



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 October 2012

14620/12

**Interinstitutional File:
2012/0270 (NLE)**

**VISA 189
COAFR 309
OC 546**

"I/A" ITEM NOTE

from: General Secretariat

to: Permanent Representatives Committee/Council

No. Cion prop.: 14179/12 VISA 174 COAFR 293

Subject: Council Decision on the signature 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: 10.10.2012

1. On 4 June 2009, the Council adopted a Decision authorising the Commission to open negotiations for the conclusion of an Agreement between the European Community and Cape Verde on the facilitation of the issuance of short-stay visas¹.
2. The Agreement was initialled by the Commission and the authorities of Cape Verde on 24 April 2012.
3. On 25 September 2012, the Commission submitted a proposal for a Council Decision on the signature² and a proposal concerning the conclusion³ of the said agreement.

¹ 10411/09 VISA 183 COAFR 197 (EU RESTRICTED).

² 14179/12 VISA 174 COAFR 293.

³ 14199/12 VISA 176 COAFR 295.

4. On 5 October 2012, delegations were informed that the Presidency was intending to have the Decision on signature adopted by the Council on 15 October 2012, after its legal and linguistic revision, for the purpose of its signature in Brussels on 17 October 2012 in the margin of the EU-Cape Verde Political Dialogue.
5. 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.
6. 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.
7. 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.
8. The Decision and the text of the Agreement have been edited by the Legal-Linguistic experts. The edited texts are set out respectively in 14202/12 VISA 177 COAFR 296 OC 529 and 14203/12 VISA 178 COAFR 297 OC 530.
9. The Permanent Representatives Committee is on this basis invited to suggest that the Council adopt, under part "A" of the agenda of its meeting on 15 October 2012, the Decision on the signature of the above agreement as set out in 14202/12 VISA 177 COAFR 296 OC 529 (text finalised by the Legal Linguistic experts), with the French delegation abstaining from the vote.

¹ OJ L 131, 1.6.2000, p. 43.

² OJ L 64, 7.3.2002, p. 20.