

Monday, 13 December 2021

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Court declares use of Covid Safe Ticket in Wallonia illegal

Wednesday, 1 December 2021



Protest against the CST in Brussels. Credit: Belga

A court has ruled that the use of the Covid Safe Ticket (CST) in Wallonia is illegal and has ordered the region to pay a penalty of €5,000 per day as long as it does not stop enforcing its use.

The judgement was made by Namur's Court of First Instance, ruling in favour of the non-profit organisation 'Notre bon droit' (NBD), which is also active in France and Québec in Canada, regarding its summary proceedings against the use of the health pass in the region.

"The court has ruled in our favour by conceding that the CST does not respect the principle of proportionality," the organisation's founder Isabelle Duchateau **said in a video announcement.**

As part of its judgement, the court said the freedom-restricting measure seems to be disproportionate to the objectives pursued. It added that the

CST may also be in breach of European law.

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The Walloon Region must now take measures to rectify the situation until a judgement is made on the benefits of the CST. One week after the notification of the court's decision, a penalty of €5,000 per day is imposed on the region, which must also pay the legal costs of NBD.

CST continues to apply

The Walloon Government has reacted to the court's decision, saying that it "does not annul the Walloon decree. The CST remains applicable in Wallonia." It added that it would be appealing the decision on Wednesday morning.

For several months now, NBD has been fighting against the introduction of the CST, which proves that an individual has been fully vaccinated, recently tested negative or recovered from the virus in the past six months and is needed to gain access to bars, restaurants and gyms across Wallonia since 1 November, the same day it became **mandatory across the whole of Belgium.**

The organisation had previously obtained a provisional suspension of the use of CSTs to regulate access to the European Parliament, although this only applied to people who had lodged an objection with the General Court of the European Union.

NBD has also brought an action for a short-term annulment of the measure before the Brussels Court of

First Instance, where a hearing will be held on 8 December 2021.

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