

**Question for written answer E-004261/2021
to the Commission**

Rule 138

Sergio Berlato (ECR)

Subject: Digital COVID certificate: infringement by the Italian Government of the principle of non-discrimination

Digital COVID certificate: infringement by the Italian Government of the principle of non-discrimination (Regulation (EU) 2021/953 and Resolution 2361/2021) and Article 288 TFEU

The principle of non-discrimination has been enshrined in Regulation (EU) 2021/953 and Resolution No 2361/2021 on the EU's digital COVID-19 certificate. Recital 36 of the Regulation in particular rules out mandatory vaccination, establishing the principle of non-discrimination of people who cannot or do not want to receive the vaccine. This precept was omitted in the first version of the Italian translation of the Regulation and only corrected on 5 July 2021.

Article 288 TFEU provides that regulations are binding in their entirety and directly applicable in all Member States. In Italy today, all members of the public need to have the digital COVID certificate, known in Italy as the 'green certificate', in order to carry out daily activities, study, work, or use public transport. Furthermore, the Italian Government has decided to make the public pay for COVID tests, thereby transforming the COVID certificate into a means of coercion and blackmail so as surreptitiously to force more people to be vaccinated against COVID-19.

Can the Commission confirm whether the measures taken by the Italian Government do indeed constitute an infringement of the principle of non-discrimination as enshrined in Resolution No 2361/2021 and Regulation (EU) 2021/953 in the light of Article 288 TFEU, and if so, will it launch immediately an infringement procedure against the Italian Government?