

Will the EU digital covid certificate really save the summer?

Blog post by Practice Lead Ana Martínez, 15 June 2021

On June 14th, the EU digital covid certificate was signed into law. The regulation will apply for 12 months as of July 1st. This was an unusually rapid agreement by Brussels' standards, reflecting the crucial importance of allowing tourism to restart safely for those member states that depend on it.

The European Commission also argued forcefully in the last few weeks that this is key to avoid the chaos of the first covid-19 wave, when member states introduced contradictory travel restrictions that left tourists and business travellers (and the companies that serve them) confused and out of pocket. One of the most relevant outcomes of the deal is that no further travel restrictions such as quarantine will be imposed. This was not easy for member states to give up and was welcomed by members of the European Parliament who thought the tool would otherwise lose effectiveness. EU capitals will not be able to impose restrictions unless "they are necessary and proportionate to safeguard public health". But, will the certificate live up to expectations?

The short answer is "no", at least not immediately. The regulation will formally apply from July 1st, but 12 countries - Bulgaria, Czechia, Denmark, Germany, Greece, Croatia and Poland, as well as Spain, Lithuania, Austria, Estonia and Latvia - have already started using it. Meanwhile another 12 countries are technically ready to connect to the EU gateway while only three are still in the test phase. To complicate things further, countries can also utilise a six-week phase-in period starting from July 1st, meaning potential differences between origin countries and destination countries from mid-June to mid-August.

A further source of uncertainty is the carve-out for member states to introduce restrictions in response to epidemiological data. It remains to be seen what could trigger countries to implement an 'emergency brake' but depending how the variants of concern develop over the summer, this has the potential to derail member states' unified position.

Lastly, there is the broader question of whether a simpler and faster solution could have been reached. What is the real difference between showing the negative PCR test that many of us used to travel in the last year and showing the digital certificate?

The EU institutions will probably be patting themselves on the back for reaching an agreement on the covid certificate. And there are reasons to be satisfied with the rapid deal in this case, as it showcases unity between northern and southern member states. It could also set a precedent for the migration and Schengen reforms that are expected. However, the imminent benefits of the digital covid certificate might only come later in the summer.