

International Health Regulations

Swiss parliamentarians are not giving up

The citizens' support is also needed to reject the IHR

by Dr med. Sabine Vuilleumier-Koch*

Before 19 July 2025, the Federal Council is to make use of its right to “opt out” and thus reject the amendments to the “International Health Regulations” (IHR) (2005) of the “World Health Organization” (WHO). This would enable the Swiss Parliament and the electorate to review the amendments and their impact on national health policy in a democratic process. So far, both the Federal Council and the majority of the National Council and the Council of States have refused to initiate this process. However, courageous politicians and civil rights organisations are not giving up.

The far-reaching changes to the “International Health Regulations”, which restrict the sovereignty of states, were adopted by the World Health Assembly in Geneva late at night on 1 June 2024 in an *irregular procedure*.¹ They were once again on the agenda during the spring session (3–21 March 2025) of the National Council and the Council of States in special sessions. In both chambers, corresponding initiatives were discussed. They called for the “International Health Regulations” to be dealt with in the normal legislative process and for a federal decree to be achieved, on which the electorate can decide.

Debates in the National Council and Council of States

During the debates, statements were made whose content has long been refuted by legal experts. For example, Federal Councillor *Beat Jans* said that the IHR would in no way restrict the actions of the federal government.

However, the “International Health Regulations” are a legally binding international treaty. This means that its content must be adhered to in accordance with the rules of interpretation of the 1969 Vienna Convention on the Law of Treat-

ies. Apparently, the Federal Council is counting on Switzerland to receive special concessions from the WHO, which has not been substantiated by anything so far.

Federal Councillor *Elisabeth Baume-Schneider* was also mistaken when she stated on 19 March 2025 in the Council of States that the adoption of the “International Health Regulations” in the World Health Assembly *without a vote* was not a problem. She justified this by saying that “consensus” agreements are “in Switzerland’s political DNA”. What is ignored in this statement is that a decision “by consensus” is not included in the WHO’s rules of procedure – Swiss customs or not. The validity of the present IHR is therefore more than questionable.

Parliamentarians do not give up

Two preliminary remarks for a better understanding of the interpellation by National Councillor *Rémy Wyssmann*, which is documented below:

From 13 November 2024 to 27 February 2025, cantons, institutions, organisations and all interested individuals were able to submit a *statement on the IHR as part of a consultation process*.²

The head of the International Affairs Division of the *Federal Office of Public Health* (FOPH) was also present at the adoption of the IHR on 1 June 2024. The FOPH would like to be designated by the Federal Council as the “national IHR authority”, i.e. with even more powers than before to be able to operate directly with the WHO.

On 10 March 2025, in the National Council, lawyer and National Councillor *Rémy Wyssmann* made a *powerful plea for Switzerland’s independence*.³ Now, on 18 March, he submitted an interpellation to the Federal Council with the following three questions:

Submitted text

1.) Why did the Federal Council initiate a consultation procedure, which is carried out for enactments of major significance, when it itself regards the amendments to the IHR as “adjust-

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ments of a technical nature and limited scope”? And what sense does a consultation procedure make if the IHR are automatically adopted anyway?

2.) We are in the process of evaluating the consultation on the amended IHR. (End of the consultation process: 27 February 2025) Around 200 critical comments were submitted. The FOPH has the final say on the interpretation and information on these changes and advises both the Federal Council, the SSHC [Social Security and Health Committees, edit.], and parliament. Why is the evaluation of these far-reaching changes being carried out exclusively by the FOPH, without an independent scientific and open-ended review? Does the Federal Council not see a potential conflict of interest here, given that the FOPH has already committed itself to the outcome (no opting out), and at the same time represents the WHO strategy and monitors the implementation of the IHR?

3) Various legal provisions in Switzerland require that law enforcement officers make independent decisions (see Art. 10 para. 1 lit. d VwVG, SR 221.229.1). These provisions require that the examination of legal issues be undertaken impartially and with an open mind. Why does the Federal Council not adhere to such minimum standards?

Rationale

The FOPH has already taken a position on the question of opting out: it does not want to make any reservations when opting out for fear of a loss of reputation because it already gave its unconditional consent on 1 June 2024 in Geneva on the last day of the meeting at a late hour

(9:07 p.m.). Despite the FOPH's bias, the Federal Council conducted a consultation procedure on this issue. This gives the impression that the Federal Council only carried out the consultation procedure to gain a semblance of legitimacy under the rule of law and in a democratic manner.

Citizens are called for

Anyone can contribute to the Federal Council's decision to reject the new "International Health Regulations" in a timely manner. The pressure on the Federal Council to make this important decision for the sovereignty of our health policy should continue to grow. If the IHR were to enter into force with legally binding effect for Switzerland on 19 September 2025, our healthcare system, with its good medical care for the population, could be overridden by the WHO at any time.

The "Aktionsbündnis Freie Schweiz" and many other civil organisations are calling on people to write to politicians and sign the online *petition of the IHR interest group "opting-out-igv.ch"*⁴ This is the only way to ensure that the Federal Council comes to its senses and takes the democratic route.

(Translation "Swiss Standpoint")

¹ <https://swiss-standpoint.ch/news-detailansicht-de-schweiz/den-rechtsstaat-erhalten.html>

² <https://swiss-standpoint.ch/news-detailansicht-de-schweiz/anpassung-oder-rueckweisung.html>

³ <https://www.youtube.com/watch?v=H55W1VB0aGk&t=76s>

⁴ <https://opting-out-igv.ch>