Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a framework for the issuance, verification and acceptance of interoperable certificates on vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic (Digital Green Certificate)

(Text with EEA relevance)

	Commission proposal COM (2021) 130 final	EP position	Council position 7796/21	Compromise text
1.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
2.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 21(2) thereof,
3.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
4.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
5.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
6.	Whereas:	Whereas:	Whereas:	Whereas:
7.	(1) Every citizen of the Union has the right to move and reside freely	(1) Every citizen of the Union has the right to move and reside freely	(1) Every citizen of the Union has the **fundamental** right to move and	(1) Every citizen of the Union has the **fundamental** right to move and

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	within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them. Directive 2004/38/EC of the European Parliament and of the Council[1] lays down detailed rules as regards the exercise of that right.	within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them. Directive 2004/38/EC of the European Parliament and of the Council[2] lays down detailed rules as regards the exercise of that right.	reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them. Directive 2004/38/EC of the European Parliament and of the Council[3] lays down detailed rules as regards the exercise of that right.	reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give effect to them. Directive 2004/38/EC of the European Parliament and of the Council[4] lays down detailed rules as regards the exercise of that right.
8.		***(1a) Facilitating freedom of movement is one of the key preconditions for starting an economic recovery.***		*[Row 19]*
9.	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (*SARS-CoV-2*), which causes coronavirus disease	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes coronavirus disease	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (*SARS-CoV-2*), which causes coronavirus disease	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes coronavirus disease

[1] Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

[2] Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

[3] Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

[4] Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

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	2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.
10.	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on Union citizens' right to move and reside freely within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine/self-isolation or a test for SARS-CoV-2 infection.	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on Union citizens' right to move and reside freely within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine/self-isolation or a test for SARS-CoV-2 infection. ***Such restrictions have detrimental effects on citizens and businesses, especially cross-border workers and commuters or seasonal workers.***	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on Union citizens' right to move and reside freely within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine/self-isolation or a test for SARS-CoV-2 infection.	*[Link with Row 21]*
11.	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[5]. That Recommendation establishes a coordinated approach on the following key points: the application of common criteria and thresholds when deciding whether to introduce restrictions to free	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[6]. That Recommendation establishes a coordinated approach on the following key points: the application of common criteria and thresholds when deciding whether to introduce restrictions to free	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[7]. That Recommendation establishes a coordinated approach on the following key points: the application of common criteria and thresholds when deciding whether to introduce restrictions to free	*[EP to check on the language from the Recommendation]*

[5] OJ L 337, 14.10.2020, p. 3.
[6] OJ L 337, 14.10.2020, p. 3.
[7] OJ L 337, 14.10.2020, p. 3.

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	movement, a mapping of the risk of COVID-19 transmission based on an agreed colour code, and a coordinated approach as to the measures, if any, which may appropriately be applied to persons moving between areas, depending on the level of risk of transmission in those areas. In view of their specific situation, the Recommendation also emphasises that essential travellers, as listed in its point 19, and cross-border commuters, whose lives are particularly affected by such restrictions, in particular those exercising critical functions or essential for critical infrastructure, should in principle be exempted from travel restrictions linked to COVID-19.	movement, a mapping of the risk of COVID-19 transmission based on an agreed colour code, and a coordinated approach as to the measures, if any, which may appropriately be applied to persons moving between areas, depending on the level of risk of transmission in those areas. In view of their specific situation, the Recommendation also emphasises that essential travellers, as listed in its point 19, and cross-border commuters, whose lives are particularly affected by such restrictions, in particular those exercising critical functions or essential for critical infrastructure, should ~~in principle~~ be exempted from travel restrictions linked to COVID-19.	movement, a mapping of the risk of COVID-19 transmission based on an agreed colour code, and a coordinated approach as to the measures, if any, which may appropriately be applied to persons moving between areas, depending on the level of risk of transmission in those areas. In view of their specific situation, the Recommendation also emphasises that essential travellers, as listed in its point 19, and cross-border commuters, whose lives are particularly affected by such restrictions, in particular those exercising critical functions or essential for critical infrastructure, should in principle be exempted from travel restrictions linked to COVID-19.	
12.	(5) Using the criteria and thresholds established in Recommendation (EU) 2020/1475, the European Centre for Disease Prevention and Control ('ECDC') has been publishing, once a week, a map of Member States, broken down by regions, in order to support Member States' decision-making[8].	(5) Using the criteria and thresholds established in Recommendation (EU) 2020/1475, the European Centre for Disease Prevention and Control ('ECDC') has been publishing, once a week, a map of Member States, broken down by regions, in order to support Member States' decision-making[9].	(5) Using the criteria and thresholds established in Recommendation (EU) 2020/1475, the European Centre for Disease Prevention and Control ('ECDC') has been publishing, once a week, a map of Member States, broken down by regions, in order to support Member States' decision-making[10].	(5) Using the criteria and thresholds established in Recommendation (EU) 2020/1475, the European Centre for Disease Prevention and Control ('ECDC') has been publishing, once a week, a map of Member States, broken down by regions, in order to support Member States' decision-making[11].
13.	(6) As emphasised by Recommendation (EU) 2020/1475,	(6) As emphasised by Recommendation (EU) 2020/1475,	(6) ~~As emphasised by Recommendation (EU) 2020/1475~~	

[8] Available at: https://www.ecdc.europa.eu/en/covid-19/situation-updates/weekly-maps-coordinated-restriction-free-movement
[9] Available at: https://www.ecdc.europa.eu/en/covid-19/situation-updates/weekly-maps-coordinated-restriction-free-movement
[10] Available at: https://www.ecdc.europa.eu/en/covid-19/situation-updates/weekly-maps-coordinated-restriction-free-movement
[11] Available at: https://www.ecdc.europa.eu/en/covid-19/situation-updates/weekly-maps-coordinated-restriction-free-movement

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	any restrictions to the free movement of persons within the Union put in place to limit the spread of COVID-19 should be based on specific and limited public interest grounds, namely the protection of public health. It is necessary for such limitations to be applied in compliance with the general principles of Union law, in particular proportionality and non-discrimination. Any measures taken should thus not extend beyond what is strictly necessary to safeguard public health. Furthermore, they should be consistent with measures taken by the Union to ensure seamless free movement of goods and essential services across the Single Market, including those of medical supplies and personnel through the so-called "Green Lane" border crossings referred to in the Commission Communication on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services[12].	any restrictions to the free movement of persons within the Union put in place to limit the spread of COVID-19 should be based on specific and limited public interest grounds, namely the protection of public health. It is necessary for such limitations to be applied in compliance with the general principles of Union law, in particular proportionality and non-discrimination. Any measures taken should thus ***be strictly limited in scope and time in line with the effort to restore a fully functioning Schengen area without internal border controls*** and ***should*** not extend beyond what is strictly necessary to safeguard public health. Furthermore, they should be consistent with measures taken by the Union to ensure seamless free movement of goods and essential services across the Single Market, including those of medical supplies and ***medical and healthcare*** personnel through the so-called "Green Lane" border crossings referred to in the Commission Communication on the implementation of the Green Lanes under the Guidelines for border management measures to protect	~~any,~~ **Member States may limit the fundamental right of free movement for public health reasons. Any** restrictions to the free movement of persons within the Union put in place to limit the spread of COVID-19 should be based on specific and limited public interest grounds, namely the protection of public health **as emphasised by Recommendation (EU) 2020/1475**. It is necessary for such limitations to be applied in compliance with the general principles of Union law, in particular proportionality and non-discrimination. Any measures taken should thus not extend beyond what is strictly necessary to safeguard public health. Furthermore, they should be consistent with measures taken by the Union to ensure seamless free movement of goods and essential services across the Single Market, including those of medical supplies and personnel through the so-called "Green Lane" border crossings referred to in the Commission Communication on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure	

[12] OJ C 96I, 24.3.2020, p. 1.

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		health and ensure the availability of goods and essential services[13].	the availability of goods and essential services[14].	
14.	(7) The free movement of persons who do not pose a risk to public health, for example because they are immune to and cannot transmit SARS-CoV-2, should not be restricted, as such restrictions would not be necessary to achieve the objective pursued.	(7) ***People who are vaccinated, have a negative NAAT test that is less than [72 hours] old or have a negative rapid antigen test that is less than [24 hours] old, and people who have tested positive for specific antibodies to the spike protein within the last [6 months], have a significant reduced risk of infecting people with SARS-CoV-2, according to current medical knowledge.*** The free movement of persons who ***based on sound scientific evidence*** do not pose a ***significant*** risk to public health, for example because they are immune to and cannot transmit SARS-CoV-2, should not be restricted, as such restrictions would not be necessary to achieve the objective pursued.	(7) The free movement of persons who do not pose a risk to public health, for example because they are immune to and cannot transmit SARS-CoV-2, should not be restricted, as such restrictions would not be necessary to achieve the objective pursued.	Council compromise proposal: (7) ***Persons who are vaccinated or have a recent negative diagnostic test or persons who have recovered from COVID-19 within the last 6 months, have a reduced risk of infecting people with SARS-CoV-2, according to current medical knowledge.*** The free movement of persons who ***based on sound scientific evidence*** do not pose a ***significant*** risk to public health, for example because they are immune to and cannot transmit SARS-CoV-2, should not be restricted, as such restrictions would not be necessary to achieve the objective pursued.
15.		***(7a) To ensure harmonised use of the certificates, the duration of their respective validity should be set in this Regulation. However, at this stage, it is still unclear whether vaccines prevent transmission of COVID-19. Similarly, there is insufficient evidence on the duration of effective protection against COVID-19***		

[13] OJ C 96I, 24.3.2020, p. 1.
[14] OJ C 96I, 24.3.2020, p. 1.

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		following recovery from a prior infection. Therefore, it should be possible to adjust the duration of validity based on technical and scientific progress.		
16.	(8) Many Member States have launched or plan to launch initiatives to issue vaccination certificates. However, for these to be used effectively in a cross-border context when citizens exercise their free movement rights, such certificates need to be fully interoperable, secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles and technical standards of such certificates.	(8) Many Member States have launched or plan to launch initiatives to issue vaccination certificates. However, for these to be used effectively in a cross-border context when citizens exercise their free movement rights, such ***vaccination*** certificates need to be fully interoperable, ***compatible,*** secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles, technical standards ***and level of protection*** of such certificates.	(8) Many Member States have launched or plan to launch initiatives to issue vaccination certificates. However, for these to be used effectively in a cross-border context when citizens exercise their free movement rights, such certificates need to be fully interoperable, secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles and technical standards of such certificates.	(8) Many Member States have launched or plan to launch initiatives to issue vaccination certificates. However, for these to be used effectively in a cross-border context when citizens exercise their free movement rights, such ***vaccination*** certificates need to be fully interoperable, ***compatible,*** secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles, technical standards ***and level of protection*** of such certificates.
17.	(9) Unilateral measures in this area have the potential to cause significant disruptions to the exercise of free movement rights, as national authorities and passenger transport services, such as airlines, trains, coaches or ferries, are confronted with a wide array of diverging document formats, not only regarding a person's vaccination status but also on tests and possible recovery from COVID-19.	(9) Unilateral measures in this area have the potential to cause significant disruptions to the exercise of free movement ~~rights~~, ***and to hinder the proper functioning of the internal market, including the tourism sector***, as national authorities and passenger transport services, such as airlines, trains, coaches or ferries, are confronted with a wide array of diverging document formats, not only regarding a person's vaccination status	(9) Unilateral measures in this area have the potential to cause significant disruptions to the exercise of free movement rights, as national authorities and passenger transport services, such as airlines, trains, coaches or ferries, are confronted with a wide array of diverging document formats, not only regarding a person's vaccination status but also on tests and possible recovery from COVID-19.	(9) Unilateral measures in this area have the potential to cause significant disruptions to the exercise of free movement rights, ***and to hinder the proper functioning of the internal market, including the tourism sector,*** as national authorities and passenger transport services, such as airlines, trains, coaches or ferries, are confronted with a wide array of diverging document formats, not only regarding a person's vaccination status

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		but also on tests and possible recovery from COVID-19.		but also on tests and possible recovery from COVID-19.
18.		***(9a) The European Parliament called in its resolution of 3 March 2021 on establishing an EU strategy for sustainable tourism for a harmonised approach across the EU on tourism, both implementing common criteria for safe travel, with an EU Health Safety protocol for testing and quarantine requirements and calling for a common vaccination certificate, once there is sufficient evidence that vaccinated persons do not transmit the virus, or mutual recognition of vaccination procedures.***		***(9a) The European Parliament called in its resolution of 3 March 2021 on establishing an EU strategy for sustainable tourism for a harmonised approach across the EU on tourism, both implementing common criteria for safe travel, with an EU Health Safety protocol for testing and quarantine requirements and calling for a common vaccination certificate, once there is sufficient evidence that vaccinated persons do not transmit the virus, or mutual recognition of vaccination procedures.*** ***(9b) In their statement of 25 March 2021, the Members of the European Council called for preparations to start on a common approach to the gradual lifting of restrictions, to ensure that efforts are coordinated when the epidemiological situation allows for an easing of current measures, and for the legislative and technical work on COVID-19 interoperable and non-discriminatory digital certificates to be taken forward as a matter of urgency.***
19.	(10) To facilitate the exercise of the right to move and reside freely within	***(10) Without prejudice to the common measures on the crossing of***	(10) To facilitate the exercise of the right to move and reside freely within	To facilitate the exercise of the right to move and reside freely within the

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	the territory of the Member States, a common framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery, entitled "Digital Green Certificate" should be established.	***internal borders by persons as laid down in the Schengen acquis, in particular in Regulation (EU) 2016/399 of the European Parliament and of the Council[15], and for the purpose of facilitating*** ~~To facilitate~~ the exercise of the right to move and reside ~~freely~~ within the territory of the Member States, a common framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery~~,~~ entitled ***"EU COVID-19*** ~~Digital Green~~ Certificate" should be established ***which should be binding and directly applicable in all Member States. All Union transport hubs, such as airports, ports, railway and bus stations, where the certificate is being verified, should apply standardised and common criteria and procedures for the verification of the EU COVID-19 certificate on the basis of guidance developed by the Commission.***	the territory of the Member States, a common framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery, entitled "Digital Green Certificate" should be established.	territory of the Member States, a common framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery, entitled "Digital Green Certificate" should be established, ***which should be binding and directly applicable in all Member States***. **Regulation XXX/2021 (twin Regulation) extends this common framework to** third-country nationals who are legally resident or staying in **the Schengen area without controls at internal borders and applies as a matter of Schengen acquis, without prejudice to the rules on the crossing of internal borders set out in Regulation (EU) 2016/399 (Schengen Borders Code) [16].**

[15] ***Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 77, 23.3.2016, p. 1).***

[16] Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (OJ L 77, 23.3.2016 p.1).

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20.		***(10a) Member States, when applying this Regulation, should accept every type of certificate issued in accordance with this Regulation. The interoperable certificates should have equal value during the duration of their validity.***		
21.	(11) This Regulation should not be understood as facilitating or encouraging the adoption of restrictions to free movement, or other fundamental rights, in response to the pandemic. In particular, the exemptions to the restriction of free movement in response to the COVID-19 pandemic referred to in Recommendation (EU) 2020/1475 should continue to apply. At the same time, the "Digital Green Certificate" framework will ensure that interoperable certificates are also available to essential travellers.	(11) This Regulation ***is intended to facilitate the application of the principles of proportionality and non-discrimination with regard to possible restrictions to free movement and other fundamental rights as a result of the COVID-19 pandemic, while pursuing a high level of public health protection and*** should not be understood as facilitating or encouraging the adoption of restrictions to free movement, or other fundamental rights, in response to the pandemic***.*** ~~In particular,~~ The exemptions to the restriction of free movement in response to the COVID-19 pandemic referred to in Recommendation (EU) 2020/1475 should continue to apply. ***Any need for verification of certificates established by this Regulation should not be able as such to justify the temporary reintroduction of border controls at internal borders. Checks at internal borders should remain a measure of last resort, subject to specific rules set***	(11) This Regulation should not be understood as facilitating or encouraging the adoption of restrictions to free movement, or other fundamental rights, in response to the pandemic. In particular, the exemptions to the restriction of free movement in response to the COVID-19 pandemic referred to in Recommendation (EU) 2020/1475 should continue to apply **and the specific situation of cross border communities should be taken into account.** At the same time, the "Digital Green Certificate" framework will ensure that interoperable certificates are also available to essential travellers.	(11) This Regulation ***is intended to facilitate the application of the principles of proportionality and non-discrimination with regard to possible restrictions to free movement during the COVID-19 pandemic, while pursuing a high level of public health protection, and*** should not be understood as facilitating or encouraging the adoption of restrictions to free movement, or other fundamental rights, in response to the pandemic***, given their detrimental effects on citizens and businesses***. ***Any verification of the certificates making up the Digital Green Certificates should not lead to further restrictions on the freedom of movement within the Union or restrictions on travel within the Schengen area.*** The exemptions to the restriction of free movement in response to the COVID-19 pandemic referred to in Recommendation (EU) 2020/1475 should continue to apply **and the specific situation of cross-**

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		out in Regulation (EU) 2016/399 ~~At the same time, the "Digital Green Certificate" framework will ensure that interoperable certificates are also available to essential travellers~~.		**border communities, *who have been particularly affected by such restrictions*, should be taken into account.** At the same time, the "Digital Green Certificate" framework will ensure that interoperable certificates are also available to essential travellers.
22.			**(11a) This Regulation should not cover Member States' decisions to impose or waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19. The use of the Digital Green Certificate in view of lifting restrictions should remain the responsibilty of the Member States.**	
23.	(12) The foundation of a common approach for the issuance, verification and acceptance of such interoperable certificates hinges upon trust. False COVID-19 certificates may pose a significant risk to public health. Authorities in one Member State need assurance that the information included in a certificate issued in another Member State is trustworthy, that it has not been forged, that it belongs to the person presenting it, and that anyone verifying this information	(12) The foundation of a common approach for the issuance, verification and acceptance of such interoperable certificates hinges upon trust. False COVID-19 certificates may pose a significant risk to public health. Authorities in one Member State need assurance that the information included in a certificate issued in another Member State is trustworthy, that it has not been forged, that it belongs to the person presenting it, and that anyone verifying this information	(12) The foundation of a common approach for the issuance, verification and acceptance of such interoperable certificates hinges upon trust. False COVID-19 certificates may pose a significant risk to public health. Authorities in one Member State need assurance that the information included in a certificate issued in another Member State is trustworthy, that it has not been forged, that it belongs to the person presenting it, and that anyone verifying this information	(12) The foundation of a common approach for the issuance, verification and acceptance of such interoperable certificates hinges upon trust. False COVID-19 certificates may pose a significant risk to public health. Authorities in one Member State need assurance that the information included in a certificate issued in another Member State is trustworthy, that it has not been forged, that it belongs to the person presenting it, and that anyone verifying this information

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	only has access to the minimum amount of information necessary.	only has access to the minimum amount of information necessary.	only has access to the minimum amount of information necessary.	only has access to the minimum amount of information necessary.
24.	(13) The risk posed by false COVID-19 certificates is real. On 1 February 2021, Europol issued an Early Warning Notification on the illicit sales of false negative COVID-19 test certificates[17]. Given the available and easily accessible technological means, such as high-resolution printers and various graphics editor software, fraudsters are able to produce high-quality forged, faked or counterfeit certificates. Cases of illicit sales of fraudulent test certificates have been reported, involving more organised forgery rings and individual opportunistic scammers selling false certificates offline and online.	(13) The risk posed by false COVID-19 certificates is real. On 1 February 2021, Europol issued an Early Warning Notification on the illicit sales of false negative COVID-19 test certificates[18]. Given the available and easily accessible technological means, such as high-resolution printers and various graphics editor software, fraudsters are able to produce high-quality forged, faked or counterfeit certificates. Cases of illicit sales of fraudulent test certificates have been reported, involving more organised forgery rings and individual opportunistic scammers selling false certificates offline and online.	(13) The risk posed by false COVID-19 certificates is real. On 1 February 2021, Europol issued an Early Warning Notification on the illicit sales of false negative COVID-19 test certificates[19]. Given the available and easily accessible technological means, such as high-resolution printers and various graphics editor software, fraudsters are able to produce high-quality forged, faked or counterfeit certificates. Cases of illicit sales of fraudulent test certificates have been reported, involving more organised forgery rings and individual opportunistic scammers selling false certificates offline and online.	(13) The risk posed by false COVID-19 certificates is real. On 1 February 2021, Europol issued an Early Warning Notification on the illicit sales of false negative COVID-19 test certificates[20]. Given the available and easily accessible technological means, such as high-resolution printers and various graphics editor software, fraudsters are able to produce high-quality forged, faked or counterfeit certificates. Cases of illicit sales of fraudulent test certificates have been reported, involving more organised forgery rings and individual opportunistic scammers selling false certificates offline and online. Council proposal ***(13a) It is important that sufficient resources are made available to implement this Regulation and to prevent, detect, investigate and prosecute fraud and illicit practices regarding the issuance and use of the Digital Green Certificate.***

[17] https://www.europol.europa.eu/early-warning-notification-illicit-sales-of-false-negative-covid-19-test-certificates
[18] https://www.europol.europa.eu/early-warning-notification-illicit-sales-of-false-negative-covid-19-test-certificates
[19] https://www.europol.europa.eu/early-warning-notification-illicit-sales-of-false-negative-covid-19-test-certificates
[20] https://www.europol.europa.eu/early-warning-notification-illicit-sales-of-false-negative-covid-19-test-certificates

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				[*EP amendment row 107*]
25.	(14) To ensure interoperability and equal access, Member States should issue the certificates making up the Digital Green Certificate in a digital or paper-based format, or both. This should allow the prospective holder to request and receive a paper copy of the certificate or to store and display the certificate on a mobile device. The certificates should contain an interoperable, digitally readable barcode containing the relevant data relating to the certificates. Member States should guarantee the authenticity, validity and integrity of the certificates by electronic seals or similar means. The information on the certificate should also be included in human-readable format, either printed or displayed as plain text. The layout of the certificates should be easy to understand and ensure simplicity and user-friendliness. To avoid obstacles to free movement, the certificates should be issued free of charge, and citizens should have a right to have them issued. Member States should issue the certificates making up the Digital Green Certificate automatically or	(14) To ensure interoperability and equal access, ***including for vulnerable persons such as persons with disabilities and for persons with limited access to digital technologies,*** Member States should issue the certificates making up the ***EU COVID-19*** ~~Digital Green~~ Certificate in a digital or paper-based format, or both ***as chosen by the holder***. This should allow the prospective holder to request and receive a paper copy of the certificate ***and/***or to store and display the certificate on a mobile device. The certificates should contain an interoperable, digitally readable barcode ***only*** containing the relevant data relating to the certificates. Member States should guarantee the authenticity, validity and integrity of the certificates by electronic seals ~~or similar means~~. The information on the certificate should also be included in human-readable format, either printed or displayed as plain text. The layout of the certificates should be easy to understand and ensure simplicity and user-friendliness. ***The information and layout should be presented in an***	(14) To ensure interoperability and equal access, **including for persons with disabilities**, Member States should issue the certificates making up the Digital Green Certificate in a digital or paper-based format, or both, **depending on the choice of the prospective holder**. This should allow the prospective holder to request and receive a paper copy of the certificate or to store and display the certificate on a mobile device. The certificates should contain an interoperable, digitally readable barcode containing the relevant data relating to the certificates. Member States should guarantee the authenticity, validity and integrity of the certificates by electronic seals or similar means. The information on the certificate should also be included in human-readable format, either printed or displayed as plain text. The layout of the certificates should be easy to understand and ensure simplicity and user-friendliness. To avoid obstacles to free movement, **and although there may be a charge for related services, such as for tests**, the certificates **themselves**	Council proposal: (14) To ensure interoperability and equal access, ***including for vulnerable persons such as persons with disabilities and for persons with limited access to digital technologies***, Member States should issue the certificates making up the Digital Green Certificate in a digital or paper-based format, or both. ***The prospective holders should be entitled to receive the certificate in the format of their choice.*** This should allow the prospective holder to request and receive a paper copy of the certificate ***and/***or to store and display the certificate on a mobile device. The certificates should contain an interoperable, digitally readable barcode ***only*** containing the relevant data relating to the certificates. Member States should guarantee the authenticity, validity and integrity of the certificates by electronic seals or ~~similar means~~. ***To ensure a high level of confidence in the integrity and authenticity of certificates, Member States should, where possible, prioritise the use of advanced***

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	upon request, ensuring that they can be obtained easily and providing, where needed, the necessary support to allow for equal access by all citizens.	***accessible manner for persons with disabilities following the accessibility requirements for information, including digital information, laid down in Directive (EU) 2019/882 of the European Parliament and of the Council***[21]**.** To avoid obstacles to free movement, the certificates should be issued free of charge, and ***persons*** ~~citizens~~ should have a right to have them issued. Member States should ***automatically*** issue the certificates making up the ***EU COVID-19*** ~~Digital Green~~ Certificate ~~automatically~~**,** or ***in the case of the certificate of recovery only*** upon request, ensuring that they can be obtained easily ***and swiftly*** and providing, where needed, the necessary support *to* ***ensure*** ~~allow~~ for equal access by all ***persons***. ***Any additional technical, digital and transport infrastructure expenses needed to put in place the vaccination certificates should be eligible under Union funds and programmes.***	should be issued free of charge, and citizens should have a right to have them issued. Member States should issue the certificates making up the Digital Green Certificate automatically or upon request, ensuring that they can be obtained easily and providing, where needed, the necessary support to allow for equal access by all citizens.	***electronic seals as defined in Regulation (EU) 910/2014.*** The information on the certificate should also be included in human-readable format, either printed or displayed as plain text. The layout of the certificates should be easy to understand and ensure simplicity and user-friendliness. To avoid obstacles to free movement, the certificates should be issued free of charge, and citizens should have a right to have them issued. Member States should issue the certificates making up the Digital Green Certificate automatically or upon request, ensuring that they can be obtained easily and swiftly, and providing, where needed, the necessary support to allow for equal access by all citizens. ***A separate certificate is to be issued for each vaccination, test or recovery, which is not to contain data from any previous certificates except where information contained in a prior certificate is to be included in a later certificate.*** ***(14a) Authentic certificates making up the Digital Green Certificate should be individually identifiable by means of a unique certificate identifier, taking into account that citizens might be issued more than***

[21] ***Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).***

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				one certificate during the course of the COVID-19 pandemic. The unique certificate identifier is composed of an alphanumeric string, and Member States should ensure that it does not contain any data linking it to other documents or identifiers, such as to passport or identity card numbers, in order to prevent linkage to directly identify the holder. The unique certificate identifier may only be used for its intended purpose, including for requests for the issuance of a new certificate if the certificate is no longer available to the holder, and the revocation of certificates. The unique certificate identifier also avoid the need to process other personal data that would otherwise be necessary to identify individual certificates. For medical and public health reasons and in the event of fraudulent certificates, Member States may establish and exchange with other Member States for the purpose of this Regulation certificate revocation lists in limited cases in particular in order to revoke certificates that have been issued erroneously, fraudulently or following the suspension of a vaccine batch found to be defective. Certificate revocation lists should contain no personal data with the exception of the unique certificate identifiers. Holders of revoked

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				certificates should be promptly informed about the revocation of their certificates and the reasons for the revocation.
26.		***(14a) The vaccines should be considered as global public goods available to the general population, hence Member States should ensure fair and free of charge access for all citizens. Member States should also ensure universal, accessible, timely and free of charge access to COVID-19 testing possibilities, including making these available in all transport hubs. Issuance of certificates pursuant to Article 3(1) should not lead to differential treatment and discrimination based on vaccination status or the possession of a specific certificate referred to in Articles 5, 6 and 7.***		
27.	(15) The security, authenticity, integrity and validity of the certificates making up the Digital Green Certificate and their compliance with Union data protection legislation are key to their acceptance in all Member States. It is therefore necessary to establish a trust framework laying out the rules on and infrastructure for the	(15) The security, authenticity, integrity and validity of the certificates making up the ***EU COVID-19*** ~~Digital Green~~ Certificate and their compliance with Union data protection legislation are key to their acceptance in all Member States. It is therefore necessary to establish a trust framework laying out the rules on and	(15) The security, authenticity, integrity and validity of the certificates making up the Digital Green Certificate and their compliance with Union data protection legislation are key to their acceptance in all Member States. It is therefore necessary to establish a trust framework laying out the rules on and infrastructure for the	(15) The security, authenticity, integrity and validity of the certificates making up the Digital Green Certificate and their compliance with Union data protection legislation are key to their acceptance in all Member States. It is therefore necessary to establish a trust framework laying out the rules on and infrastructure for the

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	reliable and secure issuance and verification of certificates. The outline on the interoperability of health certificates[22] adopted, on 12 March 2021, by the eHealth Network set up under Article 14 of Directive 2011/24/EU[23] should form the basis for the trust framework.	infrastructure for the reliable and secure issuance and verification of certificates. ***The infrastructure should be developed, with a strong preference for the use of Union technology, to function on all electronic devices while ensuring that that infrastructure is protected from cybersecurity threats. The trust framework should ensure that the verification of a certificate can happen offline and without informing the issuer about the verification and should therefore ensure that no issuer of certificates, nor any other third party, is informed when a holder presents a certificate.*** The outline on the interoperability of health certificates[24] adopted, on 12 March 2021, by the eHealth Network set up under Article 14 of Directive 2011/24/EU[25] should form the basis for the trust framework. ***The trust framework should therefore be based on a public-key infrastructure with a trust chain from Member States' health authorities to the individual***	reliable and secure issuance and verification of certificates. The outline on the interoperability of health certificates[26] adopted, on 12 March 2021, by the eHealth Network set up under Article 14 of Directive 2011/24/EU[27] should form the basis for the trust framework.	reliable and secure issuance and verification of certificates. ***The infrastructure should be developed, with a strong preference for the use of open source technology, to function on different major operating systems while ensuring that that infrastructure is protected from cybersecurity threats. The trust framework should ensure that the verification of a certificate can happen offline and without informing the issuer or any other third party about the verification. The trust framework should be based on a public-key infrastructure with a trust chain from Member States' health authorities or other trusted authorities to the individual entities issuing the certificates. The trust framework should allow for detection against fraud, in particular forgery.*** The outline on the interoperability of health certificates[28] adopted, on 12 March 2021, by the eHealth Network set up under Article 14 of Directive

22 Available at: https://ec.europa.eu/health/sites/health/files/ehealth/docs/trust-framework_interoperability_certificates_en.pdf
23 Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).
24 Available at: https://ec.europa.eu/health/sites/health/files/ehealth/docs/trust-framework_interoperability_certificates_en.pdf
25 Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).
26 Available at: https://ec.europa.eu/health/sites/health/files/ehealth/docs/trust-framework_interoperability_certificates_en.pdf
27 Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).
28 Available at: https://ec.europa.eu/health/sites/health/files/ehealth/docs/trust-framework_interoperability_certificates_en.pdf

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		entities issuing the certificates. The trust framework should allow for detection against fraud, in particular forgery. A separate independent certificate should be issued for each vaccination, test or recovery, and no history of the previous certificates of the holder should be stored on the certificate.		2011/24/EU[29] should form the basis for the trust framework. *[EP amendments on new certificate – row 25]* *EP amendment on separate certificate – row 95]*
28.	(16) Pursuant to this Regulation, the certificates making up the Digital Green Certificate should be issued to beneficiaries as referred to in Article 3 of Directive 2004/38/EC, that is, Union citizens and their family members, whatever their nationality, by the Member State of vaccination or test, or where the recovered person is located. Where relevant or appropriate, the certificates should be issued on behalf of the vaccinated, tested or recovered person, for example on behalf of legally incapacitated persons or to parents on behalf of their children. The certificates should not require legalisation or other similar formalities.	(16) Pursuant to this Regulation, ***any of*** the certificates making up the ***EU COVID-19*** ~~Digital Green~~ Certificate should be issued to ***persons*** as referred to in Article 3 of Directive 2004/38/EC, that is, Union citizens and their family members, ***including citizens from Overseas Countries and Territories as referred to in Article 355.2 Treaty on the functioning of European Union (TFEU),*** whatever their nationality, by the Member State of vaccination or test, or where the recovered person is located. Where relevant or appropriate, the certificates should be issued ***to another person*** on behalf of the vaccinated, tested or recovered person, for example ***to the legal guardian*** on behalf of legally incapacitated persons or to parents on behalf of their children. The certificates should not require	(16) Pursuant to this Regulation, the certificates making up the Digital Green Certificate should be issued to beneficiaries as referred to in Article 3 of Directive 2004/38/EC, that is, Union citizens and their family members, whatever their nationality, by the Member State of vaccination or test, or where the recovered person is located. **Where reference is made to issuance by Member States, this should be understood as also covering issuance by designated bodies on behalf of Member States, including when they are issued in Overseas Countries and Territories or the Faroe Islands on behalf of a Member State.** Where relevant or appropriate, the certificates should be issued on behalf of the vaccinated, tested or recovered person, for example on behalf of legally incapacitated persons or to parents on behalf of their children. The	Council proposal: (16) Pursuant to this Regulation, the certificates making up the Digital Green Certificate should be issued to beneficiaries as referred to in Article 3 of Directive 2004/38/EC, that is, Union citizens and their family members, whatever their nationality, by the Member State of vaccination or test, or where the recovered person is located. **Where reference is made to issuance by Member States, this should be understood as also covering issuance by designated bodies on behalf of Member States, including when they are issued in Overseas Countries and Territories or the Faroe Islands on behalf of a Member State.** Where relevant or appropriate, the certificates should be issued ***to another person*** on behalf of the vaccinated, tested or recovered person, for example ***to the***

[29] Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).

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		legalisation or ***any*** other similar formalities.	certificates should not require legalisation or other similar formalities.	***legal guardian*** on behalf of legally incapacitated persons or to parents on behalf of their children. The certificates should not require legalisation or ***any*** other similar formalities.
29.		***(16a) Restrictions linked to cross-border travel are particularly disruptive for persons who cross them daily or frequently to go to work or school, visit close relatives, seek medical care, or to take care of loved ones. The EU COVID-19 Certificate should facilitate the free movement of border residents, seasonal cross-border workers, temporary cross-border workers and transport workers.*** ***(16b) Underlining Recital (14a) and paragraphs 6 and 19 of Council Recommendation (EU) 2020/1475, Member States should pay particular attention to the specificities of cross-border regions, outermost regions, exclaves and geographically isolated areas and the need to cooperate at local and regional level as well as to persons who are considered to be frontier workers, cross-border workers and border residents and who reside in another Member State to which they return as a rule daily or at least once a week.***		*[Rows 11 and 21]*

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30.	(17) The certificates making up the Digital Green Certificate could also be issued to nationals or residents of Andorra, Monaco, San Marino and the Vatican/Holy See, in particular where they are vaccinated by a Member State.	(17) The certificates making up the ***EU COVID-19*** ~~Digital Green~~ Certificate could also be issued to nationals or residents of Andorra, Monaco, San Marino and the Vatican/Holy See ~~, in particular where they are vaccinated by a Member State~~.	(17) The certificates making up the Digital Green Certificate could also be issued to nationals or residents of Andorra, Monaco, San Marino and the Vatican/Holy See. ~~in particular where they are vaccinated by a Member State.~~	(17) The certificates making up the Digital Green Certificate could also be issued to nationals or residents of Andorra, Monaco, San Marino and the Vatican/Holy See. ~~in particular where they are vaccinated by a Member State.~~ ~~[~~*Issue of the name of the certificate*~~]~~
31.	(18) It is necessary to take into account that the agreements on free movement of persons concluded by the Union and its Member States, of the one part, and certain third countries, of the other part, provide for the possibility to restrict free movement for public health reasons. Where such an agreement does not contain a mechanism of incorporation of European Union acts, certificates issued to beneficiaries of such agreements should be accepted under the conditions laid down in this Regulation. This should be conditional on an implementing act to be adopted by the Commission establishing that such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it would accept certificates issued by the Member States.	(18) ~~It is necessary to take into account that the~~ Agreements on free movement of persons concluded by the Union and its Member States, of the one part, and certain third countries, of the other part, provide for the possibility to restrict free movement for public health reasons. Where such an agreement does not contain a mechanism of incorporation of European Union acts, certificates issued to beneficiaries of such agreements should be accepted under the conditions laid down in this Regulation. This should be conditional on an implementing act to be adopted by the Commission establishing that such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it would accept certificates issued by the Member States.	(18) It is necessary to take into account that the agreements on free movement of persons concluded by the Union and its Member States, of the one part, and certain third countries, of the other part, provide for the possibility to restrict free movement for public health reasons. Where such an agreement does not contain a mechanism of incorporation of European Union acts, certificates issued to beneficiaries of such agreements should be accepted under the conditions laid down in this Regulation. This should be conditional on an implementing act to be adopted by the Commission establishing that such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it would accept certificates issued by the Member States.	(18) ~~It is necessary to take into account that~~ Agreements on free movement of persons concluded by the Union and its Member States, of the one part, and certain third countries, of the other part, provide for the possibility to restrict free movement for public health reasons. Where such an agreement does not contain a mechanism of incorporation of European Union acts, certificates issued to beneficiaries of such agreements should be accepted under the conditions laid down in this Regulation. This should be conditional on an implementing act to be adopted by the Commission establishing that such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it would accept certificates issued by the Member States.

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32.	(19) Regulation (EU) 2021/XXXX applies to third-country nationals who do not fall within the scope of this Regulation and who reside or stay legally in the territory of a State to which that Regulation applies and who are entitled to travel to other States in accordance with Union law.	(19) Regulation (EU) 2021/XXXX applies to third-country nationals who do not fall within the scope of this Regulation and who reside or stay legally in the territory of a State to which that Regulation applies and who are entitled to travel to other States in accordance with Union law.	(19) Regulation (EU) 2021/XXXX applies to third-country nationals who do not fall within the scope of this Regulation and who reside or stay legally in the territory of a State to which that Regulation applies and who are entitled to travel to other States in accordance with Union law.	(19) Regulation (EU) 2021/XXXX applies to third-country nationals who do not fall within the scope of this Regulation and who reside or stay legally in the territory of a State to which that Regulation applies and who are entitled to travel to other States in accordance with Union law.
33.	(20) The framework to be established for the purpose of this Regulation should seek to ensure coherence with global initiatives, in particular involving the WHO. This should include, where possible, interoperability between technological systems established at global level and the systems established for the purpose of this Regulation to facilitate free movement within the Union, including through the participation in a public key infrastructure or the bilateral exchange of public keys. To facilitate the free movement rights of Union citizens vaccinated by third countries, this Regulation should provide for the acceptance of certificates issued by third countries to Union citizens and their family members where the Commission finds that these certificates are issued according to standards equivalent to those established pursuant to this Regulation.	(20) The framework to be established for the purpose of this Regulation should seek to ensure coherence with global initiatives ***or similar initiatives with third countries with which the European Union has close partnerships***, ~~in particular~~ involving the WHO ***and the International Civil Aviation Organisation***. This should include, where possible, interoperability between technological systems established at global level and the systems established for the purpose of this Regulation to facilitate free movement within the Union, including through the participation in a public key infrastructure or the bilateral exchange of public keys. To facilitate the free movement rights of Union citizens vaccinated ***or tested*** by third countries ***or by Overseas Countries or Territories referred to in Article 355 (2) TFEU or listed in Annex II thereto or the Faroe Islands***, this Regulation should provide for the acceptance of	(20) The framework to be established for the purpose of this Regulation should seek to ensure coherence with global initiatives, in particular involving the WHO **and the International Civil Aviation Organisation (ICAO)**. This should include, where possible, interoperability between technological systems established at global level and the systems established for the purpose of this Regulation to facilitate free movement within the Union, including through the participation in a public key infrastructure or the bilateral exchange of public keys. To facilitate the free movement rights of Union citizens vaccinated **or tested** by third countries **or by Overseas Countries or Territories referred to in Article 355 (2) TFEU or listed in its annex II or the Faroe Islands**, this Regulation should provide for the acceptance of certificates issued by third countries **or by Overseas Countries or**	(20) The framework to be established for the purpose of this Regulation should seek to ensure coherence with global initiatives, in particular involving the WHO **and the International Civil Aviation Organisation (ICAO)**. This should include, where possible, interoperability between technological systems established at global level ***or by third countries with which the European Union has close links*** and the systems established for the purpose of this Regulation to facilitate free movement within the Union, including through the participation in a public key infrastructure or the bilateral exchange of public keys. To facilitate the free movement rights of Union citizens vaccinated ***or tested*** by third countries ***or by Overseas Countries or Territories referred to in Article 355 (2) TFEU or listed in Annex II thereto or the Faroe Islands***, this Regulation should provide for the acceptance of

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		certificates issued by third countries ***or by Overseas Countries or Territories or the Faroe Islands*** to Union citizens and their family members where, the Commission finds that these certificates are issued according to standards equivalent to those established pursuant to this Regulation.	**Territories or the Faroe Islands** to Union citizens and their family members where the Commission finds that these certificates are issued according to standards equivalent to those established pursuant to this Regulation.	certificates issued by third countries ***or by Overseas Countries or Territories or the Faroe Islands*** to Union citizens and their family members where, the Commission finds that these certificates are issued according to standards equivalent to those established pursuant to this Regulation.
34.			**(20a) If the technical solution chosen for verification requires a Member State to transfer personal data to a recipient in a third country to confirm and verify the vaccination, testing or recovery status of the holder of a certificate issued by a third country, such transfer should be limited to the data necessary for the verification of the authenticity, validity and integrity of the certificate and may only be carried out in compliance with the conditions set out in Chapter V of Regulation (EU) 2016/679.**	
35.	(21) To facilitate free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable vaccination certificate should be established. This vaccination certificate should serve to confirm that the holder has received a COVID-19	(21) ***For the purpose of facilitating*** ~~To facilitate~~ free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence ***and guidance made*** available ***by the Health Security Committee, ECDC and the European Medicines Agency (EMA)***, an	(21) To facilitate free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable vaccination certificate should be established. This vaccination certificate should serve to confirm that the holder has received a COVID-19	(21) ***For the purpose of facilitating*** ~~To facilitate~~ free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence ***and guidance made*** available ***by the Health Security Committee, ECDC and the European Medicines Agency (EMA)***, an

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	vaccine in a Member State. The certificate should contain only the necessary information to clearly identify the holder as well as the COVID-19 vaccine, number, date and place of vaccination. Member States should issue vaccination certificates for persons receiving vaccines that have been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[30], for vaccines that have been granted marketing authorisation pursuant to Directive 2001/83/EC of the European Parliament and of the Council[31], or vaccines whose distribution has been temporarily authorised pursuant to Article 5(2) of Directive 2001/83/EC.	interoperable vaccination certificate should be established. This vaccination certificate should serve to confirm that the holder has received a COVID-19 vaccine in a Member State ***and should allow for the waiving of travel restrictions***. The certificate should contain only the necessary information to clearly identify the holder as well as the COVID-19 vaccine, number, date and place of vaccination. Member States should issue vaccination certificates for persons receiving vaccines that have been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[32]~~, for vaccines that have been granted marketing authorisation pursuant to Directive 2001/83/EC of the European Parliament and of the~~	vaccine in a Member State. The certificate should contain only the necessary information to clearly identify the holder as well as the COVID-19 vaccine, number, date and place of vaccination. Member States should issue vaccination certificates **to** ~~for~~ persons receiving vaccines that have been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[34], ~~for~~ vaccines that have been granted marketing authorisation pursuant to Directive 2001/83/EC of the European Parliament and of the Council[35], or vaccines whose distribution has been temporarily authorised pursuant to Article 5(2) of Directive 2001/83/EC.	interoperable vaccination certificate should be established. This vaccination certificate should serve to confirm that the holder has received a COVID-19 vaccine in a Member State ***and should allow for the waiving of travel restrictions***. The certificate should contain only the necessary information to clearly identify the holder as well as the COVID-19 vaccine, number, date and place of vaccination. Member States should issue vaccination certificates for persons receiving vaccines that have been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[36]~~, for vaccines that have been granted marketing authorisation pursuant to Directive 2001/83/EC of the European Parliament and of the~~

[30] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

[31] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p.67).

[32] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

[34] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

[35] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p.67).

[36] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p. 1).

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		~~Council[33], or vaccines whose distribution has been temporarily authorised pursuant to Article 5(2) of Directive 2001/83/EC~~.		~~Council[37], or vaccines whose distribution has been temporarily authorised pursuant to Article 5(2) of Directive 2001/83/EC~~.
36.	(22) Persons who have been vaccinated before the date of application of this Regulation, including as part of a clinical trial, should also have the possibility to obtain a certificate on COVID-19 vaccination that complies with this Regulation. At the same time, Member States should remain free to issue proofs of vaccination in other formats for other purposes, in particular for medical purposes.	(22) Persons who have been vaccinated before the date of application of this Regulation, including as part of a clinical trial, should ***be entitled*** ~~also have the possibility~~ to obtain a certificate on COVID-19 vaccination that complies with this Regulation. At the same time, Member States should remain free to issue proofs of vaccination in other formats for other purposes, in particular for medical purposes.	(22) Persons who have been vaccinated before the date of application of this Regulation, including as part of a clinical trial, should also have the **right** ~~possibility~~ to obtain a certificate on COVID-19 vaccination that complies with this Regulation **given that the Digital Green Certificate provides the mutually accepted framework to facilitate free movement**. **Where Union citizens or their family members are not in possession of a certificate that complies with the requirements of this Regulation, in particular because they have been vaccinated before the entry into force of this Regulation, they should be given every reasonable opportunity to corroborate or prove by other means that they should benefit from the waiving of relevant restrictions to free movement afforded by a Member State. This should not be understood as**	(22) Persons who have been vaccinated before the date of application of this Regulation, including as part of a clinical trial, should also have the **right** ~~possibility~~ to obtain a certificate on COVID-19 vaccination that complies with this Regulation **given that the Digital Green Certificate provides the mutually accepted framework to facilitate free movement**. **Where Union citizens or their family members are not in possession of a certificate that complies with the requirements of this Regulation, in particular because they have been vaccinated before the entry into force of this Regulation or because they have been vaccinated in a third country, they should be given every reasonable opportunity to corroborate or prove by other means that they should benefit from the waiving of relevant restrictions to free movement afforded by a**

~~[33] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p.67).~~

~~[37] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p.67).~~

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			affecting the obligation of Member States to issue certificates that comply with the requirements of this Regulation nor the right of Union citizens or their family members to receive, from Member States, certificates that comply with the requirements of this Regulation. At the same time, Member States should remain free to issue proofs of vaccination in other formats for other purposes, in particular for medical purposes.	**Member State. This should not be understood as affecting the obligation of Member States to issue certificates that comply with the requirements of this Regulation nor the right of Union citizens or their family members to receive, from Member States, certificates that comply with the requirements of this Regulation.** At the same time, Member States should remain free to issue proofs of vaccination in other formats for other purposes, in particular for medical purposes.
37.	(23) Member States should also issue such vaccination certificates to Union citizens and their family members who have been vaccinated in a third country and provide reliable proof to that effect.	(23) ***In line with the principle of non-discrimination,*** Member States should also issue such vaccination certificates to Union citizens and their family members who have been vaccinated ***with a COVID-19 vaccine having been granted market authorisation pursuant to Regulation (EC) No 726/2004*** in a third country and provide reliable proof to that effect. ***Member States should also be able to issue vaccine certificates to Union citizens and their family members who have been vaccinated with a vaccine that has received a WHO Emergency Use Listing, and where they provide reliable proof to that effect.***	(23) Member States ~~should~~ **may** also issue **upon request** such vaccination certificates to Union citizens and their family members who have been vaccinated in a third country and provide **all necessary information, including** reliable proof to that effect. **This is of particular importance to allow the persons concerned to make use of an interoperable and accepted vaccination certificate when exercising their right of free movement within the Union. There is no requirement for Member States to issue such vaccination certificates at consular posts.**	

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38.	(24) On 27 January 2021, the eHealth Network adopted guidelines on proof of vaccination for medical purposes, which it updated on 12 March 2021[38]. These guidelines, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	(24) On 27 January 2021, the eHealth Network adopted guidelines on proof of vaccination for medical purposes, which it updated on 12 March 2021[39]. These guidelines, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	(24) On 27 January 2021, the eHealth Network adopted guidelines on proof of vaccination for medical purposes, which it updated on 12 March 2021[40]. These guidelines, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	(24) On 27 January 2021, the eHealth Network adopted guidelines on proof of vaccination for medical purposes, which it updated on 12 March 2021[41]. These guidelines, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.
39.	(25) Already now, several Member States exempt vaccinated persons from certain restrictions to free movement within the Union. Where Member States accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation. This acceptance should take place under the same conditions, meaning that, for example, where a Member State considers sufficient a	(25) Already now, several Member States exempt vaccinated persons from certain restrictions to free movement within the Union. ~~Where~~ Member States ***should*** accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, ***and*** they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation. This acceptance should take place under the same conditions, meaning that, for example, where a	(25) Already now, several Member States exempt vaccinated persons from certain restrictions to free movement within the Union. Where Member States accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation. This acceptance should take place under the same conditions, meaning that, for example, where a Member State considers sufficient a	

[38] Available at : https://ec.europa.eu/health/sites/health/files/ehealth/docs/vaccination-proof_interoperability-guidelines_en.pdf
[39] Available at : https://ec.europa.eu/health/sites/health/files/ehealth/docs/vaccination-proof_interoperability-guidelines_en.pdf
[40] Available at : https://ec.europa.eu/health/sites/health/files/ehealth/docs/vaccination-proof_interoperability-guidelines_en.pdf
[41] Available at : https://ec.europa.eu/health/sites/health/files/ehealth/docs/vaccination-proof_interoperability-guidelines_en.pdf

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	single dose of a vaccine administered, it should do so also for holders of a vaccination certificate indicating a single dose of the same vaccine. On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, vaccines whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or vaccines having received a WHO Emergency Use Listing.	Member State considers sufficient a single dose of a vaccine administered, it should do so also for holders of a vaccination certificate indicating a single dose of the same vaccine. On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004~~. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, vaccines whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC,~~ or vaccines having received a WHO Emergency Use Listing.	single dose of a vaccine administered, it should do so also for holders of a vaccination certificate indicating a single dose of the same vaccine. ~~On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, vaccines whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or vaccines having received a WHO Emergency Use Listing.~~	
40.			**(25a) Regulation (EC) No 726/2004 puts in place harmonised procedures, involving all Member States, for the authorisation and surveillance of medicinal products at Union level, ensuring that only high quality medicinal products are placed on the market and administered to persons throughout the Union. As a result, the marketing authorisations granted by the Union**	**(25a) Regulation (EC) No 726/2004 puts in place harmonised procedures, involving all Member States, for the authorisation and surveillance of medicinal products at Union level, ensuring that only high quality medicinal products are placed on the market and administered to persons throughout the Union. As a result, the marketing authorisations granted by the Union**

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			pursuant to Regulation (EC) No 726/2004, including the underlying evaluation of the medicinal product concerned in terms of quality, safety and efficacy, are valid in all Member States. In addition, efficacy follow-up and supervision procedures of medicinal products authorised pursuant to Regulation (EC) No 726/2004 are carried out centrally for all Member States. The assessment and approval of vaccines via the centralised procedure follows shared standards and is done in a consistent way on behalf of all Member States. Member States' participation in the review and endorsement of the assessment is ensured through various committees and groups, which also benefits from the expertise from the EU Medicines Regulatory Network. The authorisation via the centralised procedure provides the confidence that all Member States can rely on the authorisation and data on efficacy as well as safety and on the consistency of the batches being used for vaccination of citizens. The obligation to accept, under the same conditions, valid vaccination certificates issued by other Member States should therefore cover COVID-19 vaccines having been granted marketing authorisation	**pursuant to Regulation (EC) No 726/2004, including the underlying evaluation of the medicinal product concerned in terms of quality, safety and efficacy, are valid in all Member States. In addition, efficacy follow-up and supervision procedures of medicinal products authorised pursuant to Regulation (EC) No 726/2004 are carried out centrally for all Member States. The assessment and approval of vaccines via the centralised procedure follows shared standards and is done in a consistent way on behalf of all Member States. Member States' participation in the review and endorsement of the assessment is ensured through various committees and groups, which also benefits from the expertise from the EU Medicines Regulatory Network. The authorisation via the centralised procedure provides the confidence that all Member States can rely on the authorisation and data on efficacy as well as safety and on the consistency of the batches being used for vaccination of citizens. The obligation to accept, under the same conditions, valid vaccination certificates issued by other Member States should therefore cover COVID-19 vaccines having been granted marketing authorisation**

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			pursuant to Regulation (EC) No 726/2004. In order to support the work of WHO and to strive for better global interoperability, Member States are in particular encouraged to accept vaccination certificates issued for other COVID-19 vaccines having received a WHO Emergency Use Listing.	**pursuant to Regulation (EC) No 726/2004. In order to support the work of WHO and to strive for better global interoperability, Member States are in particular encouraged to accept vaccination certificates issued for other COVID-19 vaccines having received a WHO Emergency Use Listing.**
41.			**(25b) This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, vaccines whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or vaccines having received a WHO Emergency Use Listing. Where one of these COVID-19 vaccines is subsequently granted marketing authorisation pursuant to Regulation (EC) No 726/2004, the obligation to accept, under the same conditions, would also cover valid vaccination certificates issued by a Member States for that COVID-19 vaccine, regardless whether the certificates were issued before or after the**	

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			authorisation via the centralised procedure.	
42.	(26) It is necessary to prevent discrimination against persons who are not vaccinated, for example because of medical reasons, because they are not part of the target group for which the vaccine is currently recommended, or because they have not yet had the opportunity or chose not to be vaccinated. Therefore, possession of a vaccination certificate, or the possession of a vaccination certificate indicating a specific vaccine medicinal product, should not be a pre-condition to exercise free movement rights, in particular where those persons are, by other means, able to show compliance with lawful, public-health-related requirements, and cannot be a pre-condition to use cross-border passenger transport services such as airlines, trains, coaches or ferries.	(26) It is necessary to prevent ***any kind*** **of** discrimination ***(direct or indirect)*** against persons who are not vaccinated, for example because of medical reasons, because they are not part of the target group for which the vaccine is currently ***administered*** ~~recommended~~, or because they have not yet had the opportunity or chose not to be vaccinated, ***or where there is no vaccine available yet for certain age categories, like children***. Therefore, possession of a vaccination certificate, or the possession of a vaccination certificate indicating a specific vaccine medicinal product, should not be a pre-condition to exercise free movement rights~~, in particular where those persons are, by other means, able to show compliance with lawful, public-health-related requirements,~~ and cannot be a pre-condition ***to free movement within the Union and*** to use cross-border passenger transport services such as airlines, trains, coaches, ferries ***or any other means of transport***. ***(26c) COVID-19 vaccines need to be produced at scale, priced affordably, allocated globally so that they are***	(26) It is necessary to prevent discrimination against persons who are not vaccinated, for example because of medical reasons, because they are not part of the target group for which the vaccine is currently recommended **or allowed, such as children**, or because they have not yet had the opportunity or chose not to be vaccinated. Therefore, possession of a vaccination certificate, or the possession of a vaccination certificate indicating a specific vaccine medicinal product, should not be a pre-condition to exercise free movement rights, in particular where those persons are, by other means, able to show compliance with lawful, public-health-related requirements, and cannot be a pre-condition to use cross-border passenger transport services such as airlines, trains, coaches or ferries.	Council text: (26) It is necessary to prevent ***direct or indirect*** discrimination against persons who are not vaccinated, for example because of medical reasons, because they are not part of the target group for which the vaccine is currently ~~recommended~~ ***administered*** **or allowed, such as children**, or because they have not yet had the opportunity or chose not to be vaccinated. Therefore, possession of a vaccination certificate, or the possession of a vaccination certificate indicating a specific vaccine medicinal product, should not be a pre-condition to exercise free movement rights~~ in particular where those persons are, by other means, able to show compliance with lawful, public-health-related requirements,~~ and cannot be a pre-condition to use cross-border passenger transport services such as airlines, trains, coaches or ferries ***or any other means of transport***. ***In addition, this Regulation cannot be interpreted as establishing an obligation or right to be vaccinated.***

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		available where needed, and widely deployed in local communities. ***(26d) Tackling the pandemic is a prerequisite for social and economic recovery and for the effectiveness of the recovery efforts. The development of COVID-19 vaccines is essential. The problems with serious cases of non-compliance with production and delivery schedules are very concerning.***		
43.	(27) Many Member States have been requiring persons travelling to their territory to undergo a test for SARS-CoV-2 infection before or after arrival. At the beginning of the COVID-19 pandemic, Member States typically relied on reverse transcription polymerase chain reaction (RT-PCR), which is a nucleic acid amplification test (NAAT) for COVID-19 diagnostics considered by the WHO and ECDC as the 'gold standard', that is, the most reliable methodology for testing of cases and contacts[42]. As the pandemic has progressed, a new generation of faster and cheaper tests has become available on the European	(27) Many Member States have been requiring persons travelling to their territory to undergo a test for SARS-CoV-2 infection before or after arrival. At the beginning of the COVID-19 pandemic, Member States typically relied on reverse transcription polymerase chain reaction (RT-PCR), which is a nucleic acid amplification test (NAAT) for COVID-19 diagnostics considered by the WHO and ECDC as the 'gold standard', that is, the most reliable methodology for testing of cases and contacts[44]. As the pandemic has progressed, a new generation of faster and cheaper tests has become available on the European	(27) Many Member States have been requiring persons travelling to their territory to undergo a test for SARS-CoV-2 infection before or after arrival. At the beginning of the COVID-19 pandemic, Member States typically relied on reverse transcription polymerase chain reaction (RT-PCR), which is a nucleic acid amplification test (NAAT) for COVID-19 diagnostics considered by the WHO and ECDC as the 'gold standard', that is, the most reliable methodology for testing of cases and contacts[46]. As the pandemic has progressed, a new generation of faster and cheaper tests has become available on the European	(27) Many Member States have been requiring persons travelling to their territory to undergo a test for SARS-CoV-2 infection before or after arrival. At the beginning of the COVID-19 pandemic, Member States typically relied on reverse transcription polymerase chain reaction (RT-PCR), which is a nucleic acid amplification test (NAAT) for COVID-19 diagnostics considered by the WHO and ECDC as the 'gold standard', that is, the most reliable methodology for testing of cases and contacts[48]. As the pandemic has progressed, a new generation of faster and cheaper tests has become available on the European

[42] https://www.ecdc.europa.eu/sites/default/files/documents/TestingStrategy_Objective-Sept-2020.pdf
[44] https://www.ecdc.europa.eu/sites/default/files/documents/TestingStrategy_Objective-Sept-2020.pdf
[46] https://www.ecdc.europa.eu/sites/default/files/documents/TestingStrategy_Objective-Sept-2020.pdf
[48] https://www.ecdc.europa.eu/sites/default/files/documents/TestingStrategy_Objective-Sept-2020.pdf

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	market, the so-called rapid antigen tests, which detect the presence of viral proteins (antigens) to detect an ongoing infection. On 18 November 2020, the Commission adopted Commission Recommendation (EU) 2020/1743 on the use of rapid antigen tests for the diagnosis of SARS-CoV-2 infection[43].	market, the so-called rapid antigen tests, which detect the presence of viral proteins (antigens) to detect an ongoing infection. On 18 November 2020, the Commission adopted Commission Recommendation (EU) 2020/1743 on the use of rapid antigen tests for the diagnosis of SARS-CoV-2 infection[45].	market, the so-called rapid antigen tests, which detect the presence of viral proteins (antigens) to detect an ongoing infection. On 18 November 2020, the Commission adopted Commission Recommendation (EU) 2020/1743 on the use of rapid antigen tests for the diagnosis of SARS-CoV-2 infection[47].	market, the so-called rapid antigen tests, which detect the presence of viral proteins (antigens) to detect an ongoing infection. On 18 November 2020, the Commission adopted Commission Recommendation (EU) 2020/1743 on the use of rapid antigen tests for the diagnosis of SARS-CoV-2 infection[49].
44.	(28) On 22 January 2021, the Council adopted Council Recommendation 2021/C 24/01 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU[50], which provides for the development of a common list of COVID-19 rapid antigen tests. On this basis, the Health Security Committee agreed, on 18 February 2021, on a common list of COVID-19 rapid antigen tests, a selection of rapid antigen tests for which Member States will mutually recognise their results, and a common standardised set of data	(28) On 22 January 2021, the Council adopted Council Recommendation 2021/C 24/01 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU[52], which provides for the development of a common list of COVID-19 rapid antigen tests. On this basis, the Health Security Committee agreed, on 18 February 2021, on a common list of COVID-19 rapid antigen tests, a selection of rapid antigen tests for which Member States will mutually recognise their results, and a common standardised set of data	(28) On 22 January 2021, the Council adopted Council Recommendation 2021/C 24/01 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU[54], which provides for the development of a common list of COVID-19 rapid antigen tests. On this basis, the Health Security Committee agreed, on 18 February 2021, on a common list of COVID-19 rapid antigen tests, a selection of rapid antigen tests for which Member States will mutually recognise their results, and a common standardised set of data	(28) On 22 January 2021, the Council adopted Council Recommendation 2021/C 24/01 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU[56], which provides for the development of a common list of COVID-19 rapid antigen tests. On this basis, the Health Security Committee agreed, on 18 February 2021, on a common list of COVID-19 rapid antigen tests, a selection of rapid antigen tests for which Member States will mutually recognise their results, and a common standardised set of data

43 OJ L 392, 23.11.2020, p. 63.
45 OJ L 392, 23.11.2020, p. 63.
47 OJ L 392, 23.11.2020, p. 63.
49 OJ L 392, 23.11.2020, p. 63.
50 OJ C 24, 22.1.2021, p. 1.
52 OJ C 24, 22.1.2021, p. 1.
54 OJ C 24, 22.1.2021, p. 1.
56 OJ C 24, 22.1.2021, p. 1.

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	to be included in COVID-19 test result certificates[51].	to be included in COVID-19 test result certificates[53].	to be included in COVID-19 test result certificates[55].	to be included in COVID-19 test result certificates[57].
45.	(29) Despite these common efforts, Union citizens and their family members exercising their free movement right still face problems when trying to use a test result obtained in one Member State in another. These problems are often linked to the language in which the test result is issued, or to lack of trust in the authenticity of the document shown.	(29) Despite these common efforts, ***persons*** ~~Union citizens~~ exercising their free movement right still face problems when trying to use a test result obtained in one Member State in another. These problems are often linked to the language in which the test result is issued, ~~or~~ to lack of trust in the authenticity of the document shown, ***and to the costs of tests***.	(29) Despite these common efforts, Union citizens and their family members exercising their free movement right still face problems when trying to use a test result obtained in one Member State in another. These problems are often linked to the language in which the test result is issued, or to lack of trust in the authenticity of the document shown. **Such problems are compounded for persons who cannot be vaccinated yet, in particular children, for whom test results may be the only way to travel in case restrictions are in place.**	(29) Despite these common efforts, Union citizens and their family members exercising their free movement right still face problems when trying to use a test result obtained in one Member State in another. These problems are often linked to the language in which the test result is issued, or to lack of trust in the authenticity of the document shown. **Such problems are compounded for persons who cannot be vaccinated yet, in particular children, for whom test results may be the only way to travel in case restrictions are in place. In this context, the cost of tests needs also to be taken into account.**
46.	(30) To improve the acceptance of test results carried out in another Member State when presenting such results for the purposes of exercising free movement, an interoperable test certificate should be established, containing the necessary information to clearly identify the holder as well as the type, date and result of the test for	(30) To improve the acceptance of test results carried out in another Member State when presenting such results for the purposes of exercising free movement, an interoperable test certificate should be established, containing the necessary information to clearly identify the holder as well as the type, date and result of the test for	(30) To improve the acceptance of test results carried out in another Member State when presenting such results for the purposes of exercising free movement, an interoperable test certificate should be established, containing the necessary information to clearly identify the holder as well as the type, date and result of the test for	(30) To improve the acceptance of test results carried out in another Member State when presenting such results for the purposes of exercising free movement, an interoperable test certificate should be established, containing the necessary information to clearly identify the holder as well as the type, date and result of the test for

[51] https://ec.europa.eu/health/sites/health/files/preparedness_response/docs/covid-19_rat_common-list_en.pdf
[53] https://ec.europa.eu/health/sites/health/files/preparedness_response/docs/covid-19_rat_common-list_en.pdf
[55] https://ec.europa.eu/health/sites/health/files/preparedness_response/docs/covid-19_rat_common-list_en.pdf
[57] https://ec.europa.eu/health/sites/health/files/preparedness_response/docs/covid-19_rat_common-list_en.pdf

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	SARS-CoV-2 infection. To ensure the reliability of the test result, only the results of NAAT tests and rapid antigen tests featured in the list established on the basis of Council Recommendation 2021/C 24/01 should be eligible for a test certificate issued on the basis of this Regulation. The common standardised set of data to be included in COVID-19 test result certificates agreed by the Health Security Committee on the basis of Council Recommendation 2021/C 24/01, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	SARS-CoV-2 infection. To ensure the reliability of the test result, only the results of NAAT tests and rapid antigen tests featured in the list established on the basis of Council Recommendation 2021/C 24/01 should be eligible for a test certificate issued on the basis of this Regulation. The common standardised set of data to be included in COVID-19 test result certificates agreed by the Health Security Committee on the basis of Council Recommendation 2021/C 24/01, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	SARS-CoV-2 infection. To ensure the reliability of the test result, only the results of NAAT tests and rapid antigen tests featured in the list established on the basis of Council Recommendation 2021/C 24/01 should be eligible for a test certificate issued on the basis of this Regulation. The common standardised set of data to be included in COVID-19 test result certificates agreed by the Health Security Committee on the basis of Council Recommendation 2021/C 24/01, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.	SARS-CoV-2 infection. To ensure the reliability of the test result, only the results of NAAT tests and rapid antigen tests featured in the list established on the basis of Council Recommendation 2021/C 24/01 should be eligible for a test certificate issued on the basis of this Regulation. The common standardised set of data to be included in COVID-19 test result certificates agreed by the Health Security Committee on the basis of Council Recommendation 2021/C 24/01, in particular the preferred code standards, should form the basis for the technical specifications adopted for the purpose of this Regulation.
47.	(31) Test certificates issued by Member States in compliance with this Regulation should be accepted by Member States requiring proof of a test for SARS-CoV-2 infection in the context of the restrictions to free movement put in place to limit the spread of COVID-19.	(31) Test certificates issued by Member States in compliance with this Regulation should be accepted by Member States requiring proof of a test for SARS-CoV-2 infection in ***order to waive*** restrictions to free movement put in place to limit the spread of COVID-19.	(31) Test certificates issued by Member States in compliance with this Regulation should be accepted by Member States requiring proof of a test for SARS-CoV-2 infection in the context of the restrictions to free movement put in place to limit the spread of COVID-19.	(31) Test certificates issued by Member States in compliance with this Regulation should be accepted by Member States requiring proof of a test for SARS-CoV-2 infection in the context of the restrictions to free movement put in place to limit the spread of COVID-19.
48.		***(31a) Antibodies to SARS-CoV-2 are produced either after a natural infection – either with or without a clinical disease – and after vaccination. While we do not have definitive data yet on the persistence of those antibodies after vaccination, there is abundant evidence that***		

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		naturally induced antibodies are detectable for several months after the infection. Testing for antibodies therefore allows to identify persons who have been previously infected and who may have developed immune response and therefore have a very low likelihood to get infected again or infect others.		
49.	(32) According to existing evidence, persons who have recovered from COVID-19 can continue to test positive for SARS-CoV-2 for a certain period after symptom onset[58]. Where such persons are required to undergo a test when seeking to exercise free movement, they may thus be effectively prevented from travelling despite no longer being infectious. To facilitate free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable certificate of recovery should be established, containing the necessary information to clearly identify the person concerned and the	(32) According to existing evidence, persons who have recovered from COVID-19 can continue to test positive for SARS-CoV-2 for a certain period after symptom onset[59]. Where such persons are required to undergo a test when seeking to exercise free movement, they may thus be effectively prevented from travelling despite no longer being infectious. ***For the purpose of facilitating*** ~~To facilitate~~ free movement, and ***of ensuring*** ~~to ensure~~ that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable certificate of recovery should be established, containing the necessary information to clearly	(32) According to existing evidence, persons who have recovered from COVID-19 can continue to test positive for SARS-CoV-2 for a certain period after symptom onset[60]. Where such persons are required to undergo a test when seeking to exercise free movement, they may thus be effectively prevented from travelling despite no longer being infectious. To facilitate free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable certificate of recovery should be established, containing the necessary information to clearly identify the person concerned and the	Council proposal: (32) According to existing evidence, persons who have recovered from COVID-19 can continue to test positive for SARS-CoV-2 for a certain period after symptom onset[61]. Where such persons are required to undergo a test when seeking to exercise free movement, they may thus be effectively prevented from travelling despite no longer being infectious. ***For the purpose of facilitating*** ~~To facilitate~~ free movement, and to ensure that restrictions of free movement currently in place during the COVID-19 pandemic can be lifted in a coordinated manner based on the latest scientific evidence available, an interoperable certificate of recovery should be

[58] https://www.ecdc.europa.eu/sites/default/files/documents/Guidance-for-discharge-and-ending-of-isolation-of-people-with-COVID-19.pdf
[59] https://www.ecdc.europa.eu/sites/default/files/documents/Guidance-for-discharge-and-ending-of-isolation-of-people-with-COVID-19.pdf
[60] https://www.ecdc.europa.eu/sites/default/files/documents/Guidance-for-discharge-and-ending-of-isolation-of-people-with-COVID-19.pdf
[61] https://www.ecdc.europa.eu/sites/default/files/documents/Guidance-for-discharge-and-ending-of-isolation-of-people-with-COVID-19.pdf

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	date of a previous positive test for SARS-CoV-2 infection. A certificate of recovery should be issued at the earliest from the eleventh day after the first positive test and should be valid for not more than 180 days. According to ECDC, recent evidence shows that despite shedding of viable SARS-CoV-2 between ten and twenty days from the onset of symptoms, convincing epidemiological studies have failed to show onward transmission of disease after day ten. The Commission should be empowered to change this period on the basis of guidance from the Health Security Committee or from ECDC, which is closely studying the evidence base for the duration of acquired immunity after recovery.	identify the person concerned and the date of a previous positive test for SARS-CoV-2 infection. ~~A certificate of recovery should be issued at the earliest from the eleventh day after the first positive test and should be valid for not more than 180 days.~~ According to ECDC, recent evidence shows that despite shedding of viable SARS-CoV-2 between ten and twenty days from the onset of symptoms, convincing epidemiological studies have failed to show onward transmission of disease after day ten. ***The precautionary principle should, however, still apply***. The Commission should be empowered to change ***the validity*** ~~this~~ period***, both the starting and ending points,*** on the basis of guidance from the Health Security Committee or from ECDC, which is closely studying the evidence base for the duration of acquired immunity after recovery. ***In addition, individuals should have the option to undergo a highly specific test for the spike antigen in case they are asymptomatic.***	date of a previous positive test for SARS-CoV-2 infection. A certificate of recovery should be issued at the earliest from the eleventh day after the first positive test and should be valid for not more than 180 days. According to ECDC, recent evidence shows that despite shedding of viable SARS-CoV-2 between ten and twenty days from the onset of symptoms, convincing epidemiological studies have failed to show onward transmission of disease after day ten. The Commission should be empowered to change this period on the basis of guidance from the Health Security Committee or from ECDC, which is closely studying the evidence base for the duration of acquired immunity after recovery.	established, containing the necessary information to clearly identify the person concerned and the date of a previous positive test for SARS-CoV-2 infection. A certificate of recovery should be issued at the earliest from the eleventh day after the first positive NAAT test and should be valid for not more than 180 days. According to ECDC, recent evidence shows that despite shedding of viable SARS-CoV-2 between ten and twenty days from the onset of symptoms, convincing epidemiological studies have failed to show onward transmission of disease after day ten. The Commission should be empowered to change this period on the basis of guidance from the Health Security Committee or from ECDC, which is closely studying the evidence base for the duration of acquired immunity after recovery.
50.	(33) Already now, several Member States exempt recovered persons from certain restrictions to free movement within the Union. Where Member States accept proof of recovery in order to waive restrictions to free movement	(33) Already now, several Member States exempt recovered persons from certain restrictions to free movement within the Union. ~~Where~~ Member States ***should*** accept proof of recovery in order to waive restrictions to free	(33) Already now, several Member States exempt recovered persons from certain restrictions to free movement within the Union. Where Member States accept proof of recovery in order to waive restrictions to free movement	

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	put in place, in compliance with Union law, to limit the spread of SARS-CoV-2, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation. The eHealth Network, in collaboration with Health Security Committee, is also working on guidelines on recovery certificates and respective datasets.	movement put in place, in compliance with Union law, to limit the spread of SARS-CoV-2, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, ***and*** they should be required to accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation. The eHealth Network, in collaboration with Health Security Committee, is also working on guidelines on recovery certificates and respective datasets.	put in place, in compliance with Union law, to limit the spread of SARS-CoV-2, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation. The eHealth Network, in collaboration with Health Security Committee, is also working on guidelines on recovery certificates and respective datasets.	
51.			**(33a) Taking into account the latest scientific and technological developments, the Commission should be empowered to adapt the provisions on the certificate of recovery by providing for its issuance on the basis of a positive rapid antigen test, serological testing for antibodies against SARS-CoV-2 or any other scientifically reliable method by means of a delegated act. This delegated act should include the necessary data fields on the categories of data to be included in the certificate. It should also contain specific provisions on the maximum validity period as it might depend on the type of the test carried out. The issuance and acceptance of the certificate of recovery based on the**	Council proposal: **(33a) Taking into account the latest scientific and technological developments, the Commission should be empowered to adapt the provisions on the certificate of recovery by providing for its issuance on the basis of a positive rapid antigen test, serological testing for antibodies against SARS-CoV-2 or any other scientifically reliable method by means of a delegated act. This delegated act should include the necessary data fields on the categories of data to be included in the certificate. It should also contain specific provisions on the maximum validity period as it might depend on the type of the test carried out. The**

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			tests and methods mentioned above should be optional.	**issuance and acceptance of the certificate of recovery based on the tests and methods mentioned above should be optional.**
52.	(34) To be able to obtain a common position quickly, the Commission should be able to ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council[62] to issue guidance about the available scientific evidence concerning the effects of medical events documented in the certificates established in accordance with this Regulation, including the effectiveness and duration of the immunity conferred by COVID-19 vaccines, whether vaccines prevent asymptomatic infection and transmission of the virus, the situation of people having recovered from the virus, and the impacts of the new SARS-CoV-2 variants on people	(34) To be able to obtain a common position quickly, the Commission should be able to ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council[63] to issue guidance about the available scientific evidence concerning the effects of medical events documented in the certificates established in accordance with this Regulation, including the effectiveness and duration of the immunity conferred by COVID-19 vaccines, whether vaccines prevent asymptomatic infection and transmission of the virus, the situation of people having recovered from the virus, and the impacts of the new SARS-CoV-2 variants on people having been vaccinated or already	(34) To be able to obtain a common position quickly, the Commission should be able to ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council[64] to issue guidance about the available scientific evidence concerning the effects of medical events documented in the certificates established in accordance with this Regulation, including the effectiveness and duration of the immunity conferred by COVID-19 vaccines, whether vaccines prevent asymptomatic infection and transmission of the virus, the situation of people having recovered from the virus, and the impacts of the new SARS-CoV-2 variants on people	(34) To be able to obtain a common position quickly, the Commission should be able to ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council[65], ***the European Center for Disease Prevention and Control or the European Medicines Agency*** to issue guidance about the available scientific evidence concerning the effects of medical events documented in the certificates established in accordance with this Regulation, including the effectiveness and duration of the immunity conferred by COVID-19 vaccines, whether vaccines prevent asymptomatic infection and transmission of the virus, the situation of people having recovered from the

[62] Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

[63] Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

[64] Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

[65] Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

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	having been vaccinated or already contaminated.	~~contaminated~~ ***infected. Such information could also form the basis for Council Recommendations to enable a coordinated approach for lifting restrictions on the free movement of holders of certificates.***	having been vaccinated or already contaminated.	virus, and the impacts of the new SARS-CoV-2 variants on people having been vaccinated or already ~~contaminated~~ ***infected.***
53.	(35) In order to ensure uniform conditions for the implementation of the trust framework certificates established by this Regulation, implementing powers should be conferred on the Commission. Those powers should be *exercised* in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[66].	(35) In order to ensure uniform conditions for the implementation of the trust framework certificates established by this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[67].	(35) In order to ensure uniform conditions for the implementation of the trust framework certificates established by this Regulation, implementing powers should be conferred on the Commission. Those powers should be *exercised* in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[68].	(35) In order to ensure uniform conditions for the implementation of the trust framework certificates established by this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[69].
54.	(36) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the technical specifications necessary to establish interoperable certificates, imperative grounds of urgency so require or when new scientific evidence becomes available.	(36) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the technical specifications necessary to establish interoperable certificates, imperative grounds of urgency so require or when new scientific evidence becomes available.	(36) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the technical specifications necessary to establish interoperable certificates, imperative grounds of urgency so require or when new scientific evidence becomes available.	(36) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to the technical specifications necessary to establish interoperable certificates, imperative grounds of urgency so require or when new scientific evidence becomes available.
55.	(37) Regulation (EU) 2016/679 of the European Parliament and of the	(37) Regulation (EU) 2016/679 of the European Parliament and of the	(37) Regulation (EU) 2016/679 of the European Parliament and of the	Council proposal:

66 OJ L 55, 28.2.2011, p. 13.
67 OJ L 55, 28.2.2011, p. 13.
68 OJ L 55, 28.2.2011, p. 13.
69 OJ L 55, 28.2.2011, p. 13.

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	Council[70] applies to the processing of personal data carried out when implementing this Regulation. This Regulation establishes the legal ground for the processing of personal data, within the meaning of Articles 6(1)(c) and 9(2)(g) of Regulation (EU) 2016/679, necessary for the issuance and verification of the interoperable certificates provided for in this Regulation. It also does not regulate the processing of personal data related to the documentation of a vaccination, test or recovery event for other purposes, such as for the purposes of pharmacovigilance or for the maintenance of individual personal health records. The legal basis for processing for other purposes is to be provided for in national law, which must comply with Union data protection legislation.	Council[71] applies to the processing of personal data carried out when implementing this Regulation. This Regulation establishes the legal ground for the processing of personal data, within the meaning of Articles 6(1)(c) and 9(2)(g) of Regulation (EU) 2016/679, necessary for the issuance and verification of the interoperable certificates provided for in this Regulation. It ~~also~~ does not regulate the processing of personal data related to the documentation of a vaccination, test or recovery event for other purposes, such as for the purposes of pharmacovigilance or for the maintenance of individual personal health records. The legal basis for processing for other purposes is to be provided for in national law, which must comply with Union data protection legislation.	Council[72] applies to the processing of personal data carried out when implementing this Regulation. This Regulation establishes the legal ground for the processing of personal data, within the meaning of Articles 6(1)(c) and 9(2)(g) of Regulation (EU) 2016/679, necessary for the issuance and verification of the interoperable certificates provided for in this Regulation. It ~~also~~ does not regulate the processing of personal data related to the documentation of a vaccination, test or recovery event for other purposes, such as for the purposes of pharmacovigilance or for the maintenance of individual personal health records. **Member States may process such data for other purposes, if** ~~T~~**t**he legal basis for processing **of such data** for other purposes, **including the related retention periods,** is ~~to be~~ provided for in national law, which must comply with Union data protection legislation.	(37) Regulation (EU) 2016/679 of the European Parliament and of the Council[73] applies to the processing of personal data carried out when implementing this Regulation. This Regulation establishes the legal ground for the processing of personal data, within the meaning of Articles 6(1)(c) and 9(2)(g) of Regulation (EU) 2016/679, necessary for the issuance and verification of the interoperable certificates provided for in this Regulation. It ~~also~~ does not regulate the processing of personal data related to the documentation of a vaccination, test or recovery event for other purposes, such as for the purposes of pharmacovigilance or for the maintenance of individual personal health records. **Member States may process such data for other purposes, if** ~~T~~**t**he legal basis for processing **of such data** for other purposes, **including the related retention periods,** is ~~to be~~ provided for in national law, which must comply

[70] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

[71] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

[72] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

[73] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

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				with Union data protection legislation, ***the principles of effectiveness, necessity and proportionality, and should contain provisions clearly identifying the scope and extent of the processing, the specific purpose involved, the categories of entities that can verify the certificate as well as the relevant safeguards to prevent discrimination and abuse, taking into account the risks to the rights and freedoms of data subjects. As provided for in this Regulation, personal data accessed during the verification process is not to be retained where the certificate is used for non-medical purposes***. ***(37a) Where a Member State has adopted or adopts, based on national law, a system of COVID-19 certificate for domestic purposes, it should ensure that certificates making up the Digital Green Certificate can also be used and are also accepted for this purpose, in order to avoid that persons travelling to another Member States using a certificate making up the Digital Green Certificate are obliged to obtain an additional national certificate.***

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56.	(38) In line with the principle of minimisation of personal data, the certificates should only contain the personal data necessary for the purpose of facilitating the exercise of the right to free movement within the Union during the COVID-19 pandemic. The specific categories of personal data and data fields to be included in the certificates should be set out in this Regulation.	(38) In line with the principle of minimisation of personal data, the certificates should only contain the personal data ***strictly*** necessary for the purpose of facilitating the exercise of the right to free movement within the Union during the COVID-19 pandemic. The specific categories of personal data and data fields to be included in the certificates should be set out in this Regulation.	(38) In line with the principle of minimisation of personal data, the certificates should only contain the personal data necessary for the purpose of facilitating the exercise of the right to free movement within the Union during the COVID-19 pandemic. The specific categories of personal data and data fields to be included in the certificates should be set out in this Regulation.	(38) In line with the principle of minimisation of personal data, the certificates should only contain the personal data ***strictly*** necessary for the purpose of facilitating the exercise of the right to free movement within the Union during the COVID-19 pandemic. The specific categories of personal data and data fields to be included in the certificates should be set out in this Regulation.
57.	(39) For the purposes of this Regulation, personal data may be transmitted/exchanged across borders with the sole purpose of obtaining the information necessary to confirm and verify the holder's vaccination, testing or recovery status. In particular, it should allow for the verification of the authenticity of the certificate.	(39) For the purposes of this Regulation, personal data ***do not need to*** ~~may~~ ***be*** transmitted/exchanged across borders ~~with the sole purpose of obtaining the information necessary to confirm and verify the holder's vaccination, testing or recovery status~~. ***In line with the public-key infrastructure approach, only the public keys of the issuers need to be transferred or accessed across borders, which will be ensured by an interoperability gateway set up and maintained by the Commission***. In particular, ***the presence of the certificate combined with the public key of the issuer*** ~~it~~ should allow for the verification of the authenticity ***and integrity*** of the certificate ***and for the***	(39) For the purposes of this Regulation, personal data may be transmitted/exchanged across borders with the sole purpose of obtaining the information necessary to confirm and verify the holder's vaccination, testing or recovery status. In particular, it should allow for the verification of the authenticity of the certificate.	Council proposal: (39) For the purposes of this Regulation, personal data ***on individual certificates do not need to be*** transmitted/exchanged across borders ~~with the sole purpose of obtaining the information necessary to confirm and verify the holder's vaccination, testing or recovery status~~. ***In line with the public-key infrastructure approach, only the public keys of the issuers need to be transferred or accessed across borders, which will be ensured by an interoperability gateway set up and maintained by the Commission***. In particular, ***the presence of the certificate combined with the public key of the issuer*** should allow for the

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		detection of fraud. In line with the principle of data protection by default, verification techniques not requiring transmission of personal data should be employed.		verification of the authenticity ***and integrity*** of the certificate. ***For the prevention and detection of fraud, Member States may exchange lists of revoked certificates. In line with the principle of data protection by default, verification techniques not requiring transmission of personal data on individual certificates should be employed.***
58.	(40) This Regulation does not create a legal basis for retaining personal data obtained from the certificate by the Member State of destination or by the cross-border passenger transport services operators required by national law to implement certain public health measures during the COVID-19 pandemic.	(40) This Regulation ***prohibits retention of*** ~~does not create a legal basis for retaining~~ personal data obtained from the certificate by the Member State of destination or by ~~the~~ cross-border passenger transport services operators ~~required by national law to implement certain public health measures during the COVID-19 pandemic~~. ***This Regulation does not create a legal basis for the establishment of any repository of data base at Member State or Union level or through the trust framework digital infrastructure.***	(40) This Regulation does not create a legal basis for retaining personal data obtained from the certificate by the Member State of destination or by the cross-border passenger transport services operators required by national law to implement certain public health measures during the COVID-19 pandemic.	***(40) This Regulation prohibits retention of does not create a legal basis for retaining personal data obtained from the certificate by the Member State of destination or transit or by the cross-border passenger transport services operators required by national law to implement certain public health measures during the COVID-19 pandemic. This Regulation does not provide a legal basis for setting up or maintaining a centralised database at Union level containing personal data.*** ***(40a) In accordance with Regulation (EU) 2018/1725, the Commission is to consult the European Data Protection Supervisor when preparing delegated acts or implementing acts that impact on the protection of individuals' rights and freedoms with regard to the processing of personal data. The Commission may also consult the***

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				European Data Protection Board where such acts are of particular importance for the protection of individuals' rights and freedoms with regard to the processing of personal data. ***(40b) In accordance with Regulation 2016/679, the data controllers and processors of personal data are to take adequate technical and organisational measures to ensure a level of security appropriate to the risk of the processing.*** ***Council proposed text:*** ***(40c) The authorities or other designated bodies responsible for issuing the certificates making up the Digital Green Certificate, as controllers under Regulation (EU) 2016/679, are accountable for how they process personal data in the scope of this Regulation. This includes ensuring a level of security appropriate to the risks, including by establishing a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing. The powers of the supervisory authorities established under Regulation (EU) 2016/679 apply in full, in order to***

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				protect natural persons in relation to the processing of their personal data.
59.	(41) To ensure coordination, the Member States and the Commission should be informed when a Member State requires holders of certificates to undergo, after entry into its territory, quarantine/self-isolation or a test for SARS-CoV-2 infection, or if it denies entry to such persons.	Deleted	(41) To ensure coordination, the Member States and the Commission should be informed when a Member State requires holders of certificates to undergo, after entry into its territory, quarantine/self-isolation or a test for SARS-CoV-2 infection, or if it **imposes other restrictions on holders of such certificates** ~~denies entry to such persons~~.	
60.		***(41a) Clear, comprehensive and timely communication to the public on the issuance, use and acceptance of each type of certificate making up the EU COVID-19 Certificate is crucial to ensure predictability for travel and legal certainty. The Commission should support the Member States' efforts in this regard, for example by making available the information provided by Member States on the 'Re-open EU' web platform.***	**(41a) Clear, comprehensive and timely communication to the public on the issuance and acceptance of each type of certificate making up the Digital Green Certificate is crucial to ensure predictability for travel and legal certainty. The Commission should support the Member States' efforts in this regard, for example by making available the information provided by Member States on the 'Re-open EU' web platform.**	Council proposal: ***(41a) Clear, comprehensive and timely communication to the public on the issuance and acceptance of each type of certificate making up the Digital Green Certificate is crucial to ensure predictability for travel and legal certainty. The Commission should support the Member States' efforts in this regard, for example by making available the information provided by Member States on the 'Re-open EU' web platform.***
61.			**(41b) A transitional period should be provided to give Member States the possibility to continue issuing certificates which are not yet in compliance with this Regulation. During the transitional period, such**	

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			<u>certificates as well as certificates issued before the entry into force of this Regulation should be accepted by Member States provided they contain the necessary data.</u>	
62.	(42) In accordance with Recommendation (EU) 2020/1475, any restrictions to the free movement of persons within the Union put in place to limit the spread of SARS-CoV-2 should be lifted as soon as the epidemiological situation allows. This also applies to obligations to present documents other than those required by Union law, in particular Directive 2004/38/EC, such as the certificates covered by this Regulation. Therefore, the Regulation's provisions on the "Digital Green Certificate" framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery should be suspended once the Director-General of the WHO has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended. At the same time, their application should resume if the Director-General of the WHO declares another public health emergency of international concern due to an outbreak of SARS-CoV-2, a	(42) In accordance with Recommendation (EU) 2020/1475, any restrictions to the free movement of persons within the Union put in place to limit the spread of SARS-CoV-2 should be lifted as soon as the epidemiological situation allows. This also applies to obligations to present documents other than those required by Union law, in particular Directive 2004/38/EC, such as the certificates covered by this Regulation. ~~Therefore, the Regulation's provisions on the "Digital Green Certificate" framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery should be suspended once the Director-General of the WHO has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended. At the same time, their application should resume if the Director-General of the WHO declares another public health emergency of international concern due to an outbreak of SARS-CoV-2, a~~	(42) In accordance with Recommendation (EU) 2020/1475, any restrictions to the free movement of persons within the Union put in place to limit the spread of SARS-CoV-2 should be lifted as soon as the epidemiological situation allows. This also applies to obligations to present documents other than those required by Union law, in particular Directive 2004/38/EC, such as the certificates covered by this Regulation. ~~Therefore, the Regulation's provisions on the "Digital Green Certificate" framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery should be suspended once the Director-General of the WHO has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended. At the same time, their application should resume if the Director-General of the WHO declares another public health emergency of international concern due to an outbreak of SARS-CoV-2, a~~	(42) In accordance with Recommendation (EU) 2020/1475, any restrictions to the free movement of persons within the Union put in place to limit the spread of SARS-CoV-2 should be lifted as soon as the epidemiological situation allows. This also applies to obligations to present documents other than those required by Union law, in particular Directive 2004/38/EC, such as the certificates covered by this Regulation. ~~Therefore, the Regulation's provisions on the "Digital Green Certificate" framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery should be suspended once the Director-General of the WHO has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended. At the same time, their application should resume if the Director-General of the WHO declares another public health emergency of international concern due to an outbreak of SARS-CoV-2, a~~

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	variant thereof, or similar infectious diseases with epidemic potential. Where this is the case, the provisions concerned should again be suspended once that public health emergency of international concern has ended.	~~variant thereof, or similar infectious diseases with epidemic potential. Where this is the case, the provisions concerned should again be suspended once that public health emergency of international concern has ended.~~	~~variant thereof, or similar infectious diseases with epidemic potential. Where this is the case, the provisions concerned should again be suspended once that public health emergency of international concern has ended.~~**This Regulation should apply for 12 months from the date of its entry into force.** ~~(43)~~ **At the latest 3 months before the end of the application of this Regulation, taking into account the evolution of the epidemiological situation on the pandemic,** the Commission should publish a report on the lessons learned from the application of this Regulation, including on its impact on the facilitation of free movement and data protection. ~~one year after the Director-General of the WHO has declared that the public health emergency of international concern caused by SARS-CoV-2 has ended~~.	~~variant thereof, or similar infectious diseases with epidemic potential. Where this is the case, the provisions concerned should again be suspended once that public health emergency of international concern has ended.~~ **This Regulation should apply for 12 months from the date of its entry into force.**
63.	(43) The Commission should publish a report on the lessons learned from the application of this Regulation, including on its impact on the facilitation of free movement and data protection, one year after the Director-General of the WHO has declared that the public health emergency of international concern caused by SARS-CoV-2 has ended.	(43) ***This Regulation should apply for 12 months from the date of its entry into force. Four months after the entry into force of this Regulation and at the latest 3 months before the end of its application,*** the Commission should ***present*** ~~publish~~ a report ***to the European Parliament and the Council on the application of this Regulation, including on its impact on free movement, fundamental rights, the protection of personal data, as well as an assessment of the most up-to-date vaccine and testing technologies, and uses by the Member States of the EU COVID-19 Certificate for purposes, based on national law, not provided for in this Regulation*** ~~on the lessons learned from the application of this Regulation,~~		

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		~~including on its impact on the facilitation of free movement and data protection, one year after the Director-General of the WHO has declared that the public health emergency of international concern caused by SARS-CoV-2 has ended.~~		
64.	(44) In order to take into account the epidemiological situation and the progress in containing the COVID-19 pandemic and to ensure interoperability with international standards, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the application of certain Articles of this Regulation as well as the list of personal data to be included in the certificates covered by this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016[74]. In particular, to ensure	(44) In order to take into account the epidemiological situation and the progress in containing the COVID-19 pandemic and to ensure interoperability with international standards, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the application of certain Articles of this Regulation ~~as well as the list of personal data to be included in the certificates covered by this Regulation~~. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016[75]. In particular, to ensure	(44) In order to take into account the epidemiological situation and the progress in containing the COVID-19 pandemic and to ensure interoperability with international standards, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the application of certain Articles of this Regulation as well as the list of personal data to be included in the certificates covered by this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016[76]. In particular, to ensure	(44) In order to take into account the epidemiological situation and the progress in containing the COVID-19 pandemic and to ensure interoperability with international standards, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the application of certain Articles of this Regulation as well as the ~~list of personal data~~ ***data fields to be included in the certificates based on the categories of data defined by this Regulation***. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better

[74] OJ L 123, 12.5.2016, p. 1.
[75] OJ L 123, 12.5.2016, p. 1.
[76] OJ L 123, 12.5.2016, p. 1.

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	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	Law-Making of 13 April 2016[77]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
65.	(45) Since the objectives of this Regulation, namely to facilitate the free movement within the Union during the COVID-19 pandemic by establishing interoperable certificates on the holder's vaccination, testing and recovery status, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(45) Since the objectives of this Regulation, namely to facilitate the free movement within the Union during the COVID-19 pandemic by establishing interoperable certificates on the holder's vaccination, testing and recovery status, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(45) Since the objectives of this Regulation, namely to facilitate the free movement within the Union during the COVID-19 pandemic by establishing interoperable certificates on the holder's vaccination, testing and recovery status, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.	(45) Since the objectives of this Regulation, namely to facilitate the free movement within the Union during the COVID-19 pandemic by establishing interoperable certificates on the holder's vaccination, testing and recovery status, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
66.	(46) This Regulation respects the fundamental rights and observes the	(46) This Regulation respects the fundamental rights and observes the	(46) This Regulation respects the fundamental rights and observes the	(46) This Regulation respects the fundamental rights and observes the

[77] OJ L 123, 12.5.2016, p. 1.

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	principles recognised in particular by the Charter of Fundamental Rights ('Charter'), including the right to respect for private life and family life, the right to the protection of personal data, the right to equality before the law and non-discrimination, the right to free movement and the right to an effective remedy. Member States should comply with the Charter when implementing this Regulation.	principles recognised in particular by the Charter of Fundamental Rights ('Charter'), including the right to respect for private life and family life, the right to the protection of personal data, the right to equality before the law and non-discrimination, the right to free movement and the right to an effective remedy. Member States should comply with the Charter when implementing this Regulation.	principles recognised in particular by the Charter of Fundamental Rights ('Charter'), including the right to respect for private life and family life, the right to the protection of personal data, the right to equality before the law and non-discrimination, the right to free movement and the right to an effective remedy. Member States should comply with the Charter when implementing this Regulation.	principles recognised in particular by the Charter of Fundamental Rights ('Charter'), including the right to respect for private life and family life, the right to the protection of personal data, the right to equality before the law and non-discrimination, the right to free movement and the right to an effective remedy. Member States should comply with the Charter when implementing this Regulation.
67.		***(46a) As far as Member States decide to require national digital certificates for other purposes than free movement at a national level, those should be interoperable with the EU COVID-19 Certificate and respect its safeguards as defined in this regulation, in particular to ensure non-discrimination between different nationalities, non-discrimination between different certificates, high standards of data protection and to avoid fragmentation.***		*[Row 55]*
68.		***(46b) Member States should not introduce restrictions to access to public services with respect to those who do not hold the certificates covered by this Regulation.***		
69.		***(46c) A list of all the entities foreseen to be acting as controllers, processors and recipients of the data in that***		

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		Member State shall be made public within a period of one month after the date of entry into force of this Regulation in order to allow the Union citizens making use of the EU COVID-19 Certificate to know the identity of the entity to whom they may turn to for the exercise of their data protection rights under Regulation (EU) 2016/679, including in particular the right to receive transparent information on the ways in which data subject's rights may be exercised with respect to the processing of personal data.		
70.	(47) The European Data Protection Supervisor has been consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725[78],	(47) The European Data Protection Supervisor ***(EDPS) and the European Data Protection Board (EDPB) have*** been consulted pursuant to Article	(47) The European Data Protection Supervisor **and the European Data Protection Board have** ~~has~~ been consulted ~~pursuant to~~ **in accordance with** Article 42~~(1)~~ of Regulation (EU) 2018/1725[80] **and delivered a joint opinion on 31 March 2021**,	(47) The European Data Protection Supervisor **and the European Data Protection Board have** ~~has~~ been consulted ~~pursuant to~~ **in accordance with** Article 42~~(1)~~ of Regulation (EU) 2018/1725[81] **and delivered a joint opinion on 31 March 2021**,

[78] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

[80] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

[81] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

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		42(**2**~~1~~) of Regulation (EU) 2018/1725[79],		
71.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
72.	*Article 1* *Subject matter*	*Article 1* *Subject matter*	*Article 1* *Subject matter*	*Article 1* *Subject matter*
73.	This Regulation lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery in order to facilitate the holders' exercise of their right to free movement during the COVID-19 pandemic ("Digital Green Certificate").	This Regulation lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery ~~in order to facilitate~~ ***for the purpose of facilitating*** the holders' exercise of their right to free movement during the COVID-19 pandemic (***"~~Digital Green~~ EU COVID-19*** Certificate").	This Regulation lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery. **It shall** ~~in order to~~ facilitate the holders' exercise of their right to free movement during the COVID-19 pandemic ("Digital Green Certificate").	This Regulation lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery recovery ~~in order to facilitate~~ ***for the purpose of facilitating*** the holders' exercise of their right to free movement during the COVID-19 pandemic (***"Digital Green Certificate").*** *[Mention of "Digital Green Certificate" in the fourth column does not prejudge negotiations on the name of the certificate]*
74.	It provides for the legal ground to process personal data necessary to issue such certificates and to process the information necessary to confirm and verify the authenticity and validity of such certificates.	It provides for the legal ground to process personal data necessary to issue such certificates and to process the information necessary to confirm and verify the authenticity and validity	It provides for the legal ground to process personal data necessary to issue such certificates and to process the information necessary to confirm and verify the authenticity and validity of such certificates.	It provides for the legal ground to process personal data necessary to issue such certificates and to process the information necessary to confirm and verify the authenticity and validity

[79] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

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		of such certificates ***in full compliance with Regulation (EU) 2016/679.***		of such certificates ***in full compliance with Regulation (EU) 2016/679***.
75.		***It cannot be interpreted as establishing a direct or indirect right or obligation for persons to be vaccinated.*** ***This Regulation does not introduce or establish any additional formality or requirement for the exercise of the right to free movement or the right of entry in the territory of the Member States pursuant to Directive 2004/38/EC and Regulation (EU) 2016/399.***		1st element in line 42 acceptable for the EP 2nd element Cl proposal on references to Schengen acquis. EP accepts to move to recital (rows 19 and 21)
76.	*Article 2* *Definitions*	*Article 2* *Definitions*	*Article 2* *Definitions*	*Article 2* *Definitions*
77.	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:
78.	(1) "holder" means the Union citizen or their family members to whom an interoperable certificate containing information about his or her vaccination, testing and/or recovery status has been issued in accordance with this Regulation.	(1) "holder" means the ~~Union citizen or their family members~~ ***person*** to whom an interoperable certificate containing information about his or her vaccination, testing and/or recovery status has been issued in accordance with this Regulation.	(1) "holder" means the **person** ~~Union citizen or their family members~~ to whom an interoperable certificate containing information about his or her vaccination, testing and/or recovery status has been issued in accordance with this Regulation.	(1) "holder" means the **person** ~~Union citizen or their family members~~ to whom an interoperable certificate containing information about his or her vaccination, testing and/or recovery status has been issued in accordance with this Regulation.
79.	(2) "Digital Green Certificate" means interoperable certificates	(2) ***"***~~Digital Green~~ ***EU COVID-19 Certificate"*** means interoperable	(2) "Digital Green Certificate" means interoperable certificates	

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	containing information about the vaccination, testing and/or recovery status of the holder issued in the context of the COVID-19 pandemic;	certificates containing information about the vaccination, testing and/or recovery status of the holder issued in the context of the COVID-19 pandemic;	containing information about the vaccination, testing and/or recovery status of the holder issued in the context of the COVID-19 pandemic;	
80.	(3) "COVID-19 vaccine" means an immunological medicinal product indicated for active immunisation to prevent COVID-19;	(3) "COVID-19 vaccine" means an immunological medicinal product indicated for active immunisation ~~to prevent~~ ***against severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), the virus that causes*** COVID-19;	(3) "COVID-19 vaccine" means an immunological medicinal product indicated for active immunisation to prevent COVID-19;	(3) "COVID-19 vaccine" means an immunological medicinal product indicated for active immunisation ***to prevent COVID-19 caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)***;
81.	(4) "NAAT test" means a molecular nucleic acid amplification test (NAAT), such as reverse transcription polymerase chain reaction (RT-PCR), loop-mediated isothermal amplification (LAMP) and transcription-mediated amplification (TMA) techniques, used to detect the presence of the SARS-CoV-2 ribonucleic acid (RNA);	(4) "NAAT test" means a molecular nucleic acid amplification test (NAAT), such as reverse transcription polymerase chain reaction (RT-PCR), loop-mediated isothermal amplification (LAMP) and transcription-mediated amplification (TMA) techniques, used to detect the presence of the SARS-CoV-2 ribonucleic acid (RNA);	(4) "NAAT test" means a molecular nucleic acid amplification test (NAAT), such as reverse transcription polymerase chain reaction (RT-PCR), loop-mediated isothermal amplification (LAMP) and transcription-mediated amplification (TMA) techniques, used to detect the presence of the SARS-CoV-2 ribonucleic acid (RNA);	(4) "NAAT test" means a molecular nucleic acid amplification test (NAAT), such as reverse transcription polymerase chain reaction (RT-PCR), loop-mediated isothermal amplification (LAMP) and transcription-mediated amplification (TMA) techniques, used to detect the presence of the SARS-CoV-2 ribonucleic acid (RNA);
82.	(5) "rapid antigen test" means a testing method that relies on detection of viral proteins (antigens) using a lateral flow immunoassay that gives results in less than 30 minutes;	(5) "rapid antigen test" means a testing method that relies on detection of viral proteins (antigens) using a lateral flow immunoassay that gives results in less than 30 minutes ***conducted by a trained healthcare professional or other trained operator***;	(5) "rapid antigen test" means a testing method that relies on detection of viral proteins (antigens) using a lateral flow immunoassay that gives results in less than 30 minutes;	(5) "rapid antigen test" means a testing method that relies on detection of viral proteins (antigens) using a lateral flow immunoassay that gives results in less than 30 minutes; [*EP position covered in row 93*]

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83.		***(5a) "serology or antibody test" means a laboratory-based test performed on blood samples (serum, plasma, or whole blood) aiming to detect if a person has developed antibodies against SARS-CoV-2, thus indicating that the holder has been exposed to SARS-CoV-2 and has developed antibodies, regardless of whether he or she was symptomatic or not;***		***(5a) "antibody test" means a laboratory-based test aiming to detect if a person has developed antibodies against SARS-CoV-2, thus indicating that the holder has been exposed to SARS-CoV-2 and has developed antibodies, regardless of whether he or she was symptomatic or not;***
84.	(6) "interoperability" means the capability of verifying systems in a Member State to use data encoded by another Member State;	(6) "interoperability" means the capability of verifying systems in a Member State to use data encoded by another Member State;	(6) "interoperability" means the capability of verifying systems in a Member State to use data encoded by another Member State;	(6) "interoperability" means the capability of verifying systems in a Member State to use data encoded by another Member State;
85.	(7) "barcode" means a method of storing and representing data in a visual, machine-readable format;	(7) "barcode" means a method of storing and representing data in a visual, machine-readable format;	(7) "barcode" means a method of storing and representing data in a visual, machine-readable format;	(7) "barcode" means a method of storing and representing data in a visual, machine-readable format;
86.	(8) "electronic seal" means data in electronic form, which is attached to or logically associated with other data in electronic form to ensure the latter's origin and integrity;	(8) "electronic seal" means ~~data in electronic form~~ ***"advanced electronic seal" as defined in Regulation (EU) 910/2014 of the European Parliament and of the Council***, which is attached to ~~or~~ ***and*** logically associated with other data in electronic form to ensure the latter's origin and integrity;	(8) "electronic seal" means data in electronic form, which is attached to or logically associated with other data in electronic form to ensure the latter's origin and integrity;	(8) "electronic seal" means ~~data~~ ***electronic seal as defined in Article 3(25) of Regulation (EU) 910/2014 of the European Parliament and the Council*** ~~in electronic form, which is attached to or logically associated with other data in electronic form to ensure the latter's origin and integrity~~;
87.	(9) "unique certificate identifier" means a unique identifier given, in accordance with a common structure,	Deleted	(9) "unique certificate identifier" means a unique identifier given, in accordance with a common structure,	(9) "unique certificate identifier" means a unique identifier given, in accordance with a common structure,

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	to each certificate issued in accordance with this Regulation;		to each certificate issued in accordance with this Regulation;	to each certificate issued in accordance with this Regulation; *[EP amd incorporated in row 25]*
88.	(10) "trust framework" means the rules, policies, specifications, protocols, data formats and digital infrastructure regulating and allowing for the reliable and secure issuance and verification of certificates to guarantee the certificates' trustworthiness by confirming their authenticity, validity and integrity, including by the possible use of electronic seals.	(10) "trust framework" means the rules, policies, specifications, protocols, data formats and digital infrastructure regulating and allowing for the reliable and secure issuance and verification of certificates to guarantee the certificates' trustworthiness by confirming their authenticity, validity and integrity, ~~including~~ by the ~~possible~~ use of electronic seals.	(10) "trust framework" means the rules, policies, specifications, protocols, data formats and digital infrastructure regulating and allowing for the reliable and secure issuance and verification of certificates to guarantee the certificates' trustworthiness by confirming their authenticity, validity and integrity, including by the possible use of electronic seals.	(10) "trust framework" means the rules, policies, specifications, protocols, data formats and digital infrastructure regulating and allowing for the reliable and secure issuance and verification of certificates to guarantee the certificates' trustworthiness by confirming their authenticity, validity and integrity, ~~including~~ by the ~~possible~~ use of electronic seals.
89.	*Article 3* *Digital Green Certificate*	*Article 3* ***EU COVID-19*** ~~*Digital Green*~~ *Certificate*	*Article 3* *Digital Green Certificate*	*Article 3* *Digital Green Certificate*
90.	1. The interoperable Digital Green Certificate shall allow for the issuance and cross-border verification and acceptance of any of the following certificates:	1. ***Without prejudice to Article 22 of Regulation (EU) 2016/399*** the interoperable ~~Digital Green~~ ***EU COVID-19*** Certificate shall allow for the issuance and cross-border verification and acceptance of any of the following certificates:	1. The interoperable Digital Green Certificate **framework** shall allow for the issuance and cross-border verification and acceptance of any of the following certificates:	1. The interoperable Digital Green Certificate **framework** shall allow for the issuance and cross-border verification and acceptance of any of the following certificates:
91.	(a) a certificate confirming that the holder has received a COVID-19 vaccine in the Member State issuing the certificate ('vaccination certificate');	(a) a certificate confirming that the holder has received a COVID-19 vaccine in the Member State issuing the certificate ('vaccination certificate');	(a) a certificate confirming that the holder has received a COVID-19 vaccine in the Member State issuing the certificate ('vaccination certificate');	(a) a certificate confirming that the holder has received a COVID-19 vaccine in the Member State issuing the certificate ('vaccination certificate');

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92.	(b) a certificate indicating the holder's result and date of a NAAT test or a rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01[82] ('test certificate');	(b) a certificate indicating the holder's result, ***type*** and date of a NAAT test or a rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01 ('test certificate');	(b) a certificate indicating the holder's result, **type** and date of a NAAT test or a rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01[83] **carried out by health professionals in the Member State issuing the certificate** ('test certificate');	(b) a certificate indicating the holder's result, **type** and date of a NAAT test or a rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01[84] **carried out by health professionals *or by skilled testing personnel* in the Member State issuing the certificate** ('test certificate');
93.	(c) a certificate confirming that the holder has recovered from a SARS-CoV-2 infection following a positive NAAT test or a positive rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Recommendation 2021/C 24/01 ('certificate of recovery').	(c) a certificate confirming that the holder has recovered from a SARS-CoV-2 infection following a positive NAAT test ~~or a positive rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Recommendation 2021/C 24/01~~ ***or having confirmation of an immune response against SARS-CoV-2 by means of a serology or antibody test, including the date of the first positive NAAT test or the date of serological testing for antibodies against SARS-CoV-2*** ('certificate of recovery').	(c) a certificate confirming that the holder has recovered from a SARS-CoV-2 infection following a positive NAAT test ~~or a positive rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Recommendation 2021/C 24/01~~ ('certificate of recovery').	(c) a certificate confirming that the holder has recovered from a SARS-CoV-2 infection following a positive NAAT test **carried out by health professionals or *by skilled testing personnel*** ~~or a positive rapid antigen test listed in the common and updated list of COVID-19 rapid antigen tests established on the basis of Recommendation 2021/C 24/01~~ ('certificate of recovery').

[82] Council Recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU (2021/C 24/01) (OJ C 24, 22.1.2021, p. 1).

[83] Council Recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU (2021/C 24/01) (OJ C 24, 22.1.2021, p. 1).

[84] Council Recommendation on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU (2021/C 24/01) (OJ C 24, 22.1.2021, p. 1).

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94.		***The Commission shall publish the list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01, including any updates.***	**The Commission shall publish the list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01, including any updates.**	***The Commission shall publish the list of COVID-19 rapid antigen tests established on the basis of Council Recommendation 2021/C 24/01, including any updates.***
95.	2. Member States shall issue the certificates referred to in paragraph 1 in a digital or paper-based format, or both. The certificates issued by Member States shall contain an interoperable barcode allowing for the verification of the authenticity, validity and integrity of the certificate. The barcode shall comply with the technical specifications established in accordance with Article 8. The information contained in the certificates shall also be shown in human-readable form and shall be, at least, in the official language or languages of the issuing Member State and English.	2. Member States shall issue the certificates referred to in paragraph 1 in a digital ~~or~~ ***and a*** paper-based format, ~~or both~~. ***The prospective holders shall be entitled to receive the certificates in the format of their choice***. The certificates issued by Member States shall ***be user-friendly and*** contain an interoperable barcode allowing for the verification of the authenticity, validity and integrity of the certificate. The barcode shall comply with the technical specifications established in accordance with Article 8. The information contained in the certificates shall also be shown in human-readable form***, shall be accessible to persons with disabilities,*** and shall be, at least, in the official language or languages of the issuing Member State and English.	2. Member States, **or designated bodies acting on behalf of Member States,** shall issue the certificates referred to in paragraph 1 in a digital or paper-based format, or both. The certificates issued by Member States shall contain an interoperable barcode allowing for the verification of the authenticity, validity and integrity of the certificate. The barcode shall comply with the technical specifications established in accordance with Article 8. The information contained in the certificates shall also be shown in human-readable form and shall be, at least, in the official language or languages of the issuing Member State and English.	2. Member States, **or designated bodies acting on behalf of Member States,** shall issue the certificates referred to in paragraph 1 in a digital or paper-based format, or both. ***The prospective holders shall be entitled to receive the certificates in the format of their choice***. The certificates issued by Member States shall ***be user-friendly and*** contain an interoperable barcode allowing for the verification of the authenticity, validity and integrity of the certificate. The barcode shall comply with the technical specifications established in accordance with Article 8. The information contained in the certificates shall also be shown in human-readable form and shall be, at least, in the official language or languages of the issuing Member State and English. ***2a. A separate certificate shall be issued for each vaccination, test or recovery, which shall not contain data from any previous certificates except where information contained in a prior certificate is to be included in a***

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				later certificate as provided for in this Regulation. [*Reference to persons with disabilities in row 168 and 25 in Council position]* *EP am row 179 and 27*]
96.	3. The certificates referred to in paragraph 1 shall be issued free of charge. The holder shall be entitled to request the issuance of a new certificate if the personal data contained in the certificate is not or no longer accurate or up to date, or the certificate is no longer available to the holder.	3. The certificates referred to in paragraph 1 shall be issued free of charge. The holder shall be entitled to request the issuance of a new certificate if the personal data contained in the certificate is not or no longer accurate or up to date, ***including with regard to the vaccination, test or recovery status of the holder***, or ***if*** the certificate is no longer available to the holder.	3. The certificates referred to in paragraph 1 shall be issued free of charge. The holder shall be entitled to request the issuance of a new certificate if the personal data contained in the certificate is not or no longer accurate or up to date, or the certificate is no longer available to the holder. **Appropriate fees may be charged in case of repeated loss.**	3. The certificates referred to in paragraph 1 shall be issued free of charge. The holder shall be entitled to request the issuance of a new certificate if the personal data contained in the certificate is not or no longer accurate or up to date, ***including with regard to the vaccination, test or recovery status of the holder***, or ***if*** the certificate is no longer available to the holder. **Appropriate fees may be charged in case of repeated loss.**
97.		***3a The certificate shall include the following text:***	**3a The certificate shall include the following text:**	***3a The certificate shall include the following text:***
98.		***"This certificate is not a travel document. The scientific evidence on COVID-19 vaccination, testing and recovery continues to evolve, also in view of new variants of concern of the virus. Before travelling, please check the applicable public health measures and related restrictions applied at the point of destination."***	**"This certificate is not a travel document. The scientific evidence on COVID-19 vaccination, testing and recovery continues to evolve, also in view of new variants of concern of the virus. Before traveling, please check the applicable public health measures and related restrictions applied at the point of destination."**	***"This certificate is not a travel document. The scientific evidence on COVID-19 vaccination, testing and recovery continues to evolve, also in view of new variants of concern of the virus. Before travelling, please check the applicable public health measures and related restrictions applied at the point of destination."***

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99.		***The Member State shall provide the holder with clear, comprehensive and timely information on the use of the vaccination certificate, test certificate, and/or recovery certificate for the purposes of this Regulation.***		COM proposal to combine between row 99 (EP) and 186 (Council). Place still to be agreed. ***Member States shall provide holders, as well as the general public, with clear, comprehensive and timely information*** **on the issuance, [use] and acceptance of the certificates referred to in this paragraph and the conditions thereof [, including which vaccines they accept pursuant to Article 5(5) second subparagraph].**
100.		***3b. Possession of a EU COVID-19 Certificate shall not be a precondition to exercise free movement rights.***	**3b Possession of a Digital Green Certificate shall not be a precondition to exercise free movement rights.**	***3b. Possession of a*** **Digital Green Certificate** ***shall not be a precondition to exercise free movement rights.***
101.		***3c. Issuance of certificates pursuant to paragraph 1 shall not lead to differential treatment and discrimination based on vaccination status or the possession of a specific certificate referred to in Articles 5, 6 and 7. Member States shall ensure universal, accessible, timely and free of charge testing possibilities in order***		***3c. Issuance of certificates pursuant to paragraph 1 shall not lead to discrimination based on the possession of a specific certificate referred to in Articles 5, 6 and 7.*** **Second part of EP amendment to be discussed politically**

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		to guarantee the right to free movement inside the Union without discrimination on grounds of economic or financial possibilities.		
102.	4. Issuance of the certificates referred to in paragraph 1 shall not affect the validity of other proofs of vaccination, test or recovery issued before the entry into application of this Regulation or for other purposes, in particular for medical purposes.	4. Issuance of the certificates referred to in paragraph 1 shall not affect the validity of other proofs of vaccination, test or recovery issued before the entry into application of this Regulation or for other purposes, in particular for medical purposes.	4. Issuance of the certificates referred to in paragraph 1 shall not affect the validity of other proofs of vaccination, test or recovery issued before the entry into application of this Regulation or for other purposes, in particular for medical purposes.	4. Issuance of the certificates referred to in paragraph 1 shall not affect the validity of other proofs of vaccination, test or recovery issued before the entry into application of this Regulation or for other purposes, in particular for medical purposes.
103.		***4a. Union transport hubs, such as airports, ports, and railway and bus stations, where the certificates referred to in paragraph 1 are verified shall apply standardised and common criteria and procedures for their verification, on the basis of guidance developed by the Commission.***		***<u>4a. Cross-border passenger transport services operators required by national law to implement certain public health measures during the COVID-19 pandemic shall ensure that the verification of the certificates is integrated into the operation of cross-border transport infrastructure such as airports, ports, and railway and bus stations, where appropriate.</u>***
104.	5. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates issued in accordance with this Regulation by a third country with which the European Union and its Member States have concluded an	5. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates issued in accordance with this Regulation by a third country with which the European Union and its Member States have concluded an	5. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates **<u>equivalent to those</u>** issued in accordance with this Regulation by a third country with which the European Union and its Member States	5. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates **<u>equivalent to those</u>** issued in accordance with this Regulation by a third country with which the European Union and its Member States

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	agreement on free movement of persons allowing the contracting parties to restrict such free movement on grounds of public health in a non-discriminatory manner and which does not contain a mechanism of incorporation of European Union acts shall be accepted under the conditions referred to in Article 5(5).	agreement on free movement of persons allowing the contracting parties to restrict such free movement on grounds of public health in a non-discriminatory manner and which does not contain a mechanism of incorporation of European Union acts shall be accepted under the conditions referred to in Article 5(5).	have concluded an agreement on free movement of persons allowing the contracting parties to restrict such free movement on grounds of public health in a non-discriminatory manner and which does not contain a mechanism of incorporation of European Union acts shall be accepted under the conditions referred to in Article**s** 5(5), **6(5) and 7(5)**.	have concluded an agreement on free movement of persons allowing the contracting parties to restrict such free movement on grounds of public health in a non-discriminatory manner and which does not contain a mechanism of incorporation of European Union acts shall be accepted under the conditions referred to in Article**s** 5(5), **6(5) and 7(5)**.
105.	The Commission shall assess whether such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it will accept certificates issued by the Member States. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).	The Commission shall assess whether such a third country issues certificates in accordance with this Regulation and has provided formal assurances that it will accept certificates issued by the Member States. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).	The Commission shall assess whether such a third country issues certificates **equivalent to those issued** in accordance with this Regulation and has provided formal assurances that it will accept certificates issued by the Member States. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).	The Commission shall assess whether such a third country issues certificates **equivalent to those issued** in accordance with this Regulation and has provided formal assurances that it will accept certificates issued by the Member States. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).
106.	6. The Commission may ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU to issue guidance on the available scientific evidence on the effects of medical events documented in the certificates referred to in paragraph 1.	6. The Commission ~~may~~ ***shall*** ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU, ***the ECDC and the EMA*** to issue guidance on the available scientific evidence on the effects of medical events documented in the certificates referred to in paragraph 1.	6. **Where necessary,** the Commission ~~may~~ **shall** ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU**, the European Center for Disease Prevention and Control or the European Medicines Agency** to issue guidance on the available scientific evidence on the effects of medical events documented in the certificates referred to in paragraph 1, **in particular in view of**	6. **Where necessary,** the Commission ~~may~~ **shall** ask the Health Security Committee established by Article 17 of Decision No 1082/2013/EU**, the European Center for Disease Prevention and Control or the European Medicines Agency** to issue guidance on the available scientific evidence on the effects of medical events documented in the certificates referred to in paragraph 1, **in particular in view of**

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			newly emerging SARS-CoV-2 variants of concern.	**newly emerging SARS-CoV-2 variants of concern**.
107.		***6a. Member States shall make available sufficient resources to implement this Regulation, including to prevent, detect, investigate and prosecute fraud and illicit practices regarding the issuance and use of the EU COVID-19 Certificate.***		[*Row 57 – recital 39 and row 24 - recital 13a]*
108.	*Article 4* *Digital Green Certificate trust framework*	*Article 4* ***EU COVID-19*** ~~*Digital Green*~~ *Certificate trust framework*	*Article 4* *Digital Green Certificate trust framework*	*Article 4* *Digital Green Certificate trust framework*
109.	1. The Commission and the Member States shall set up and maintain a trust framework digital infrastructure allowing for the secure issuance and verification of the certificates referred to in Article 3.	1. The Commission and the Member States shall set up and maintain a trust framework digital infrastructure allowing for the secure issuance and verification of the certificates referred to in Article 3.	1. The Commission and the Member States shall set up and maintain a trust framework digital infrastructure allowing for the secure issuance and verification of the certificates referred to in Article 3.	Council proposal: 1. The Commission and the Member States shall set up and maintain a trust framework digital infrastructure allowing for the secure issuance and verification of the certificates referred to in Article 3. ***1a. The trust framework shall be based on a public key infrastructure to verify the integrity and the authenticity of the certificates referred to in Article 3. The trust framework shall allow for detection against fraud, in particular forgery, and may also support the bilateral exchange of certificate revocation lists containing the unique certificate identifiers of revoked certificates.***

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				Such certificate revocation lists shall not contain any other personal data. The verification of certificates referred to in Article 3, and where applicable, certificate revocation lists shall not result in the notification of the issuer about the verification. *[EP amendment in row 171]*
110.	2. The trust framework shall ensure, where possible, interoperability with technological systems established at international level.	2. The trust framework shall ensure, where possible, interoperability with technological systems established at international level.	2. The trust framework shall **seek to** ensure~~, where possible~~, interoperability with technological systems established at international level.	2. The trust framework shall **seek to** ensure~~, where possible~~, interoperability with technological systems established at international level.
111.	3. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates issued by third countries to Union citizens and their family members according to an international standard and technological system that are interoperable with the trust framework established on the basis of this Regulation and that allows for the verification of the authenticity, validity and integrity of the certificate, and which contain the data set out in the Annex shall be treated like certificates issued by Member States in accordance with this Regulation, for the purpose of facilitating the holders' exercise of their right to free movement within the European Union. For the purposes of	3. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates issued by third countries to Union citizens and their family members, ***as well as to nationals or residents of Andorra, Monaco, San Marino and the Vatican/Holy See***, according to an international standard and technological system that are interoperable with the trust framework established on the basis of this Regulation and that allows for the verification of the authenticity, validity and integrity of the certificate, and which contain the data set out in the Annex shall be treated like certificates issued by Member States in accordance with this Regulation, for the purpose of	~~3. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates issued by third countries to Union citizens and their family members according to an international standard and technological system that are interoperable with the trust framework established on the basis of this Regulation and that allows for the verification of the authenticity, validity and integrity of the certificate, and which contain the data set out in the Annex shall be treated like certificates issued by Member States in accordance with this Regulation, for the purpose of facilitating the holders' exercise of their right to free movement within the European Union. For the purposes of~~	*Agreement on moving this provision to Article 7a but not agreement on the content.*

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	this sub-paragraph, the acceptance, by the Member States, of vaccination certificates issued by third countries shall take place under the conditions referred to in Article 5(5).	facilitating the holders' exercise of their right to free movement within the European Union. For the purposes of this sub-paragraph, the acceptance, by the Member States, of vaccination certificates issued by third countries shall take place under the conditions referred to in Article 5(5).	~~this sub-paragraph, the acceptance, by the Member States, of vaccination certificates issued by third countries shall take place under the conditions referred to in Article 5(5).~~	
112.	The Commission shall assess whether certificates issued by a third country fulfil the conditions set out in this paragraph. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).	The Commission shall assess whether certificates issued by a third country fulfil the conditions set out in this paragraph. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2). ***The Commission shall also keep a publicly accessible register of those third countries that fulfil the conditions of issuing certificates within the meaning of this Regulation.***	~~The Commission shall assess whether certificates issued by a third country fulfil the conditions set out in this paragraph. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).~~	*[Council moved paragraph 3 to row 154]*
113.	*Article 5* *Vaccination certificate*	*Article 5* *Vaccination certificate*	*Article 5* *Vaccination certificate*	*Article 5* *Vaccination certificate*
114.	1. Each Member State shall issue vaccination certificates as referred to in Article 3(1)(a) to a person to whom a COVID-19 vaccine has been administered, either automatically or upon request by that person.	1. Each Member State shall ***automatically*** issue vaccination certificates as referred to in Article 3(1)(a) to a person to whom a COVID-19 vaccine has been administered~~, either automatically or upon request by that person~~.	1. Each Member State shall issue vaccination certificates as referred to in Article 3(1)(a) to a person to whom a COVID-19 vaccine has been administered, either automatically or upon request by that person.	1. Each Member State shall issue vaccination certificates as referred to in Article 3(1)(a) to a person to whom a COVID-19 vaccine has been administered, either automatically or upon request by that person. ***That***

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				person shall be informed of his/her right to a vaccination certificate.
115.	2. The vaccination certificate shall contain the following categories of personal data:	2. The vaccination certificate shall contain the following categories of personal data:	2. The vaccination certificate shall contain the following categories of ~~personal~~ data:	2. The vaccination certificate shall contain the following categories of personal data:
116.	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;
117.	(b) information about the vaccine medicinal product administered;	(b) information about the vaccine medicinal product administered ***and information about the number of doses and dates***;	(b) information about the vaccine medicinal product administered;	(b) information about the vaccine medicinal product administered ***and information about the number of doses***;
118.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	(c) certificate metadata, such as the certificate issuer ~~or a unique certificate identifier~~.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	
119.	The personal data shall be included in the vaccination certificate in accordance with the specific data fields set out in point 1 of the Annex.	The personal data shall be included in the vaccination certificate in accordance with the specific data fields set out in point 1 of the Annex.	The ~~personal~~ data shall be included in the vaccination certificate in accordance with the specific data fields set out in point 1 of the Annex.	The personal data shall be included in the vaccination certificate in accordance with the specific data fields set out in point 1 of the Annex.
120.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 1 of the Annex by adding, modifying or removing data fields on the categories of personal data mentioned in this paragraph.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 1 of the Annex by ~~adding,~~ modifying or removing data fields***, or by adding data fields falling under*** ~~on~~ the categories of personal data mentioned in ***points (b) and (c) of*** this paragraph.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 1 of the Annex by adding, modifying or removing data fields, ~~on the categories of personal data mentioned in this paragraph~~ **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific progress in containing the COVID-19 pandemic or to ensure**	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 1 of the Annex by ~~adding,~~ modifying or removing data fields***, or by adding data fields falling under*** ~~on~~ the categories of personal data mentioned in ***points (b) and (c) of*** this paragraph, **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific**

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			interoperability with international standards.	**progress in containing the COVID-19 pandemic, or to ensure interoperability with international standards.**
121.	3. The vaccination certificate shall be issued in a secure and interoperable format as provided for in Article 3(2) and shall clearly indicate whether or not the vaccination course has been completed.	3. The vaccination certificate shall be issued in a secure and interoperable format as provided for in Article 3(2) and shall clearly indicate whether or not the vaccination course ***for that specific vaccine*** has been completed.	3. The vaccination certificate shall be issued in a secure and interoperable format as provided for in Article 3(2) **after the administration of each dose** and shall clearly indicate whether or not the vaccination course has been completed.	3. The vaccination certificate shall be issued in a secure and interoperable format as provided for in Article 3(2) **after the administration of each dose** and shall clearly indicate whether or not the vaccination course has been completed.
122.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.
123.	5. Where Member States accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, they shall also accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation for a COVID-19 vaccine	5. ~~Where~~ Member States ***shall*** accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, ***and*** they shall also accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation for a COVID-19 vaccine	5. Where Member States accept proof of vaccination in order to waive restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, they shall also accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with this Regulation for a COVID-19 vaccine	

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	having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004.	having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004.	having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004.	
124.	Member States may also accept, for the same purpose, valid vaccination certificates issued by other Member States in compliance with this Regulation for a COVID-19 vaccine having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, a COVID-19 vaccine whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or a COVID-19 vaccine having received a WHO Emergency Use Listing.	Member States may also accept, for the same purpose, valid vaccination certificates issued by other Member States in compliance with this Regulation for ~~a COVID-19 vaccine having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, a COVID-19 vaccine whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or~~ a COVID-19 vaccine having received a WHO Emergency Use Listing.	Member States may also accept, for the same purpose, valid vaccination certificates issued by other Member States in compliance with this Regulation for a COVID-19 vaccine having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, a COVID-19 vaccine whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or a COVID-19 vaccine having received a WHO Emergency Use Listing. **Where Member States accept valid vaccination certificates issued in compliance with this Regulation for a COVID-19 vaccine having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC, a COVID-19 vaccine whose distribution has been temporarily authorised based on Article 5(2) of Directive 2001/83/EC, or a COVID-19 vaccine having received a WHO Emergency Use Listing they shall also accept, under the same conditions, valid vaccination**	

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			certificates issued by other Member States.	
125.	6. Where a Union citizen or a family member of a Union citizen has been vaccinated in a third country with one of the types of COVID-19 vaccines referred to in paragraph 5 of this Article, and where the authorities of a Member State have been provided with all necessary information, including reliable proof of vaccination, they shall issue a vaccination certificate as referred to in Article 3(1)(a) to the person concerned.	6. Where a Union citizen or a family member of a Union citizen ***or a national or resident of Andorra, Monaco, San Marino and the Vatican/Holy See***, has been vaccinated in a third country with one of the types of COVID-19 vaccines referred to in paragraph 5 of this Article, and where the authorities of a Member State have been provided with all necessary information, including reliable proof of vaccination, they shall issue a vaccination certificate as referred to in Article 3(1)(a) to the person concerned.	~~6. Where a Union citizen or a family member of a Union citizen has been vaccinated in a third country with one of the types of COVID-19 vaccines referred to in paragraph 5 of this Article, and where the authorities of a Member State have been provided with all necessary information, including reliable proof of vaccination, they shall issue a vaccination certificate as referred to in Article 3(1)(a) to the person concerned.~~	*[Council moved paragraph 6 to Row 152]*
126.	*Article 6* *Test certificate*	*Article 6* *Test certificate*	*Article 6* *Test certificate*	*Article 6* *Test certificate*
127.	1. Each Member State shall issue test certificates as referred to in Article 3(1)(b) to persons tested for COVID-19, either automatically or upon request by that person.	1. Each Member State shall ***automatically*** issue test certificates as referred to in Article 3(1)(b) to persons tested for COVID-19~~, either automatically or upon request by that person~~.	1. Each Member State shall issue test certificates as referred to in Article 3(1)(b) to persons tested for COVID-19, either automatically or upon request by that person.	1. Each Member State shall issue test certificates as referred to in Article 3(1)(b) to persons tested for COVID-19, either automatically or upon request by that person. ***That person shall be informed of his/her right to a test certificate.***
128.	2. The test certificate shall contain the following categories of personal data:	2. The test certificate shall contain the following categories of personal data:	2. The test certificate shall contain the following categories of ~~personal~~ data:	2. The test certificate shall contain the following categories of personal data:

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129.	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;
130.	(b) information about the test carried out;	(b) information about the test carried out;	(b) information about the test carried out;	(b) information about the test carried out;
131.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	(c) certificate metadata, such as the certificate issuer ~~or a unique certificate identifier~~.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	
132.	The personal data shall be included in the test certificate in accordance with the specific data fields set out in point 2 of the Annex.	The personal data shall be included in the test certificate in accordance with the specific data fields set out in point 2 of the Annex.	The ~~personal~~ data shall be included in the test certificate in accordance with the specific data fields set out in point 2 of the Annex.	The personal data shall be included in the test certificate in accordance with the specific data fields set out in point 2 of the Annex.
133.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 2 of the Annex by adding, modifying or removing data fields on the categories of personal data mentioned in this paragraph.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 2 of the Annex by ~~adding,~~ modifying or removing data fields***, or by adding data fields falling under*** ~~on~~ the categories of personal data mentioned in ***points (b) and (c) of*** this paragraph.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 2 of the Annex by adding, modifying or removing data fields ~~on the categories of personal data mentioned in this paragraph~~ **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific progress in containing the COVID-19 pandemic or to ensure interoperability with international standards.**	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 2 of the Annex by ~~adding,~~ modifying or removing data fields***, or by adding data fields falling under*** ~~on~~ the categories of personal data mentioned in ***points (b) and (c) of*** this paragraph, **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific progress in containing the COVID-19 pandemic, or to ensure interoperability with international standards.**
134.	3. The test certificate shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The test certificate shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The test certificate shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The test certificate shall be issued in a secure and interoperable format as provided for in Article 3(2).

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135.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.
136.	5. Where Member States require proof of a test for SARS-CoV-2 infection as part of the restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, they shall also accept valid test certificates issued by other Member States in compliance with this Regulation.	5. ~~Where~~ Member States ***shall accept*** proof of a ***negative*** test for SARS-CoV-2 infection ***in order to waive*** restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, ***and*** they shall also accept valid test certificates issued by other Member States in compliance with this Regulation.	5. Where Member States require proof of a test for SARS-CoV-2 infection as part of the restrictions to free movement put in place, in compliance with Union law **and taking into account the specific situation of cross-border communities**, to limit the spread of COVID-19, they shall also accept**,** **under the same conditions,** valid test certificates issued by other Member States in compliance with this Regulation.	
137.	*Article 7* *Certificate of recovery*	*Article 7* *Certificate of recovery*	*Article 7* *Certificate of recovery*	*Article 7* *Certificate of recovery*
138.	1. Each Member State shall issue, upon request, certificates of recovery as referred to in Article 3(1)(c) at the earliest from the eleventh day after a person has received his or her first	1. Each Member State shall issue, upon request, certificates of recovery as referred to in Article 3(1)(c) at the earliest from the eleventh day after a person has received his or her first positive test for SARS-CoV-2 infection, ***or after submission of a***	1. Each Member State shall issue, upon request, certificates of recovery as referred to in Article 3(1)(c) at the earliest from the eleventh day after a person has received his or her first	Council proposal: 1. Each Member State shall issue, upon request, certificates of recovery as referred to in Article 3(1)(c). ***The certificate of recovery shall be issued at the earliest from the eleventh***

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	positive test for SARS-CoV-2 infection.	***subsequent negative NAAT test. It shall also be possible to issue a certificate of recovery through the detection of antibodies by a serological test.***	positive test for SARS-CoV-2 infection.	***day after a person has received his or her first positive NAAT test for SARS-CoV-2 infection.***
139.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the number of days as of which a certificate of recovery may be issued, based on guidance received from the Health Security Committee in accordance with Article 3(6) or on scientific evidence reviewed by ECDC.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the number of days as of which a certificate of recovery may be issued, based on guidance received from the Health Security Committee in accordance with Article 3(6) or on scientific evidence reviewed by ECDC.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the number of days as of which a certificate of recovery may be issued, based on guidance received from the Health Security Committee in accordance with Article 3(6) or on scientific evidence reviewed by ECDC.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the number of days as of which a certificate of recovery may be issued, based on guidance received from the Health Security Committee in accordance with Article 3(6) or on scientific evidence reviewed by ECDC.
140.		***The Commission is empowered to adopt delegated acts in accordance with Article 11 to establish and amend the types of serological tests for antibodies against SARS-CoV-2 in respect of which a certificate of recovery may be issued, based on scientific evidence reviewed by ECDC.***		*[Row 148]*
141.	2. The certificate of recovery shall contain the following categories of personal data:	2. The certificate of recovery shall contain the following categories of personal data:	2. The certificate of recovery shall contain the following categories of ~~personal~~ data:	2. The certificate of recovery shall contain the following categories of personal data:
142.	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;	(a) identification of the holder;

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143.	(b) information about past SARS-CoV-2 infection;	(b) information about past SARS-CoV-2 infection ***documented by a positive NAAT test, or outcome of serology test***;	(b) information about past SARS-CoV-2 infection **following a positive test**;	(b) information about past SARS-CoV-2 infection **following a positive test**;
144.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	(c) certificate metadata, such as the certificate issuer ~~or a unique certificate identifier~~.	(c) certificate metadata, such as the certificate issuer or a unique certificate identifier.	
145.	The personal data shall be included in the certificate of recovery in accordance with the specific data fields set out in point 3 of the Annex.	The personal data shall be included in the certificate of recovery in accordance with the specific data fields set out in point 3 of the Annex.	The ~~personal~~ data shall be included in the certificate of recovery in accordance with the specific data fields set out in point 3 of the Annex.	The personal data shall be included in the certificate of recovery in accordance with the specific data fields set out in point 3 of the Annex.
146.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 3 of the Annex by adding, modifying or removing data fields on the categories of personal data mentioned in this paragraph, including until when a certificate of recovery shall be valid.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 3 of the Annex by ~~adding,~~ modifying or removing data fields ~~on the categories of personal data mentioned in this paragraph~~, including until when a certificate of recovery shall be valid, ***or by adding data fields falling under the categories of personal data mentioned in points (b) and (c) of this paragraph***.	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 3 of the Annex by adding, modifying or removing data fields ~~on the categories of personal data mentioned in this paragraph~~, including until when a certificate of recovery shall be valid, **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific progress in containing the COVID-19 pandemic or to ensure interoperability with international standards.**	The Commission is empowered to adopt delegated acts in accordance with Article 11 to amend point 3 of the Annex by ~~adding,~~ modifying or removing data fields**, *or by adding data fields falling under*** ~~on~~ the categories of personal data mentioned in ***points (b) and (c) of*** this paragraph, **where such amendment is necessary to confirm or verify the authenticity, validity and integrity of the certificate, in case of scientific progress in containing the COVID-19 pandemic, or to ensure interoperability with international standards.**
147.	3. The certificate of recovery shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The certificate of recovery shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The certificate of recovery shall be issued in a secure and interoperable format as provided for in Article 3(2).	3. The certificate of recovery shall be issued in a secure and interoperable format as provided for in Article 3(2).

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148.			**3a Based on guidance received pursuant to Article 3(6), the Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the provisions in Article 3(1)(c) and Article 7(1) to allow for the issuance of the certificate of recovery also based on a positive rapid antigen test, serological testing for antibodies against SARS-CoV-2 or any other scientifically validated method. Any such delegated act shall add, modify or remove the data fields on the categories of data included in the certificate. The issuance and acceptance of the certificate of recovery based on the tests and methods mentioned in this paragraph shall be optional.**	Council proposal: **3a Based on guidance received pursuant to Article 3(6), the Commission is empowered to adopt delegated acts in accordance with Article 11 to amend the provisions in Article 3(1)(c) and Article 7(1) to allow for the issuance of the certificate of recovery also based on a positive rapid antigen test, serological testing for antibodies against SARS-CoV-2 or any other scientifically validated method. Any such delegated act shall add, modify or remove the data fields on the categories of data included in the certificate. The issuance and acceptance of the certificate of recovery based on the tests and methods mentioned in this paragraph shall be optional.** ***3b. Following the adoption of the delegated act described in paragraph 3a, the Commission shall establish and maintain a list of antibody tests on the basis of which a certificate of recovery may be issued, based on guidance received from ECDC.***

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149.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	4. Where, in the case of newly emerging scientific evidence or to ensure interoperability with international standards and technological systems, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.
150.	5. Where Member States accept proof of recovery from SARS-CoV-2 infection as a basis for waiving restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, they shall accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation.	5. ~~Where~~ Member States ***shall*** accept proof of recovery from SARS-CoV-2 infection as a basis for waiving restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, ***and*** they shall accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation.	5. Where Member States accept proof of recovery from SARS-CoV-2 infection as a basis for waiving restrictions to free movement put in place, in compliance with Union law, to limit the spread of COVID-19, they shall accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation.	
151.			***<u>New Article 7a</u>*** ***<u>COVID-19 certificates and other documentation issued by a third country</u>***	***<u>New Article 7a</u>*** ***<u>COVID-19 certificates and other documentation issued by a third country</u>***
152.			**<u>1. Where a vaccination certificate has been issued in a third country for a vaccine medicinal product that corresponds to one of the COVID-19 vaccines referred to Article 5(5) and where the authorities in a Member State have</u>**	*[Link to Row 125]*

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			been provided with all necessary information, including reliable proof of vaccination, they may, upon request, issue a vaccination certificate as referred to in Article 3(1)(a) to the person concerned. A Member State shall not be required to issue a certificate for a vaccine not authorised for use on its territory.	
153.			**2. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates referred to in Article 3 issued by third countries according to a standard and technological system that are interoperable with the trust framework established on the basis of this Regulation that allow for the verification of the authenticity, validity and integrity of the certificate, and which contain the data set out in the Annex shall be treated like certificates issued by Member States in accordance with this Regulation, for the purpose of facilitating the holders' exercise of their right to free movement within the European Union.**	Council proposal: **2. Where the Commission has adopted an implementing act pursuant to the second sub-paragraph, certificates referred to in Article 3 issued by third countries according to a standard and technological system that are interoperable with the trust framework established on the basis of this Regulation that allow for the verification of the authenticity, validity and integrity of the certificate, and which contain the data set out in the Annex shall be treated like certificates issued by Member States in accordance with this Regulation, for the purpose of facilitating the holders' exercise of their right to free movement within the European Union.**
154.			**The Commission shall assess whether certificates issued by a third**	**The Commission shall assess whether certificates issued by a third**

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			country fulfil the conditions set out in this paragraph. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).	**country fulfil the conditions set out in this paragraph. In that case, it shall adopt an implementing act in accordance with the examination procedure referred to in Article 13(2).** ***The Commission shall make publicly available the list of implementing acts adopted pursuant to this subparagraph.***
155.			**3. For the purposes of this article, the acceptance by the Member States of certificates issued pursuant to this Article, shall take place under the conditions referred to in Articles 5(5), 6(5) and 7(5).**	Council proposal: **3. For the purposes of this article, the acceptance by the Member States of certificates issued pursuant to this Article, shall take place under the conditions referred to in Articles 5(5), 6(5) and 7(5).**
156.			**4. If a Member State accepts a certificate for a COVID-19 vaccine referred to in Article 5(5) second subparagraph issued pursuant to this Article, it shall also accept certificates for the same COVID-19 vaccine issued by a Member State.**	Council proposal: **4. If a Member State accepts a certificate for a COVID-19 vaccine referred to in Article 5(5) second subparagraph issued pursuant to this Article, it shall also accept certificates for the same COVID-19 vaccine issued by a Member State.**
157.			**5. This Article shall also apply to COVID-19 certificates and other documentation issued by Overseas Countries and Territories referred to in Article 355(2) TFEU and listed**	Council proposal: **5. This Article shall also apply to COVID-19 certificates and other documentation issued by Overseas Countries and Territories referred**

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			in its Annex II, and by the Faroe Islands. It shall not apply to COVID-19 certificates and other documentation issued in Overseas Countries and Territories referred to in Article 355(2) TFEU and listed in its Annex II, and in the Faroe Islands, issued on behalf of a Member State.	**to in Article 355(2) TFEU and listed in its Annex II, and by the Faroe Islands. It shall not apply to COVID-19 certificates and other documentation issued in Overseas Countries and Territories referred to in Article 355(2) TFEU and listed in its Annex II, and in the Faroe Islands, issued on behalf of a Member State.**
158.	*Article 8* *Technical specifications*	*Article 8* *Technical specifications*	*Article 8* *Technical specifications*	Article 8 Technical specifications
159.	To ensure uniform conditions for implementation of the trust framework established by this Regulation, the Commission shall adopt implementing acts containing the technical specifications and rules to:	To ensure uniform conditions for implementation of the trust framework established by this Regulation, the Commission shall adopt implementing acts containing the technical specifications and rules to:	To ensure uniform conditions for implementation of the trust framework established by this Regulation, the Commission shall adopt implementing acts containing the technical specifications and rules to:	To ensure uniform conditions for implementation of the trust framework established by this Regulation, the Commission shall adopt implementing acts containing the technical specifications and rules to:
160.	(a) securely issue and verify the certificates referred to Article 3;	(a) securely issue and verify the certificates referred to Article 3;	(a) securely issue and verify the certificates referred to Article 3;	(a) securely issue and verify the certificates referred to Article 3;
161.	(b) ensure the security of the personal data, taking into account the nature of the data;	(b) ensure the security of the personal data, taking into account the nature of the data;	(b) ensure the security of the personal data, taking into account the nature of the data;	(b) ensure the security of the personal data, taking into account the nature of the data;
162.	(c) populate the certificates referred to Article 3, including the coding system and any other relevant elements;	(c) populate the certificates referred to Article 3, including the coding system and any other relevant elements;	(c) populate the certificates referred to Article 3, including the coding system and any other relevant elements;	(c) populate the certificates referred to Article 3, including the coding system and any other relevant elements;

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163.	(d) lay down the common structure of the unique certificate identifier;	~~(d) lay down the common structure of the unique certificate identifier;~~	(d) lay down the common structure of the unique certificate identifier;	
164.	(e) issue a valid, secure and interoperable barcode;	(e) issue a valid, secure and interoperable barcode;	(e) issue a valid, secure and interoperable barcode;	(e) issue a valid, secure and interoperable barcode;
165.	(f) ensure interoperability with international standards and/or technological systems;	(f) ensure interoperability with international standards and/or technological systems;	(f) ensure**, where possible,** interoperability with international standards and/or technological systems;	(f) **seek** to ensure interoperability with international standards and/or technological systems;
166.	(g) allocate responsibilities amongst controllers and as regards processors.	(g) allocate responsibilities amongst controllers and as regards processors ***in accordance with Chapter IV of Regulation 2016/679***;	(g) allocate responsibilities amongst controllers and as regards processors, **in accordance with Article 28(3) of Regulation 2016/679**.	(g) allocate responsibilities amongst controllers and as regards processors, ***in accordance with Chapter IV of Regulation 2016/679***;
167.		***(ga) establish processes for a regular testing, assessment and evaluation of the effectiveness of the data protection and security measures adopted.***		*Council proposes to move to row 58 new recital 40c*
168.		***(gb) ensure accessibility for persons with disabilities to the human-readable information contained in the digital certificate and in the paper-based certificate, in line with Union harmonised accessibility requirements.***		***(gb) ensure accessibility for persons with disabilities to the human-readable information contained in the digital certificate and in the paper-based certificate in line with the accessibility requirements included in Union law legislation.***
169.	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(2). ***When the envisaged***	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13(2).

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		implementing act concerns the processing of personal data, the Commission shall consult the EDPS, and, where applicable, may consult the EDPB.		
170.	On duly justified imperative grounds of urgency, in particular to ensure a timely implementation of the trust framework, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 13(3).	On duly justified imperative grounds of urgency, in particular to ensure a timely implementation of the trust framework, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 13(3).	On duly justified imperative grounds of urgency, in particular to ensure a timely implementation of the trust framework, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 13(3).	On duly justified imperative grounds of urgency, in particular to ensure a timely implementation of the trust framework, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 13(3). ***Implementing acts adopted on the basis of this sub-paragraph shall remain in force for the duration of the applicability of this Regulation.***
171.		***The trust framework shall be based on a public key infrastructure to verify the integrity of the EU COVID-19 Certificates and the authenticity of the electronic seals. The trust framework shall allow for detection against fraud, in particular forgery, and shall ensure that the verification of EU COVID-19 Certificates and electronic seals does not inform the issuer about the verification.***		*[Council proposes to move EP am. to Row 109]*
172.		***Article 8a*** ***National digital certificates and interoperability with the EU COVID-19 Certificate trust framework***		*[Council proposes to address EP ams on new Article 8a in recital 37a in row 55]*

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173.		***Where a Member State has adopted or adopts a national digital certificate for purely domestic purposes, it shall ensure that it is fully interoperable with the EU COVID-19 Certificate trust framework. The same safeguards as in this Regulation shall apply.***		*[Row 55]*
174.		***Article 8b*** ***Further use of the EU COVID-19 Certificate framework***		*[Row 55]*
175.		***Where a Member State seeks to implement the EU COVID-19 Certificate for any possible use other than the intended purpose of facilitating free movement between Member States, that Member State shall create a legal basis under national law, complying with the principles of effectiveness, necessity, and proportionality, including specific provisions clearly identifying the scope and extent of the processing, the specific purpose involved, the categories of entities that can verify the certificate as well as the relevant safeguards to prevent discrimination and abuse, taking into account the risks to the rights and freedoms of data subjects. No data shall be retained in the context of the verification process.***		*[Row 55]*

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176.	*Article 9* *Protection of personal data*	*Article 9* *Protection of personal data*	*Article 9* *Protection of personal data*	*Article 9* *Protection of personal data*
177.			0. **Regulation (EU) 2016/679 shall apply to the processing of personal data carried out when implementing this Regulation.**	0. **Regulation (EU) 2016/679 shall apply to the processing of personal data carried out when implementing this Regulation.**
178.	1. The personal data contained in the certificates issued in accordance with this Regulation shall be processed for the purpose of accessing and verifying the information included in the certificate in order to facilitate the exercise of the right of free movement within the Union during the COVID-19 pandemic.	1. ***Regulation (EU) 2016/679 shall apply to the processing of personal data carried out when implementing this Regulation.*** The personal data contained in the certificates issued in accordance with this Regulation shall be processed ***only*** for the purpose of ~~accessing and~~ verifying the information included in the certificate in order to facilitate the exercise of the right of free movement within the Union ~~during the COVID-19 pandemic~~ ***as provided for in this Regulation and until it ceases to apply***.	1. The personal data contained in the certificates issued in accordance with this Regulation shall be processed **only** for the purpose of accessing and verifying the information included in the certificate in order to facilitate the exercise of the right of free movement within the Union during the COVID-19 pandemic.	EP proposal: 1. ***For the purpose of this Regulation, the*** personal data contained in the certificates issued in accordance with this Regulation shall be processed **only** for the purpose of accessing and verifying the information included in the certificate in order to facilitate the exercise of the right of free movement within the Union during the COVID-19 pandemic. ***After the end of applicability of this Regulation, no further processing shall occur.***
179.	2. The personal data included in the certificates referred to in Article 3 shall be processed by the competent authorities of the Member State of destination, or by the cross-border passenger transport services operators required by national law to implement certain public health measures during	2. The personal data included in the certificates referred to in Article 3 shall be processed by the competent authorities of the Member State of destination, or by the cross-border passenger transport services operators required by national law to implement certain public health measures during	2. The personal data included in the certificates referred to in Article 3 shall be processed by the competent authorities of the Member State of destination **or transit**, or by the cross-border passenger transport services operators required by national law to implement certain public health	Council proposal: 2. The personal data included in the certificates referred to in Article 3 shall be processed by the competent authorities of the Member State of destination **or transit**, or by the cross-border passenger transport services

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	the COVID-19 pandemic, to confirm and verify the holder's vaccination, testing or recovery status. For this purpose, the personal data shall be limited to what is strictly necessary. The personal data accessed pursuant to this paragraph shall not be retained.	the COVID-19 pandemic, ***only*** to confirm and verify the holder's vaccination, testing or recovery status. For this purpose, the personal data shall be limited to what is strictly necessary. The personal data accessed pursuant to this paragraph shall not be retained ***or processed by the verifier for other purposes. A separate independent certificate shall be issued for each vaccination, test or recovery, and no history of the previous certificates of the holder shall be stored on the certificate.***	measures during the COVID-19 pandemic, to confirm and verify the holder's vaccination, testing or recovery status. For this purpose, the personal data shall be limited to what is strictly necessary. The personal data accessed pursuant to this paragraph shall not be retained.	operators required by national law to implement certain public health measures during the COVID-19 pandemic, ***only*** to confirm and verify the holder's vaccination, testing or recovery status. For this purpose, the personal data shall be limited to what is strictly necessary. The personal data accessed pursuant to this paragraph shall not be retained**.** *[EP addition – row 95]*
180.	3. The personal data processed for the purpose of issuing the certificates referred to in Article 3, including the issuance of a new certificate, shall not be retained longer than is necessary for its purpose and in no case longer than the period for which the certificates may be used to exercise the right to free movement.	3. The personal data processed for the purpose of issuing the certificates referred to in Article 3, including the issuance of a new certificate, shall not be retained ***by the issuer*** longer than is ***strictly*** necessary for its purpose and in no case longer than the period for which the certificates may be used to exercise the right to free movement, ***after which the personal data shall be erased immediately and irrevocably***. ***There shall be no centralised processing or retention of the personal data included in the certificate at Member State or Union level.***	3. The personal data processed for the purpose of issuing the certificates referred to in Article 3, including the issuance of a new certificate, shall not be retained longer than is necessary for its purpose and in no case longer than the period for which the certificates may be used to exercise the right to free movement.	Council proposal: 3. The personal data processed for the purpose of issuing the certificates referred to in Article 3, including the issuance of a new certificate, shall not be retained ***by the issuer*** longer than is ***strictly*** necessary for its purpose and in no case longer than the period for which the certificates may be used to exercise the right to free movement. *[Row 58]* **New paragraph 3a** ***3a. Any certificate revocation lists exchanged between Member States in the context of the trust framework established in Article 4 shall not be retained longer than***

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				the duration of the applicability of this Regulation.
181.	4. The authorities responsible for issuing the certificates referred to in Article 3 shall be considered as controllers referred to in Article 4(7) of Regulation (EU) 2016/679.	4. The authorities ***or other designated bodies*** responsible for issuing the certificates referred to in Article 3 shall be considered as controllers referred to in Article 4(7) of Regulation (EU) 2016/679. ***By ... [one month after the date of entry into force of this Regulation], the Member States shall make public the entities foreseen to be acting as controllers, processors and recipients of the data and communicate this information to the Commission and any modifications thereto regularly after that date. By ... [two months after the entry into force of this Regulation], the Commission shall publish the collected information in a publicly accessible list and keep that public list up to date.***	4. The authorities **or other designated bodies** responsible for issuing the certificates referred to in Article 3 shall be considered as controllers referred to in Article 4(7) of Regulation (EU) 2016/679.	4. The authorities **or other designated bodies** responsible for issuing the certificates referred to in Article 3 shall be considered as controllers referred to in Article 4(7) of Regulation (EU) 2016/679.
182.			**4a. The natural or legal person, public authority, agency or other body that has administered the vaccine or carried out the test for which a certificate is to be issued shall transmit to the authorities or other designated bodies responsible for issuing the certificates the categories of data referred to in Articles 5(2), 6(2) and 7(2) necessary**	Council proposal: **4a. The natural or legal person, public authority, agency or other body that has administered the vaccine or carried out the test for which a certificate is to be issued shall transmit to the authorities or other designated bodies responsible for issuing the certificates the categories of data referred to in**

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			to complete the data fields set out in the Annex.	**Articles 5(2), 6(2) and 7(2) necessary to complete the data fields set out in the Annex.**
183.		***5. The data controllers and processors shall take adequate technical and organisational measures to ensure a level of security appropriate to the risk of the processing.***		*[Row 58]*
184.		***6. Where a controller referred to in paragraph 4 enlists a processor, in application of Article 28(3) of Regulation (EU) 2016/679, no transfer of personal data by the processor to a third country may take place.***		***6. Where a controller referred to in paragraph 4 enlists a processor, in application of Article 28(3) of Regulation (EU) 2016/679, no transfer of personal data by the processor to a third country may take place.***
185.	*Article 10* *Notification procedure*	*Article 10* ***EU COVID-19 Certificate and travel restrictions***	*Article 10* ***Information exchange*** ~~*Notification procedure*~~	
186.		***Member States shall not introduce and implement additional travel restrictions such as quarantine, self-isolation or a test for SARS-CoV-2 infection, or any discriminatory measures for holders of certificates referred to in Article 3, upon the introduction of the EU COVID-19 Certificate.***	0. **Member States shall inform other Member States and the Commission on the issuance and acceptance of the certificates referred to in Article 3 and the conditions thereof, including which vaccines they accept pursuant to Article 5(5) second subparagraph.**	

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187.	1. Where a Member State requires holders of certificates referred to in Article 3 to undergo, after entry into its territory, quarantine, self-isolation or a test for SARS-CoV-2 infection, or if it denies entry to such persons, it shall notify the other Member States and the Commission before the planned introduction of such restrictions. To that end, the Member State shall supply the following information:	Deleted	1. Where a Member State requires holders of certificates referred to in Article 3 to undergo, after entry into its territory, quarantine, self-isolation or a test for SARS-CoV-2 infection, or if it **imposes other restrictions on holders of such certificates** ~~denies entry to such persons~~, it shall **inform,** ~~notify~~ the other Member States and the Commission **thereof, if possible 48 hours in advance of the introduction of new measures.** ~~before the planned introduction of such restrictions.~~ To that end, the Member State shall supply the following information:	
188.	(a) the reasons for such restrictions, including all relevant epidemiological data supporting such restrictions;	Deleted	(a) the reasons for such restrictions ~~including all relevant epidemiological data supporting such restrictions~~;	
189.	(b) the scope of such restrictions, specifying which travellers are subject to or exempt from such restrictions;	Deleted	(b) the scope of such restrictions, specifying **the holders of which certificates** ~~which travellers~~ are subject to or exempt from such restrictions;	
190.	(c) the date and duration of the restrictions.	Deleted	(c) the date and duration of the restrictions.	
191.	Where necessary, the Commission may request additional information from the Member State concerned.	Deleted	~~Where necessary, the Commission may request additional information from the Member State concerned.~~	

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192.			**1a. Member States shall provide the public with clear, comprehensive and timely information on the topics covered by paragraphs 1 and 2. As a general rule, this information should be published 24 hours before the measures come into effect, taking into account that some flexibility is required for epidemiological emergences. The information provided by the Member States may also be made publicly available by the Commission in a centralised manner.**	
193.	*Article 11* *Exercise of the delegation*	*Article 11* *Exercise of the delegation*	*Article 11* *Exercise of the delegation*	Article 11 Exercise of the delegation
194.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
195.	2. The power to adopt delegated acts referred to in Articles 5(2), 6(2), 7(1), 7(2) and 15 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force].	2. The power to adopt delegated acts referred to in Articles 5(2), 6(2), 7(1) ***and*** 7(2) ~~and 15~~ shall be conferred on the Commission for ***a*** period of ***12 months*** from [date of entry into force].	2. The power to adopt delegated acts referred to in Articles 5(2), 6(2), 7(1) **and**~~,~~ 7(2) ~~and 15~~ shall be conferred on the Commission for an indeterminate period of time from [date of entry into force].	2. The power to adopt delegated acts referred to in Articles 5(2), 6(2), 7(1) ***and*** 7(2) ~~and 15~~ shall be conferred on the Commission for ***a*** period of ***12 months*** from [date of entry into force].
196.	3. The delegation of power referred to in Articles 5(2), 6(2), 7(1), 7(2) and 15 may be revoked at any time by the European Parliament or by the	3. The delegation of power referred to in Articles 5(2), 6(2), 7(1) ***and*** 7(2) ~~and 15~~ may be revoked at any time by the European Parliament or by	3. The delegation of power referred to in Articles 5(2), 6(2), 7(1) **and**~~,~~ 7(2) ~~and 15~~ may be revoked at any time by the European Parliament	3. The delegation of power referred to in Articles 5(2), 6(2), 7(1) **and**~~,~~ 7(2) ~~and 15~~ may be revoked at any time by the European Parliament

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	Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
197.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. ***When such a delegated act concerns the processing of personal data, the Commission shall consult the EDPS and, where applicable, may consult the EDPB.***	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. *[EP position recital 58]*
198.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
199.	6. A delegated act adopted pursuant to Articles 5(2), 6(2), 7(1), 7(2) and 15 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council	6. A delegated act adopted pursuant to Articles 5(2), 6(2), 7(1) ***and*** 7(2) ~~and 15~~ shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council	6. A delegated act adopted pursuant to Articles 5(2), 6(2), 7(1) **and**~~,~~ 7(2) ~~and 15~~ shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council	6. A delegated act adopted pursuant to Articles 5(2), 6(2), 7(1) **and**~~,~~ 7(2) ~~and 15~~ shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council

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	or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
200.	*Article 12* *Urgency procedure*	*Article 12* *Urgency procedure*	*Article 12* *Urgency procedure*	*Article 12* *Urgency procedure*
201.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.	1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.
202.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 11(6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.
203.	*Article 13* *Committee procedure*	*Article 13* *Committee procedure*	*Article 13* *Committee procedure*	*Article 13* *Committee procedure*

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204.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
205.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
206.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.
207.	*Article 14* *Reporting*	*Article 14* *Reporting*	*Article 14* ~~*Reporting*~~ *Transitional provision*	
208.			**Member States may issue the certificates referred to in Article 3 in a format which does not comply with the requirements of this Regulation until 6 weeks after the entry into force of this Regulation. During this period, certificates issued in accordance with this Article as well as certificates issued before the entry of force of this Regulation shall be accepted by the Member States in accordance with Articles 5(5), 6(5) and 7(5) where they contain the data fields set out in the Annex.**	

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	One year after the Director-General of the World Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.	~~*1.* One year after the Director-General of the World Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended,~~ ***By ... [4 months after the date of entry into force of this Regulation],*** the Commission shall present a report to the European Parliament and the Council on the application of this Regulation***.***	~~One year after the Director-General of the World Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.~~	
209.	The report shall contain, in particular, an assessment of the impact of this Regulation on the facilitation of free movement of Union citizens and their family members as well as on the protection of personal data during the COVID-19 pandemic.	2. The report shall ~~contain, in particular,~~ ***include*** an assessment of the impact of this Regulation on ~~the facilitation of~~ ***free movement*** ~~of Union citizens and their family members as well as on the protection of personal data during the COVID-19 pandemic.~~***, including on travel and tourism, on fundamental rights and in particular non-discrimination, on the protection of personal data, as well as information on the most up to date vaccine and testing technologies, based, inter alia, on information provided by the ECDC. The report shall also include an assessment of uses by the Member States of the EU COVID-19 Certificate for purposes, based on national law, not provided for in this Regulation.***	~~The report shall contain, in particular, an assessment of the impact of this Regulation on the facilitation of free movement of Union citizens and their family members as well as on the protection of personal data during the COVID-19 pandemic.~~	*[Row 215]*

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210.		***3. At the latest three months before the end of the application of this Regulation, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation. This report shall carry out an assessment in accordance with paragraph 2. It may be accompanied by legislative proposals, in particular to extend the date of application of this Regulation, taking into account the evolution of the epidemiological situation and based on the principles of necessity, proportionality and effectiveness.***		*[Row 214]*
211.	*Article 15* *Entry into force and applicability*	*Article 15* *Entry into force and applicability*	*Article 15* *Entry into force, applicability* ***and reporting***	
212.	1. This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.	1. This Regulation shall enter into force on ***and apply from*** the ~~third~~ day following that of its publication in the *Official Journal of the European Union*.	1. This Regulation shall enter into force on**, and apply from,** the ~~third~~ day ~~following that~~ of its publication in the *Official Journal of the European Union*.	1. This Regulation shall enter into force on**, and apply from,** the ~~third~~ day ~~following that~~ of its publication in the *Official Journal of the European Union*.
213.		***2. The Regulation shall cease to apply 12 months from ... [date of entry into force of this Regulation].***	2. **The Regulation shall apply for 12 months from the date of its entry into force.**	2. **The Regulation shall apply for 12 months from the date of its entry into force.**

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214.			**At the latest 3 months before the end of the application of this Regulation, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.**	**At the latest 3 months before the end of the application of this Regulation, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation.**
215.			**The report shall contain, in particular, an assessment of the impact of this Regulation on the facilitation of free movement, including the acceptance of the different types of vaccines, as well as on the protection of personal data during the COVID-19 pandemic.**	***The report shall contain, in particular, an assessment of the impact of this Regulation on the facilitation of free movement, including on travel and tourism and the acceptance of the different types of vaccines, fundamental rights and non-discrimination, as well as on the protection of personal data during the COVID-19 pandemic.***
216.			**This report may be accompanied with legislative proposals, in particular to extend the date of application of this Regulation, taking into account the evolution of the epidemiological situation on the pandemic.**	***Agreement on content but not on place*** **This report may be accompanied with legislative proposals, in particular to extend the date of application of this Regulation, taking into account the evolution of the epidemiological situation on the pandemic.**
217.	2. The Commission shall adopt a delegated act in accordance with Article 11 specifying the date from which the application of Articles 3, 4, 5, 6, 7 and 10 is to be suspended once the Director-General of the World	Deleted	~~2. The Commission shall adopt a delegated act in accordance with Article 11 specifying the date from which the application of Articles 3, 4, 5, 6, 7 and 10 is to be suspended once the Director-General of the World~~	~~2. The Commission shall adopt a delegated act in accordance with Article 11 specifying the date from which the application of Articles 3, 4, 5, 6, 7 and 10 is to be suspended once the Director-General of the World~~

	Commission proposal COM (2021) 130 final	EP position	Council position 7796/21	Compromise text
	Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended.		~~Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended.~~	~~Health Organization has declared, in accordance with the International Health Regulations, that the public health emergency of international concern caused by SARS-CoV-2 has ended.~~
218.	3. The Commission is empowered to adopt a delegated act in accordance with Article 11 specifying the date from which Articles 3, 4, 5, 6, 7 and 10 are to apply again if, after the suspension referred to in paragraph 2 of this Article, the Director-General of the World Health Organization declares a public health emergency of international concern in relation to *SARS-CoV-2, a variant thereof, or similar* infectious diseases with epidemic potential. Following the adoption of such a delegated act, paragraph 2 of this Article shall apply.	*Deleted*	~~3. The Commission is empowered to adopt a delegated act in accordance with Article 11 specifying the date from which Articles 3, 4, 5, 6, 7 and 10 are to apply again if, after the suspension referred to in paragraph 2 of this Article, the Director-General of the World Health Organization declares a public health emergency of international concern in relation to *SARS-CoV-2, a variant thereof, or similar* infectious diseases with epidemic potential. Following the adoption of such a delegated act, paragraph 2 of this Article shall apply.~~	~~3. The Commission is empowered to adopt a delegated act in accordance with Article 11 specifying the date from which Articles 3, 4, 5, 6, 7 and 10 are to apply again if, after the suspension referred to in paragraph 2 of this Article, the Director-General of the World Health Organization declares a public health emergency of international concern in relation to *SARS-CoV-2, a variant thereof, or similar* infectious diseases with epidemic potential. Following the adoption of such a delegated act, paragraph 2 of this Article shall apply.~~
219.	4. Where, in the case of developments regarding public health emergencies of international concern, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.	Deleted	~~4. Where, in the case of developments regarding public health emergencies of international concern, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.~~	~~4. Where, in the case of developments regarding public health emergencies of international concern, imperative grounds of urgency so require, the procedure provided for in Article 12 shall apply to delegated acts adopted pursuant to this Article.~~
220.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.

	Commission proposal COM (2021) 130 final	EP position	Council position 7796/21	Compromise text
221.	ANNEX Certificate datasets	ANNEX Certificate datasets	ANNEX Certificate datasets	ANNEX Certificate datasets
222.	1. Data fields to be included in the vaccination certificate:	1. Data fields to be included in the vaccination certificate:	1. Data fields to be included in the vaccination certificate:	1. Data fields to be included in the vaccination certificate:
223.	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;
224.	(b) date of birth;	(b) date of birth;	(b) date of birth;	(b) date of birth;
225.	(c) disease or agent targeted;	(c) disease or agent targeted ***be it COVID-19 or SARS-CoV-2 or one of its variants***;	(c) disease or agent targeted**:** **COVID-19**;	(c) disease or agent targeted**:** ***COVID-19 (meaning also SARS-CoV-2 or one of its variants)***;
226.	(d) vaccine/prophylaxis;	(d) vaccine/prophylaxis;	(d) vaccine/prophylaxis;	(d) vaccine/prophylaxis;
227.	(e) vaccine medicinal product;	(e) vaccine medicinal product;	(e) vaccine medicinal product;	(e) vaccine medicinal product;
228.	(f) vaccine marketing authorization holder or manufacturer;	(f) vaccine marketing authorization holder or manufacturer;	(f) vaccine marketing authorization holder or manufacturer;	(f) vaccine marketing authorization holder or manufacturer;
229.	(g) number in a series of vaccinations/doses;	(g) number in a series of vaccinations/doses;	(g) number in a series of vaccinations/doses **and the overall number of doses in the series**;	(g) number in a series of vaccinations/doses **and the overall number of doses in the series**;

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230.	(h) date of vaccination, indicating the date of the latest dose received;	(h) date of vaccination, indicating the date of ***each dose received and of*** the latest dose received;	(h) date of vaccination, indicating the date of the latest dose received;	(h) date of vaccination, indicating the date of the latest dose received;
231.	(i) Member State of vaccination;	(i) Member State of vaccination;	(i) Member State of vaccination;	(i) Member State of vaccination;
232.	(j) certificate issuer;	(j) certificate issuer;	(j) certificate issuer;	(j) certificate issuer;
233.	(k) a unique certificate identifier.	(k) ~~a unique~~ certificate ~~identifier~~ ***valid until (not more than [1 year] after the date of vaccination)***;	(k) a unique certificate identifier.	
234.	2. Data fields to be included in the test certificate:	2. Data fields to be included in the test certificate:	2. Data fields to be included in the test certificate:	2. Data fields to be included in the test certificate:
235.	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;
236.	(b) date of birth;	(b) date of birth;	(b) date of birth;	(b) date of birth;
237.	(c) disease or agent targeted;	(c) disease or agent targeted***, be it COVID-19 or SARS-CoV-2 or one of its variants***;	(c) disease or agent targeted**:** **COVID-19**;	(c) disease or agent targeted**:** ***COVID-19 (meaning also SARS-CoV-2 or one of its variants)***;
238.	(d) the type of test;	(d) the type of test;	(d) the type of test;	(d) the type of test;

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239.		***(da) the type of sample (e.g. nasopharyngeal; oropharyngeal)***;		
240.	(e) test name (optional for NAAT test);	(e) test name (optional for NAAT test);	(e) test name (optional for NAAT test);	(e) test name (optional for NAAT test);
241.	(f) test manufacturer (optional for NAAT test);	(f) test manufacturer (optional for NAAT test);	(f) test manufacturer (optional for NAAT test);	(f) test manufacturer (optional for NAAT test);
242.	(g) date and time of the test sample collection;	(g) date and time of the test sample collection;	(g) date and time of the test sample collection;	(g) date and time of the test sample collection;
243.	(h) date and time of the test result production (optional for rapid antigen test);	(h) date and time of the test result production (optional for rapid antigen test);	(h) date and time of the test result production (optional for rapid antigen test);	~~(h) date and time of the test result production (optional for rapid antigen test);~~
244.	(i) result of the test;	(i) result of the test;	(i) result of the test;	(i) result of the test;
245.	(j) testing centre or facility;	(j) testing centre or facility;	(j) testing centre or facility;	(j) testing centre or facility **(optional for rapid antigen test);**
246.	(k) Member State of test;	(k) Member State of test;	(k) Member State of test;	(k) Member State of test;
247.	(l) certificate issuer;	(l) certificate issuer;	(l) certificate issuer;	(l) certificate issuer;
248.	(m) a unique certificate identifier.	~~(m) a unique certificate identifier.~~	(m) a unique certificate identifier.	
249.		***(n) certificate valid until (not more than [72 hours] from the sample collection for NAAT test and [24***		

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		hours] from the sample collection for rapid antigen test);		
250.	3. Data fields to be included in the certificate of recovery:	3. Data fields to be included in the certificate of recovery:	3. Data fields to be included in the certificate of recovery:	3. Data fields to be included in the certificate of recovery:
251.	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;	(a) name: surname(s) and forename(s), in that order;
252.	(b) date of birth;	(b) date of birth;	(b) date of birth;	(b) date of birth;
253.	(c) disease or agent the citizen has recovered from;	(c) disease or agent***, be it COVID-19 or SARS-CoV-2 or one of its variants, from which*** the citizen has recovered***;***	(c) disease or agent the citizen has recovered from**: COVID-19**;	(c) disease or agent the citizen has recovered from***: COVID-19 (meaning also SARS-CoV-2 or one of its variants);***
254.	(d) date of first positive test result;	***(d)*** date of first positive ***NAAT*** test result;	(d) date of first positive test result;	(d) date of first positive ***NAAT*** test result;
255.		***(da) date of the serological or antibody test;***		
256.	(e) Member State of test;	(e) Member State of test;	(e) Member State of test;	(e) Member State of test;
257.	(f) certificate issuer;	(f) certificate issuer;	(f) certificate issuer;	(f) certificate issuer;
258.	(g) certificate valid from;	(g) certificate valid from;	(g) certificate valid from;	(g) certificate valid from;

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259.	(h) certificate valid until (not more than 180 days after the date of first positive test result);	***(h)*** certificate valid until (not more than ***[***~~180~~ ***90*** days***]*** after the date of first positive test result)**.**	(h) certificate valid until (not more than 180 days after the date of first positive test result);	
260.	(i) a unique certificate identifier.	deleted	(i) a unique certificate identifier.	

- 2021/0071 (COD)

- Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a framework for the issuance, verification and acceptance of interoperable certificates on vaccination, testing and recovery to third-country nationals legally staying or legally residing in the territories of Member States during the COVID-19 pandemic (Digital Green Certificate)

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1.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
2.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(c)thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(c)thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(c)thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(c)thereof,
3.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
4.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
5.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
6.	Whereas:	Whereas:	Whereas:	Whereas:
7.	(1) Under the Schengen acquis, third country nationals lawfully	(1) Under the Schengen acquis, third country nationals lawfully	(1) Under the Schengen acquis, third country nationals lawfully	(1) Under the Schengen acquis, third country nationals lawfully

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	residing in the Union and third country nationals who have legally entered the territory of a Member State may move freely within the territories of all other Member States during a period of 90 days in any 180-day period.	residing in the Union and third country nationals who have legally entered the territory of a Member State may move freely within the territories of all other Member States during a period of 90 days in any 180-day period.	residing in the Union and third country nationals who have legally entered the territory of a Member State may move freely within the territories of all other Member States during a period of 90 days in any 180-day period.	residing in the Union and third country nationals who have legally entered the territory of a Member State may move freely within the territories of all other Member States during a period of 90 days in any 180-day period.
8.	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (*SARS-CoV-2*), which causes coronavirus disease 2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), which causes coronavirus disease 2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (*SARS-CoV-2*), which causes coronavirus disease 2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.	(2) On 30 January 2020, the Director-General of the World Health Organization ('WHO') declared a public health emergency of international concern over the global outbreak of severe acute respiratory syndrome coronavirus 2 (*SARS-CoV-2*), which causes coronavirus disease 2019 (COVID- 19). On 11 March 2020, the WHO made the assessment that COVID-19 can be characterized as a pandemic.
9.	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on travel to and within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine.	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on travel to and within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine. ***Such restrictions have detrimental effects on citizens and businesses, especially cross-border workers and commuters or seasonal workers.***	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on travel to and within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine.	(3) To limit the spread of the virus, the Member States have adopted various measures, some of which have had an impact on travel to and within the territory of the Member States, such as restrictions on entry or requirements for cross-border travellers to undergo quarantine. ***Such restrictions have detrimental effects on persons and businesses, especially cross-border workers, commuters and seasonal workers.***

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10.	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[85].	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic .	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[86].	(4) On 13 October 2020, the Council adopted Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic[87].
11.	(5) On 30 October 2020, the Council adopted Council Recommendation (EU) 2020/1632[88] on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area, in which it recommended Member States that are bound by the Schengen *acquis* to apply the principles, common criteria, common thresholds and common framework of measures, set out in Council Recommendation (EU) 2020/1475.	(5) On 30 October 2020, the Council adopted Council Recommendation (EU) 2020/1632 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area, in which it recommended Member States that are bound by the Schengen acquis to apply the principles, common criteria, common thresholds and common framework of measures, set out in Council Recommendation (EU) 2020/1475.	(5) On 30 October 2020, the Council adopted Council Recommendation (EU) 2020/1632[89] on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area, in which it recommended Member States that are bound by the Schengen *acquis* to apply the principles, common criteria, common thresholds and common framework of measures, set out in Council Recommendation (EU) 2020/1475.	(5) On 30 October 2020, the Council adopted Council Recommendation (EU) 2020/1632[90] on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area, in which it recommended Member States that are bound by the Schengen *acquis* to apply the principles, common criteria, common thresholds and common framework of measures, set out in Council Recommendation (EU) 2020/1475.
12.	(6) Many Member States have launched or plan to launch initiatives	(6) Many Member States have launched or plan to launch initiatives	(6) Many Member States have launched or plan to launch initiatives	(6) Many Member States have launched or plan to launch initiatives

85 OJ L 337, 14.10.2020, p. 3.
86 OJ L 337, 14.10.2020, p. 3.
87 OJ L 337, 14.10.2020, p. 3.
88 Council Recommendation (EU) 2020/1632 of 30 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area (OJ L 366, 4.11.2020, p. 25).
89 Council Recommendation (EU) 2020/1632 of 30 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area (OJ L 366, 4.11.2020, p. 25).
90 Council Recommendation (EU) 2020/1632 of 30 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic in the Schengen area (OJ L 366, 4.11.2020, p. 25).

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	to issue vaccination certificates. However, for these to be used effectively in connection with cross-border travel within the Union, such certificates need to be fully interoperable, secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles and technical standards of such certificates.	to issue vaccination certificates. However, for these to be used effectively in connection with cross-border travel within the Union, such ***vaccination*** certificates need to be fully interoperable, ***compatible,*** secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles**,** ~~and~~ technical standards ***and level of protection*** of such certificates.	to issue vaccination certificates. However, for these to be used effectively in connection with cross-border travel within the Union, such certificates need to be fully interoperable, secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles and technical standards of such certificates.	to issue vaccination certificates. However, for these to be used effectively in connection with cross-border travel within the Union, such ***vaccination*** certificates need to be fully interoperable, ***compatible,*** secure and verifiable. A commonly agreed approach is required among Member States on the content, format, principles**,** ~~and~~ technical standards ***and level of protection*** of such certificates.
13.	(7) Already now, several Member States exempt vaccinated persons from certain travel restrictions. Where Member States accept proof of vaccination in order to waive travel restrictions put in place in compliance with Union law to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with the proposal for a Regulation on a Digital Green Certificate (COM(2021)/xxx). This acceptance should take place under the same conditions, meaning that, for example, where a Member State considers a single dose of an administered vaccine to be sufficient, it should do so also	(7) Already now, several Member States exempt vaccinated persons from certain ~~travel~~ restrictions ***to free movement within the Union***. ~~Where~~ Member States ***should*** accept proof of vaccination in order to waive ~~travel~~ restrictions ***to free movement*** put in place**,** in compliance with Union law to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, ***and*** they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with ~~the proposal for a~~ ***this*** Regulation ~~on a Digital Green Certificate (COM(2021)/xxx)~~. This acceptance should take place under the same conditions, meaning that, for example, where a Member State considers ***sufficient*** a single	(7) Already now, several Member States exempt vaccinated persons from certain travel restrictions. Where Member States accept proof of vaccination in order to waive travel restrictions put in place in compliance with Union law to limit the spread of COVID-19, such as requirements to undergo quarantine/self-isolation or be tested for SARS-CoV-2 infection, they should be required to accept, under the same conditions, valid vaccination certificates issued by other Member States in compliance with the proposal for a Regulation on a Digital Green Certificate (COM(2021)/xxx). This acceptance should take place under the same conditions, meaning that, for example, where a Member State considers a single dose of an administered vaccine to be sufficient, it should do so also	

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	for holders of a vaccination certificate indicating a single dose of the same vaccine. On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[91]. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC of the European Parliament and the Council[92], vaccines whose distribution has been temporarily authorised based on Article 5(2) of that Directive 2001/83/EC, or vaccines having	dose of ~~an administered~~ ***a*** vaccine ***administered*** ~~to be sufficient~~, it should do so also for holders of a vaccination certificate indicating a single dose of the same vaccine. On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 ~~the European Parliament and of the Council[93]. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC of the European Parliament and the Council[94], vaccines whose distribution has been~~	for holders of a vaccination certificate indicating a single dose of the same vaccine. On grounds of public health, this obligation should be limited to persons having received COVID-19 vaccines having been granted marketing authorisation pursuant to Regulation (EC) No 726/2004 of the European Parliament and of the Council[95]. This should not prevent Member States from deciding to accept vaccination certificates issued for other COVID-19 vaccines, such as vaccines having been granted marketing authorisation by the competent authority of a Member State pursuant to Directive 2001/83/EC of the European Parliament and the Council[96], vaccines whose distribution has been temporarily authorised based on Article 5(2) of that Directive 2001/83/EC, or vaccines having	

[91] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p.1).

[92] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

[93] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p.1).

[94] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

[95] Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (OJ L 136, 30.4.2004, p.1).

[96] Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

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	received a WHO Emergency Use Listing. Regulation (EU) No 2021/xxxx of xx xx 2021 lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic. It applies to Union citizens and third-country nationals who are family members of Union citizens.	~~temporarily authorised based on Article 5(2) of that Directive 2001/83/EC~~, or vaccines having received a WHO Emergency Use Listing. Regulation (EU) No 2021/xxxx of xx xx 2021 lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic. It applies to Union citizens and third-country nationals who are family members of Union citizens.	received a WHO Emergency Use Listing. Regulation (EU) No 2021/xxxx of xx xx 2021 lays down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic. It applies to Union citizens and third-country nationals who are family members of Union citizens.	
14.	(8) In accordance with Articles 19, 20 and 21 of the Convention implementing the Schengen Agreement, the third-country nationals covered by these provisions may travel freely within the territories of the other Member States.	(8) In accordance with Articles 19, 20 and 21 of the Convention implementing the Schengen Agreement, the third-country nationals covered by these provisions may travel freely within the territories of the other Member States.	(8) In accordance with Articles 19, 20 and 21 of the Convention implementing the Schengen Agreement, the third-country nationals covered by these provisions may travel freely within the territories of the other Member States.	(8) In accordance with Articles 19, 20 and 21 of the Convention implementing the Schengen Agreement, the third-country nationals covered by these provisions may travel freely within the territories of the other Member States.
15.	(9) To facilitate travel within the territories of the Member States by third country nationals who have the right to such travel, the framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery established by Regulation (EU) No 2021/xxxx should also apply to third-country nationals who are not already covered	(9) ***Without prejudice to the common measures on the crossing of internal borders by persons as laid down in the Schengen acquis, in particular in Regulation (EU) 2016/399, and for the purpose of facilitating*** ~~To facilitate~~ travel within the territories of the Member States by third country nationals who have the right to such travel, the framework for the issuance, verification and	(9) To facilitate travel within the territories of the Member States by third country nationals who have the right to such travel, the framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery established by Regulation (EU) No 2021/xxxx should also apply to third-country nationals who are not already covered	(9) ***Without prejudice to the common measures on the crossing of internal borders as laid down in Regulation (EU) 2016/399, and for the purpose of facilitating*** travel within the territories of the Member States by third country nationals who have the right to such travel, the framework for the issuance, verification and acceptance of interoperable certificates on COVID-

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	by that Regulation, provided that they are legally staying or legally residing in the territory of a Member State and are entitled to travel to other Member States in accordance with Union law.	acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery established by Regulation (EU) No 2021/xxxx should also apply to third-country nationals who are not already covered by that Regulation, provided that they are legally staying or legally residing in the territory of a Member State and are entitled to travel to other Member States in accordance with Union law.	by that Regulation, provided that they are legally staying or legally residing in the territory of a Member State and are entitled to travel to other Member States in accordance with Union law.	19 vaccination, testing and recovery established by Regulation (EU) No 2021/xxxx should also apply to third-country nationals who are not already covered by that Regulation, provided that they are legally staying or legally residing in the territory of a Member State and are entitled to travel to other Member States in accordance with Union law.
16.	(10) For certificates to be used effectively in connection with cross-border travel, such certificates need to be fully interoperable.	(10) For certificates to be used effectively in connection with cross-border travel, such certificates need to be fully interoperable. ***All Union transport hubs, such as airports, ports, railways and bus stations, where the certificate is being verified, should apply standardised and common criteria and procedures for the verification of the EU COVID-19 certificate on the basis of guidance developed by the Commission.***	(10) For certificates to be used effectively in connection with cross-border travel, such certificates need to be fully interoperable.	(10) For certificates to be used effectively in connection with cross-border travel, such certificates need to be fully interoperable.
17.	(11) This Regulation should not be understood as facilitating or encouraging the adoption of travel restrictions to free movement, or other fundamental rights, in response to the pandemic. In addition, any need for verification of certificates established by Regulation (EU) 2021/xxx cannot as such justify the temporary reintroduction of border controls at	(11) This Regulation ***is intended to facilitate the application of the principles of proportionality and non-discrimination with regard to possible restrictions to free movement and other fundamental rights as a result of the pandemic, while pursuing a high level of public health protection and*** should not be understood as facilitating or	(11) This Regulation should not be understood as facilitating or encouraging the adoption of travel restrictions to free movement, or other fundamental rights, in response to the pandemic. In addition, any need for verification of certificates established by Regulation (EU) 2021/xxx cannot as such justify the temporary reintroduction of border controls at	(11) This Regulation ***is intended to facilitate the application of the principles of proportionality and non-discrimination with regard to possible travel restrictions during the COVID-19 pandemic, while pursuing a high level of public health protection, and*** should not be understood as facilitating or encouraging the adoption of

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	internal borders. Checks at internal borders should remain a measure of last resort, subject to specific rules set out in Regulation (EU) 2016/399 (Schengen Borders Code)[97].	encouraging the adoption of travel restrictions to free movement, or other fundamental rights, in response to the pandemic. In addition, any need for verification of certificates established by Regulation (EU) 2021/xxx cannot as such justify the temporary reintroduction of border controls at internal borders. Checks at internal borders should remain a measure of last resort, subject to specific rules set out in Regulation (EU) 2016/399 (Schengen Borders Code)[98].	internal borders. Checks at internal borders should remain a measure of last resort, subject to specific rules set out in Regulation (EU) 2016/399 (Schengen Borders Code)[99].	restrictions to free movement, or other fundamental rights, in response to the pandemic. In addition, any need for verification of certificates established by Regulation (EU) 2021/xxx cannot as such justify the temporary reintroduction of border controls at internal borders. Checks at internal borders should remain a measure of last resort, subject to specific rules set out in Regulation (EU) 2016/399 (Schengen Borders Code)[100].
18.			**(11a) Since this Regulation applies to third country nationals already legally staying or residing in the territories of the Member States, it should not be understood as granting third country nationals wishing to travel to a Member State the right to request a Digital Green Certificate from that Member State before arrival on its territory.**	Council proposal: **(11a) Since this Regulation applies to third country nationals already legally staying or residing in the territories of the Member States, there is no requirement for Member States to issue such vaccination certificates at consular posts.**

97 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (OJ L 77, 23.3.2016 p.1).

98 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (OJ L 77, 23.3.2016 p.1).

99 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (OJ L 77, 23.3.2016 p.1).

100 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (OJ L 77, 23.3.2016 p.1).

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19.			**(11b) On 30 June 2020, the Council adopted Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction. This Regulation does not cover the temporary restrictions on non-essential travel into the Union.**	**(11b) On 30 June 2020, the Council adopted Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction. This Regulation does not cover the temporary restrictions on non-essential travel into the Union.**
20.	(12) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis, Denmark shall, in accordance with Article 4 of the said Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it.	(12) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis, Denmark shall, in accordance with Article 4 of the said Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it.	(12) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis, Denmark shall, in accordance with Article 4 of the said Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it.	(12) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis, Denmark shall, in accordance with Article 4 of the said Protocol, decide within a period of six months after the Council has decided on this Regulation whether it will implement it.
21.	(13) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC[101];	(13) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC[102];	(13) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with	(13) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with

[101] Council Decision of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).
[102] Council Decision of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).

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	Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. Although Ireland is not subject to this Regulation, for the purposes of facilitating travel within the Union, Ireland could also issue certificates, which comply with the same requirements as those applicable to the Digital Green Certificate, to third-country nationals legally residing or legally staying in its territory and Member States could accept such certificates. Ireland could also accept certificates issued by Member States to third country nationals legally residing or legally staying in their territories.	Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. Although Ireland is not subject to this Regulation, for the purposes of facilitating travel within the Union, Ireland could also issue certificates, which comply with the same requirements as those applicable to the ***EU COVID-19 Certificate*** ~~Digital Green Certificate~~, to third-country nationals legally residing or legally staying in its territory and Member States could accept such certificates. Ireland could also accept certificates issued by Member States to third country nationals legally residing or legally staying in their territories.	Council Decision 2002/192/EC[103]; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. **In order to allow Member States to accept, under the conditions of the Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate], certificates issued by Ireland to third country nationals legally residing or legally staying in its territory for the purposes of facilitating travel within the Union, Ireland should issue these third-country nationals with certificates that comply with the requirements of the Digital Green Certificate trust framework.** ~~Although Ireland is not subject to this Regulation, for the purposes of facilitating travel within the Union, Ireland could also issue certificates, which comply with the same requirements as those applicable to the Digital Green Certificate, to third-country nationals legally residing or legally staying in its territory. and Member States could accept such certificates. Ireland could also accept certificates issued by Member States to third country nationals legally residing or legally staying in their territories.~~ **Ireland**	Council Decision 2002/192/EC[104]; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application. **In order to allow Member States to accept, under the conditions of the Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate], certificates issued by Ireland to third country nationals legally residing or legally staying in its territory for the purposes of facilitating travel within the Union, Ireland should issue these third-country nationals with certificates that comply with the requirements of the Digital Green Certificate trust framework.** ~~Although Ireland is not subject to this Regulation, for the purposes of facilitating travel within the Union, Ireland could also issue certificates, which comply with the same requirements as those applicable to the Digital Green Certificate, to third-country nationals legally residing or legally staying in its territory. and Member States could accept such certificates. Ireland could also accept certificates issued by Member States to third country nationals legally residing or legally staying in their territories.~~ **Ireland**

[103] Council Decision of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).
[104] Council Decision of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).

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			and the other Member States should mutually accept certificates issued to third country nationals covered by this Regulation based on reciprocity.	**and the other Member States should mutually accept certificates issued to third country nationals covered by this Regulation based on reciprocity**.
22.	(14) As regards Bulgaria, Croatia, Cyprus and Romania, this Regulation constitutes a development of the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.	(14) As regards Bulgaria, Croatia, Cyprus and Romania, this Regulation constitutes a development of the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.	(14) As regards Bulgaria, Croatia, Cyprus and Romania, this Regulation constitutes a development of the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.	(14) As regards Bulgaria, Croatia, Cyprus and Romania, this Regulation constitutes a development of the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.
23.	(15) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Council Decision 1999/437/EC[105].	(15) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Council Decision 1999/437/EC .	(15) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis which fall within the area referred to	(15) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis which fall within the area referred to

[105] Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).

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			in Article 1, point C, of Council Decision 1999/437/EC[106].	in Article 1, point C, of Council Decision 1999/437/EC[107].
24.	(16) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[108].	(16) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC .	(16) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[109].	(16) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1, point C, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC[110].
25.	(17) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol	(17) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol	(17) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol	(17) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol

[106] Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).

[107] Council Decision of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).

[108] Council Decision of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

[109] Council Decision of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

[110] Council Decision of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

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	between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1 point C, of Decision 1999/437/EC read in conjunction with Article 3 of Decision 2011/350/EU[111].	between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1 point C, of Decision 1999/437/EC read in conjunction with Article 3 of Decision 2011/350/EU .	between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1 point C, of Decision 1999/437/EC read in conjunction with Article 3 of Decision 2011/350/EU[112].	between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within the area referred to in Article 1 point C, of Decision 1999/437/EC read in conjunction with Article 3 of Decision 2011/350/EU[113].
26.	(18) The European Data Protection Supervisor and the European Data Protection Board have been consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the	(18) The European Data Protection Supervisor and the European Data Protection Board have been consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the	(18) The European Data Protection Supervisor and the European Data Protection Board have been consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the	(18) The European Data Protection Supervisor and the European Data Protection Board have been consulted in accordance with Article 42 of Regulation (EU) 2018/1725 of the European Parliament and of the

[111] Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

[112] Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

[113] Council Decision of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

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	Council[114] and delivered an opinion on […],	Council and delivered an opinion on […],	Council[115] and delivered a~~n~~ **joint** opinion on **31 March 2021**,	Council[116] and delivered a~~n~~ **joint** opinion on **31 March 2021**,
27.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS
28.	*Article 1*	*Article 1*	*Article 1*	*Article 1*
29.	Member States shall apply the rules laid down in Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate] to those third country nationals who do not fall within the scope of that Regulation but who reside or stay legally in their territory and are entitled to travel to other Member States in accordance with Union law.	Member States shall apply the rules laid down in Regulation (EU) 2021/XXXX [Regulation on a ~~Digital Green~~ ***EU COVID-19*** Certificate] to those third country nationals who do not fall within the scope of that Regulation but who reside or stay legally in their territory and are entitled to travel to other Member States in accordance with Union law.	Member States shall apply the rules laid down in Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate] to those third country nationals who do not fall within the scope of that Regulation but who reside or stay legally in their territory and are entitled to travel to other Member States in accordance with Union law.	Member States shall apply the rules laid down in Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate] to those third country nationals who do not fall within the scope of that Regulation but who reside or stay legally in their territory and are entitled to travel to other Member States in accordance with Union law.
30.			***Article 1a***	***Article 1a***
31.			**Provided that Ireland has notified the Council and the Commission that it accepts certificates issued by Member States to persons covered**	**Provided that Ireland has notified the Council and the Commission that it accepts certificates issued by Member States to persons covered**

[114] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

[115] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

[116] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

	Commission proposal COM (2021) 140 final	EP position	Council position 7796/21	Compromise text
			by this Regulation, Member States shall accept, under the conditions of Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate], certificates making up the Digital Green Certificate issued by Ireland to third country nationals who may travel freely within the territory of the Member States.	**by this Regulation, Member States shall accept, under the conditions of Regulation (EU) 2021/XXXX [Regulation on a Digital Green Certificate], certificates making up the Digital Green Certificate issued by Ireland to third country nationals who may travel freely within the territory of the Member States.**
32.	*Article 2*	*Article 2*	*Article 2*	*Article 2*
33.	This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.	This Regulation shall enter into force on***, and apply from,*** the ~~third~~ day following that of its publication in the *Official Journal of the European Union*.	This Regulation shall enter into force on**, and apply from,** the ~~third~~ day ~~following that~~ of its publication in the *Official Journal of the European Union*.	This Regulation shall enter into force on**, and apply from,** the ~~third~~ day ~~following that~~ of its publication in the *Official Journal of the European Union*.
34.	This Regulation shall be binding in its entirety and directly applicable in all Member States.		This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.