

CLIENT ALERT

Executive Order Calls for the Second Withdrawal of the United States from the World Health Organization

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On Monday, January 20, 2025, President Trump signed Executive Order 14155 directing the executive branch to give formal notice of the withdrawal of the United States from the World Health Organization (WHO). This marks the second time in recent history that the United States has withdrawn from the WHO at President Trump's order. President Trump first withdrew the United States from the WHO in 2020 under the rationale that the WHO had engaged in "mishandling" of the COVID-19 pandemic.

I. EXECUTIVE ORDER WITHDRAWING THE UNITED STATES FROM THE WORLD HEALTH ORGANIZATION ^[1]

The Executive Order revokes President Joseph Biden's 2021 letter to the Secretary-General of the United Nations that retracted the original withdrawal from July 2020. The Executive Order also revokes Executive Order 13987, which was signed by President Biden during his term in 2021. Executive Order 13987 created a position of Coordinator of the COVID-19 Response and Counselor to the President and laid out procedures that would address any emerging biological and pandemic threats to the United States.^[2]

President Trump's new Executive Order requires the Assistant to the President for National Security Affairs to create mechanisms to safeguard public health. The order also directs executive branch officials, the Secretary of State, and the Director of the Office of Management and Budget to (1) pause any planned transfers of United States government funds, support, or resources to the WHO, (2) recall and reassign United States government personnel and contractors working with the WHO, and (3) identify both United States and international partners to take over any necessary functions that were undertaken by the WHO.

While withdrawal from the WHO is ongoing, the order directs the Director of the White House Office of Pandemic Preparedness and Response Policy to replace the 2024 United States Global Health Security Strategy. Further, the order directs the Secretary of State to end all negotiations on the WHO Pandemic Agreement and cease involvement with any amendment to International Health Regulations.

II. RIGHT OF UNITED STATES WITHDRAWAL

In 1948, as a condition of the United States' participation in the WHO, Congress enacted a right for the United States to withdraw from the WHO with one-year notice under 22 U.S.C. § 209c. Therefore, the withdrawal ordered by

President Trump will not come into effect until early 2026.

In this same provision, Congress required the United States to continue its financial obligations to the WHO in full for the current fiscal year before withdrawal takes effect. This suggests that President Trump's order to cease the transfer of funds, support, and resources to the WHO is not consistent with the provisions of 22 U.S.C. § 209c and creates some uncertainty about the near-term impact of this Executive Order on stakeholders engaged in or funded by the United States' participation with the WHO.^[3]

III. POTENTIAL EFFECTS OF WITHDRAWAL

The United States has historically been the largest financial contributor to the WHO. Between 2012 and 2024, the United States has provided an average of \$237 million in voluntary funding.^[4] In 2022 and 2023, the United States provided \$1.28 billion in funding to the WHO.^[5] Experts are expecting that the withdrawal of the United States will be a significant financial loss to the organization and are unsure of how the WHO will patch this anticipated gap in financial support.^[6]

Withdrawal from the WHO will not only burden the organization financially, but it will also reduce the informational awareness of the WHO and member countries due to reduced direct data sharing with the United States government. The United States has, for example, historically contributed significant research and laboratory work to the WHO on issues such as cancer, occupational health, nutrition, chronic diseases, and improving health technologies.^[7] Conversely, the United States government and non-government stakeholders in the public health fields will also have to adjust to reduced information flowing into the United States regarding emerging infectious disease risk and other public health topics of concern.

IV. RESPONSE

The Director-General of the WHO, Dr. Tedros Adhanom Ghebreyesus, responded to the Executive Order by saying the WHO "regrets" the United States' decision and "hope[s] that the United States will reconsider." The statement suggested that the WHO is willing to engage in discussions to try to keep the United States as a member for both the United States' benefit and the benefit of the world.

Following President Trump's lead, on February 5, 2025, Argentina announced that it will also withdraw from the WHO. Argentina's withdrawal is due to "profound differences" between the country and the WHO relating to the management of public health issues. A spokesperson for President Milei cited the WHO's endorsement of lockdowns during the COVID-19 pandemic as causing great economic damage to the country while prohibiting the country from independently handling the pandemic response. President Milei wants to have "sovereignty" over Argentinian public health matters and is seeking the ability for Argentina to implement its own policies when public health crises arise.

[1] <https://www.whitehouse.gov/presidential-actions/2025/01/withdrawing-the-united-states-from-the-worldhealth-organization/>.

[2] <https://www.govinfo.gov/content/pkg/DCPD-202100056/pdf/DCPD-202100056.pdf>.

[3] <https://crsreports.congress.gov/product/pdf/IN/IN12496#:~:text=On%20January%2020%2C%202025%2C%20President,unfair%20funding%20practices.%E2%80%9D%20The%20EO.>

[4] <https://crsreports.congress.gov/product/pdf/IN/IN12496#:~:text=On%20January%2020%2C%202025%2C%20President,unfair%20funding%20practices.%E2%80%9D%20The%20EO.>

[5] <https://www.technologyreview.com/2025/01/23/1110460/us-withdraws-from-the-who/#:~:text=The%20US%20is%20the%20biggest,sharing%20hub%20for%20member%20states.>

[6] <https://www.technologyreview.com/2025/01/23/1110460/us-withdraws-from-the-who/#:~:text=The%20US%20is%20the%20biggest,sharing%20hub%20for%20member%20states.>

[7] <https://www.kff.org/global-health-policy/fact-sheet/the-u-s-government-and-the-world-health-organization/>.

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