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COCON 42
COMIX 305
SCHENGEN 51
AVIATION 146
PHARM 114
RELEX 514
TOUR 42

'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic (first reading) - Adoption of the legislative act

1. On 17 March 2021 the Commission sent its proposal¹, based on Article 21(2) TFEU, to the Council.
2. On 21 May 2021, the Permanent Representatives Committee endorsed the agreement reached with the European Parliament in trilogues and authorised the Chair to send a letter to the Chair of the LIBE Committee stating that should the European Parliament adopt its position at first reading in the form set out in that letter, subject to revision by the legal linguists of both institutions, the Council would approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position.

¹ 7128/21 + ADD1.

3. The European Parliament adopted its position at first reading on 9 June 2021².
4. At its meeting on 9 June 2021, the Permanent Representatives Committee agreed to invite the Council to approve the European Parliament's position at the first reading as set out in PE-CONS 25/21 as an 'A' item at a forthcoming meeting.
5. The Commission's statement for the minutes of the Council meeting and to be published in the L series of the *Official Journal of the European Union* is set out in the Addendum 1. The statements by Austria and Bulgaria for the minutes of the Council meeting are set out in the Addendum 2.
6. The Council is invited to approve the European Parliament's position at the first reading as set out in PE-CONS 25/21.
7. If the Council approves the European Parliament's position, the legislative act will be adopted in the wording which corresponds to the European Parliament's position.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the *Official Journal of the European Union*.

² 9506/21