

EU Digital COVID Certificate - Union citizens

2022/0031(COD) - 23/06/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 453 votes to 119, with 19 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2021/953 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic.

Members backed the proposal to extend the EU digital COVID certificate scheme - which expires on 30 June 2022 - by a further year, **until 30 June 2023**.

The European Parliament's first-reading position under the ordinary legislative procedure amends the Commission's proposal as follows:

EU digital COVID certificate

The amended text clarifies that the EU digital COVID certificate framework allows for the issuance, verification and cross-border acceptance of a certificate confirming that, following a positive result of a NAAT test or an antigen detection test included in the EU Common List of Antigen Detection Tests for the diagnosis of COVID-19 approved by the Health Security Committee performed by health professionals or qualified testing personnel, the holder has recovered from SARS-CoV-2 infection (certificate of recovery).

Trust framework

The trust framework should be based on a public key infrastructure and allow for the reliable and secure issuance of certificates and the reliable and secure verification of the authenticity, validity and integrity of these certificates. The trust framework should allow for the detection of fraud, in particular forgery. In addition, it should allow for the exchange of certificate revocation lists containing unique certificate identifiers for revoked certificates. These certificate revocation lists should not contain any other personal data.

Recovery certificates

Member States may also issue, upon request, certificates of recovery following a positive result of an antigen test listed in the EU common list of COVID-19 antigen tests agreed by the Health Security Committee carried out by health professionals or by skilled testing personnel.

Certificates of recovery should be issued at the earliest 11 days after the date on which a person was first subject to a NAAT test or antigen test that produced a positive result. The Commission is empowered to adopt delegated acts to amend the number of days after which a certificate of recovery is to be issued.

Restrictions on free movement and exchange of information

Where Member States accept vaccination certificates, negative test certificates or certificates of recovery, they should **refrain from imposing additional restrictions on free movement**, unless such restrictions are non-discriminatory and necessary and proportionate for the purpose of safeguarding public health, taking into account the latest available scientific evidence and in accordance with the precautionary principle.

Where a Member State imposes additional restrictions on certificate holders, in particular because of a variant of concern or as a result of SARS-CoV-2, it should inform the Commission and the other Member States, if possible 48 hours before the introduction of such new restrictions. Particular attention should be paid to the likely impact of such restrictions on cross-border regions and to the specificities of outermost regions, exclaves and geographically isolated areas. Member States should make clear, complete and timely information available to the public 24 hours before the new restrictions take effect.

Review after six months

By **31 December 2022** at the latest, the Commission should submit a report on the application of the Regulation based on scientific advice from the European Centre for Disease Prevention and Control (ECDC) and the Health Security Committee (HSC).

The report should contain:

- an overview of the information collected on the restrictions on free movement put in place by Member States to limit the spread of SARS-CoV-2;
- a overview describing any developments in the domestic and international use of the certificates;
- any relevant updates on the assessment of the impact of the Regulation on the facilitation of free movement, including on travel and tourism and on the acceptance of different types of vaccine, on fundamental rights and non-discrimination, and on the protection of personal data during the COVID-19 pandemic;
- an **assessment of the appropriateness of the continued use of certificates**, taking into account the latest epidemiological developments and scientific evidence available.

The report may be accompanied by a legislative proposal, including a proposal to **shorten the period of application** of the Regulation, taking into account the evolution of the epidemiological situation with regard to the COVID-19 pandemic and any recommendations of the ECDC and the Health Security Committee to that effect.