

CORONAVIRUS

Pentagon drops Covid-19 vaccination mandate for troops

Defense Secretary Lloyd Austin's memo has been widely expected since legislation to end the mandate was signed into law Dec. 23.



— A Preventive Medicine Services NCOIC sergeant administers a Covid-19 vaccine to a soldier at Fort Knox, Ky., on Sept. 9, 2021. Jon Cherry / Getty Images file



Jan. 11, 2023, 6:01 AM CET / Source: Associated Press

By The Associated Press

WASHINGTON – The Pentagon formally dropped its Covid-19 vaccination mandate Tuesday, but a new memo signed by Defense Secretary Lloyd Austin also gives commanders some discretion in how or whether to deploy troops who are not vaccinated.

Austin's memo has been widely anticipated ever since legislation signed into law on Dec. 23 gave him 30 days to rescind the mandate. The Defense Department had already stopped all related personnel actions, such as discharging troops who refused the shot.

"The Department will continue to promote and encourage Covid-19 vaccination for all service members," Austin said in the memo. "Vaccination enhances operational readiness and protects the force."

Austin said that commanders have the authority to maintain unit readiness and a healthy force. He added, however, that other department policies – including mandates for other vaccines – remain in place. That includes, he said, "the ability of commanders to consider, as appropriate, the individual immunization status of personnel in making deployment, assignment, and other operational decisions, including when vaccination is required for travel to, or entry into, a foreign nation."

The contentious political issue, which has divided America, forced more than 8,400 service members out of the military for refusing to obey a lawful order when they declined to get the vaccine. Thousands of others sought religious and medical exemptions. Austin's memo ends those exemption requests.

Austin, who instituted the mandate in August 2021 after the Pfizer vaccine was approved by the Food and Drug Administration and as the coronavirus pandemic raged, was staunch in his desire to maintain it insisting the vaccine was necessary to protect the health of the force. He and other defense leaders argued that for decades troops, particularly those deployed overseas, had been required to get as many as 17 different vaccines. No other vaccine mandates were affected by the new law.

But Congress agreed to rescind the mandate, with opponents reluctantly saying that perhaps it had already succeeded in getting the bulk of the force vaccinated. Roughly 99% of active-duty troops in the Navy, Air Force and Marine Corps had gotten the vaccine, and 98% of the Army. The Guard and Reserve rates are lower, but generally are more than 90%.

Austin's memo was unapologetic in his continued support for the vaccine, and his belief that the mandate kept the force healthy and able to protect America. The Pentagon's vaccine efforts, he said, "will leave a lasting legacy in the many lives we saved, the world-class force we have been able to field, and the high level of readiness we have maintained, amidst difficult public health conditions."

In addition to ending efforts to discharge troops who refuse the vaccine, Austin's memo says that those who sought exemptions and were denied will have their records updated and any letters of reprimand will be removed.

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Those who were discharged for refusing to obey a lawful order to take the vaccine received either an honorable discharge or a general discharge under honorable conditions. Austin's memo says that anyone who was discharged can petition their military service to request a change in the "characterization of their discharge" in their personnel records. It does not, however, say what possible corrections could be awarded.

Austin's decision leaves some discretion to commanders, allowing them to decide whether they can require vaccines in some circumstances, such as certain deployments overseas.

Military officials vividly recall the overwhelming crisis of the USS Theodore Roosevelt, the Navy aircraft carrier that was knocked out of duty and sidelined in Guam for 10 weeks in early 2020 as the emerging virus swept through the ship. More than 1,000 crew members eventually became infected, and one sailor died.

Military leaders worry that if troops begin to refuse the vaccine in large numbers, similar outbreaks could occur. The risk is particularly high on small ships or submarines where service members are jammed into close quarters for weeks or months at a time, or on critical combat missions, such as those involving special operations forces that deploy in small teams.

According to data compiled by the military as of early December, the Marine Corps leads the services with 3,717 Marines discharged. There have been 2,041 discharged from the Navy, 1,841 from the Army and 834 from the Air Force. The Air Force data includes the Space Force.

What's not clear is if the services, who are facing recruiting challenges, will want – or be able to – allow any of those service members to return to duty, if they still meet all necessary fitness and other requirements.

Lawmakers argued that ending the mandate would help with recruiting. Defense officials have pushed back by saying that while it may help a bit, a department survey during the first nine months of last year found that a large majority said the mandate did not change the likelihood they would consider enlisting.

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SAIN ARU

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news

Court: Dismissal of officers refusing vaccine was unlawful



Tallinn Administrative Court. Source: Ken Mürk/ERR

NEWS

ERR

02.09.2022 11:01

Tallinn Administrative Court on Wednesday issued rulings on two administrative matters in which it declared the dismissal of officers who had refused to vaccinate against COVID-19 from service unlawful.

The court agreed with the plaintiffs' position that the Estonian Defense Forces (EDF) has implemented a vaccine requirement that cannot be considered lawful, announced the law center of the NGO Foundation for the Protection of Family and Tradition (SAPTK), which represented the officers.

The court found that the imposed vaccination requirement as a restriction of fundamental rights was neither purposeful, appropriate nor reasonable. The court found that by tying compliance with the requirement to vaccinate to the preservation of one's position, the EDF effectively implemented compulsory vaccination.

With an order issued last August 31, Commander of the EDF Lt. Gen. Martin Herem implemented a requirement that all members of the EDF be vaccinated.

Judge Andreas Paukštys said that in a situation where it is already known that people have died or experienced serious side effects (personal injury), such compulsory vaccination is not justified, and that measures to prevent the spread of the virus focused exclusively on vaccination cannot be necessary or reasonable.

In assessing the vaccination requirements imposed by the EDF, the court stressed that measures aimed solely and exclusively at vaccination, which is tied to the consequence of dismissal from service if not implemented, clearly refer to the fact that vaccination itself, not the prevention of the spread of the virus, is the objective.

"The court is of the opinion that vaccination and the related dismissal of unvaccinated individuals from service cannot be a legitimate goal of the infringement of fundamental rights," the administrative court explained. "This is a measure to ensure occupational health and safety and a restriction infringing on fundamental rights. The court stresses that restrictions infringing on fundamental rights cannot be implemented for restriction's sake. Likewise the goal of implemented restrictions cannot be tied to the absence thereof. It is for this reason that the goals of the disputed requirement are not legitimate, and thus it already follows here that restrictions aimed at such a goal cannot be proportional."

The court also noted that required vaccination (i.e. making continuing service dependent on vaccination) cannot be implemented for each individual employee or service member via risk assessment.

"Despite the vaccination requirement included in the risk assessment, dismissal from service as a more extreme option must be assessed on an individual basis for each service member," it said, adding that compulsory release from service is in itself a serious consequence for a EDF service member, infringing on their constitutional right to their freedom of profession.

According to the court, the EDF has not proven that the restrictions imposed have an immediate link with a reduction in infections and severe illness in their collective.

The court also highlighted that while the EDF justified the implementation of the vaccination requirement on grounds of ensuring Estonia's national defense capability, such a justification is not actually convincing. The court is of the opinion that not a single discernible justification or consideration exists that would allow one to conclude that dismissing unvaccinated service members from service would truly help maintain Estonia's national defense capability.

The administrative court also noted that the implementation of its vaccine requirement may not have restricted the spread of COVID-19 in the EDF but rather encouraged it, as in connection with the vaccine requirement, the EDF abandoned the implementation of other measures for limiting the spread of the virus, such as regular COVID testing.

The EDF has until the end of September to appeal the administrative court's rulings.

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Editor: Aili Vahtla

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<https://www.usnews.com/news/health-news/articles/2022-02-08/poland-puts-off-mandatory-jabs-for-teachers-police-army>

Poland Puts off Mandatory Jobs for Teachers, Police, Army

Poland's Health Ministry says that the March 1 deadline of full vaccination for teachers and so-called uniformed services is being pushed back indefinitely because it cannot be met.

By Associated Press, Feb. 8, 2022, at 5:27 a.m.

WARSAW, Poland (AP) — Poland's Health Ministry said Tuesday that the March 1 deadline for full vaccination of teachers and so-called uniformed services is being pushed back indefinitely because it cannot be met.

Last year the government said teachers, medics, police, armed forces and the firefighters need to be inoculated by March 1 if they want to perform their jobs.

But Health Ministry spokesman Wojciech Andrusiewicz said the deadline cannot be kept under the current pace of vaccination and the requirement remains in force only for medical staff.

Poland is going through the pandemic's fifth wave, with almost 36,000 new cases and almost 290 COVID-19-related deaths reported Tuesday. Some 57% of the population of 38 million is fully immunized.

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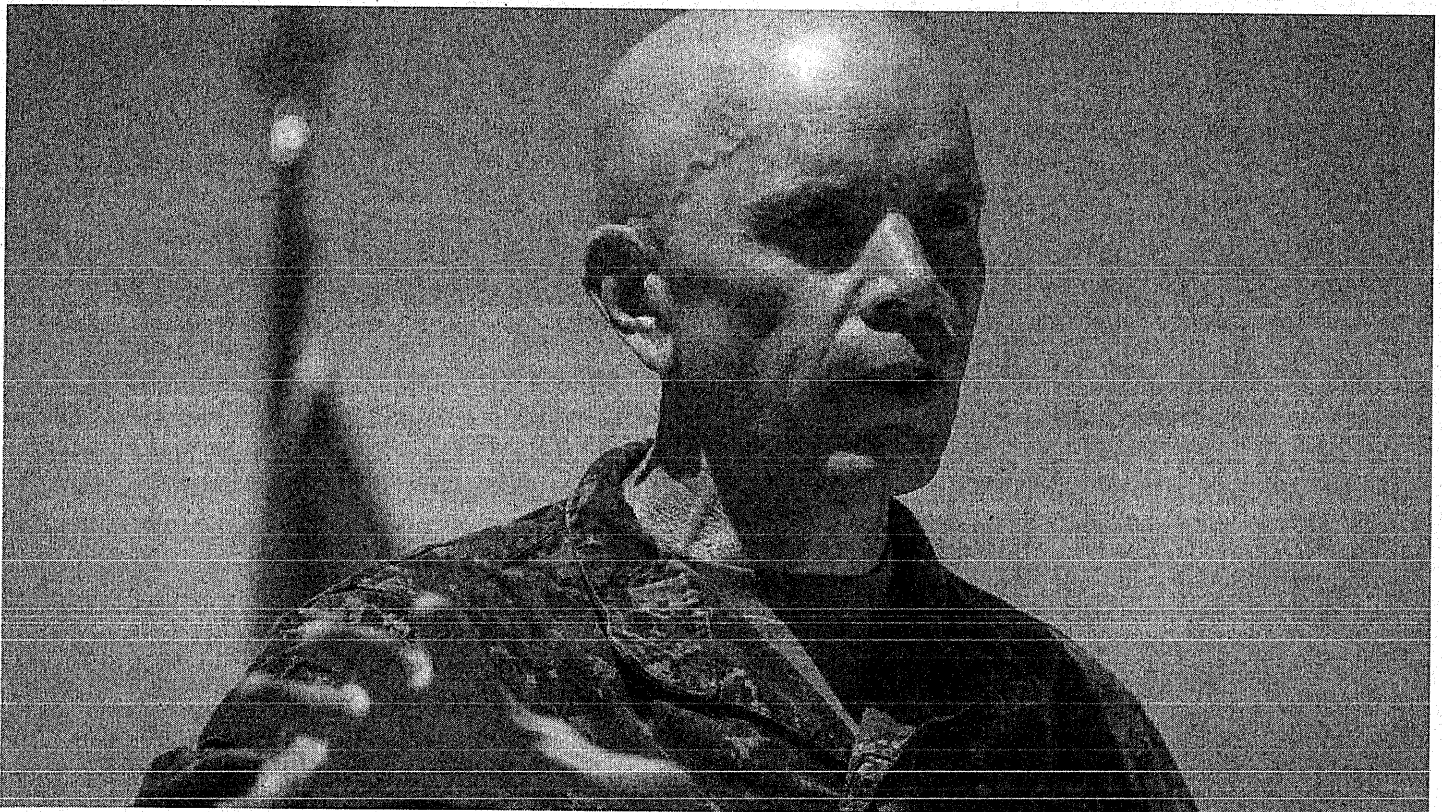
Politics

Military eases vaccine mandate, presses ahead with discipline for unvaccinated troops

Dozens of unvaccinated troops will be expelled from military, top soldier says

Lee Berthiaume · The Canadian Press ·

Posted: Oct 14, 2022 10:23 AM EDT | Last Updated: October 14, 2022



Chief of the Defence Staff, General Wayne Eyre, speaks during a military announcement in Trenton, Ont., in June. Eyre said in an interview with The Canadian Press that a refusal by some troops to get their shots 'raises questions about your suitability to serve in uniform.' (Lars Hagberg/The Canadian Press)

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The Canadian Armed Forces plans to press ahead with the forced expulsion of dozens of unvaccinated troops despite a new order from defence chief Gen. Wayne Eyre on Friday ending the military's blanket COVID-19 vaccine requirement.

In an interview with The Canadian Press, Eyre said that is because service members are expected to follow legal orders — and that a refusal by some troops to get their shots "raises questions about your suitability to serve in uniform."

"It's dangerous in the military to have legal orders disobeyed," he said. "It's a very slippery slope."

The comments came as Eyre released a highly anticipated new vaccine policy that effectively suspends his previous requirement for all Armed Forces members to be fully vaccinated or face disciplinary action.

- **Military personnel shortage will get worse before it gets better, top soldier says**
- **Facing foreign conflicts, domestic disasters, Canada's top soldier worries about readiness**

Vaccines will no longer be required for all those serving in uniform, including as a prerequisite for joining the military, but will instead be based on the roles and responsibilities of individual service members.

The defence chief's new order includes a list of those who will still need two doses of a Health Canada-approved vaccine, with an emphasis on quick-response units such as special forces and the disaster assistance response team.

There are also requirements based on deployments alongside specific allies or organizations, including those working with NATO or the United Nations, as well as all sailors on warships operating overseas.

"We've got to remember that a ship out in the middle of the ocean doesn't have access to intensive medical care," Eyre said, adding that some allies such as the United States and Japan require military members to have vaccines.



Members of the Canadian Armed Forces march at a parade in Calgary on July 8, 2016. Under the CAF's new policy, vaccines will no longer be required for all those serving in uniform, including as a prerequisite for joining the military, but will instead be based on the roles and responsibilities of individual service members. (Jeff McIntosh/The Canadian Press)

Describing his order as an "interim policy," Eyre said he has ordered a review of the military's overall approach to vaccinations. At the same time, he reserved the right to implement it again should the pandemic take another turn.

"The medical advice is continuing to evolve," he said. "What is the bare minimum that's required to protect the force, to protect operational output, while at the same time respecting the individual decisions that members want to make."

The new policy follows months of pressure and questions about the military's vaccine mandate as a condition of employment, particularly after most other federal mandates were suspended.

The end of a vaccination requirement for international travellers prompted Conservative Leader Pierre Poilievre last month to call for an end to what he described as the military's "discriminatory and unscientific vaccine mandate."

Hundreds of unvaccinated soldiers already out of military

While the vast majority of service members bared their arms for shots, with 96 per cent having attested to being fully vaccinated, briefing notes prepared for Defence Minister Anita Anand in June revealed that more than 1,100 had not.

The Defence Department says about 300 service members have been told to hang up their uniforms, while another 100 have left voluntarily. Disciplinary proceedings, including warnings and marks on personal files, have been doled out to hundreds more.

A number of serving members have unsuccessfully challenged the mandate in court, while some groups and individuals opposed to vaccine mandates, pandemic lockdowns and the Liberal government used the requirement as a rallying point.

The Defence Department first reported that the mandate was being re-examined in June, and a draft copy of a revised vaccine policy obtained by the Ottawa Citizen in July suggested vaccine requirements for military personnel would be lifted.

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The draft document, which officials said was not approved by Eyre, noted potential legal difficulties ahead to deal with people who were kicked out of the military because of the vaccine mandate, suggesting they could be forced to apply for re-enrolment.

The defence chief would not commit to any specific eligibility for re-enrolment, saying only that he would consider such requests on a case-by-case basis.

Eyre also defended the fact the military is among the last to drop its blanket requirement, noting it was among the first to take dramatic steps such as suspending non-essential activities at the start of the pandemic to protect the force should it be required in an emergency.

"So it would be the same on the far end as well," he said. "We would hold onto those measures a little bit longer."

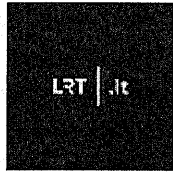
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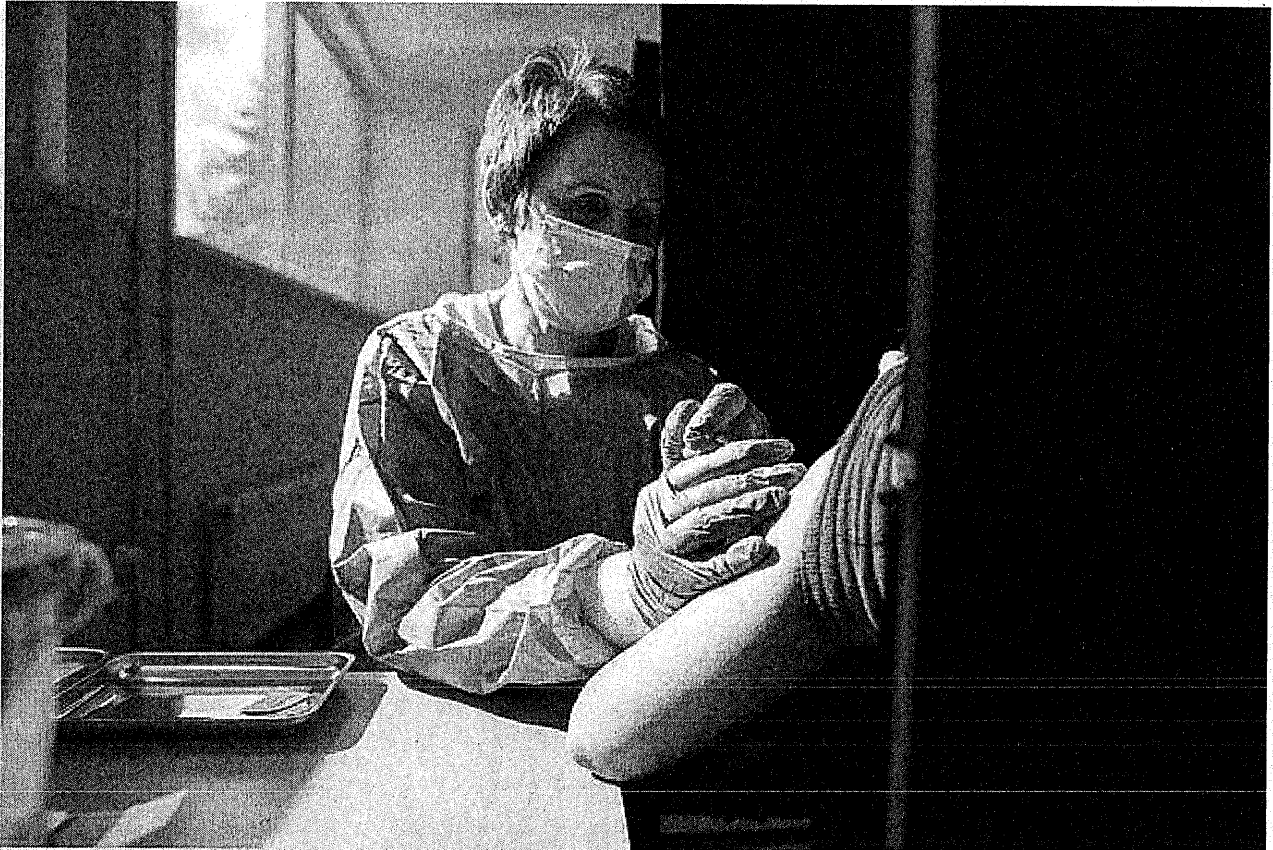
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<https://www.lrt.lt/en/news-in-english/19/1514325/lithuania-decides-against-mandatory-vaccination-for-select-professions>



LRT.lt2021.10.06 15:22



Vaccination / D. Umbrasas/LRT

On Wednesday, the Lithuanian government decided against introducing mandatory vaccination for select professions. However, under the cabinet's proposal, the state would no longer pay for coronavirus tests of workers who do not want to get the jab.

If the Seimas passes the amendments proposed by the cabinet, they will take effect on December 1, giving the unvaccinated enough time to get fully

inoculated.

The state would then only subsidise the testing of workers who cannot get vaccinated for medical reasons.

The rules would stay into effect as long as there are sufficient amounts of vaccines available to the public. The country currently has over 1.2 million Covid-19 vaccine doses in stock.

The government has not outlined which workers would have needed a mandatory vaccine, saying that a list would be approved by the appropriate institutions.

"The government has the authority to approve a list of jobs and activities in which unvaccinated workers and those who have not had the infection are allowed to work if they get tested regularly," Health Minister Arunas Dulkys told the cabinet.

"Currently, this testing is financed by the budget. [...] From now on, health checks for [Covid-19] should be paid for by the employee or by the employer if the employer decides so," he added.

According to the Baltic News Service, Prime Minister Ingrida Šimonytė told reporters that while taxpayer-funded testing of unvaccinated people was understandable when the country did not have enough vaccines, it is "hardly justifiable" now when jobs are freely available.

Testing of unvaccinated workers currently "costs taxpayers millions of euros and can only be justified when there are no alternative means of managing the pandemic, that is, the vaccines", she said.

