



BLOG - 18.01.22

# COVID-19 certificates and undocumented migrants: for some, the risk is more exclusion

*This post was written by Jamie Slater, former Advocacy Trainee, and Alyn Smith, Deputy Director.\**

Since the EU Digital COVID Certificate Regulation went into effect on 1 July 2021, several Member States have used vaccine certificates to determine access to services and civic spaces. While many see this as a way to boost uptake of the vaccine among those hesitating, this is not true for everyone. For those already facing barriers to the vaccine, like

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requirements to get the Covid-19 vaccine. Even if

undocumented migrants can register, countries often have no specific policy safeguarding their personal data from being transmitted to immigration authorities. These barriers occur against a backdrop of extremely limited access to health care in Europe for undocumented people, and the pervasive risk of exposure to deportation, including by accessing services.

Undocumented people who do manage to get vaccinated cannot always get a digital COVID certificate. One barrier is due to limited access to the technology needed to obtain or display a digital certificate by some. Another is that health databases themselves may not allow undocumented migrants to obtain digital certificates. In Italy, the code issued for “Temporarily Present Foreigners”, used by undocumented migrants to get health care, is not always recognised by the health ministry as valid for obtaining the country’s “Green Pass”, which is needed to access a panoply of public spaces and services, including workplaces and public transit.

On 9 June 2021, France became one of the first countries in Europe to implement its COVID-19 certificate system, requiring people to present a *pass sanitaire* (“health pass”) to use public transportation, enter restaurants, cafes and indoor public spaces, and for employees who work in these public spaces. While people from the age of 12 are required to present the *pass sanitaire*, unaccompanied children seeking recognition of their status as minors cannot request vaccinations without a legal representative’s authorisation, leaving children between 12 and 18 without a legal

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than half a year after the implementation of the policy – if

data submitted when applying for the certificate would be transmitted to immigration authorities. Even when there are clear safeguards in place, data security breaches – such as in Germany recently – may nourish existing fears and dissuade people from getting the certificate.

There are also worries about the increased policing of certain spaces and the risk of more exclusion and discrimination. One advocate in Austria noted that virtually every kind of document check can foster fears of immigration consequences, and expressing concerns over increased random certificate checks by police in public spaces, which could equally increase the risk of ID checks and of immigration consequences. Advocates in Hamburg, Germany, have reported high levels of stress and exclusion from public services (including public transportation) among undocumented migrants because of the so-called “3G rule” that requires a person to certify they have been vaccinated, cured of COVID-19, or have tested negatively. These certifications are accompanied by ID checks. Because undocumented people often cannot provide identification and may not be able to provide the needed proof (including because they cannot obtain a vaccine certificate), they are effectively excluded from public services.

While in some countries vaccine updates increased after the imposition of vaccine certificates among certain segments of the population, this is not the case for everyone. Pre-existing inequalities disparately affecting ethnic minorities and people with lower incomes have an impact on vaccine

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shows that certain groups, English speakers, undocumented people, registration, enforcement – ng exclusion migration status.

In the case of undocumented people, vaccination certificates are ill-suited to addressing vaccine inequities and restrict fundamental rights in ways that may not be necessary or proportional to achieving our public health goals.

We've seen that the way to boost access to and uptake of COVID-19 vaccines for undocumented people is to partner with local organisations to develop and implement programs that reach people where they are, and proactively address the systemic barriers they face. Public health overall would be strengthened by enabling undocumented migrants to receive reliable, clear information about the pandemic, the vaccines and their rights, from sources they trust – and our collective resilience to health emergencies improved by removing the systemic barriers they face to the health system.

*\* The content of this post was further adapted into an op-ed that was published on Al Jazeera under the title COVID-19 policies need to be inclusive of undocumented people. For the past year, PICUM has been working with national organisations to document COVID-19 vaccination programmes and their inclusiveness of undocumented people – including examples of promising practices. For more information and resources, visit COVID-19 and undocumented migrants in Europe.*

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15.12.25

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