



Council of the
European Union

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VISA 129
COAFR 124

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. Cion doc.:	7281/16
Subject:	Draft Council Decision establishing the position to be taken on behalf of the European Union within the Joint Committee set up under 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, with regard to the adoption of the rules of procedure of the Joint Committee for the management of the Agreement = Adoption

1. On 17 March 2016, the Commission submitted to the Council a proposal for a Council Decision establishing the position to be taken on behalf of the European Union within the Joint Committee set up under 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, with regard to the adoption of the rules of procedure of the Joint Committee for the management of the Agreement, as set out in 7281/16 VISA 80 COAFR 88 + ADD 1.
2. Following examination of the proposal by the Visa Working Party on 7 April 2016, the Presidency concluded that there was an agreement to submit the text of the draft Council Decision to COREPER and the Council with a view to their adoption as an I/A item.

3. 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.
4. 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.
5. 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.
6. The text of the draft Council Decision, and of its Annex, which have undergone the necessary scrutiny by the lawyer-linguists, have been merged into a single document, as set out in 8064/16 VISA 111 COAFR 110.
7. On this basis, **the Permanent Representatives Committee is invited to suggest that the Council adopt the Council Decision on the position to be taken on behalf of the European Union within the Joint Committee set up under 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, with regard to the adoption of the rules of procedure of the Joint Committee, as set out in 8064/16 VISA 111 COAFR 110, as an 'A' item at a forthcoming meeting.**

¹ OJ L 131, 1.6.2000, p. 43.

² OJ L 64, 7.3.2002, p. 20.