

Digital green certificate

On 17 March 2021, the European Commission put forward a proposal for a regulation on a 'digital green certificate' allowing for safe and free movement of EU citizens during the pandemic, and an accompanying proposal covering third-country nationals legally staying or residing in the EU. The certificate would provide proof that the person has been vaccinated, give results of Covid-19 tests and/or information on the acquisition of antibodies. The aim is to help restore free movement of people in the EU. On 25 March 2021, the European Parliament decided to accelerate work on the Commission proposals, using the urgent procedure.

Background

Since the beginning of the coronavirus pandemic, EU Member States have adopted various measures to contain the spread of the virus, some of which have had a significant impact on EU citizens' right to move and reside freely within the EU, such as [restrictions](#) on entry, or requirements to undergo quarantine/self-isolation or a Covid-19 test. These restrictions have also had a dramatic impact on [tourism](#) and [transport](#). So far, the EU has sought to coordinate Member States' actions in the area of free-movement with non-binding recommendations.

As more people get vaccinated, a number of Member States (such as [Sweden](#), [Denmark](#) and [Poland](#)) are reported to have launched initiatives to issue vaccine certificates (sometimes also called vaccination passes or passports), either in digital or paper format. Member States see various uses for these certificates. For example, Sweden plans to use them for travel purposes or to enable people to attend cultural and sporting events. Some Member States (e.g. [Estonia](#)) have already eased restrictions to free movement to people who present proof of vaccination. A digital green certificate would thus standardise and digitise such proofs.

Although at the EU level, there is no agreement on the exact purposes of these certificates (except for medical purposes), the need for a standardised EU system allowing collating information on vaccination and Covid tests in a single document or a mobile app is broadly acknowledged. This is particularly important in cross-border contexts. In particular, countries with major tourism sectors are advocating the adoption of an EU-level certificate. For example, on 12 January 2021, the Greek Prime Minister sent a [letter](#) to European Commission President Ursula von der Leyen to urge the EU to create a vaccination certificate.

Establishing such certificates and linking them with freedom of movement raises a series of important concerns. On 5 February 2021, the [World Health Organization](#) (WHO) advised against introducing 'requirements of proof of Covid-19 vaccination for international travel as a condition for departure or entry', given that it is still unknown how efficient vaccination is in reducing transmission to others. In addition, given that vaccines are currently not available to all, preferential vaccination of travellers could result in shortage of supplies of vaccines for priority populations. The WHO also recommended not to exempt the vaccinated from other travel risk-reduction measures. On 17 February 2021, the [Ada Lovelace Institute](#), a think-tank, made a similar point, but advised to continue preparing such certificates while accumulating more evidence about the efficacy of vaccines. At the same time, the think-tank drew attention to a number of risks, e.g. that some groups in society might become disadvantaged.

Similar initiatives in third countries

Several third countries have launched or plan to launch similar initiatives. The name, form and use of these initiatives vary greatly. For example, [Israel](#) – which had administered at least one Covid-19 vaccine dose to more than half of its population by 17 March 2021 – started to roll out '[green passes](#)' for people who have either received a second dose or have recovered from Covid-19. The pass is valid for a limited time and gives those in possession certain rights and privileges that other individuals do not yet have in Israel: for example the right to go to restaurants (inside and out), hotels, events, attractions and conferences.

Bahrain has launched a '[BeAware](#)' app that offers a Covid-19 vaccination certificate for people who have completed their vaccination schedule. It also provides information on Covid-19 test results, statistics on

Bahrain's and the global health situation, alerts when users have been in contact with a positive case and allows eligible individuals to book an appointment to receive a Covid-19 vaccine.

US President [Joe Biden](#) has ordered government agencies to assess the idea of linking Covid-19 vaccine certificates with other vaccination documents, and producing digital versions of these. The US has also updated [guidelines](#) on social contact, to distinguish between the vaccinated and unvaccinated. For instance, fully vaccinated people can gather indoors with other fully vaccinated people without wearing a face mask.

The International Air Transport Association (IATA) is working on [IATA Travel Pass](#), a free-to-use mobile app that will inform passengers on what tests, vaccines and other measures they require prior to travel. It will also allow passengers to find Covid-19 testing centres, receive test results or vaccination certificates and verify if their test or vaccination meets a given country's regulations. Finally, travellers can use the app to manage their travel documentation. Several airlines have already signed up to test the IATA Travel Pass, including [Air Baltic](#).

European Council position

The [European Council](#) discussed the issue of vaccination certification on 21 January 2021. It agreed that the Commission should work with the Member States on common elements for such a certificate. However, EU leaders said that it was too early to decide for what purposes these certificates could be used (other than medical purposes). They called to continue to work on a common approach to vaccination certificates in a [statement](#) of 26 February. A month later, on 25 March, the [EU leaders](#) called for work on 'interoperable and non-discriminatory digital certificates' to be taken forward urgently, based on the Commission proposal.

European Commission proposals

On 17 March 2021, the Commission adopted a [proposal](#) for a regulation on a 'digital green certificate'. The aim of this proposal (based on [Article 21 of the Treaty on the Functioning of the European Union](#)) is to help to restore free movement in the EU. The certificate would not only provide proof that the person has been vaccinated, but also give results of Covid-19 tests and information on Covid-19 recovery (on the acquisition of antibodies). The certificate will be available for Union citizens or their family members. It will be free of charge, in paper format or on a phone with a QR code. The information provided therein will be at least in the official language(s) of the issuing country and in English. Only [vaccines](#) recognised by the European Medicines Agency can be included in the certificate, but countries may also decide to accept a non-recognised vaccine. The validity and use of the certificate will be limited to the duration of the pandemic. The information included should be limited to what is strictly necessary for its purpose, e.g. name, date of birth, relevant information about vaccine/test/recovery, certificate metadata, etc. No data will be centralised. The certificate will be valid in all EU Member States and also open for Iceland, Liechtenstein, Norway and Switzerland. The proposal is complemented by a [proposal](#) for a regulation covering third-country nationals legally staying or residing in an EU Member State during the pandemic. Member States are expected to implement the [trust framework](#), agreed in the eHealth network, to ensure timely implementation, including the EU-wide interoperability, of the digital green certificate.

European Parliament position

On 25 March 2021, Parliament decided to [accelerate](#) work on the Commission proposals, using the urgent procedure ([Rule 163](#) of its Rules of Procedure). During the plenary [debate](#), a large majority of Members supported the swift creation of the digital green certificate. Several Members highlighted the need for strong data protection safeguards on personal and medical data, and stressed that those who have not been vaccinated must not face discrimination. Parliament is now expected to adopt its mandate for negotiations with Council during the April plenary session.

Initial reactions

Stakeholders from the tourism and transport sectors have welcomed the Commission proposal with enthusiasm. The EU's [aviation associations](#) considered that the proposed certificate could 'facilitate a safe and efficient resumption of travel and tourism in Europe'. They called for quick adoption of the proposal and the immediate start of preparations for implementation. The [European Tourism Manifesto alliance](#), which represents over 60 travel and tourism organisations, has also strongly welcomed the proposal, and called for a concrete EU roadmap for loosening and lifting current travel restrictions.

