



**MOVIMIENTO IUSTITIA EUROPA**

**DOOR TO FREEDOM**

(Asoc. Europa Iustitia)

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***President of the European Commission***

***Ursula Von der Leyen***

***B - 1049 Brussels***

***Belgium***

***ccp***

***Mr. Chairman***

***of the Council of the European Union***

***Rue de la Loi/Wetstraat 175***

***B-1048 Brussels***

***Belgium***

12th January 2024

Dear Madam, Sir,

Based on COUNCIL DECISION (EU) 2022/451 of 3 March 2022, together with the EU member states, the European Commission is currently negotiating a Pandemic Treaty as well as amendments to the 2005 International Health Regulations (IHR) at the World Health Organization in Geneva. As far as the EU's involvement in these negotiations is concerned, according to the said Council Decision, these are based on article 168(5) TFEU, which is a supporting and not a shared EU competence.

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***Door to Freedom*** and ***Movimiento Iustitia Europa*** are NGOs and ASSOCIATIONS, following these events with interest as well as concern as it seems that these negotiations will considerably narrow EU and member state policy-space to the point of transferring sovereignty to the WHO and its Director-General. There is also a real threat that the said negotiations will greatly diminish the medical freedoms, dignity, and bodily autonomy of European Union citizens in case of a future pandemic or other emergency, which would be completely unacceptable.

Concerning these ongoing WHO negotiations for a Pandemic Treaty and amendments to IHR, within generally applicable time limits for such requests *Door to Freedom* and *Movimiento Iustitia Europa* would like to receive answers to the following questions from the European Commission:

1. Is the EU a party to the International Health Regulations (IHR) 2005 currently being renegotiated? Please answer YES or NO.
2. On what basis within WHO rules and regulation can the EU take part in negotiations for amendments to IHR regulations when the EU is not a formal party to the IHR or WHO?
3. What is the nature of the relationship between the European Commission and member state negotiators in negotiations for IHR amendments? On which legal basis and/or inter-institutional agreements in European law are these relations and exchanges between the European Commission and the member states based?
4. What has the European Commission proposed for the European Union and its member states as additions or omissions to any drafts of the Pandemic Agreement and to the amendments to the IHR? Please include all proposals made by the EC.

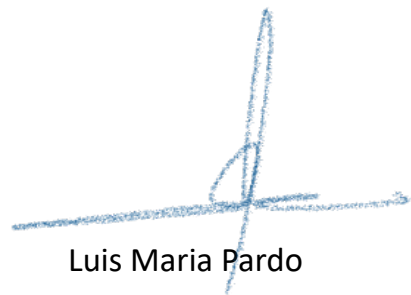
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5. Do any of the amendments that are being negotiated or have been proposed imply any formal or informal transfer of sovereignty away from the European Union and/or its member states? If so, which amendments imply such a transfer of sovereignty? If the current negotiations do not, in your opinion, imply any formal or informal transfer of sovereignty, what would be the reason for this?
6. What actions is the European Commission undertaking to safeguard basic medical rights and freedoms of EU citizens in the context of a future Pandemic Agreement and the updated IHR? How does the European Commission define and delineate the basic medical rights and freedoms to be thus safeguarded?
7. Which provisions have been rejected in the draft Pandemic Treaty and amendments to IHR regulations by the European Union and its member states? Could you briefly state for what reasons each of these amendments have been rejected?
8. Considering article 168(5) TFEU, the limited legal basis at the heart of the negotiating directives, do the Commission or the Council consider that certain aspects of the Pandemic Treaty or amendments to the IHR fall outside of the current Council negotiating directives? If so, please specify which ones and how this is solved by the negotiating EU delegation and the member states.

Sincerely yours,



Meryl Nass, MD  
Door to Freedom



Luis Maria Pardo  
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