



Report of the Petitions Committee

Petition of Greg Rzesniowiecki: Hold a referendum before amending International Health Regulations

Petition of Greg Rzesniowiecki: Hold a referendum before signing the proposed WHO pandemic treaty

September 2023

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Hon Jacqui Dean
Chairperson

Petition of Greg Rzesniowiecki: Hold a referendum before amending International Health Regulations

Petition of Greg Rzesniowiecki: Hold a referendum before signing the proposed WHO pandemic treaty

Recommendation

The Petitions Committee has considered the following petitions of Greg Rzesniowiecki:

- Hold a referendum before amending International Health Regulations.
- Hold a referendum before signing the proposed WHO pandemic treaty.

The committee recommends that the House take note of its report.

Requests to hold a referendum on the adoption of an international instrument

Both petitions were presented to the House on 16 June 2023. They respectively request:

That the House of Representatives urge the Government to hold a referendum before adopting any amended International Health Regulations of the World Health Organization concerning the use of mRNA vaccinations in future pandemics.

That the House of Representatives urge the Government to hold a referendum before signing the proposed World Health Organization pandemic treaty.

Because both petitions were submitted by the same petitioner and are closely related, we have considered them together.

Background

The International Health Regulations (IHR) are an international instrument that was established in 2005 to “prevent, protect against, control and provide a public health response to the international spread of disease”.¹ This set of international regulations represents a commitment by countries to address health issues, which are inherently global.

In November 2021, New Zealand and other World Health Organization (WHO) member states agreed to establish an intergovernmental negotiating body to draft and negotiate a new WHO international instrument (commonly referred to as the “pandemic treaty”) on pandemic prevention, preparedness, and response (PPPR).² This new instrument aims to complement and strengthen the existing IHR.

¹ [Pandemic prevention, preparedness, and response accord | World Health Organization.](#)

² More information about the new pandemic instrument is available on the [Ministry of Health website.](#)

At the core of this international instrument is the need to ensure equity both in access to the tools needed to prevent pandemics (vaccines, personal protective equipment, and expertise) and in access to health care for all people.

Treaty-making process in New Zealand

A treaty is an international agreement between countries or international entities that is legally binding under international law. The power to enter into or withdraw from a treaty sits with the Executive, but treaties of particular significance are also presented to the House of Representatives for select committee consideration. New Zealand is currently party to over 1,900 treaties, with more awaiting ratification.³

Comments from the petitioner

Greg Rzesniowiecki, the petitioner, believes that the international instrument currently under consideration by WHO member states breaches the principles of human rights and the rule of law in New Zealand.

The petitioner said that public consultation in this process is not adequate. He believes that an audit should be undertaken on the COVID-19 response, including lockdowns and vaccine strategy, before an international agreement is examined. The petitioner submitted that the pandemic treaty and the IHR amendments are being negotiated and adopted before the public has had a chance to contribute to the process.

The petitioner believes that the new international instrument is likely to support the use of mRNA vaccines,⁴ which he considers toxic and not effective at stopping the spread of COVID-19.

Overall, the petitioner said that the above matters should be placed before the public. He said he would like to see the Government hold referendums on the international health treaty currently under negotiation.

New Zealand in the negotiation process

Since 2021, New Zealand has been supporting the work of the intergovernmental negotiating body alongside WHO member states. The final version of the instrument will be presented at the 77th World Health Assembly in May 2024.

In its April 2022 submission to the negotiating body, New Zealand described the principle of precaution as one of its guiding principles. It called for the use of precautionary measures when the science and outcomes are uncertain, to minimise or prevent the spread of infection. New Zealand also aimed to promote compliance and transparency and encouraged accreditation and audit of laboratories in line with international best practice.

³ More information about the treaty-making process, including the different stages of negotiation, scrutiny, and public consultation, is available on the [Ministry of Foreign Affairs and Trade website](#).

⁴ More information about mRNA vaccines is available on the [Ministry of Health website](#).

Public consultation on the treaty

We note that the Ministry of Foreign Affairs and Trade undertook an initial round of public consultation that concluded in August 2022. The ministry sought responses to the following questions:

- How do you think this new instrument will help prepare the world for future health emergencies, and ensure a global health crisis of this nature does not occur again?
- What issues do you think need to be prioritised?
- Is there any information you would like to provide that would help to develop our position on a new instrument on PPPR?

A summary of feedback from this first round of consultation is available on the ministry's website. The ministry was still accepting written submissions at the time this report was written. It has indicated that additional opportunities to provide feedback will be given to the public.⁵

The WHO also consulted on the successive iterations of the work of the intergovernmental negotiating body. In particular, it sought input through two rounds of public hearings in 2022 with various stakeholders including international organisations, private stakeholders, and civil society.⁶

Our response to the petition

We welcome the ongoing international negotiation that New Zealand is supporting with other WHO member states to establish an improved approach to pandemics. We believe it marks an important step towards making New Zealand better prepared to face future health emergencies and seeking to prevent a global health crisis of this magnitude from occurring again.

We are satisfied with the level of public consultation that the Government has undertaken throughout the process. We believe New Zealanders have been given a fair opportunity to have their say in the negotiation. We do not consider that the international health instrument currently under negotiation calls for a referendum. We encourage the petitioner to provide feedback to the Ministry of Foreign Affairs and Trade through the public consultation platform that has been set up for this purpose.

⁵ More information about public consultation is available on the [Ministry of Foreign Affairs and Trade website](#).

⁶ [Public hearings | World Health Organization](#).

Appendix

Committee procedure

The petitions were referred to us on 16 June 2023. We met between 3 August and 7 September 2023 to consider them. We received written submissions from the petitioner.

Committee members

Hon Jacqui Dean (Chairperson)
Sarah Pallett
Nicole McKee
Jamie Strange
Teanau Tuiono
Hon Poto Williams

Evidence received

The documents we received as evidence in relation to these petitions are [available on the Parliament website](#).