

Human Rights relating to the ConJob 19 hoax.

This document sets out how the Victorian Parliament and possibly the Parliaments of the other States have breached our Human Rights and suggests what we can do about that.

Please note that this not the authors opinion. Although some passages have been copied and pasted, the links to all legislation showing you your rights have also been shown so you can check these out yourself.

Here is a list of Human Rights Treaties Australia is a party to according to the Department of Foreign affairs and Trade October 2023:

#### Convention on the Prevention and Punishment of the Crime of Genocide

- Convention on the Political Rights of Women
- International Convention on the Elimination of all forms of Racial Discrimination
- Convention on the Elimination of all forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Reduction of Statelessness
- Convention relating to the Status of Stateless Persons
- Convention Relating to the Status of Refugees
- Slavery Convention of 1926
- Supplementary Convention on Slavery
- Convention on the Rights of Persons with Disabilities

Notice this list does not include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights or the (Vienna) Convention on the law of Treaties.

Quotes from Articles re the UN and other world bodies response to the Covid charade:

With this goal in mind, all countries of the world resolved in December 2021 to develop an international agreement, referred to as a pandemic accord (and sometimes called a pandemic treaty), which will define rules and norms for how countries can better prevent pandemics from happening and respond to future health emergencies in order to protect the safety and well-being of people everywhere.

[https://unfoundation.org/blog/post/the-pandemic-accord-explained-what-countries-are-doing-to-protect-against-future-global-health-emergencies/?gclid=EAIaIQobChMIjZ\\_\\_1bH8gAMViphmAh1F4gyZEAAYASAAEgJv4fD\\_BwE](https://unfoundation.org/blog/post/the-pandemic-accord-explained-what-countries-are-doing-to-protect-against-future-global-health-emergencies/?gclid=EAIaIQobChMIjZ__1bH8gAMViphmAh1F4gyZEAAYASAAEgJv4fD_BwE)

Since the early days of the pandemic, the treaty bodies have **“urged global leaders to ensure that human rights are respected in government measures to tackle the public health threat posed by the COVID-19 pandemic”**. A number of human rights treaty bodies have issued timely and specific recommendations to States, which also have great relevance for the work of other stakeholders, on a human rights-based response to the COVID-19 pandemic. These recommendations were published as guidance notes, advice, statements and press releases and are available in a **Compilation of statements by human rights treaty bodies in the context of the COVID-19 pandemic (PDF | Word)**.

Further, OHCHR published a **Toolkit of treaty law perspectives and jurisprudence in the context of COVID-19 (PDF | Word)**. This toolkit takes treaty law perspectives and jurisprudence and translates them into an operational contribution to strengthen the human rights-based approach to both UN and States’ response to the COVID-19 pandemic. The toolkit requires adaptation to specific contexts. It is also work in progress, as human rights challenges may keep changing in form and intensity.

<https://www.ohchr.org/en/treaty-bodies/covid-19-and-human-rights-treaty-bodies>

The World Health Organization (WHO) is in the midst of negotiating a new way to deal with pandemics, in the wake of the COVID-19 virus.

The WHO has a target date of May 2024 for a legally binding agreement to be adopted by the UN health agency's 194 member countries.

A new pact is a priority for WHO chief Tedros Adhanom Ghebreyesus who called it a "generational commitment that we will not go back to the old cycle of panic and neglect" at the UN agency's annual assembly.

It seeks to shore up the world's defences against new pathogens following the COVID-19 pandemic that has killed nearly 7 million people.

Here's what we know.

### **What is the 'pandemic treaty'?**

The new treaty is a global accord on pandemic prevention, preparedness and response to protect nations and communities from future pandemic emergencies.

Negotiations on the draft will continue over the next year according to a timetable laid out by the World Health Assembly.

For the new more wide-reaching pandemic accord, member states have agreed that it should be legally binding for those who sign up, overcoming early reservations from the United States.

It would be only the second such health accord after the 2003 Framework Convention on Tobacco Control, a treaty which aims to reduce smoking via taxation and rules on labelling and advertising. However, the proposed treaty has come under fire on social media, mostly from right-wing critics warning it could lead to countries ceding authority to the WHO.

The body strongly refutes this, stressing that governments are leading the negotiations and are free to reject the accord.

The WHO already has binding rules known as the International Health Regulations, which in 2005 set out countries' obligations where public health events have the potential to cross borders.

### **How would it work?**

It is not yet clear how the 2005 regulations and the new pandemic accord might fit together.

One suggestion is that they should be complementary, so that existing rules apply to local outbreaks with the new rules kicking in if the WHO declares a pandemic — something it does not currently have a mandate to do.

It is also not yet clear what happens if the measures are not followed.

A co-chair of the talks said it would be preferable to have a peer-review process, rather than sanction non-compliant states.

<https://www.abc.net.au/news/2023-05-23/how-who-will-fight-future-pandemics/102383184>

### **What can we do about the breaches / abuses of our Human Rights which have occurred over the past four years?**

Section 5 of the **Charter of Human Rights and Responsibilities Act (Vic) 2006** (CHRR) states: "A right or freedom not included in this Charter that arises or is recognised under any other law (**including international law**, the common law, the Constitution of the Commonwealth and a law of the Commonwealth) must not be taken to be abrogated or limited only because the right or freedom is not included in this Charter or is only partly included."

Section 7.3 of the CHRR states: **Nothing in this Charter gives a person, entity or public authority a right to limit** (to a greater extent than is provided for in this Charter) **or destroy the human rights of any person.**"

Section 10(c) of the CHRR states that "A person must not be— . . . . subjected to medical or scientific experimentation **or treatment without his or her full, free and informed consent.**

Link to CHRR: <https://content.legislation.vic.gov.au/sites/default/files/2020-04/06-43aa014%20authorised.pdf>

What are these International Laws which apply as per section 5 of the CHRR above?

The Vienna Convention on the law of treaties, (VCLT) Articles 26 & 27  
International Covenant on Civil and Political Rights, (ICCPR), Articles 1, 2, 4, 7 & 17  
International Covenant on Economic, Social and Cultural Rights, (ICESCR) Articles 1, 2.2, 5.2 & 12  
Universal Declaration on Bioethics and Human Rights, Articles 1, 2, 3, 5, 6, 8, 9, 10, 11, 14, 16 & 18

The only applicable Commonwealth law seems to be the Human Rights Commission Act, which includes the International Covenant on Civil and Political Rights at schedule 2, and section 51xxiiiA of the Commonwealth Constitution regarding civil conscription. The case precedents for these, which are very clear about what civil conscription is and how it applies, are being ignored by the Victorian Parliament, by employers and Victoria Police.

**The Vienna Convention on the law of treaties**, (VCLT)

Link to VCLT: <http://www.austlii.edu.au/au/other/dfat/treaties/1974/2.html>

Article 26

*Pacta sunt  
servanda*

Ever

**y treaty in force is binding upon the parties to it and must be performed by them in good faith.**

Article 27 Internal law and observance of treaties

**A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.** This rule is without prejudice to article 46.

**International Covenant on Civil and Political Rights** (hereafter 'ICCPR')

Link to ICCPR: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

The International Covenant on Civil and Political Rights is included in the Human Rights Commission Act (Cth) 1989 at schedule 2

**Article 1** (self determination)

**Article 2** (discrimination) includes; “or other status”

**Article 4** (Some Articles, including Article 7, do not change even in declared emergencies)

1 . In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and

do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. **No derogation from articles 6, 7, 8** (paragraphs I and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

#### **Article 5**

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

#### **Article 7** (Consent for medical and scientific experimentation)

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. **In particular, no one shall be subjected without his free consent to medical or scientific experimentation.**

#### **International Covenant on Economic, Social and Cultural Rights** (hereafter 'ICESCR')

Link to ICESCR: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

#### **Article 1** (self determination) same as Article 1 of the ICCPR

#### **Article 2** (Rights guaranteed without discrimination)

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. **The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.**

## **Article 5** (No restriction or derogation of Rights)

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein, or at their limitation to a greater extent than is provided for in the present Covenant.

**2. No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.**

## **Article 12** (Right to highest attainable standard of physical and mental health)

**1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.**

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

## **Universal Declaration on Bioethics and Human Rights.**

Link to UDBHR: <https://unesdoc.unesco.org/ark:/48223/pf0000146180>

## **Article 3** Human dignity and human rights

**1. Human dignity, human rights and fundamental freedoms are to be fully respected.**

**2. The interests and welfare of the individual should have priority over the sole interest of science or society.**

## **Article 4** Benefit and harm

In applying and advancing scientific knowledge, medical practice and associated technologies, **direct and indirect benefits to patients, research participants and other affected individuals should be maximized and any possible harm to such individuals should be minimized.**

## **Article 6 Consent (Consent, leader or collective CANNOT consent)**

**1. Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.**

**2. Scientific research should only be carried out with the prior, free, express and informed consent of the person concerned.** The information should be adequate, provided in a comprehensible form and should include modalities for withdrawal of consent. Consent may be withdrawn by the person concerned at any time and for any reason without any disadvantage or prejudice. Exceptions to this principle should be made only in accordance with ethical and legal standards adopted by States, consistent with the principles and provisions set out in this Declaration, in particular in Article 27, and international human rights law.

3. In appropriate cases of research carried out on a group of persons or a community, additional agreement of the legal representatives of the group or community concerned may be sought. **In no case should a collective community agreement or the consent of a community leader or other authority substitute for an individual's informed consent.**

## **Article 8 Respect for human vulnerability and personal integrity**

In applying and advancing scientific knowledge, medical practice and associated technologies, **human vulnerability should be taken into account. Individuals and groups of special vulnerability should be protected and the personal integrity of such individuals respected.**

## **Article 9 Privacy and confidentiality**

The privacy of the persons concerned and the confidentiality of their personal information should be respected. To the greatest extent possible, such information should not be used or disclosed for purposes **other than those for which it was collected or consented to**, consistent with international law, in particular international human rights law.

## **Article 10 Equality, justice and equity**

The fundamental equality of all human beings in dignity and rights is to be respected so that they are treated justly and equitably.

## **Article 11 Non-discrimination and non-stigmatization (NO Discrimination ON ANY GROUNDS)**

**No individual or group should be discriminated against or stigmatized on any grounds, in violation of human dignity, human rights and fundamental freedoms.**

**Article 14. Social responsibility and health** (elimination of the marginalisation and the exclusion of persons on the basis on any grounds)

1. The promotion of health and social development for their people is a central purpose of governments that all sectors of society share.
2. Taking into account that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition, progress in science and technology should advance:
  - (a) access to quality health care and essential medicines, especially for the health of women and children, because health is essential to life itself and must be considered to be a social and human good;
  - (b) access to adequate nutrition and water;
  - (c) improvement of living conditions and the environment;
  - (d) elimination of the marginalization and the exclusion of persons on the basis of any grounds;**
  - (e) reduction of poverty and illiteracy.

**Article 15 Sharing of benefits**

1. Benefits resulting from any scientific research and its applications should be shared with society as a whole and within the international community, in particular with developing countries. In giving effect to this principle, benefits may take any of the following forms:
  - (a) special and sustainable assistance to, and acknowledgement of, the persons and groups that have taken part in the research;
  - (b) access to quality health care;
  - (c) provision of new diagnostic and therapeutic modalities or products stemming from research;
  - (d) support for health services;
  - (e) access to scientific and technological knowledge;
  - (f) capacity-building facilities for research purposes;
  - (g) other forms of benefit consistent with the principles set out in this Declaration.
2. **Benefits should not constitute improper inducements to participate in research.**

**Article 16 Protecting future generations**

The impact of life sciences on future generations, including on their genetic constitution, should be given due regard.

**Article 18 Decision-making and addressing bioethical issues**

1. **Professionalism, honesty, integrity and transparency in decision-making should be promoted, in particular declarations of all conflicts of interest and appropriate sharing of knowledge. Every endeavour should be made to use the best available scientific knowledge and methodology in addressing and periodically reviewing bioethical issues.**



2. Persons and professionals concerned and society as a whole should be engaged in dialogue on a regular basis.

3. Opportunities for informed pluralistic public debate, seeking the expression of all relevant opinions, should be promoted.

Victoria Police Manual showing S.E.L.F test within their Code of Conduct:

Here is the Victoria Police Manual pages showing the S.E.L.F test. This is the old one. “ensure that you properly consider the Charter of Human Rights and Responsibilities Act (Vic) 2006 is now in ‘lawful’, rather than in ‘fair’ as shown below. I can’t find my updated version ATM.

## Professional and ethical decision making

Victoria Police Manual – Policy Rules – Professional and ethical standards

- **Fair** – is your decision fair on the community, your colleagues, your family, yourself and others? Does it support the community’s expectation of the individual’s right to equality?

The

- ensure that you properly consider human rights set out in the *Charter of Human Rights and Responsibilities Act 2006* when making a decision
- ensure that your decisions are compatible with human rights and that any limits on human rights are reasonable, justified and as least restrictive as possible
- seek advice from a supervisor or subject matter expert if you are unsure about how to deal with the situation
- monitor and review your decision, and be flexible in your approach to the situation.
  - **Ethical** – is your decision ethical and in compliance with Victoria Police policies, practices or procedures? Does your decision comply with our Code of Ethics and our professional and ethical standards?
  - **Lawful** – is your decision lawful having regard to the law, regulations and Victoria Police instructions? Does your decision properly consider human rights?

Victorian Supreme Court set the precedent of allowing the International Covenant on Civil and Political Rights to be seen as law in Victoria in its case *Tomasevic v Travaglini* (2007)

The European Court of Human Rights set the precedent of allowing a Universal Declaration to override a parties / countries laws, in the case *Krumholz v Austria* (2010)

## **REMEDY**

Parties to consider making your complaints to:

Victorian Equal Opportunity and Human Rights Commission,  
<https://www.humanrights.vic.gov.au/>

Human Rights Commission (Commonwealth).  
<https://humanrights.gov.au/>

If these bodies do not respond complaints can then be made to:

Victorian Ombudsman  
<https://www.ombudsman.vic.gov.au/> or

Victorian Public Sector Commission  
<https://vpssc.vic.gov.au/>  
There is a duty to respond under the code of conduct available here:  
[https://vpssc.vic.gov.au/wp-content/uploads/2015/03/VPSC\\_Code\\_VPSE\\_WEB.pdf](https://vpssc.vic.gov.au/wp-content/uploads/2015/03/VPSC_Code_VPSE_WEB.pdf)

Commonwealth Ombudsman:  
<https://www.ombudsman.gov.au/>

Australian Public Service Commission  
<https://www.apsc.gov.au/>  
and their code of ethics:  
<https://www.apsc.gov.au/working-aps/integrity/integrity-resources/code-of-conduct>

Complaints about Victoria Police officers can also be made to:  
<https://www.police.vic.gov.au/professional-standards-command>

I think the most important question for Victorians to ask first is something like:

‘Where is your authority to ignore the Charter of Human Rights and Responsibilities Act?’ or

What gives you the authority to ignore the Charter of Human Rights and Responsibilities Act?

After that, here are some sample questions: (I would leave these questions until you have had a negative response from the party you made your complaint to.

Is it not the case that section 5 of the CHHRA means that International law, being VCLT, ICCPR ICESCR and UDBHR apply in Victoria?

Is it not the case that Articles 26 & 27 of the VCLT and Articles 2.2 and 5.2 of the ICESCR mean that the treaty rights in the VCLT, ICCPR, ICESCR override the State and Commonwealth legislation such as the Public Health and Wellbeing Act?

Is it not the case that vaccine passports / certificates are in breach of Article 11 of the UDBHR, Articles 2.2 and 5.2 of the ICESCR and Article 14.2(d) of the UDBHR?

Is it not the case that (John Smith at school, business, employment location's or Chief Health Officer's / Authorised Officers) request that I wear a mask or be jabbed "for the safety and protection of others" is in breach of (author of Notice) rights under Article 3 of the UDBHR?

Is it not the case that denying (author of Notice) entry / service at this school, business, employment location is discrimination in breach of Article 11 of the UDBHR, Articles 2.2 and 5.2 of the ICESCR and Article 14.2(d) of the UDBHR ?

Is it not the case that school, business, employment location's request to know (author of Notice's) medical history is a breach of privacy and a breach of section 13 of the CHRRA, Article 17 of the ICCPR and Article 9 of the UDBHR?

Can (John Smith, Managing Director at (authors work) school show that Article 11 of the UDBHR and Articles 2.2 and 5.2 of the ICESCR DO NOT apply to (author of Notice)?

Can (John Smith at school, business, employment location) show that section 13 of the CHRRA, Article 17 of the ICCPR and Article 9 of the UDBHR do not apply to school, business, employment location?

Is it not the case that (John Smith, Principal, managing Director owner at school, business, employment location) by denying (author of Notice) access / service / employment, they are guilty of section 268.22 of the Criminal Code Act (Cth) 1995 with a penalty of 17 year jail?

Is it not the case that section 5 of the CHRRA means that International law, being VCLT, ICCPR ICESCR and UDBHR apply in Victoria?,

Is it not the case that Articles 26 & 27 of the VCLT, Articles 2.2 and 5.2 of the ICESCR mean that the treaty rights in the VCLT, ICCPR and ICESCR override the State and Commonwealth legislation such as the Public Health and Wellbeing Act?, and

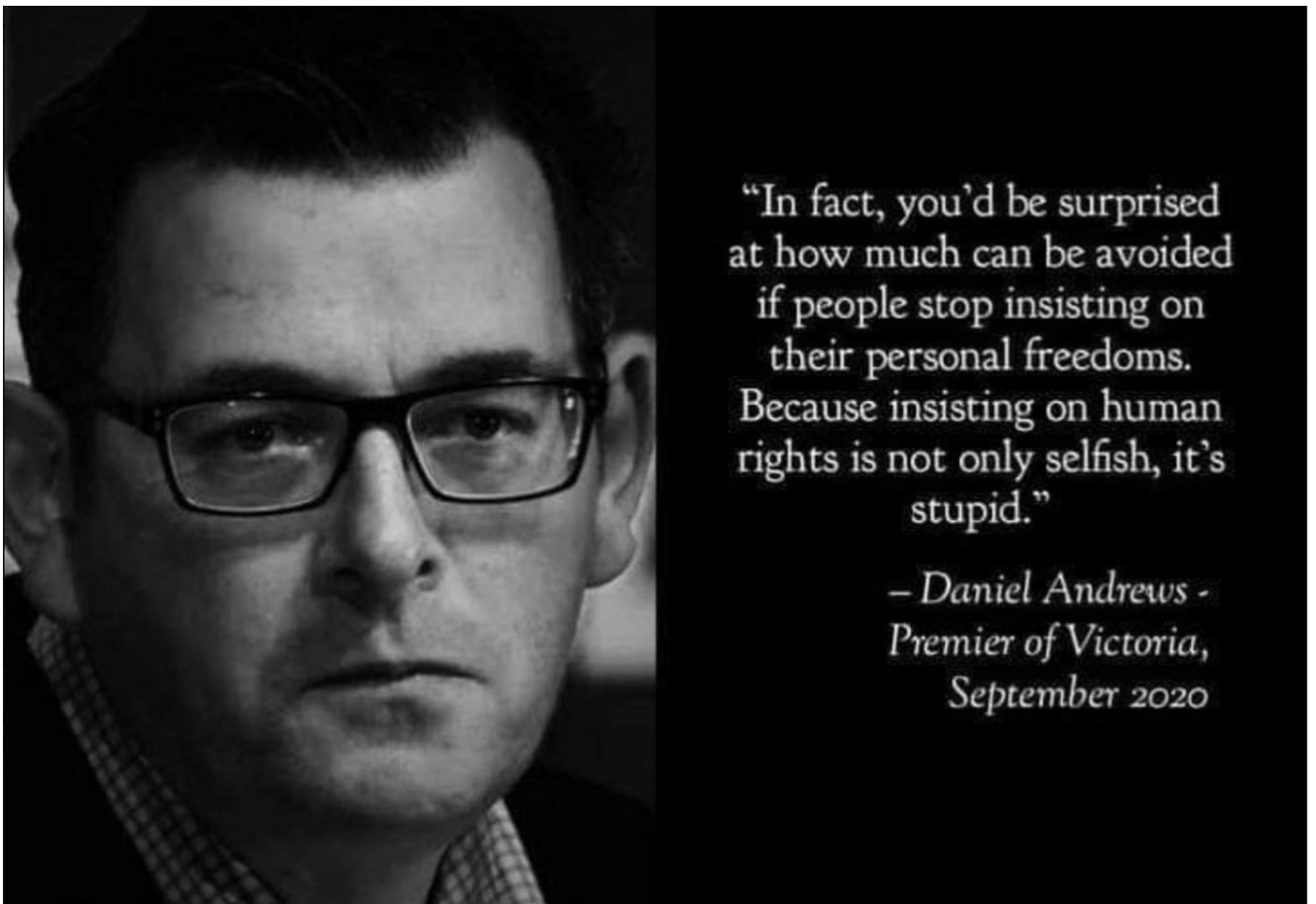
Using all of this information above we can show that the alleged legislation, both State and Commonwealth appears to be inconsistent with these International human rights treaties and Declaration accessible through section 5 of the Charter of Human Rights and Responsibilities Act 2006 and if that is the case the people pushing this agenda could also be guilty of Crimes against Humanity - apartheid which is section 268.22 of the Criminal Code Act (Cth) 1995 and / or Crimes against humanity - other inhumane act, which is section 268.23 of the same Act. There

are also other Crimes against humanity, see sections 268.3 or 268.4 or 268.5 or 268.6 or 268.9 or 268.10 or 268.13 or 268.18 or 268.20 or 268.21 and then there are the war crimes which follow in the later sections.

Link to Criminal Code Act (Cth) 1995:

[https://www.legislation.gov.au/Details/C2021C00183/Html/Volume\\_2](https://www.legislation.gov.au/Details/C2021C00183/Html/Volume_2)

And just to remind people of why this is all necessary:



Ignorantia facti excusat – Ignorantia Juris non excusat.  
Ignorance of facts may be excused but not ignorance of the law.