



## Press Release

Rabat, October 28<sup>th</sup> 2021.

As mentioned in its press release of October 22, 2021, the CNDP (Commission Nationale de contrôle de la protection des Données à caractère Personnel) held an extraordinary meeting this Wednesday, October 27, 2021, in order to rule, from a personal data protection perspective, on the process of deployment of the vaccine pass (which has positively evolved into a sanitary pass) as well as on certain elements of the public debate. Today, this deployment is announced as limited in time during the period of the state of sanitary emergency.

The CNDP recalls that its mission is, amongst other, to control the protection of personal data regardless of their medium (paper, digital, sound, image, etc.).

The sanitary pass, to this date, presents:

- Legible information.
- A QR code for use in Morocco.
- A QR code for use in Europe.

The use of personal data must respect the law 09-08 and, thus, consider the principle of proportionality, while respecting the purposes displayed.

The purpose of the deployment of the sanitary pass as a tool for access control is not in the spirit of restricting the movements of citizens, but rather to promote a responsible movement that can:

- Strengthen collective health;
- Promote the prerequisites for a widespread recovery of economic activity.
- Support the mobility of citizens and residents in Morocco, both nationally and internationally.

In relation to this purpose, the CNDP considers that, despite some improvements to be made, the principle of proportionality, within the mobile application in its current version, is respected:

- The QR code reader for use in Morocco only allows access to the information already available and readable in clear on the sanitary pass. No connection to any server is operated. Therefore, no traceability of citizens' movements is deployed through this channel.
- The QR code reader for use in Europe requires a connection to servers managed by European authorities, regulated by European laws on personal data protection. This QR code for use in Europe is made available to Moroccan citizens for the sole purpose of facilitating their international mobility.

Therefore, the CNDP decides to launch a consultation on the establishment of a sectorial identifier layer that should protect the existence of a less sectorial identifier necessary for the planning of public policies, for the execution of judicial procedures and elements that may relate to internal or external security issues of the State.



The first steps of this consultation will be the proposal of the creation of a working group with the Ministry of Health and the Ministry of Interior.

Finally, the CNDP requests the Head of Government to organize a governmental seminar dedicated to the definition of an architecture of identifiers from the point of view of personal data protection, in compliance with the Constitution of our country and the international conventions ratified by the Kingdom. The various concepts to be deployed must go beyond a merely technical vision and take into consideration the imperatives of strengthening Digital Trust, a prerequisite for the necessary advances in the responsible deployment of digital technology at the service of our economy and society.