulations, rules and procedures. WHO's duty to "harmonize to all member states legislation" requires this common law freedom of information request to be granted, even if WHO's regulations would ordinarily allow for exceptions.

CIVICS AND LAW
MONITORING COMMITTEE

We require the information for an investigation. It is important to note, Interest of Justice alleges corruption, or intent to deceive, or a lack of scientific or legal basis may be underlying the proposed amendments in order to change laws in a way that may weaken or limit the protections of human rights currently incorporated in the IHR. Interest of Justice requires an investigation of the requested information IMMEDIATELY to determine if there is a lack of necessity, or if the proposals are in conflict with any sovereign health legislation and if they may conflict with peremptory human rights norms or IHR 3.4. Our Organization firmly alleges corruption or stakeholder preferences that could harm public interest may likely be in the documents. Hopefully upon review we are incorrect, but we need to see the states proposals in order to accurately know if further legal intervention is required to prohibit the adoption of the proposed amendments.

The reason we believe the proposals may require scrutiny is few are likely to be “quick wins” and many are likely to be considered as contentious or even highly controversial “divergent proposals” or “new articles”, which lawfully requires transparency and due process for member states and us primary vulnerable stakeholders exercising our right to participate in the design prong of the right to participate in health policy. According to the WHO: “Before the next meeting, scheduled as face to face in Geneva from 24 to 28 October 2022, Committee members were invited to have a first read of the proposed amendments, and to consider a potential categorization of the proposals into the following categories:

- - “quick wins” (proposals that may not pose any controversy and are helpful for clarifications and better implementation of the articles);
- - “convergent proposals” (amendments proposed for the same article which are complementary or similar in scope);

CIVICS AND LAW
MONITORING COMMITTEE

- - “divergent proposals” (amendments for the same article which are different in scope, and/or controversial);
- - “new articles” (amendments that propose introduction of completely new text).
- - Another category might include the proposed amendments that address issues currently being considered within the scope of the new convention, agreement, or other international instrument on pandemic preparedness and response, currently being considered by the Intergovernmental Negotiating Body.”

If WHO determines Interest of Justice is not allowed to review the proposed amendments to either agree or protest these proposed IHR amendments to the IHRRC and member states prior to next Nov 14,15 (or sooner) IHRRC meeting, we will be irreparably injured by the WHO for being denied right to participate in the design, implementation and final decisions of health policy that affects us and also denied the right to prompt justice by being unable to effectively communicate with international organizations (the WHO) about how the IHR is implemented domestically so we can defend human rights and fundamental freedoms as per **Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms** Article 5 c- right to communicate with international organizations for the purpose of promoting and protecting human rights and fundamental freedoms, and Article 6- Everyone has the right, individually and in association with others:

- (a) To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;

CIVICS AND LAW
MONITORING COMMITTEE

- (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms;
- (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

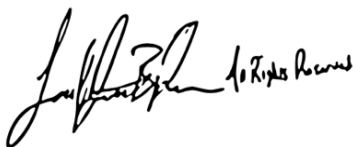
Thank you for your prompt assistance in this URGENT matter, we require the information URGENTLY as the next WGIHR meeting regarding these matters is scheduled on or before November 14, 15, 2022 and proceeding without our inclusion as an interested non State actor in the process by keeping said information confidential violates our rights and makes us unable to perform our “Responsibility to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms” which is protected by law and stated herein.

Interest Of Justice appreciates all of your help working with us to ensure the WHO meets their duty of transparency, disclosure and participation.

Respectfully,

Dustin Bryce,

On Behalf of Interest Of Justice



Mailing address-
contact@interestofjustice.org
Telephone# 323-244-2960
www.interestofjustice.org
www.theoversightcommittee.org