Common - COVID-related development in transport and tourism: The European Commission presents the first results on the application of the EU Digital COVID Certificate Regulation

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【概要：Summary】

Nearly two years after the outbreak of the COVID-19 pandemic, it is still having a detrimental impact on the tourism sector and the free travel also in many EU Member States. However, based on EU Regulation on the Digital COVID Certificate (Regulation (EU) 2021/953), the EU Member States have introduced an EU Digital COVID Certificate (EU DCC) on 1 July 2021, which verifies the health status of a traveller, being vaccinated, tested, or recovered from COVID-19 and thereby allows residents in EU Member States to travel seamlessly for vacation reasons under pandemic conditions. In fact, the introduction of the EU DCC facilitated the free movement of people who are vaccinated, recovered from COVID-19, or tested and thereby allows the EU's tourism industry to partially recover from the pandemic's negative impact.

The EU DCC is expected to be a means that will allow seamless travels within the EU and thereby the recovery of the EU's tourism sector also in future. To give an overview of the EU DCC's effects, the EU Digital COVID Certificate Regulation (EU) 2021/953 requires the European Commission to submit a report to the European Parliament and to the Council by 31 October 2021. The report provides an overview of the EU Digital COVID Certificate Regulation in practice since its adoption on 14 June 2021. The Commission's report includes information on the technical implementation of the Regulation, and also on the connection of third countries to the EU DCC system. Furthermore, it informs on the development in the issuance of certificates of recovery and vaccination, the use of certificates by the air transport sector, and the use of certificates by EU Member States for non-travel related purposes.

Regarding the aviation and tourism sector, the EU DCC is seen as an important tool to allow for the reopening of air travels for non-essential travel purposes like recreation and tourism. Therefore, it is seen as a key tool for the recovery of tourism sector in Europe. This article will give an overview of the Commission report's results on the application of the EU's Digital COVID Certificate Regulation (EU) 2021/953 in practice and the utilisation of EU DCCs within the EU and beyond.

【記事：Article】

1. The EU Digital COVID Certificate Regulation and the EU DCC's introduction

The outbreak of the COVID-19 in China in late 2019 and the subsequent pandemic also hit Europe in spring 2020. The pandemic-related lockdown measures with restrictions of the free movement

of people and the ban of non-essential travels had an unprecedented negative impact on transport and tourism at local, regional, national, and global level. Although some signs of recovery are visible in the EU's tourism and transport sector in summer 2021, they are still severely affected by the COVID-19 pandemic.

In the EU's tourism sector, due to the impact of the COVID-19 pandemic, the revenue losses in 2020 reached 85% for hotels and restaurants, 85% for tour operators and travel agencies, 85% for long-distance rail and 90% for cruises and airlines (COM (2020) 550 final). During the first months of 2021, the arrival of new variants of the SARS-CoV-2 virus triggered a third wave of the COVID-19 pandemic in Europe. The reintroduction of restrictions on the free movement of people and new lockdown measures meant that the tourism sector in Europe was in danger of losing its second consecutive summer season due to the ongoing pandemic. With this perspective, it was most important to introduce a tool ahead of the summer vacation time 2021, that would allow vaccinated, recovered, or tested citizens to seamlessly travel within the EU. Restoring the freedom of movement and to restore tourism in Europe required the introduction of a single EU-wide standardised certificate within the EU.

In its Communication entitled "A common path to safe and sustained re-opening" (COM(2021) 129 final) of 17 March 2021, the European Commission invited the EU Member States to adopt a coordinated approach for the re-opening of the EU for vaccinated, tested, or recovered travellers (COM (2021) 129 final). In parallel, the European Commission published a proposal for a regulation to create a framework for an interoperable "Digital Green Certificate" (COM 2021/130 final) to facilitate the free movement of people within the EU during the COVID-19 pandemic.

The Digital Green Certificate, later renamed into EU Digital COVID Certificate (EU DCC), was expected to allow free movement within the EU of people who do not pose a risk to public health, because they are vaccinated, recovered from COIVD-19, or they obtain a negative test result (European Commission 2021a). While the EU DCC is not a travel document, it should facilitate the non-essential travels of people within the EU (European Commission (2021b). Furthermore, the Commission also adopted a proposal to address the issuance of the Digital COVID Certificate to third country nationals legally staying or residing in EU Member States and who are entitled to travel within the EU (COM/2021/140 final) (European Commission 2021f).

The key features of the Digital COVID Certificate include a digital and/or paper format with QR code in national language and English, which is valid in all EU Member States and associated EEA states. Each issuing body (e.g., a hospital, a test centre, a health authority) has its own digital signature key, which are stored in a secure database in each country (COM 2021/130 final). When the certificate is checked, the QR code is scanned, and the signature verified. Furthermore, the European Commission had to build a gateway, which allows a verification of all certificate signatures across the EU (COM 2021/130 final). Furthermore, the European Commission built a gateway for the verification of all certificated signatures across the EU.

On 14 June 2021, the European Parliament and the Council of the European Union adopted Regulation (EU) 2021/953 establishing the EU Digital COVID Certificate (the "EU Digital COVID Certificate Regulation") (European Commission 2021d, 2021f, 2021h). On 1 July 2021, the EU Digital COVID Certificate entered application throughout the EU (European Commission 2021b). EU citizens and residents can have their EU DCC issued and verified across the EU for 12 months, allowing the people to have smooth and seamless travels also for touristic purposes within the EU, to also helping the EU's tourism sector to recover.

2. The reopening of Europe for travels based on the EU DCC

As the COVID-19 pandemic continues, the EU's aviation and tourism sectors need the EU DCC as a tool to cope with the expected increase of passenger flows, as non-essential travel is reintroduced under the continuation of the pandemic. The general rise of air passenger numbers and the expected further increase of air travellers in the EU requires air transport to ensure a seamless and harmonised handling of the EU DCC verification and other COVID-19 pandemic related documents. Furthermore, in addition to the adoption of Regulation (EU) 2021/953 and the establishment of the EU Digital COVID Certificate (the "EU Digital COVID Certificate Regulation"), the European Commission presented its Communication C(2021) 5594 final for reaping the full benefits of EU Digital COVID Certificates on 5 August 2021, within the EU and beyond (European Commission 2021e). The European Commission issued these guidelines on how to deal with the increasing number of air passengers, as there are different authorities and operators responsible for the verification of the EU DCCs. The harmonisation and digitalisation of verification protocols for the EU DCCs is key to a smooth and seamless development of air travel under continuing pandemic conditions (European Commission 2021e). Therefore, the European Commission recommends a harmonisation of the fragmented handling of the utilisation and checking of the EU DCC across all EU Member States. A defragmentation of the verification process is considered necessary, as air travel has reached 62% of 2019 levels on 7 July 2021, and a further rise in the number of air passengers is expected (Eurocontrol 2021b). In fact, the airlines are concerned about the need to check an increasing number of the passengers' EU DCC. Currently, it depends on the holder's departure, transit, and arrival points how and how often a passenger's EU DCC is checked and verified (European Commission 2021e). Furthermore, Member States have different approaches as to how thoroughly they check the EU DCCs. Whereas some Member States check them systematically, others do random checks. As a result, the different procedures cause disturbances to a smooth processing of travellers in aviation (C(2021) 5594 final). Consequently, the Commission issued recommendations to the EU Member States for improving their protocols based on the Communication (C(2021) 5594 final) (European Commission 2021e).

3. The Commission report on the first effects of the EU DCC Regulation

While the EU DCC was in operation since 1 July 2021, the European Commission had to gather data on the technical implementation of the EU DCC Regulation (EU) 2021/953, including the connection of third countries to the system, the developments in the issuance of certificates of recovery and vaccination, the use of certificates by the air transport sector, and the use of certificates by Member States for non-travel related purposes. The Commission had to publish the results of its assessment in a report by 31 October 2021 (European Commission 2021h). Accordingly, the European Commission adopted its report on the EU Digital COVID Certificate (EU DCC) Regulation in practice since its adoption on 14 June 2021 to facilitate free movement during the COVID-19 pandemic and its implementation across the EU (COM (2021) 649 final) on 18 October 2021 (European Commission 2021h).

The EU DCC is currently the only system already in operation at international level (European Commission 2021h). According to the European Commission's report COM(2021) 649 final, since adopting the Regulation (EU) 2021/953 on 14 June 2021 and as of 13 October 2021, the EU Member States have issued more than 591 million EU Digital COVID Certificates, including 437 million vaccination certificates, 144 million test

certificates, and 10 million certificates of recovery. The report also shows that the EU Digital COVID Certificate is a success tool for facilitating smoother travels beyond the EU and it has set an international standard, as a total of 43 countries across four continents have joined the system, including 27 EU Member States, 3 European Economic Area (EEA) countries, Switzerland, and 12 other countries and territories (European Commission 2021g).

Where certain interoperability requirements are met in other countries, the EU Digital COVID Certificate Regulation stipulates that the Commission can issue a decision establishing that the certificates of a third country are to be considered as equivalent to EU Digital COVID Certificates ("equivalence decisions"). This results in the connection of concerned third countries to the EU DCC Gateway. A third country that is interested in joining the EU system is first asked to assess its compliance with the technical specifications of the EU Digital COVID Certificate system. Thereafter, a third country can send an official request and the European Commission will assesses the application, to ensure that all technical requirements are met (European Commission 2021h). To support third countries interested in seeking an equivalence decision for their COVID-19 certificate system, general and technical information about the EU Digital COVID Certificate system is shared via the European External Action Service and EU Delegations (European Commission 2021h).

In total, the Commission was approached by 60 third countries or territories interested in joining the EU system so far. Out of these, 40 had formally submitted the results of the self-assessment of their readiness to join the EU system (European Commission 2021h). Beyond the ones already connected, technical discussions are ongoing with 28 of these countries (European Commission 2021g). Although the EU Digital COVID Certificate is intended to facilitate free movement within the EU, the interest from third countries to be connected to the EU Digital COVID Certificate system also indirectly facilitates the travel of third-country nationals into the EU (European Commission 2021h). Within the EU, 20 Member States also use the EU Digital COVID Certificate for domestic purposes. This includes the access to large events and restaurants, cinemas, and museums, with an additional national legal basis (European Commission 2021g).

Regarding the tourism sector and the air transport sector, which are both strongly affected by the COVID-19 pandemic, they greatly benefited from the EU Digital COVID Certificate. The association of Airports Council International (ACI Europe) reported that in July 2021, the total passenger volumes more than doubled compared to July 2020. ACI Europe attributes this change to the rollout of the EU Digital COVID Certificate along with the easing of travel restrictions, according to the European Commission's report (European Commission 2021g).

According to Commissioner for Justice, Didier Reynders, the EU Digital COVID Certificate system has helped mitigating negative economic effects during the pandemic and has boosted travels in summer 2021. Commissioner for Internal Market, Thierry Breton added that the EU DCC has been a key driver for the recovery of the tourism ecosystem (European Commission 2021g).

The Commission will continue to monitor closely the validity of vaccination and recovery certificates as well as the use of antibody and rapid antigen tests for recovery certificates, and reconsider options once new scientific guidance is received. Technical work to improve the functionalities of the EU Digital COVID Certificate system will continue within the framework of the eHealth Network, while the Commission will continue its efforts to connect additional countries to the EU DCC system. Furthermore, the Commission will seek guidance from ECDC and European Medicines Agency (EMA) on

relevant developments as regards the scientific evidence (European Commission 2021g).

The EU Digital COVID Certificate Regulation currently applies until 30 June 2022. By 31 March 2022 at the latest, the Commission is expected to submit the next report on the application of the Regulation, which might then be accompanied by a legislative proposal to extend the period of application and possible changes of the Regulation (European Commission 2021g, European Commission 2021h).

4. Interoperability with systems developed at international level

In accordance with Article 4(3) of the Regulation (EU) 2021/953, the EU Digital COVID Certificate trust framework also ensures interoperability with technological systems established at international level. Currently, the third countries Albania, Andorra, Faroe Islands, Iceland, Israel, Liechtenstein, Monaco, Morocco, North Macedonia, Norway, Panama, San Marino, Switzerland, Turkey, Ukraine, and Vatican City are effectively connected to the EU DCC system. The COVID Certificates issued in those 16 countries and territories are accepted in the EU under the same conditions as the EU Digital COVID Certificate. Likewise, the EU Digital COVID Certificate is accepted by those 16 countries (European Commission 2021j).

Meanwhile, with countries working to re-establish global travel and trade through aviation, the need to provide internationally verifiable health proof to travellers has become an urgent global concern. The International Civil Aviation Organization (ICAO) and the European Union are currently working to ensure compatibility between the VDS and European Digital COVID Certificates, with specific international implementation guidelines. Other regions and countries are conducting their own assessments (Uniting Aviation 2021).

The ICAO has developed the Visible Digital Seal for Non-Constrained Environments (VDS-NC)30 standard. However, the European Commission is in discussion with the ICAO, since there are differences between the ICAO's Visible Digital Seal and the EU's DCC standard regarding the datasets, vaccine encoding, or the size of the ICAO VDS-NC QR code, which could make verification difficult unless specific readers are used. At the same time, according to the Commission's report, no third country has yet implemented and deployed a COVID-19 certificate systems based on the ICAO VDS-NC standard (European Commission 2021h). In addition, based on the EU Digital COVID Certificate Regulation, the adoption of equivalence decisions is limited to COVID-19 certificate systems, developed by third countries, posing difficulties in relation to international organisations such as the ICAO. On 27 July 2021, the WHO published technical specifications and implementation guidance on digital documentation for COVID-19 certificates. It underlines that the EU Digital COVID Certificate complies with their guidance and is not a parallel or conflicting standard.

Furthermore, on 26 August 2021, the International Air Transport Association (IATA) urged countries to adopt the EU Digital COVID Certificate as the global standard. According to IATA's Deputy Director General Conrad Clifford, the EU DCC helps facilitating the reopening of EU states to travel and in the absence of a single global standard for digital vaccine certificates, it should serve as a blueprint for other nations to implement digital vaccination certificates to help facilitate travel and its associated economic benefits (IATA 2021). IATA offered its collaboration to European Commission and any other interested state to further integrate the EU DCC into airline processes (IATA 2021). Also, the G7 group acknowledged the "positive development of the EU Digital COVID Certificate" (UKGov 2021).

5. Outlook

Considering the further way forward, the Commission is not currently considering an amendment to the EU Digital COVID Certificate Regulation to specify the validity of vaccination certificates (European Commission 2021h). However, the Commission will continue to monitor this issue and re-evaluate the situation in the next couple of months.

The EU Digital COVID Certificate has proven to be a success in the EU's efforts to address and mitigate the impact of the COVID-19 pandemic on the Member States' societies and parts of their economy, in particular the aviation and tourism sector. The EU Digital COVID Certificate has been able to facilitate the travel of vaccinated, recovered, and tested citizens within the EU and some other third countries. Since the EU DCC has made travels in Europe more seamless under pandemic conditions it has supported Europe's tourism industry to partially recover.

Currently, the EU Digital COVID Certificate is the only system at global level in operation to allow for seamless travels under pandemic conditions. Therefore, the EU Digital COVID Certificate is increasingly seen as an international benchmark and global standard (European Commission 2021h). There are currently 43 countries and territories connected and the system is the first example of an interoperable electronic record deployed at a larger scale across such an extended number of countries.

The EU DCC is also appreciated by citizens, reflected by a Eurobarometer survey result, published in September 2021. It shows that about two thirds (65%) of respondents agreed that the EU Digital COVID Certificate is the safest means for free travel in Europe during the COVID-19 pandemic. While the EU tourism industry continues to suffer of strong disruptions of international, at intra-EU and domestic level, the EU DCC system offers an opportunity to reopen countries for touristic activities.

The EU-wide applicable Digital Green Certificates are expected to continue to reduce restrictions for touristic travel vaccinated, tested and recovered people and thereby allow a revival of tourism in the EU and beyond.

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