



Requests for interim measures from 672 members of the French fire service concerning the Law on the management of the public health crisis fall outside the scope of Rule 39 of the Rules of Court

On 24 August 2021 the European Court of Human Rights, sitting as a seven-judge Chamber, decided to reject the requests for interim measures submitted by members of the French fire service following the entry into force of Law no. 2021-1040 of 5 August 2021 on the management of the public health crisis. The Court considered that those requests lay outside the scope of Rule 39 of the Rules of Court (Interim measures).

The Court received the requests on 19 August 2021 from 672 full-time and voluntary members of the *Services départementaux d'incendie et de secours de France* (SDIS – French Departmental Fire and Emergency Services) and members working in hospitals. The requests have been registered under application number 41950/21 (**Abgrall and 671 Others v. France**).

Emphasising the urgency of the matter and relying on Articles 2 (right to life) and 8 (right to respect for private and family life) of the European Convention on Human Rights, they requested that the Court:

- as their main submission, “suspend the requirement to be vaccinated as set out in section 12 of the Law of 5 August 2021”.

- in the alternative, to “suspend the provisions prohibiting persons who have failed to comply with the requirement to be vaccinated from exercising their occupation”, and to “suspend the provisions interrupting the payment of salaries to persons who have failed to comply with the requirement to be vaccinated, as laid down in section 12 of the Law of 5 August 2021”.

The Court reiterates that measures under Rule 39 of the [Rules of Court](#) are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case. The Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm. For further information, see [the factsheet on interim measures](#).

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Press contacts

echrpess@echr.coe.int | tel: +33 3 90 21 42 08

Inci Ertekin (tel : + 33 3 90 21 55 30)

Tracey Turner-Tretz (tel : + 33 3 88 41 35 30)

Denis Lambert (tel : + 33 3 90 21 41 09)

Neil Connolly (tel : + 33 3 90 21 48 05)

Jane Swift (tel : + 33 3 88 41 29 04)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.