



The Vegan Society Response COVID-Status Certification Review

Question 1

Which of the following best describes the capacity in which you are responding to this call for evidence?

I am a: f) Charity or social enterprise

Question 2

In your view, what are the key considerations, including opportunities and risks, associated with a potential COVID-status certification scheme? We would welcome specific reference to:

a) clinical / medical considerations

No comment.

b) legal considerations

If the UK Parliament and/or Government decide to implement a COVID-status certification scheme, then appropriate provisions need to be in place to ensure that there is no unlawful contravention of Human Rights and Equality laws and principles.

The 1948 Universal Declaration of Human Rights Article 29(2) sets out that the law can limit a vegan's right to exercise rights and freedoms only if, in exercising their rights, vegans do not recognise or respect the rights and freedoms of others; or if in pursuing their vegan rights, vegans compromise society's moral code, public order or the aims of a democratic society. These provisions are enacted in UK law in the Human Rights Act 1998.

Public authorities also must not act in ways which contravenes the rights granted by the European Convention on Human Rights. Also, it has been established in court that veganism does meet the criteria to be a protected¹ philosophical belief under The Equality Act 2010.

To the best of our knowledge, it is not currently possible and practicable for individuals to choose to receive a COVID19 vaccination which is suitable for vegans. This is because even those vaccines which are free from animal-derived ingredients, have still been subjected to testing upon animals. Also, it is not practicable for most people to freely choose which COVID19 vaccine to receive. Moreover, the lateral flow testing method is, again to the best of our knowledge, not suitable for vegans due to animal use in the monoclonal antibody technology.

¹ Written judgement concluding veganism as a protected belief, 2020 <https://www.vegansociety.com/whats-new/news/written-judgement-concluding-veganism-protected-belief>



Therefore, all consideration of COVID-status certification must pay due regard to the rights of vegans to refuse COVID19 vaccination and testing, on the grounds that the tests and vaccines offered are not suitable for vegans. Ultimately, the courts would decide if any specific COVID-status certification process, and the ways in which such certification is applied in practice to vegans (and others) is a proportional means of achieving a legitimate aim.

c) operational / delivery considerations

To the best of our knowledge, it is not currently possible and practicable for individuals to choose to receive a COVID19 vaccination which is suitable for vegans. This is because even those vaccines which are free from animal-derived ingredients, have still been subjected to testing upon animals. Also, it is not practicable for most people to freely choose which COVID19 vaccine to receive. Moreover, the lateral flow testing method is, again to the best of our knowledge, not suitable for vegans due to animal use in the monoclonal antibody technology.

Therefore, the operation and delivery of any COVID-status certification must pay due regard to the rights of vegans to refuse COVID19 vaccination and testing, on the grounds that the tests and vaccines offered are not suitable for vegans. Ultimately, the courts would decide if any specific COVID-status certification process, and the ways in which such certification is applied in practice to vegans (and others) is a proportional means of achieving a legitimate aim.

d) considerations relating to the operation of venues that could use a potential COVID-status certification scheme

Such venues will need to give due regard to the legitimate reasons why people may choose to refuse COVID19 vaccination and testing, for example on the grounds that the tests and vaccines offered are not suitable for vegans.

e) considerations relating to the responsibilities or actions of employers under a potential COVID-status certification scheme

Employers will need to give due regard to the legitimate reasons why people may choose to refuse COVID19 vaccination and testing, for example on the grounds that the tests and vaccines offered are not suitable for vegans.

f) ethical considerations

Bodily autonomy, and the right to give or withhold informed consent to medical and invasive procedures such as vaccination, are fundamental ethical principles in a democratic society. Ultimately, the courts would decide if any specific COVID-status certification process, and the ways in which such certification is applied in practice to vegans (and others) is a proportional means of achieving a legitimate aim under Human Rights and Equalities guidelines, laws and treaties.

g) equalities considerations



A number of protected characteristics, including disability, pregnancy status, race, religion and belief give rise to legitimate reasons for people to refuse vaccination. In particular, the protected² philosophical belief of veganism involves avoiding any use of non-human animals for any human purpose as far as is possible and practicable for a given vegan person.

The 1948 Universal Declaration of Human Rights Article 29(2) sets out that the law can limit a vegan's right to exercise rights and freedoms only if, in exercising their rights, vegans do not recognise or respect the rights and freedoms of others; or if in pursuing their vegan rights, vegans compromise society's moral code, public order or the aims of a democratic society. These provisions are enacted in UK law in the Human Rights Act 1998.

Public authorities also must not act in ways which contravenes the rights granted by the European Convention on Human Rights. Also, it has been established in court that veganism does meet the criteria to be a protected philosophical belief under The Equality Act 2010.

h) privacy considerations

The operation and delivery of any COVID-status certification must pay due regard to the rights to privacy of people with relevant protected characteristics. This includes the right of vegans to refuse COVID19 vaccination and testing, on the grounds that the tests and vaccines offered are not suitable for vegans. A vegan may choose in a given circumstance to exercise their right to privacy about their vegan beliefs, and this should not be infringed upon e.g. in being forced to disclose vegan status due to COVID-status certification policies, procedures and practices. Ultimately, the courts would decide if any specific COVID-status certification process, and the ways in which such certification is applied in practice to vegans (and others) is a proportional means of achieving a legitimate aim.

Question 3

Are there any other comments you would like to make to inform the COVID-status certification review?

We believe that there are many issues relating to well-established ethical, legal, human rights and equalities principles, laws and treaties raised by COVID-status certification proposals. Ultimately, the courts would decide if any specific COVID-status certification process, and the ways in which such certification is applied in practice to vegans (and others) is a proportional means of achieving a legitimate aim.

² Written judgement concluding veganism as a protected belief, 2020 <https://www.vegansociety.com/whats-new/news/written-judgement-concluding-veganism-protected-belief>