

Greater EU coordinating role for tackling healthcare emergencies

The Congress of the Alliance of Liberals and Democrats for Europe (ALDE) Party convening virtually on 11-12 June 2021:

Noting that:

- the Covid-19 pandemic showed the urgency to reinforce the role of the European Union (EU) in healthcare policies and emergency response;
- the Treaty on the Functioning of the European Union (TFEU), and in particular Article 168 thereof, assigns to the EU only a number of supporting tasks in relation to healthcare policies, while the latter remain exclusively national-oriented even when "combating serious cross-border threats to health";
- Article 196 TFEU similarly provides a mere supportive action to civil protection activities, even in the event of "natural or man-made disasters";
- the EU Civil Protection Mechanism, via its rescEU medical reserve and distribution mechanism, has developed a quicker response to health crises, as the swift delivery of medical equipment during the Covid-19 emergency proves;
- the European Centre for Disease Prevention and Control (ECDC) maintains preventing and coordinating functions, although without an adequate and autonomous operational capacity to tackle healthcare emergencies, as the ongoing Covid-19 pandemic shows;
- the European Health and Digital Executive Agency (HaDEA) was established on 16 February 2021 and is operational since 1 April 2021, with the mission of addressing the European Commission's ambition to help rebuild a post-Covid-19 Europe at its heart, which will be greener, more digital, more resilient and better fit for the current and forthcoming challenges. Its activities will also best support the future tasks of the Health emergency preparedness and response authority (HERA) in tackling health emergencies;
- six EU member states have been summoned by the European Commission to lift limitations to non-essential travels abroad, which disrupted free movement and supply chains, in spite of the European Commission's recommendations based on the colour codes assigned by the ECDC;
- the Commission's unprecedented capacity of governance in the equally unprecedented pandemic emergency is the result of a transitional situation because this capacity is not written in the Treaties;

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- furthermore, some undoubted criticalities emerged, in particular in regard to the acquisition of vaccines especially in the perspective of the Commission's contractual weakness in an emergency context;
- the European Commission developed and activated on 1 July 2021 a Digital Covid Certificate to facilitate the safe free movement of citizens within the EU during the Covid-19 pandemic. It contains necessary key information, which cannot be retained by visited countries. However, some Member States claim to retain data collected for purposes beyond free movement.

Recalls that:

- the ALDE Party Resolution of 18 November 2020 on 'Lessons learned from Covid-19 pandemic' (the 'Bureau Resolution') called for greater coordination role for the EU in the area of public health, through the empowerment of the European Commissioner for Crisis Management to coordinate in similar future scenarios of pandemics and emergencies, as well as the creation of a European Health Response Mechanism to better respond to future types of European health crisis;
- the Bureau Resolution recommended that the role of the public health agencies such as the ECDC and the European Medicines Agency (EMA) be strengthened to enable monitoring, surveillance, testing and tracing of future diseases;
- the Bureau Resolution stressed that tracking and tracing facilities should never become a threat to our fundamental freedoms and privacy, and condemned the governments ('corona dictators') who used the pandemic as an opportunity to expand their powers, calling for the establishment of mechanisms to monitor for abuses of power and the rule of law;
- the Bureau Resolution called for even greater cooperation amongst EU member states;
- the EU member states should keep a coordinated approach when introducing Covid-19-related restrictive measures to fundamental freedoms and rights.

Calls on:

- ALDE parties to sound their respective Member States' willingness to launch an 'enhanced cooperation' for healthcare – capable of attracting the participation of all EU Member States over time -, according to Article 20 of the Treaty on the European Union (TEU) and Articles 326 to 334 of the TFEU, aiming at the creation of a 'rapid intervention force' both in the healthcare sector and in support of the EU Civil Protection Mechanism. Such enhanced cooperation should be adequately and permanently established and equipped (starting from the envisaged and strengthened role of HERA), assisted by a specific database

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interoperability system defining homogenous codification and info-gathering criteria, in order to immediately cope with the EU citizens needs in case of healthcare threat. This intervention force would be financed by the Member States participating to the enhanced cooperation;

- the ALDE Party and its member parties to promote the attribution of competences, skills and expertise to HERA, so that it is able to acquire vaccines in a preventive way within an adequate contractual framework;
- the ALDE Party to promote, via its member parties represented in the European Parliament or by any appropriate means, enhancing the HaDEA mission, in order to create an 'EU healthcare agency'. This agency would have the power to recruit and train its own staff, coordinating its statutory activities with EU national and regional healthcare systems and acting within specialised and research medical hubs. Such agency would have consulting functions in forecasting the healthcare skills needed in case of emergency. Its staff ("health corps") could be immediately deployed in the event of viral or bacterial epidemic or other healthcare emergencies. The agency should also coordinate and finance emergency research and production of medicines and vaccines. It should be provided with its own budget and administrative authority, with the capacity of calling for funds and producing healthcare equipment and material in partnership with private enterprises;
- ALDE parties to monitor and ensure, in their respective Member States, the respect for the European Commission's recommendations on the Covid-19-related measures restricting the freedom of movement of citizens and goods;
- ALDE parties to monitor and ensure, in their respective Member States, that the Digital Covid Certificate is not used for other purposes than it was created or in breach of fundamental freedoms and privacy rights.

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