# NATIONAL ASSEMBLY

**FOR WRITTEN REPLY**

**QUESTION NO. 2047**

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**(INTERNAL QUESTION PAPER NO. 22)**

**Mr P A van Staden (FF Plus) to ask the Minister of Health: *[Interdepartmental transfer from the Minister in The Presidency with effect Tuesday, 31 May 2022]***

(1)  Whether he or his department intends to disclose more information about the World Health Organisation (WHO) International Pandemic Treaty to opposition parties and the relevant portfolio committees, before voting to ratify it; if not, why not; if so, what are the relevant details;

(2)       whether the Government will resist relinquishing any of the Republic’s sovereignty to the WHO as part of the International Pandemic Treaty; if not, what is the position in this regard; if so, what are the relevant details;

(3) what are the main points that the South African delegation will try and negotiate into the specified treaty?

###### NW2447E

**REPLY:**

1. Yes. Section 231 (1) of the Constitution is clear that the negotiation and signing of all international agreements is the responsibility of the national executive. Meaning that international agreements become national law only upon ratification by Parliament. The Minister of Health is therefore enjoined by the Constitution to submit the treaty to Parliament for consideration and approval.
2. No. The draft Pandemic Treaty will be subjected to legal scrutiny by State Law Advisers at the Department of Justice and Constitutional Development to ensure its compliance with the Constitution of the Republic of South Africa.
3. For South Africa, it is crucial that the treaty is anchored on human rights to ensure equitable access to available medical solutions in order to improve the health and well-being of all, regardless of socio-economic status or geographical location. Therefore the main points to be pushed by South Africa in this regard are access and equity.

END.