Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Preventing vaccine discrimination

Motion for a resolution
tabled by Mr Ahmet YILDIZ and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

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The preferential treatment of people receiving vaccines recently gained impetus due to a rising number of coronavirus cases. Some member States decided to restrict various freedoms of persons who did not receive vaccinations. As stated in Resolution 2383 (2021) "Covid passes or certificates: protection of fundamental rights and legal implications", such preferential treatment should not lead to unlawful discrimination among WHO-approved Covid-19 vaccines, in accordance with Article 14 of the European Convention on Human Rights. Unfortunately, some member States started to restrict the freedom of movement of people who received WHO-approved vaccines.

Imposing restrictions on people vaccinated with vaccines approved by the WHO does not have an objective and reasonable justification within the meaning of Article 14 of the Convention. These measures fail at striking a balance between protecting the interests of the community and the rights and freedoms of the individuals, as the individuals in question are vaccinated. According to the WHO, those who have been administered the WHO-approved vaccines pose significantly less risk than those who have not been vaccinated. Therefore, there is no ground for restricting their freedom of movement.

While Resolution 2338 (2020) "The impact of the Covid-19 pandemic on human rights and the rule of law" states that member States have positive obligations to protect the health of their citizens, it should be recalled that these measures should not contravene the Convention, as well as the rights and freedoms of citizens of other countries. In this regard, the Parliamentary Assembly should examine the disproportionate measures restricting the freedom of movement of people vaccinated with the WHO-approved vaccines and suggest measures to ensure that the rights of these people are not violated. Such an examination should explore the compatibility of these measures with international legal instruments, particularly, but not limited to, the Convention.

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
EC/DA: European Conservatives Group and Democratic Alliance
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group