

Immediate stop to negotiations with the WHO

Lack of transparency at federal level

by Dr. med. Sabine Vuilleumier-Koch

The number of national parliamentarians warning against the adoption of WHO treaties is growing. These treaties, a “pandemic treaty” and amendments to the “International Health Regulations” (IHR), are to be adopted at the World Health Assembly, the WHO’s legislative body, in May 2024 and would have devastating consequences for the member states. Despite this, the Federal Council has not yet provided complete and transparent information about the negotiations to Parliament, let alone the public. The treaties cannot yet be read and studied in any national language; they are only available in English on the Internet.¹

Back in September 2023, National Councillor Franz Grüter submitted an interpellation to Parliament entitled “WHO pact undermines Swiss sovereignty”.² Grüter wrote that he was “not at all satisfied” with the Federal Council’s answers in November 2023. The Federal Council assumes that it has no obligation to implement the WHO recommendations – which is theoretically the case today. However, if the pandemic treaty is not rejected by Parliament and the amendments to the IHR are not explicitly rejected by the Federal Council in good time, the WHO guidelines will become legally binding obligations.

In December 2023, National Councillor Grüter and 50 cross-party colleagues therefore submitted two motions.

The first motion calls on the Federal Council to immediately stop negotiations with the WHO. The decision to negotiate should lie with the Federal Assembly, i.e. the National Council and the Council of States.

First motion: “No negotiations with the WHO without Parliament”³

“Text submitted:

The Federal Council is commissioned to immediately suspend all negotiations with the WHO and not to sign any new agreements and/or documents with the WHO and its partner organisations until it receives the green light from the National Council and the Council of States. To this end, the Federal Council shall ensure that the Federal Assembly and the public are



A look into the National Council chamber. Negotiations with the WHO should only be conducted by the Federal Council with the consent of the Federal Assembly. (Picture sv)

kept fully and transparently informed about the status of all negotiations with the WHO.

Explanation:

1. According to the latest drafts for the amendment of the International Health Regulations (IHR) and the new WHO pandemic treaty, the reasons for justifying pandemics are to be fundamentally and completely expanded (e.g. “new sub-variants of influenza”; “climate change” etc.). This opens the door to arbitrariness.
2. All WHO recommendations (incl. mandatory certification, isolation, proof of vaccination) should in future be binding for the signatory states under international law (adapted Art. 1; 13A; 42; 53A; 54bis IHR).
3. Furthermore, the WHO should be able to unilaterally define which information may be published or shared on social media (see adapted Art. 44 IHR; draft Art. 18 Pandemic Treaty). States should undertake to combat dissenting information, even if it is correct.

4. Neither the IHR amendments nor the pandemic treaty provide for an effective control mechanism (“checks and balances”) for the independent review of pandemics and WHO recommendations. The emergency committee theoretically responsible for this is by no means independent because it is appointed by the WHO Director-General himself.
5. Overall, the WHO is to be given an unprecedented amount of power. Fundamental principles of the Federal Constitution (sovereignty; separation of powers; principle of legality; prohibition of arbitrariness; prohibition of censorship; undistorted decision-making by citizens; effective protection of fundamental rights, etc.) can be suspended at any time for any length of time without valid justification and without independent review.
6. These two WHO treaties are a disguised total revision of the Federal Constitution. The very negotiation of these two WHO treaties is aimed at jeopardising the constitution, democracy, and sovereignty of Switzerland (Art. 275 SCC).”

A key example of an amendment to the IHR is the newly added Article 13A mentioned in the motion:

NEW Article 13A: WHO Led International Public Health Response

1. States parties recognise 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.

By accepting the amended IHR, Switzerland would therefore be making a legally binding commitment to follow all WHO requirements, including the obligation to obtain a certificate, isolation, proof of vaccination, etc., without question. It would not be able to independently review and decide whether a health emergency actually exists and whether the measures specified by the WHO are appropriate and proportionate for the Swiss population.

The second motion seeks to enshrine Switzerland’s sovereignty and autonomy in the national Epidemics Act.

Second motion: “Switzerland decides on pandemics and epidemics sovereignly and without foreign coercion”⁴

“Text submitted:

The Federal Council is instructed to amend the Epidemics Act so that Switzerland

can act sovereignly and independently in the event of pandemics or epidemics and not on the basis of pressure attempts and situation reports from the WHO.

Explanation:

1. In Switzerland, the epidemiologically motivated extraordinary situation was first declared on 28 February 2020 on the basis of the above provision of the Epidemics Act (EpidA) and only lifted again after more than 2 years on 1 April 2022.
2. Even if the data of the WHO pandemic and the *extraordinary situation* do not coincide exactly, a connection between the WHO pandemic and the constitutional state of emergency of the extraordinary situation in Switzerland cannot be denied.
3. According to the currently relevant drafts for the amendments of the *International Health Regulations* (IHR) and the new WHO pandemic treaty, the reasons for justifying WHO pandemics are to be extended into the indefinite (e.g. ‘new sub-variants of influenza’; ‘climate change’ etc.). More and longer WHO pandemics are therefore inevitable.
4. Furthermore, because the WHO recommendations are to be binding in future for the signatory states under international law (amended Art. 1; 13A; 42; 53A; 54bis IHR in conjunction with Art. 18 IHR), it is imperative that the link that still exists in the law today between the declaration of a public health emergency of international concern by the WHO on the one hand and the state of emergency of an extraordinary situation in Switzerland on the other be clearly separated, both in terms of the wording and the meaning and purpose of the provision. Otherwise, Switzerland’s sovereignty and its constitutional competences and basic order could be cancelled or damaged by arbitrarily declared WHO pandemics more and more frequently and for longer and longer periods of time.”

On the link between the Swiss Epidemics Act and the WHO

In addition to other requirements, the Federal Council can “declare” the “extraordinary situation” referred to in the motion in accordance with Article 6 of the Epidemics Act if

“b. the *World Health Organisation* (WHO) has determined that a ‘public health emergency of international concern’ (PHEIC) exists and that this threatens public health in Switzerland.”

This “extraordinary situation” (first defined in the current Epidemics Act⁵ that came into force in 2016) allows the Federal Council to take measures: Measures against individuals and the

population. It can “oblige doctors and other healthcare professionals to assist in the fight against communicable diseases” and “declare vaccinations compulsory for vulnerable population groups, particularly exposed persons and persons who carry out certain activities.”

The WHO wants to weaken the sovereignty of the member states

With the planned new regulations, the WHO is increasingly claiming to be the “guardian” of “public health” worldwide and is demanding more and more competences from the nation states for this task, which it is giving itself. Human, animal, and environmental health are linked in a “One Health” approach and make the declaration of a PHEIC by the Director-General of the WHO likely, e.g. due to “new sub-variants of influenza”, consequences of “climate change” and much more.

In a statement at the WEF 2024, the Director-General of the WHO warned states not to insist on “narrow national interests”. These could disrupt the ongoing negotiations on the treaties, which are due to be voted on in Geneva in May 2024. In the interests of the Swiss population, however, the authors of the motion demand:

“Switzerland’s sovereignty and its constitutional competences and basic order should not be cancelled or damaged by arbitrarily declared WHO pandemics with increasing frequency and duration.”

It is unacceptable for the Federal Council and Parliament to grant the Director-General of the WHO the authority to ultimately decide when which restrictions and measures should apply to the Swiss population and for how long – without the possibility of objection. The Federal Council and Parliament should have the foresight and sense of honour not to submit to this request. – The Federal Council’s response is still pending.

(Translation „Swiss Standpoint“)

¹ https://apps.who.int/gb/wgihhr/pdf_files/wgihhr1/WGIHR_Compilation-en.pdf

² <https://swiss-standpoint.ch/news-detailansicht-enschweiz/who-pact-undermines-swiss-sovereignty.html>

³ <https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20234397>

⁴ <https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20234396>

⁵ <https://www.fedlex.admin.ch/eli/cc/2015/297/en>

Further articles on the topic:

<https://swiss-standpoint.ch/news-detailansicht-enschweiz/swiss-federal-council-without-critical-distance.html>

<https://swiss-standpoint.ch/news-detailansicht-enschweiz/the-covid-19-bioweapon-and-the-planned-dismantling-of-our-direct-democracy.html>

<https://swiss-standpoint.ch/news-detailansicht-engesellschaft/amendments-to-who-s-international-health-regulations.html>

<https://swiss-standpoint.ch/news-detailansicht-engesellschaft/the-us-plan-for-a-who-health-dictatorship-is-failing-for-the-moment.html>