

## LIBERUM PRESS RELEASE

Today, August 01, an **APPEAL OF CASSATION** has been filed in the **SUPREME COURT** against the judgment of the Covid-19 Passport of the **Autonomous City of Melilla**.

As you will remember, some **CCAA and Autonomous** Cities were immersed in a maelstrom of restriction of fundamental rights never seen in democracy. The case of Melilla was no exception, imposing a Covid-19 Passport, which we have shown is the **APPROPRIATE MECHANISM FOR THE CORRECT SPREAD OF THE SARS COV-2 VIRUS**, granting a "**SAFEGUARD**" to those "**VACCINATED citizens**", when the reality is that the Passport was and will be the vehicle for the forced vaccination of the population under the motto, "**EITHER YOU GET VACCINATED OR YOU WILL NOT HAVE FREEDOM.**"

It is worth making a subsection;

In **JUDGMENT No. 2698/2022**, the **SUPERIOR COURT OF JUSTICE OF ANDALUSIA, CONTENCIOS-ADMINISTRATIVE CHAMBER OF MÁLAGA**, openly recognizes that the decision of the government of Melilla is a "slight" interference in the restriction of the **DDFF**, and whether it is "slight or strong", it is still a restriction that the **Autonomous Communities** or in this case an **Autonomous City**, as the Supreme Court made clear in its Judgment 70/2022, of June 2, 2022. Question of unconstitutionality 6283-2020, do not have powers.

In the response to the appeal by the Government of Melilla, he speaks openly about the Report of the presentation on health alerts, of the Interterritorial Council. In which we have to remember several of the negative points that this report talks about, and we copy verbatim:

**Aspects against:**

There is no evidence that this measure has an effect in reducing the transmission of **SARS-CoV-2**. In the European countries where it is being used, the cases are increasing significantly, although it is true that their vaccination coverage is much lower than that of Spain. It is foreseeable that the effect in Spain, with higher coverage, will be even smaller. It would also be difficult to make this measure effective.

It does not really reflect the immune status. It equates being vaccinated with being immunized and this does not fit reality. Vaccination prevents severe forms of the disease in a very important way (90 to 99% against hospitalization, 90 to 95% against mortality),

but the effectiveness to prevent infection and forms of mild disease is much lower, about 60%. We know that approximately 40% of those vaccinated are susceptible to becoming infected and transmitting the infection. For all these reasons, its usefulness in preventing transmission would be very limited and could even have a negative impact if prevention measures were relaxed. *Public Health England. SARS-COV-2 variants of concern and variants under investigation in England. Technical briefing 23. 17 September 2021 Interterritorial Council NATIONAL HEALTH SYSTEM.*

There is a clear risk that its use may lead to the relaxation of prevention measures indoors (especially a decrease in the use of the mask) as these people feel more protected by being in an environment in which the certificate has been required (vaccination, history of infection in the previous 180 days or negative PDIA in the last 48 hours). It has also been seen in vaccine effectiveness studies that, when the index case and its contacts are vaccinated, there are more infections due to a greater relaxation of measures than if the contacts are not vaccinated.

The sentence of the **TSJ of Andalusia in its Malaga** court also contains several statements that are an insult, among them that thanks to the vaccinated, the unvaccinated benefit, who are weighing down the solution to the pandemic. And, that the unvaccinated deserve the passport because of their lack of solidarity (in other words), in addition to the fact that they see legitimate use of the passport as pressure for those who are reluctant to get vaccinated. All nonsense.

Likewise, in the sentence of the TSJ of Asturias, it clearly states that, "If in that case it affected privacy and freedom of movement, in the present case it is no different because it discriminates between vaccinated and unvaccinated people; on the contrary, establishing this differentiation, however adjusted it may be to the majority scientific current, does not stop being a limitation to the rights of unvaccinated people that in no way could be introduced in the way intended by the Administration".

The **LIBERUM LEGAL TEAM**, again led by **Alexis Aneas**, has filed the second **CASSATION APPEAL** since we started filing multiple contentious-administrative appeals against the savage restrictions on the **Fundamental Rights** of citizens.

We already warned that the **Association** would go to the last judicial instance in defense of the most precious thing we have, **FREEDOM**, so we will do it and we will continue to do it in all those autonomies that savagely limited the **Fundamental Rights** of citizens.

**OVERCOME!!**  
**WE ARE THE RESISTANCE!!**  
**LONG LIVE FREEDOM!!**