



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE AND CONSUMERS

Directorate D: Equality and Union citizenship
Unit D.3: Union citizenship rights and free movement
Deputy Head of Unit

Brussels
JUST.D.3/VV/kv (2021)4268820s

Dear Petitioner,

I write in relation to your concerns expressed in relation to the EU Digital COVID Certificate.

As the Deputy Head of the unit responsible for free movement, I have been asked to reply to your e-mail.

Since the beginning of the pandemic, the Commission has worked relentlessly to foster cooperation and coordination among Member States. To allow for a gradual lifting of restrictions to free movement put in place to limit the spread of COVID-19, the European Parliament and the Council adopted, on 14 June 2021, the Regulation on the EU Digital COVID Certificate¹. It consists on a common framework for the issuance, verification and acceptance of interoperable certificates for COVID-19 vaccination, test or recovery certificates to facilitate free movement.

The EU Digital COVID Certificate Regulation is an important contribution to getting Europe moving again, providing a much needed boost to the economy and, in particular, the tourism sector, in time for the summer season. Freedom of movement is one of the EU citizen's most cherished rights, and the Regulation provides Member States with the tools necessary to lift the restrictions currently in place across most of the EU.

To ensure that there is no discrimination against individuals who are not vaccinated, the EU Digital COVID Certificate does not only include an interoperable vaccination certificate, but also COVID-19 test certificates and certificates for persons who have recovered from COVID-19. That way, all EU citizens can benefit from the EU Digital COVID Certificate system once it is set up.

The Regulation seeks to facilitate free movement by providing citizens with interoperable and mutually accepted certificates on COVID-19 vaccination, testing and recovery that they can use when travelling. Where Member States waive certain restrictions on free movement for persons in the possession of proof of vaccination, test or recovery, the certificates established by this Regulation will allow citizens to profit from these exemptions.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0953&qid=1623721184859>

In any event, the Regulation states clearly that possession of a vaccination certificate is not a precondition to exercise free movement rights or to use cross-border passenger transport services.

The Regulation is flexible enough to be able to take into account new scientific evidence and guidance, which will inform the use of the certificates as we learn more about the effect of vaccination, the implications of new variants and to what extent people that have recovered from an infection are protected.

The certificates will be issued in digital format or on paper, depending on the preference of its holder. Both will have a QR code that contains necessary key information as well as a digital signature to make sure the certificate is authentic.

Data protection requirements and in particular data minimisation are fully integrated in the Regulation. The certificates should only contain the information necessary to facilitate citizens' free movement rights, e.g. the personal data needed for the issuance and verification of the certificates in a free movement context. The EU Digital COVID Certificate framework will not require the setting up and maintenance of a database at EU level, but will allow for the decentralised verification of digitally signed interoperable certificates.

The Regulation will apply from 1 July 2021 until 30 June 2022. As of its entry into application, vaccinated, tested or recovered persons will have a right to obtain an EU Digital COVID certificate. In any event, Member States should make use, to the maximum extent possible, of existing possibilities under national law to start issuing EU Digital COVID Certificates already before that date.

In addition, on 14 June 2021 the Council, based on a Commission proposal, updated the Recommendation on the coordination of free movement restrictions in the EU to make best use of the EU Digital COVID Certificate framework². As the epidemiological situation is improving and vaccination campaigns are speeding up all over the EU, the Recommendation provides for a gradual easing of free movement restrictions, most importantly for the holders of the EU Digital COVID Certificate.

On this basis, holders of vaccination and recovery certificates travelling within the EU should in principle not be subject to additional restrictions, such as travel-related testing for COVID-19 infection or travel-related self-isolation or quarantine. Furthermore, persons with a valid test certificate in line with the EU Digital COVID Certificate should be exempted from possible quarantine requirements.

At the same time, the Recommendation allows for continued vigilance regarding so-called variants of concern or interest. Member States can re-introduce travel measures for vaccinated and recovered persons if the epidemiological situation deteriorates rapidly or where a high prevalence of variants of concern or interest has been reported.

²

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021H0961>

The updated Recommendation, together with the EU Digital COVID Certificate, will facilitate free movement within the EU under safe conditions.

I trust you will find this information useful. I wish you and those dear to you the best of health during this difficult period.

Yours sincerely,

Monika MOSSHAMMER
e-signed

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