Digital Green Certificate - Union citizens

2021/0068(COD) - 17/03/2021 - Legislative proposal

PURPOSE: to establish a common framework for the issuance, verification and acceptance of interoperable certificates on vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic (Digital Green Certificate).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in order to limit the spread of the virus, Member States have adopted various measures, some of which have had an impact on travel to and within the territory of the Member States, such as the requirement to undergo quarantine or self-containment or to be tested for SARS-CoV-2 infection prior to and/or after arrival.

To ensure a well-coordinated, predictable and transparent approach to the adoption of restrictions on freedom of movement, the Council adopted, on 13 October 2020, Council Recommendation (EU) 2020 /1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.

Many Member States have launched or plan to launch initiatives to issue vaccination certificates. However, for these to be used effectively in a cross-border context when citizens exercise their free movement rights, such certificates need to be fully interoperable, secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles and technical standards of such certificates.

In their declaration adopted following the informal video conferences on 25-26 February 2021, the members of the European Council called for further work on a common approach to vaccination certificates.

The Commission is working with Member States in the e-Health network, a voluntary network of national e-Health authorities, to prepare for the interoperability of these certificates. Work is also underway to develop a common harmonised data set for COVID-19 test result certificates.

CONTENT: based on the technical work done so far, the proposed Regulation establishes the digital green certificate, which is a framework for the issuance, verification and acceptance of interoperable health certificates to facilitate free movement during the COVID-19 pandemic.

Digital green certificate

The interoperable digital green certificate should allow for the issuance, cross-border verification and acceptance of any of the following certificates: (i) vaccination certificates, (ii) certificates for screening tests (NAAT/RT-PCR or rapid antigen test) and (iii) certificates for persons who have recovered from COVID-19.

Member States should issue the certificates in a digital and/or paper-based format. Certificates issued by Member States should contain an interoperable barcode to verify the authenticity, validity and integrity of the certificate. The certificates should be available free of charge and in the official language(s) of the issuing Member State as well as in English.

Trust framework

The Commission and the Member States should establish a digital trust framework infrastructure allowing for the secure issuance and verification of certificates and ensuring, as far as possible, interoperability with internationally established technology systems.

The proposal also provides for the acceptance of secure and verifiable certificates issued by third countries to EU citizens and their family members according to an international standard that is interoperable with the trust framework established by the Regulation and that will contain the necessary personal data, following an implementing decision by the Commission.

Issuance, content and acceptance of certificates

The proposal provides details on the issuance, content and acceptance of the vaccination certificate, the test certificate and the certificate of recovery.

The certificates would include a limited set of essential information such as name, date of birth, date of issue, relevant information on the vaccine administered/tested/recovery and a unique certificate identifier.

The digital green certificate would be valid in all EU Member States and open to Iceland, Liechtenstein, Norway and Switzerland.

The possession of a ‘digital green certificate’, in particular a vaccination certificate, should not be a precondition for the exercise of free movement. In particular, the proposed Regulation cannot be interpreted as establishing an obligation or right to be vaccinated.

Notification

The proposal establishes a notification procedure to ensure that the other Member States and the Commission are informed of the restrictions on the right to free movement made necessary by the pandemic.

Data protection

The certificates should contain only such personal data as is necessary. Given that the personal data includes sensitive medical data, a very high level of data protection should be ensured and data minimisation principles should be preserved. In particular, the ‘Digital Green Certificate’ framework should not require the setting up and maintenance of a database at EU level but should allow for the decentralised verification of digitally signed interoperable certificates.

Temporary measure

The proposal foresees that the measures should be suspended once the World Health Organisation (WHO) has declared the end of the COVID-19 international health emergency.