**The Conflict of Mandatory COVID-19 Vaccination: Public Health vs. Individual Freedom under ECHR**

**Abstract:**

In the past three years, the COVID-19 pandemic has caused significant global disruption. At the start of 2020, the world was at the mercy of the virus, but hope was restored when the COVID-19 vaccine was developed. Despite the availability of the vaccine, there is ongoing debate about whether vaccination should be compulsory or left to individuals' choice. While a welfare state has a responsibility to protect the health of its citizens, individuals may have valid reasons for choosing not to vaccinate. It is important to note that the COVID-19 pandemic is still ongoing, and vaccination continues to play a critical role in controlling its spread. As of May 2023, new variants of the virus have emerged, and booster shots are being recommended to maintain immunity. The debate over compulsory vaccination remains relevant, and it is crucial that policymakers and individuals alike stay informed and make decisions that prioritize both public health and individual rights. This issue has been analyzed in this paper through examination of judicial decisions, international legal instruments, and up-to-date pandemic data. The aim of this paper is to explore the balance between the need for compulsory vaccination to protect public health and individual freedom to make personal health decisions. The research concludes that while a state may have the power to impose mandatory vaccination in certain situations, such power must be exercised within the bounds of law and the specific circumstances. At the same time, individual freedom should always be respected as human rights are protected by both international and domestic law.

Keywords: COVID-19, pandemic, vaccination, mandatory vaccination, public health, individual freedom.

1. **Introduction:**

For nearly three years, the COVID-19 pandemic has brought about significant changes worldwide, and the development of vaccines has brought hope. However, despite vaccination efforts, subsequent waves of the virus have caused more suffering. Governments have a duty to protect citizens' health, making ensuring access to COVID-19 vaccines an important task. However, due to factors such as the anti-vaccination movement, side effects, religious beliefs, and personal hesitation, some individuals are reluctant to be vaccinated. This has led to a debate over whether mandatory vaccination should be implemented. The issue presents a conflict between the state's obligation to protect public health and individuals' rights to make their own decisions. This paper will explore this conflict and analyze the state's obligations with regards to public health and the implementation of COVID-19 vaccinations, as well as the individual's right to choose whether or not to be vaccinated.

The judicial decisions regarding mandatory vaccinations highlight the issue of how it affects an individual's private life. Many of the individuals who have challenged the mandate argue that it interferes with their personal autonomy to choose whether or not to receive the vaccine. This paper will delve into the topic of mandatory vaccinations and international law, with a focus on the European Convention on Human Rights (ECHR), which is a significant part of the international legal framework.

The ECHR provides protection for the right to life and the right to private life under Articles 2 and 8, respectively. These two articles are the most relevant when it comes to safeguarding personal autonomy. While international law is made up of various laws, the paper will primarily concentrate on the ECHR. It is important to note that there is no one codified law that can be considered as international law. Therefore, the paper will explore how the ECHR protects individuals' rights to life and privacy in the context of mandatory vaccinations.

1. **Methodology**

This paper has used a doctrinal research approach that is qualitative and library-based. It has relied on international human rights law, legal instruments, and judicial decisions to analyze the issue. The study has also used secondary sources like journals, websites, and newspaper articles to support its findings. These articles have been useful in providing information on the pandemic. The paper is theoretical, exploratory, and analytical, and has specifically examined Articles 2 and 8 of the European Convention on Human Rights (ECHR), as well as current pandemic situations, to reach its conclusions.

1. **Compulsory Vaccination**

In this part, the paper will make a discussion about compulsory vaccination, its definition, origins, and whether it is applicable during coronavirus pandemic, and to what extend does compulsory vaccination is applicable. As per the World Health organization, “Vaccination is a simple, safe, and effective way of protecting people against harmful diseases before they come into contact with them.”[[1]](#footnote-1) Hereby, vaccination helps the human body to make resistance against particular infections. Thus, it is presumed that vaccination intends to protect the human from some harmful life-threatening diseases. In previous years, the vaccination policy was seen to come when life-threatening diseases had come; For example, Polio, Tetanus, Influenza, Rubella, Hepatitis B, Hepatitis A. All of these life-threatening diseases were cured by the blessing of Vaccines. In all of the above-mentioned situations, states play notable contributions in distributing the vaccines, without the proper distribution of vaccines it would not have been possible to reduce the risk.

Vaccination can be supplied in two ways, either voluntarily or compulsorily. In the process of voluntary vaccination, people are not mandatorily enforced to be vaccinated rather they can be vaccinated by their own will. Unfortunately, even after several successful trials people still having doubts about them. As a result, the tendency of vaccine-refusal is increasing which is marked by World Health Organization as one of the top ten Global Health Problems.[[2]](#footnote-2) Yildirim also stated, due to this tendency, states adopt compulsory vaccination policy whereby some conditional approach is taken, as like the states can make vaccine as a pre-condition to get any public service. So, by this policy, people are not vaccinating forcefully but to use vaccination as a stair to get some benefits and it is imposed on some portion of the population to tackle the mass spread of the disease.

As previously mentioned, vaccination policy is one of the state’s responsibilities to keep citizens safe. To prevent the mass outbreak of a disease states sometimes during an epidemic take robust policy. For example, without vaccination, no student can participate in the class, or without vaccination, no one can go to the office or public places.[[3]](#footnote-3) States take a deviant approach and create negative consequences if the citizens do not follow the rule.[[4]](#footnote-4) This drastic approach is known as the compulsory vaccination policy.[[5]](#footnote-5) However, this type of policy does not mean every citizen has to get vaccination rather, it is imposed on a certain amount of people to avoid an epidemic of a disease or to keep spreading of the disease at bay.[[6]](#footnote-6)

Another illustration, ‘Smallpox Vaccination Law’ was made compulsory in 1853, and later for non-compliance with the law, fines were levied.[[7]](#footnote-7) It was done to prevent the smallpox epidemic which was one of the devastating diseases in the history of humankind.[[8]](#footnote-8) In the United States, Massachusetts was the state to enforce compulsory vaccination against smallpox in 1809.[[9]](#footnote-9) The law demanded to get the vaccination, especially for the children. Without smallpox vaccination, children could not admit into school. However, in 1905 the Apex Court of the United States upheld in the case of *Jacobson v. Massachusetts* that individual rights can be restricted if there is public good at large.[[10]](#footnote-10) Since the vaccination for mass people could stop the small-pox epidemic in the United States, the states were authorized to make compulsory vaccination laws. As a result, states of the United States of America made compulsory vaccination laws.[[11]](#footnote-11) Additionally, in 1922, in *Zucht v. King Supreme Court of the U.S.* again upheld the same decision.[[12]](#footnote-12)

Thus, the purpose of compulsory vaccination is to protect people from disease and at the same time to prevent the outbreak of that disease. Since many people have many opinions, the state has taken firm steps to fight against the disease. Sometimes based on the situation, these steps are made mandatory upon the people so that the inhabitants of the state follow the guidelines strongly. This is how the state's initiatives the compulsory vaccination to safeguard its citizen. In the next chapter, the paper will discuss whether compulsory vaccination is justified and to what extent government has the authority to impose mandatory vaccination on a citizen.

1. **Compulsory Vaccination for Public Health**

In the earlier judicial decisions was in favor of compulsory vaccination law and public good was prioritized over individual rights. However, due to the flow of time, individual rights got strengthened and new laws were enacted which gave more protection to citizens and made states realized to take a coherent approach so that a state can protect its citizen in the time of epidemic and at the same time an individual right does not get harmed by the legal enforcement.

In a recent case, *Vavricka v. Czech Republic*, the Grand Chamber in the European Court of Human Rights, the Court rejected the plea of the applicant and held that compulsory vaccination is required and non-compliance of the law will be levied in fine as per the state rule. The case started with the vaccination of children and the applicants-parents had been fined since the children were not vaccinated against the diseases. The Court analyzed various points. According to the Grand Chamber, the state had the responsibility to protect the children and the vaccination policy was created to safeguard the health of the children from diseases.[[13]](#footnote-13) Getting vaccinated at an early age, create immunity in the children.[[14]](#footnote-14) However, sometimes the voluntary vaccination is not sufficient enough to obtain a certain level of herd immunity. Hence, compulsory vaccination.[[15]](#footnote-15) The Chamber additionally, envisioned that the compulsory vaccination must be indirectly imposed and precautions and scientific data of the effectiveness of the vaccination must be evaluated before the commencement of the vaccination policy.[[16]](#footnote-16) In the end, public protection was prioritized and the state has responsibilities to protect the health of its citizen.

**V. Private Rights Under ECHR**

Article 2 of the European Convention on Human Rights (not the European Court of Human Rights) guarantees the right to life and imposes a positive obligation on states to take appropriate measures to protect individuals from unlawful killings. This article is applicable in cases involving deaths caused by state agents or failure of state authorities to prevent killings.

Article 8 of the European Convention on Human Rights protects the right to respect for private and family life, home, and correspondence. It is applicable in cases involving interference by public authorities with an individual's private life, such as surveillance, searches, or data collection.

1. **Article 8**

Article 8 gives protection to one’s private life. The protection extends to family life, home and correspondence. No government without due cause can interfere with those rights. If any four of those rights such as private life, family life, home, or correspondence is obstructed, an individual can invoke Article 8. Rights under Article 8 are broadened. In *Slivenko v. Latvia*, the Court opined that the private life under Article 8 includes ‘the network of personal, social and economic relations’ which are developed ‘since birth’.[[17]](#footnote-17) The Court elaborated Article 8 in *C v. Belgium*. Private life includes professional and business relationships as well.[[18]](#footnote-18) From the judicial decisions, the ECtHR widens the parameter of Article 8 and emphasized the protection of the private life of an individual.

At locus standi as well as the merit of a case will be determined whether the aforesaid rights have been violated or not.[[19]](#footnote-19) In many judicial decisions, at the first instance, the Court investigated that whether the claims of an appellant falls under Article 8 or not and whether those were violated or not. When the Court analyzes a petition under Article 8, the first matter is that, whether the claim falls under Article 8 or not along with to what is extend the interference took place. To claim right under Article 8, interference is mandatory.[[20]](#footnote-20) The interference must be arbitrary in nature on the part of the state in *Libert v. France*.[[21]](#footnote-21) The law which interferes with the liberty of a person’s life needs to have an aim and purpose and reasons as well. The restrictions mentioned in the law must be ‘foreseeable’.[[22]](#footnote-22) The usual ground such as national security, public health, order those must be sorted out and must in clear to foresee the circumstances. Additionally, how much interference was needed or the gravity of interference is another pressing matter. In this regard, the balance of necessary interference and proportional interference is important.[[23]](#footnote-23) If the interference was for public health or public good the interference can only be applied with legitimate purpose as there was no way around it[[24]](#footnote-24). Another primal part of the Article is that the state can take measures according to the law of its state. While analyzing the ‘interference’ the Court will look into the quality of the law. According to the land of law does not exempt the state or governmental authority. The quality of law includes the rule of law and the ‘foreseeable’ components in the law. The law also including sub-law, bylaws, rules, regulations arising from the patent law. Next, the Court will weigh in the purpose or aim, a legitimate aim of the law. A bad is not considered a law under the convention. Rule of law, equality of law needs to have existed within the national law (*Halford v. the United Kingdom*, para 49).[[25]](#footnote-25) Additionally, the land of the law must not be vague or cannot contain any ingredients which cannot be seen or hard to apply or bar a person to get access to justice.[[26]](#footnote-26) An Act must be clear so that the law enforcement agencies, as well as the citizens, can understand the essence of law, guidelines, and negatives for the violation of the law.[[27]](#footnote-27) Regarding COVID-19, the law of vaccination must be clear that the effects of vaccines, negative consequences of vaccines, how much data is gathering, the penalty of non-vaccinations, the exemption from vaccination, the duties if not taken vaccination. In *Vukota-Bojić v. Switzerland*, the Court found a violation of Article 8 since the national law did not have enough clearance regarding the interference in private life.[[28]](#footnote-28)

However, there are some exemptions such as if there is the question of national security or any prevention of crime or protect the moral health the states can according to the law of the land can restrain an individual to exercise Article 8. Nevertheless, the restrain cannot be arbitrary on the part of the governmental authority which is mentioned in *Libert v. France*.[[29]](#footnote-29)

1. **Article 2**

A state can take a measure such as enforcing mandatory vaccination upon its citizen to protect against the pandemic. Article 2 mentions about right to life and protection of life. To invoke Article 2 of ECHR, an applicant must show the connection between serious harm to health and compulsory vaccination. This Article is relevant when comes to the compulsory vaccination of children. Most of the cases lost their merit due to a lack of evidence. Though the applicants presented their petitions claiming the serious health hazard happened because of vaccination, the Court could not grant the merit of the cases (in *Association X v the United Kingdom*, 1978).[[30]](#footnote-30) Additionally, the appellants knew the risk of the vaccination and the applicants did not take enough measures to avoid the risk (in *Osman v the United Kingdom*, 1994, para 31).[[31]](#footnote-31) In this part of the paper, compulsory vaccination of children and Article 2 will be envisaged.

Article 2 retrains the State to create intentional harm upon anyone due to vaccination. In addition, the Article has vested obligation upon State to consider and calculate the risks arises from the vaccination and enforce vaccination in way that enforcement of compulsory vaccination does not impact serious health harm upon citizen.[[32]](#footnote-32)

These obligations are parted into two ways. One is known as positive obligations and another is known as a negative obligation. To elaborate, the state must protect the lives of the citizens and at the same time, a state cannot make any intentional or unjust actions that are harmful to the lives of its citizens.

Among the positive obligations, a state must take measures regarding medical healthcare to safeguard the citizens. This also extends to any other acts of state by which the lives of inhabitants might be jeopardized (in *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania*).[[33]](#footnote-33) In terms of medical healthcare, the states must monitor any hospitals to assure that the medical institution is up to standard and not putting the patients in harm’s way (in Vo v. France).[[34]](#footnote-34) In most of the cases, where violation of the Article was claimed, the Court found that states had taken enough measures and hence, no violation constituted. However, in *Mehmet Şentürk and Bekir Şentürk v. Turkey*, the State was responsible since due to denial of emergency treatment, a patient’s life was intentionally and knowingly expose to peril.[[35]](#footnote-35) In *Aydoğdu v. Turkey*, a patient could not get emergency medical services because of the hazardous system of the hospital. Although the authorities knew about the circumstances, they did not take proper steps to ratify the system.[[36]](#footnote-36)

To further interpret Article 2 concerning compulsory vaccination, several cases need to address. The judgments of the cases showed that compulsory vaccination or vaccination itself does not constitute the violation of Article 2. In *Association X*, where applicants were parents of the children. Their children faced severe consequences due to vaccination. ECHR Commission and ECtHR stated that Article 2 vests both positive and negative obligation upon the State.[[37]](#footnote-37) The Commission found that though there are death and severe consequences due to vaccination, it cannot be concluded that State intended to harm the children. The state has obligations to protect it citizen and compulsory vaccination is one of the mechanisms (in *Association X v the United Kingdom*, 1978).[[38]](#footnote-38) In another case, the applicants claimed in the petition that the imposition of compulsory vaccination created intrusion to the right to life. However, the applicants could not provide any evidence that showed the violation of Article 2.[[39]](#footnote-39) From other cases, ECtHR observed that both compulsory and voluntary vaccination does not violate Article 2 (in Hornych v Czech Republic). In *Acmanne and Others v Belgium*, the school denied the admission of the appellants since they were not vaccinated. Like the aforesaid case, the appellants claimed the violation of the Article.[[40]](#footnote-40) The Court did not find the merit of the violation of Article 2. From the interpretation of the Commission as well as ECtHR, the state should save and protect lives. Through compulsory vaccination, the state aims to protect the lives of its citizen. Hence, the positive obligation of Article 2 upon the state is to protect the lives of its citizen. A State can measure such as compulsory vaccination to create herd immunity and to prevent the widespread pandemic. It is a way to safeguard the lives of the citizens.[[41]](#footnote-41) Therefore, Article 2 is favourable for both state and its citizen. The goal to compulsory vaccination to create herd immunity and protect the citizens from the menace of pandemic. The achieve the goal, both positive and negative obligations must be on the parallel axis.

1. **Conclusion**

After the aforesaid discussion and analysis from the judicial instruments, from the bird’s eye view the government can take strict measures to impose compulsory vaccination policy on the citizens in order to protect the citizens from the deadly COVID-19 virus. A large of vaccination among the people creates a strong hard immunity and significantly reduce the COVID-19 transmissions in the society. Since, the children cannot take vaccines and due to other restrictions of vaccines, vaccinations among the adults and middle-aged people in the society creates a safeguard against the spreading of virus and the same time there is no risk to transmit the virus from the vaccinated people. Though it was discussed that COVID-19 vaccines do not give one-hundred percent full immunity against the virus, it reduces the chance of hospitalization as well as transmission of the virus. The states which have achieved over sixty-percent vaccinations among its citizens, saw reduced number of infections rate after the vaccination programs. Some states are going back to normal situation and started opening public institutions such as school, workplace and permitting social gathering. Over the course of almost two years, Coronavirus has disrupted lives of people and people have suffered enormously due to the pandemic. Making a safe circumstance after the post COVID-19 era, is also the responsibility of a state. To ensure the safety of the public health, the government can take mandatory vaccination policy. However, the policy cannot be forced directly like the way a punishment is executed after an offence. Non-compliance of vaccination cannot be treated as an offence rather negative consequences can be enforced.

Additionally, exceptions must be given to those who have their own beliefs. If someone has a custom of not taking vaccination, or if someone’s religion does not allow it, or if someone is not willing to take the vaccination, the state cannot be obliged to take that individual's vaccines. For example, if someone can demonstrate that his/her religion or belief prohibits him/her from receiving vaccination, that person can file an application to the public health admiration with the evidence, and if the designated administration is convinced with the application and the evidence, that person or group can receive some kind of recognition, such as a card, code, or pass, indicating or proving that he/she or they are exceptional in the matter. The procedure can vary from state to state.

A state must respect the wish of its citizen and at the same time, the citizen cannot do anything that jeopardize public health. If both parties work coherently, no right will be curtailed. Therefore, the drastic step to ensure mass compulsory vaccination among the citizen can be undertaken by a state to protect the society from the COVID-19 with a flexible to allow exceptions to certain individuals.

1. *Vaccines and immunization: What is vaccination?* (2020, December 30). World Health Organization. https://www.who.int/news-room/q-a-detail/vaccines-and-immunization-what-is-vaccination. [↑](#footnote-ref-1)
2. Yıldırım, E. (2020). Compulsory Vaccination and the Turkish Constitutional Court. *European Journal of Health Law*, *27*(5), 476–494. https://doi.org/10.1163/15718093-bja10030. [↑](#footnote-ref-2)
3. Howard, J. C. (2021, July 21). These routine shots already are required in schools, as more states ban Covid-19 vaccine requirements. *CNN*. https://edition.cnn.com/2021/07/21/health/school-vaccines-requirements-covid-19-wellness/index.html. [↑](#footnote-ref-3)
4. Krasser, A. (2021). Compulsory Vaccination in a Fundamental Rights Perspective: Lessens from the ECtHR. *ICL Journal*, *0*(0). https://doi.org/10.1515/icl-2021-0010. [↑](#footnote-ref-4)
5. Fenner, F., Organisation mondiale de la santé, Henderson, D. A., N., World Health Organization, Arita, I., Jezek, Z., Ladnyi, I. D., Organisation mondiale de la santé, & World Health Organization. (1988). *Smallpox and Its Eradication* (Vol. 6). World Health Organization. https://apps.who.int/iris/handle/10665/39485. [↑](#footnote-ref-5)
6. Chemerinsky, E. (2016, April 25). Compulsory Vaccination Laws Are Constitutional. *Northwestern Pritzker School of Law Scholarly Commons,* https://scholarlycommons.law.northwestern.edu/nulr/vol110/iss3/2/. [↑](#footnote-ref-6)
7. Amin, A. N. E., Parra, M. T., Kim-Farley, R., & Fielding, J. E. (2012). Ethical Issues Concerning Vaccination Requirements. *Public Health Reviews*, *34*(1). https://doi.org/10.1007/bf03391666. [↑](#footnote-ref-7)
8. Fenner, F., Organisation mondiale de la santé, Henderson, D. A., N., World Health Organization, Arita, I., Jezek, Z., Ladnyi, I. D., Organisation mondiale de la santé, & World Health Organization. (1988). *Smallpox and Its Eradication* (Vol. 6). World Health Organization. https://apps.who.int/iris/handle/10665/39485. [↑](#footnote-ref-8)
9. Ibid. [↑](#footnote-ref-9)
10. Mariner, W. K., Annas, G. J., & Glantz, L. H. (2005). Jacobson v Massachusetts: It’s Not Your Great-Great-Grandfather’s Public Health Law. *American Journal of Public Health*, *95*(4), 581–590. https://doi.org/10.2105/ajph.2004.055160. [↑](#footnote-ref-10)
11. Walkinshaw, E. (2011). Mandatory vaccinations: The international landscape. *Canadian Medical Association Journal*, *183*(16), E1167–E1168. https://doi.org/10.1503/cmaj.109-3993. [↑](#footnote-ref-11)
12. 260 U.S. 174. [↑](#footnote-ref-12)
13. Vavřička and Others v the Czech Republic, applications 47621/13, 3867/14, 73094/14, 19306/15, (European Court of Human Rights (Grand Chamber) April 8, 2021). See also, Maguire, A., McGaughey, F., & Rizzi, M. (2020, November 29). *Can governments mandate a COVID vaccination? Balancing public health with human rights – and what the law says*. The Conversation. https://theconversation.com/can-governments-mandate-a-covid-vaccination-balancing-public-health-with-human-rights-and-what-the-law-says-150733

March 15, 2012). [↑](#footnote-ref-13)
14. Vavricka v Czeck Republic, paras 132, 287. [↑](#footnote-ref-14)
15. Vavricka v Czeck Republic, paras 285, 286. [↑](#footnote-ref-15)
16. Vavricka v Czeck Republic, para 293. [↑](#footnote-ref-16)
17. *Slivenko v. Latvia*, 48321/99, Council of Europe: European Court of Human Rights, 9 October 2003, available at: https://www.refworld.org/cases,ECHR,402b5b034.html. [↑](#footnote-ref-17)
18. *C. v. Belgium*, 35/1995/541/627, Council of Europe: European Court of Human Rights, 26 May 1996, available at: https://www.refworld.org/cases,ECHR,3f3266b04.html  [↑](#footnote-ref-18)
19. Thym, D. (2008). Respect for private and family life under article 8 echr in immigration cases: a human right to regularize illegal stay? *International and Comparative Law Quarterly*, *57*(1), 87–112. https://doi.org/10.1017/s0020589308000043. [↑](#footnote-ref-19)
20. European Court of Human Rights. (2016, December). *Guide on Article 8 of the European Convention on Human Rights* (1st edition). Council of Europe. https://www.echr.coe.int/documents/guide\_art\_8\_eng.pdf. [↑](#footnote-ref-20)
21. 588/13, [2018] ECHR 185. [↑](#footnote-ref-21)
22. Silver & Others v. United Kingdom(Applications Nos 5947/72, 6205/73, 7052/75, 7061/75, 7107/75, 7113/75 and 7136/75) European Commission of Human Rights (1981) 3 EHRR 475. [↑](#footnote-ref-22)
23. n (16). [↑](#footnote-ref-23)
24. *Boultif v. Switzerland*, 54273/00, Council of Europe: European Court of Human Rights, 2 August 2001, available at: https://www.refworld.org/cases,ECHR,468cbc9e12.html. [↑](#footnote-ref-24)
25. Application no.  20605/92, [1997] 24 EHRR 523, [1997] ECHR 32. [↑](#footnote-ref-25)
26. Silver & Others v. United Kingdom(Applications Nos 5947/72, 6205/73, 7052/75, 7061/75, 7107/75, 7113/75 and 7136/75) european Commission of Human Rights (1981) 3 EHRR 475. [↑](#footnote-ref-26)
27. ECtHR, Boultif v. Switzerland, App. No. 54273/00, Judgment of 2 August 2001, para. 48. [↑](#footnote-ref-27)
28. Application no. 61838/10 (Judgment (Merits and Just Satisfaction): Court (Third Section)), [2016] ECHR 899. [↑](#footnote-ref-28)
29. 588/13, [2018] ECHR 185. [↑](#footnote-ref-29)
30. *X, Y and Z v. The United Kingdom*, 75/1995/581/667, Council of Europe: European Court of Human Rights, 22 April 1997, available at: https://www.refworld.org/cases,ECHR,3ae6b69010.html  [↑](#footnote-ref-30)
31. App no 48939/99 (Application No)

ECHR 2004-XII.  [↑](#footnote-ref-31)
32. *Oneryildiz v. Turkey*, 48939/99, Council of Europe: European Court of Human Rights, 18 June 2002, available at: https://www.refworld.org/cases,ECHR,3f2650b54.html [↑](#footnote-ref-32)
33. “Centre for Legal Resources on Behalf of Valentin Campeanu v. Romania | CRIN” (*Crin.org*March 25, 2015) <https://archive.crin.org/en/library/legal-database/centre-legal-resources-behalf-valentin-campeanu-v-romania.html> accessed March 28, 2022. [↑](#footnote-ref-33)
34. 53924/00, [2004] ECHR 326, (2005) 40 EHRR 12, (2004) 79 BMLR 71, [2004] 2 FCR 577, [2005] Inquest LR 129, 17 BHRC 1, (2005) 40 EHRR 12. [↑](#footnote-ref-34)
35. [2013] ECHR 295. [↑](#footnote-ref-35)
36. 2016] ECHR 719. [↑](#footnote-ref-36)
37. n (25). [↑](#footnote-ref-37)
38. Ibid. [↑](#footnote-ref-38)
39. “Boffa and 13 Others v. San Marino, Dec., Nos. 26536/95 and Others, ECommHR, 15 January 1998” (*Unimib.it*2012) <https://www.lawpluralism.unimib.it/en/oggetti/792-boffa-e-altri-13-c-san-marino-dec-nn-26536-95-and-others-commissione-edu-15-gennaio-1998> accessed March 28, 2022. [↑](#footnote-ref-39)
40. [1984] 40 DR 251. [↑](#footnote-ref-40)
41. Camilleri, F. (2019). Compulsory vaccinations for children: Balancing the competing human rights at stake. *Netherlands Quarterly of Human Rights*, *37*(3), 245–267. https://doi.org/10.1177/0924051919861797. [↑](#footnote-ref-41)