

South Africa defies WHO's health regulations

South Africa is at the forefront among African nations in advocating against the proposed amendments to the International Health Regulations 2005 facilitated by the World Health Organization (WHO). Additionally, it is actively opposing the initiation of a new pandemic treaty.



Source: [Pexels](#)

Despite the WHO's disavowal, both endeavours are perceived as significant threats to health, autonomy, and national sovereignty. Moreover, these contentious measures are seen to impose substantial financial burdens on developing countries, according to attorney Shabnam Palesa Mohamed.

The latest development in the international campaign is a notice letter collaboratively drafted by Mohamed, which was served on the WHO by a member of South Africa's parliament Steven Swart, together with three other MP's from the African Christian Democratic Party. The letter rejects duration-related amendments to the IHR, that were adopted in 2022.

The concise but detailed notice letter strongly highlights the right to public participation and the role of parliamentary oversight in decision making, enshrined in South Africa's constitution. It also points to procedural irregularities in WHO processes. The letter gave the WHO seven days to produce evidence of a lawful voting process on IHR amendments in 2022. The WHO failed to provide evidence.

The letter also highlights a key fact: The IHR appears to not have been properly domesticated in South African law:

- "The International Health Regulations (2005), were adopted by the 58th World Health Assembly on 23 May 2005 and entered into force on 15 June 2007.
- The International Health Regulations Bill, 2013, was published for comment in the South African Government Gazette (Notice 36931) on 14 October 2013 in terms of the constitutionally required public consultation process.
- This Bill sought to repeal the International Health Regulations Act 28 of 1974; to incorporate the International Health Regulations 2005 into South African domestic law in terms of section 231(4) of the Constitution in order to apply the International Health Regulations in South Africa and to provide for the matters connected therewith.

"As far as we are aware, this Bill was not passed by the South African Parliament, which brings the domestication of the International Health Regulations 2005 into South African law in terms of the Constitution, and any future purported amendments to the IHR 2005 into question," Mohamed said. "This means that current amendments and future proposed amendments to the IHR 2005 are null and void in South African law."

Swart later made a submission in parliament during which public participation, parliament's role, and the IHR amendments were highlighted. He mentioned another MP who is supportive of ivermectin access, National Freedom Party MP Ahmed Munzoor Sheik Emam. Emam had also committed to serving the WHO with a notice of rejection in relation to IHR 2005 amendments made in 2022.

Three other key sections unique to the South African notice letter can be viewed [here](#).

For more, visit: <https://www.bizcommunity.com>