

PARLIAMENTARY INQUIRY QUESTION ON NOTICE

Department of Health, Disability and Ageing

Joint Standing Committee on Treaties (JSCOT)

Amendments to the International Health Regulations (2005)

23 October 2025

PDR Number: IQ25-000119

Provisions for suspension or withdrawal from the agreement

Spoken

Hansard page number: 6

Senator: Henry Pike

Question:

Mr PIKE: I have another series of questions—or just one question, really, or two questions—on the amendments. Perhaps this is one more for DFAT. The amended IHR don't include any provisions for suspension or withdrawal from the agreement. What happens if Australia, at some future point, wants to leave?

Ms Perry: I don't know that I'd be able to answer that with specificity, as we aren't able to give legal advice to the committee. I'd have to refer that to my policy colleagues as to whether or not there are any policy considerations they could speak to.

Mr PIKE: Typically, the treaties we see here have some sort of termination clause or some other mechanism through which notice is provided where parties wish to leave. I noticed that, with the subsequent pandemic agreement, some of the countries have abstained from that and are now looking to withdraw. Of course, the United States has withdrawn from the WHO. I'm intrigued to know—typically, there's a way out if Australia isn't interested in participating anymore, and there doesn't seem to be one in this agreement.

Ms Davis: I think that would be a matter for government to work through. We would need to provide you with legal advice on that.

Mr PIKE: If you could take that on notice, that would be helpful, I think.

CHAIR: It doesn't appear we have any other questions from committee members,

Answer:

The Amended International Health Regulations (IHR) do not include suspension, withdrawal or denunciation provisions. This is consistent with the provisions in the existing IHR. Any decision by Australia to suspend, withdraw or terminate the Amended IHR would be governed by the Vienna Convention on the Law of Treaties.