

To: Attorney General Nikki Sharma, Minister of Health Adrian Dix, and Premier David Eby, Members of the Legislative Assembly of BC and Concerned Others

From: Gail Davidson, concerned BC resident, V6K 2V5; justgail@portal.ca; 21.April 2023

Re: [Order of the Provincial Health Officer – Hospital and Community \(Health Care and other Services\) Covid-19 Vaccination Status Information and Preventative Measures, April 6, 2023 \(PHO\)](#)

My purpose in writing is to:

1. Advise you that the PHO is unlawful and will most certainly cause significant harm potentially to millions of BC residents;
2. Request immediate access to the data, evidence, opinions and studies relied upon or considered in the preparation of the PHO;
3. Immediately announce termination of the PHO to allow BC residents to assess of the lawfulness, necessity, legitimacy, proportionality and the likely harms and benefits of the order.

PHO is Unlawful

The PHO fails every test of legality, cannot reasonably be considered lawful and invites non-compliance. The order is not legitimate, necessary, proportionate, temporary, reasonably accessible and comprehensible and was not put in place by properly purposed and passed law. The PHO unlawfully restricts or extinguishes protected rights including rights to: work, health, privacy, equality and non-discrimination, equality before and the equal protection of the law, access to information, informed consent to medical treatment (informed consent), freedom from coercion to submit to medical treatment not voluntarily chosen (freedom from coercion) and freedom from medical or scientific experimentation (freedom from experimentation). These rights are guaranteed by a number of treaties binding on Canada including the: *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (UNCAT)¹; *International Covenant on Economic, Social, and Cultural Rights* (CESCR)²; and, the *International Covenant on Civil and Political Rights* (ICCPR).³

Absolute Rights Violated

The PHO violates rights that are absolute (i.e. non-derogable) and can never be lawfully restricted. For example, the right to freedom from experimentation is an absolute/non-derogable right that can never be restricted under any circumstances including war or public health emergency. It is a peremptory norm (*jus cogens*) of international law and applies to everyone, everywhere (*erga omnes*) irrespective of Canadian domestic law or international human rights law (IHRL) obligations. Freedom from experimentation is also guaranteed by UNCAT and ICCPR which prohibit restriction any time, anywhere, under any circumstances.

¹ *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85, ratified by Canada June 1987.

² *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 UNTS 3, Can TS 1976 No. 46, 6 ILM 360 (entered into force 3 January 1976, accession by Canada 19 May 1976).

³ *International Covenant on Civil and Political Rights*, GA Res. 2200A (XXI), UN GAOR, 21st Sess. (1966) (ICCPR) UN Treaty Series, vol. 999, at p. 171. Ratified by Canada 24 June 1987. [173 State Parties](#)

Freedom from coercion and informed consent must also be considered absolute and not lawfully subject to restriction, particularly in the context of the PHO. In a case involving Canada, the UN Committee Against Torture determined that coerced sterilization of indigenous females was a violation of UNCAT. ‘Vaccination’ coerced by threatened loss of employment or education, as in the PHO, must also be considered torture or prohibited ill treatment that can never be allowed or accepted. The Special Rapporteur on health has cautions that during COVID, “prioritization of public health...must not – be used to curtail human rights.”⁴ Speaking about emergency and COVID measures, the UN Office of the High Commissioner of Human Rights states “[a]s CESCR does not include a derogation clause it is assumed that rights protected such as those to education and employment must be maintained even during a national emergency.”⁵

Experimental Pharma Products

The pharma products erroneously referred to as vaccines in the PHO are experimental products. Pfizer’s Patient Information Leaflet states, “people who take the [Pfizer Covid-19 Vaccine (Comirnaty)] should be aware that it is still essentially experimental.”⁶ When use of these products was first mandated in BC, there was no data on the intermediate or long term benefit or harm of the products. It is now known that the products do not prevent contraction or transmission of disease, severe illness or death. It is now known that the products falsely marketed as vaccines are not vaccines and do cause serious injuries and death. The intermediate data now available establishes that products cause harm far in excess of any benefit.

In view of these factors alone, an order--such as the PHO--that mandates inoculation with products that are experimental and can cause serious injuries and death and compels production of personal information and massive job losses cannot be taken as being either in the public interest or lawful but rather must be examined as possibly criminal.

Access to Information

A careful reading of the PHO indicates that it is based on appallingly unreliable information that includes: personal beliefs of the public health officer, grossly inaccurate statements, known falsehoods and conclusions unsupported by any credible scientific information.⁷ Although replete with statements now known to be false, the 28-page PHO contains not one reference to the information needed to assess the legitimacy, proportionality, necessity and likely harms and benefits of the order. Access to information and participation in decision making are essential elements of rights to health, informed consent and essential freedoms from coercion and experimentation. As you know, “accessibility includes the right to seek, receive and impart information and ideas concerning health issues.”⁸

4 Final report of the Special Rapporteur on the right to health, Dainius Pūras, A/75/13, at para. 92.

5 Office of the High Commissioner of Human Rights, Emergency Measures and COVID-19: Guidance, 27 April 2020.

6 Pfizer Covid-19 Vaccine (Comirnaty) PATIENT INFORMATION LEAFLET at p. 2.

⁷ For examples of falsehoods, inaccurate statements and unsupported conclusions, see, Dr. Byram W. Bridle’s presentation of his “Dear Dr. Henry” communication. 18 April 2023 at <https://www.bitchute.com/video/H6iyy9Exac4L/>

⁸ CESCR General Comment No. 14 at para. 12 (b)

Quick Action Required

Do your duty and act quickly to terminate this harmful PHO and provide the information requested. I am ready to provide on request, references for all statements in this communication.

Thank you. **Gail Davidson**