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Parental authority and vaccination

Written question No. 773 to the Committee of Ministers

by Ms Martine WONNER, France, Alliance of Liberals and Democrats for Europe

The principle of joint parental authority, exercised in the best interests of the child, is firmly established in international law, in particular in the law of the European Union and by the Hague Convention of 19 October 1996 on parental responsibility and protection of children.

This major progress for the promotion of equality between women and men is however undermined by France, in the context of its promotion of vaccination of minors. Indeed, law No. 2022-46 of 22 January 2022, reinforcing the tools for health crisis management and modifying the Public Health Code, provides in its article 1 that "the authorization of one or the other of the holders of parental authority is required for the realization of a screening or the injection of the vaccine against covid-19".

However, the vaccination of minors is not a routine act for which the consent of the spouse is presumed, but an important decision that requires the agreement of both parents exercising parental authority. Therefore, this provision of 22 January 2022 contravenes the joint parental authority in order to favour the opinion of the parent in favour of vaccination, at the risk of dividing couples and families.

Ms Wonner

To ask the Committee of Ministers:

With regard to [Resolution 2361 \(2021\)](#) of the Parliamentary Assembly, particularly paragraphs 7.3.1 and 7.4.3, what does the Committee of Ministers intend to do to ensure that the wishes of children are duly taken into account and that the equality between parents in the exercise of parental authority is respected?

