

# The Spanish Basque Court Revolts and Suspends the Health Pass for Violation of Rights

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November 23, 2021

**The Higher Court of Justice of the Basque Country (TSJPB) suspended, on November 22, the use of the Health Pass imposed by the autonomous government. Court mentions threat to citizens' freedom**

If there are courts in the Western world which have distinguished themselves by their courage to stand up to their state during this Coronavirus pandemic, it is the Spanish regional courts which have continued to reject health measures en masse. dictated by the autonomous governments under the blessing of the central government of Madrid.

Moreover, very recently, the Constitutional Court invalidated the state of health emergency decreed in this country in March 2020 and demanded from the central state based in Madrid to reimburse all fines collected during this period. And the revolt of the courts is far from knowing its epilogue because this November 22, it is in the Basque Country that the Sanitary Pass was attacked.

**“Justice denounces an attack on the fundamental**

## **freedoms of citizens”**

At least this is the information that *Lecourrier-du-soir.com* obtained this Monday from several reliable sources such as the media [ElPeriodico.com](#) . According to this source, the Superior Court of Justice of the Basque Country (TSJPB) suspended the decision of the Basque regional government which required the Health Pass to have access to nightclubs and restaurants with more than 50 seats.

The information was confirmed by the media, [EL Pais](#) . According to this source, which says it has consulted the decision of the Court, the Basque justice refused to endorse such a measure, arguing that it would violate the fundamental rights of a fringe of the population vaccinated with two doses.

## **“Unsuccessful by justice, the Basque government capitulates”**

According to the court, imposing the Sanitary Pass in a discriminatory manner cannot be justified, especially since the authorities themselves defend the idea that the contagion effects in vaccinated people are not very important. Still according to the court, this measure lacks consistency given that the autonomous government does not impose the Sanitary Pass on employees of leisure and catering facilities.

The carrots appear to be cooked for the autonomous government of the Spanish Basque Country which, according to information provided by the media [Diario Vasco](#) , has decided not to appeal. “The Basque government will not prosecute this case and will not appeal to this decision of the Tribunal,” the Basque government informed in a statement.

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