

The Hon'ble Minister of Health and Family Welfare
Shri Mansukh L. Mandaviya
Ministry of Health & Family Welfare,
Room No. 201-D, Nirman Bhawan,
New Delhi – 110011

29th Nov. 2023

MOST URGENT: THE GOVERNMENT of INDIA MUST ADDRESS THE DIRECTOR GENERAL OF THE WHO BY THE 1 DEC 2023 REJECTING AMENDMENTS TO THE IHR 2005 IN TOTO.

Dear Shri Mandaviya,

We learn with considerable dismay that in an approach that is by stealth and even sinister, that the 77th WHA in May 2024 If adopted by a simple majority vote and given the scope of Art. 21 of the [Constitution of the WHO](#)¹ (WHOC), the amendments to the IHR will come into force within 12 months for all states, unless a state proactively files rejections or reservations within a 10-month period in accordance with the new versions of Arts. 59, 61 and 62 IHR, which have been revised in 2022². These will enter into force on 1 December 2023.

We, Citizens of India have therefore, intimated the DG, Tedros Adhanom Ghebreyesus of the WHO in the enclosed letter. In brief the letter rejects:

1. The adopted amendment to 2005 International Health Regulations WHA75.12 (in toto) pursuant to Article 61, 2005 IHR.
2. WHA75.12 proposes amendments to Article 59 (and consequential amendments to Articles 55, 61, 62 and 63), which would have the effect of reducing the time for:
 - a. Rejection of any future amendments to the 2005 IHR from 18 months to 10 months; and
 - b. Implementation of future changes into our domestic law from 24 months to 12 months,

We request you to kindly initiate an emergency process whereby the Government of India similarly rejects the adopted amendment to 2005 International Health Regulations WHA75.12 (in toto) pursuant to Article 61, 2005 IHR. We reiterated, that this letter to the DG WHO by the Government of India needs to go out by 30 Nov 2023.

¹ <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf?ua=1>

² https://apps.who.int/gb/ebwha/pdf_files/WHA75/A75_R12-en.pdf

We respectfully bring to your attention that there has been no due process instituted by the Government of India with regard to a comprehensive discussion in Parliament, nor in the public domain, to inform the people of India which is required, of the serious implication of the Accord and the IHR on the 'life and living' of the citizens of India and our democratic institutions as enshrined in our Constitution. We hasten to add that many of the clauses of both instruments (i.e. the Pandemic 'Accord' and the IHR) are Ultra Vires of the Constitution of India.

Signatories:

Dr. Amitav Banerjee, MD, Epidemiologist, Ex Indian Armed Forces

Aruna Rodrigues, Lead Petitioner: GMO PIL in the Supreme Court

Bhaskaran Raman, Professor, Dept. of Computer Science & Engineering. Indian Institute of Technology Bombay

Colin Gonsalves, Senior Advocate, Supreme Court of India

Darryl D'Souza, Earth Keepers Connect

Dr. Donthi Narasimha Reddy, Hyderabad, Public Policy Expert and Campaigner

Feroze Mithiborwala, Bharat Bachao Aandolan

Dr. Jacob Puliyeel, MD, MRCP, MPhil, Paediatrician and Visiting Faculty International Institute of Health Management Research

Jagannath Chaterjee, Social Activist

Rossamma Thomas, Freelance Journalist

Rushil Tamboli, Awaken India Movement

Saraswati Kavula, Documentary Filmmaker & Freelance Journalist, Awaken India Movement

Dr. Susan Raj, BSc Nurse, MSW(M&P), Doctorate Humanities, Behaviour Specialist

Awaken India Movement

Universal Health Organisation (Regn No: Greater Mu/0000280/2023 (The Societies Regn Act, 1860) & F-0082902 (GBR) (Mumbai Public Trust Act, 1950))

Iridescent Blue Fish – A Citizen's Watchdog Group

The Citizens of India

29 November 2023

World Health Organization

WHO Headquarters in Geneva
Avenue Appia 20
1211 Geneva, Switzerland

Attention: Tedros Adhanom Ghebreyesus, Director General, WHO

Dear Mr Ghebreyesus,

REJECTION OF THE ADOPTED AMENDMENTS TO THE INTERNATIONAL HEALTH REGULATIONS [WHA75.12](#)

1. We, the people of India, reject the adopted amendment to 2005 International Health Regulations [WHA75.12](#) (in toto) pursuant to Article 61, 2005 IHR.
2. WHA75.12 proposes amendments to Article 59 (and consequential amendments to Articles 55, 61, 62 and 63), which would have the effect of reducing the time for:
 - a. rejection of any future amendments to the 2005 IHR from 18 months to 10months; and
 - b. implementation of future changes into our domestic law from 24 months to 12 months, (**WHA75.12**).
3. We state unequivocally that it is necessary to reject WHA75.12 to enable a full, proper and considered examination of any future amendments to the 2005 International Health Regulations, including, for example, the 300+ amendments currently in draft with the IHR Working Group (300+ Amendments) for anticipated distribution by you to the member states in January 2024 (in compliance with Article 55, 2005 International Health Regulations and Decision WHA75(9)).
4. The rejection is necessary, as the 10-month period proposed in the WHA75.12 would not allow sufficient time for India to properly consider the 300 + Amendments or their impact on our domestic legislation and the people of the country. Nor would there be sufficient time to publicly consult on matters for future binding treaty actions.
5. It is, therefore, pertinent for Us, as citizens of India, to ensure we have the maximum amount of time available to consider such wide-ranging future amendments.

Yours sincerely

We, the people of India

Dr. Amitav Banerjee, MD, Epidemiologist, Ex Indian Armed Forces

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