



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 February 2013

5713/13

**Interinstitutional File:
2012/0271 (NLE)**

**VISA 17
COAFR 33
OC 34**

"I/A" ITEM NOTE

From: General Secretariat of the Council
to: Permanent Representatives Committee/Council

No. Cion prop.: 14199/12 VISA 176 COAFR 295

Subject: Council Decision on the conclusion of the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union
COMMON GUIDELINES
Consultation deadline for Croatia: 05.02.2013

1. On 25 September 2012, the Commission submitted a proposal for a Council Decision on the signature¹ and a proposal concerning the conclusion² of the Agreement between the European Community and Cape Verde on the facilitation of the issuance of short-stay visas.
2. Following their legal and linguistic revision, the Decision on signature³ was adopted by the Council on 15 October 2012 and the Agreement⁴ was signed on 17 October 2012 in Brussels in the margin of the EU-Cape Verde Political Dialogue.

¹ 14179/12 VISA 174 COAFR 293.

² 14199/12 VISA 176 COAFR 295.

³ 14202/12 VISA 177 COAFR 296 OC 529, published in OJ L 288, 19.10.2012, p.1.

⁴ 14203/12 VISA 178 COAFR 297 OC 530.

3. In accordance with Article 218(6)(a)(v) of the Treaty on the functioning of the European Union, the Council shall adopt the Decision concluding the Agreement after obtaining the consent of the European Parliament.
4. This Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis¹; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
5. This Decision 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 of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis²; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
6. In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
7. With a view to preparing for the conclusion of the Agreement, the Permanent Representatives Committee is on this basis invited to suggest that the Council, under part "A" of the agenda of its meeting on 12 February 2013, decides to forward the draft decision on conclusion as contained in 5674/13 VISA 16 COAFR 31 OC 33 as well as the text of the Agreement as contained in 14203/12 VISA 178 COAFR 297 OC 530 (texts finalised by the legal linguist experts) to the European Parliament for its consent.

¹ OJ L 131, 1.6.2000, p. 43.

² OJ L 64, 7.3.2002, p. 20.