

T- 365 de 2017 The case of vaccines against human papilloma

The Court reviewed the case of a 15-year-old girl who after three doses of the human papilloma vaccine, began to feel sick. His mother asked the constitutional judge for the suspension of the aforementioned vaccine.

The Court considered that the vaccine against human papilloma virus can not be considered mandatory in Colombia, because the State can not make decisions about the body of its citizens. If it does, it is against human dignity, because any medical procedure must be the patient's ability to accept or reject it.

The vaccine will not be suspended for the following reasons: (i) it is aimed at preventing cervical cancer as a valid public policy executed by the National Government; (ii) its application represents benefits for Colombian women by avoiding the impairment of their health; (iii) the main international and national organizations that serve as reference approve the safety, quality and efficiency of administration of the HPV vaccine; (iv) in the specific case, it was not possible to demonstrate -with a degree of scientific certainty- that the application of the vaccine is the cause of the diseases suffered by the minor; and (v) the suspension of the vaccine is inadmissible in a trial that only produces effects for the parties and that, as a general rule, is not called upon to affect the generality of the population.