



13 May 2022

# Open Letter to the South African Minister of Health, Dr. Joe Phaahla

Mr. Minister - please clarify the following - with urgency:-

Amended Regulation 16 states "Wearing of face masks to contain the spread of COVID-19"

To determine if you have based your regulations on sound scientific grounds, we request that you clarify the following;

1. That you indicate to what manufacturing standard a facial mask should be manufactured (ISO - International Organization for Standardisation) to prevent a respiratory virus particle to pass through the mask and therefore qualify as a suitable remedial protective measure to prevent the spread of Covid?

Enough evidence shows that face masks do not and cannot prevent the spread of viral infections.  
[pandata.org/infobank-masks/](https://pandata.org/infobank-masks/)

The mere fact that we have had several "waves" despite the wearing of face masks in public areas is enough evidence that face coverings have not worked to "contain the spread of covid-19". Mr. Minister, what evidence to the contrary have you used to make your decision to force people to don a "face covering"?

2. On what scientific basis does a face mask mean "a cloth face mask or homemade item to cover the nose and mouth"? The cloth mask pore diameter is  $\approx 80-500$  microns. The surgical mask pore diameter is  $\approx 13-585$  microns. A typical blue (3-ply) surgical mask has a median pore size of 19.3 microns. With such a huge difference in pore sizes, how can these 'coverings' offer the same protection?

Where is the logic - Mr. Minister? Why should it not be considered that government is in fact guilty of creating a false sense of security, and/or keeping the public in a state of subordination by dictating the wearing of masks that the Government fully knows do not prevent the spread of any respiratory virus?

3. Restricting a person's access to public transport and/or a public space, is an infringement of a person's constitutional rights. Please explain on which ACT is this regulation based and justified. No person or regulation can supersede the constitution. Could you please provide clarity on why the gazetted amended regulations do not amount to unfounded and unscientific dictates and/or an overreach of power by the Government?

4. Without scientific evidence (answer to question 1 above), and without the State of Disaster, please justify your abuse and overreach of power gazetted in 6(a) and (b)

(6) The Minister of Health may:

(a) determine that the measures in this Regulation, in part or their entirety, are no longer necessary to contain the spread of COVID-19 and give notice of this determination in the Government Gazette, whereupon the measures concerned will no longer be in operation; and

(b) at any time after having made such a determination, determine that the measures concerned are once again necessary to contain the spread of COVID-19 and give notice of this determination in the Government Gazette, whereupon the measures concerned will resume operation.



5. A "vaccinated" person can get covid and can transmit covid-19. This is an undisputed fact. (Our jabbed President and many other public figures who have taken the jab have publicly confirmed contracting covid). Fully vaccinated individuals with breakthrough infections have peak viral loads similar to unvaccinated cases and can efficiently transmit infection in household settings, including to fully vaccinated contacts, according to the study findings in The Lancet Medical Journal (Volume 22, Issue 2, February 2022).  
[https://www.thelancet.com/journals/laninf/article/PIIS1473-3099\(21\)00648-4/fulltext](https://www.thelancet.com/journals/laninf/article/PIIS1473-3099(21)00648-4/fulltext)  
A pre-print study funded by the United States Centers for Disease Control and Prevention (CDC) concluded that "clinicians and public health practitioners should consider vaccinated persons who become infected with SARS-CoV-2 to be no less infectious than unvaccinated persons".  
<https://www.medrxiv.org/content/10.1101/2021.11.12.21265796v1>  
Among the 469 cases in Massachusetts residents, 346 (74%) occurred in persons who were fully vaccinated  
<https://www.cdc.gov/mmwr/volumes/70/wr/mm7031e2.htm>

Regulations of gatherings to "contain the spread of 'COVID-19" assume that vaccinated persons pose no risk of transmission. Section 16B (3) states "*For any indoor gathering, a maximum of 50% of the venue capacity may be occupied, provided that every attendee must:*

- (a) be vaccinated against COVID-19 and produce a valid vaccination certificate; or*
- (b) produce a valid certificate of a negative COVID-19 test, recognised by the World Health Organization, which was obtained not more than 72 hours before the date of the gathering"*

This regulation is wholly and completely unjustifiable and unjust. Mr. Minister, please provide the reasoning behind discriminating between the jabbed and unjabbed with sound medical and scientific proof indicating that a vaccinated person cannot spread the Coronavirus in any strain and mutation. Gatherings that the Government would only allow vaccinated to attend without testing is the cause of greater risk for the spread of the virus by the "vaccinated" - since they can attend whilst being infected. A "valid vaccination certificate" without a negative test irresponsibly and incorrectly assumes that the holder cannot transmit the virus to others. The regulations actually promote this

6. Section 16C (2) states "vaccinated against COVID-19" means having received at least one dose of a vaccine approved for use in respect of COVID-19". The 2 approved "vaccines" in South Africa have different dosages, mechanism of action and need boosters at different intervals according to their manufacturers. According to a recent Lancet study, neither of these injections confer more than 1% effective protection against contracting covid-19. Furthermore, a pre-print study that was released on MedRXiv by a team of researchers in Denmark shows that the experimental "vaccines" provide zero protection against Omicron, beginning two months after vaccination (which they refer to as "peak" protection). After just three months, fully vaccinated individuals begin to experience sharp negative protection. Researchers found that those who received the Pfizer vaccine were an astounding 76.5% more likely to have a breakthrough infection than their unvaccinated counterparts once 90 days had passed. <https://www.medrxiv.org/content/10.1101/2021.12.20.21267966v3.full.pdf> This means that all "fully vaccinated" persons entering the country are being allowed to spread the disease legally whilst vaccine-free persons have to be subject to discriminatory and controversial PCR tests.

Please give sound scientific reasoning for this regulation. Please also provide the legal basis for your authority in promulgating such a regulation that clearly violates the vaccine-free persons' constitutional rights and puts them at risk of contracting covid-19 from those you deem "fully vaccinated"

7. 16.A 6(a) and (b), 16B 11(a) and (b) and 16C 7(a) and (b) - all give the Minister absolute power over these regulations. These very regulations that you, Mr. Minister, are awaiting public comment in another act - the National Health Act. No regulation according to South African law supersedes an ACT and no ACT can violate the constitution. Please provide lawful justification that gives you, Mr. Minister, lawful rights to assume these extraordinary constitutional overriding powers?



Please provide us with substantive proof that these regulations are not unlawful and/or based on a fraudulent and unscientific premise, and provide proof that it is entirely justifiable. As healthcare practitioners, we have seen firsthand the overinflation of numbers in an attempt to scare and coerce South Africans into taking these experimental jabs. We believe that the Minister is making another attempt, this time unlawfully, to try and get rid of soon-to-expire injection stock. South Africans have fought too hard to risk our liberty - again. We are confident that the Minister will not be able to scientifically justify these regulations and thus we call for the immediate resignation of the Minister of Health, Dr. Joe Phaahla.

Dr. Naseeba Kathrada

On behalf of the Caring Healthcare Workers coalition.

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