

Digital Green Certificate - third-country nationals

2021/0071(COD) - 17/03/2021 - Legislative proposal

PURPOSE: to establish a common 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).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: under the Schengen acquis, third-country nationals who are legally resident or staying in a Member State can move freely within the territory of the other Member States, provided they fulfil certain conditions.

However, in order to limit the spread of the virus, 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 the requirement to undergo quarantine or self-containment or to be tested for SARS-CoV-2 infection prior to and/or after arrival.

Following the Council Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic and the technical work carried out in the Health Security Committee and the e-Health network, the Commission has put forward (in parallel with this proposal) a [proposal for a Digital Green Certificate Regulation](#) to establish an EU-wide framework for the issuance, verification and acceptance of interoperable health certificates to facilitate free movement during the COVID-19 pandemic.

The framework set out in the proposal for a Regulation on a digital green certificate applies to Union citizens or their family members who may be a third country national. This proposal has the objective of ensuring that the same framework applies to other third-country nationals who are legally staying or legally residing on the territory of an EU Member State and who are entitled to travel to another Member State in accordance with Union law.

CONTENT: the proposal aims to facilitate the movement of third-country nationals within the EU during the COVID-19 pandemic by establishing a common framework for the issuance, verification and acceptance of interoperable certificates of COVID-19 vaccination, testing and recovery.

In concrete terms, the interoperable green digital certificate will prove that a person has been vaccinated against, tested negative for or recovered from COVID-19. It will be available free of charge, either electronically or paper format, and will include a QR code to ensure its security and authenticity.

Member States should apply the rules set out in the future Regulation on a digital green certificate to third-country nationals who do not fall within the scope of that Regulation but who are legally resident or staying in their territory and are authorised to travel to other Member States in accordance with Union law.

This proposal establishes neither an obligation nor a right to vaccination. Vaccination strategies are a national competence of the Member States.

The proposed Regulation constitutes a development of the provisions of the Schengen *acquis*. The digital green certificate would thus be open to Iceland, Liechtenstein, Norway and Switzerland.