



PRESS RELEASE

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German Ethics Council recommends expansion of statutory duty to vaccinate

On the basis of a nuanced presentation of essential ethical and legal arguments in favour of and against a general statutory duty to vaccinate, the German Ethics Council, in its Ad Hoc Recommendation “Ethical Orientation on the Issue of General Mandatory Vaccination”, published on 22 December, argues the case for an expansion of the mandatory vaccination policy that goes beyond the sectoral mandatory vaccination policy recently adopted by the German Bundestag.

The Recommendation has been submitted upon a request made by the Federal Government and the Minister-Presidents of the Federal States on 2 December 2021 that the German Ethics Council assess the ethical aspects of a general statutory duty to vaccinate. The Council emphasises that high vaccination rates are crucial for moving to a controlled endemic situation. The German health system has currently reached its limits in many places. Virus variants like Omicron and likely further variants of the virus force experts to again and again reassess their estimates of the future course of the pandemic.

With its Ad Hoc Recommendation, adopted with the votes of 20 members of the Council (at four votes against), the German Ethics Council wants to make a contribution to forming an ethical judgment regarding the option of a possible expansion of the duty to vaccinate. The Council underlines that a statutory mandatory vaccination policy always represents a considerable interference with legally and morally protected goods. Its expansion can therefore only be justified, if it is a means to attenuate or prevent severe negative consequences of possible future waves of the pandemic, like high mortality, long-term health impairments of significant parts of the population or an impending collapse of the health system. A mandatory vaccination policy will not be able to break the current fourth wave in the short-term. Nor can a mandatory vaccination policy be a panacea against the pandemic. It may only be considered as part of a comprehensive, evidence-based, nuanced and foresighted overall strategy against the pandemic.

Any expansion of the mandatory vaccination policy must be accompanied by a range of measures, like a nationwide infrastructure with a large number of low-threshold vaccination offers and sufficient amounts of vaccine. It is recommended to send invitations directly to everybody who is obliged to get vaccinated, to set up a secure national vaccination register and to ensure continuous evaluation and concomitant research. A mandatory vaccination policy must be combined with information that is target group specific, culturally sensitive, multilingual and easily understandable, and that should also be disseminated via social media. Political actors and state authorities should deliberately work towards avoiding frontlines between vaccinated and non-vaccinated people. Enforcement of a mandatory vaccination policy by use of physical violence (“forced vaccination”) must be ruled out.

As for the specific design of an expanded mandatory vaccination policy, opinions among the members of the Ethics Council differ. Seven members

Members

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Prof. Dr. rer. nat. Susanne Schreiber (Vice-Chair)

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hold the view that an expansion of the mandatory vaccination policy should be limited to adults who are particularly vulnerable with regard to Covid-19 (e.g. the elderly and people with pre-existing medical conditions). They consider a risk-stratified approach as a milder and therefore more proportionate means to avoid an overload of the public health system, and of the intensive care units in particular. 13 members of the Ethics Council are in favour of an expansion to all adults living in Germany who can be vaccinated. They assume that this is necessary in order to achieve the goal of a sustainable, lastingly viable and fair containment of the pandemic.

The text of the Ad Hoc Recommendation can be accessed (in German) on the Ethics Council's website at <https://www.ethikrat.org/fileadmin/Publikationen/Ad-hoc-Empfehlungen/deutsch/ad-hoc-empfehlung-allgemeine-impfpflicht.pdf>. An English translation will be available in due course.

Please address any media inquiries to Ulrike Florian, florian@ethikrat.org.

The title of the Ad Hoc Recommendation initially given in this press release has been subsequently changed to: "Ethical Orientation on the Issue of General Mandatory Vaccination" (previous version of the title: "Ethical Orientation on the Issue of a General Statutory Duty to Vaccinate") [2022-02-28].