



Brussels, 28 July 2016  
(OR. en)

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**Interinstitutional File:**  
**2015/0193 (NLE)**

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VISA 249  
COASI 168

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
No. prev. doc.: 12080/15  
No. Cion doc.: 12023/15 + ADD 1, COM (2015) 430 final  
Subject: Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Palau on the short-stay visa waiver

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1. On 14 September 2015, the Commission submitted a proposal for a Council decision on the signing<sup>1</sup>, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Palau on the short-stay visa waiver, together with a draft text of the said agreement in the annex to that proposal<sup>2</sup>, and a proposal for a Council decision on the conclusion of the same agreement<sup>3</sup>.
2. With a view to their adoption by the Council, the Decisions on the signing, on the conclusion and the text of the Agreements have been edited by the Legal-Linguistic experts.  
The edited text of the Decision on the signing is set out in 12076/15 VISA 294 COASI 121.  
The edited text of the Decision on the conclusion is set out in 12080/15 VISA 296 COASI 123. The edited text of the Agreement is set out in 12077/15 VISA 304 COLAC 93 + COR 1.

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<sup>1</sup> 12020/15 VISA 282 COASI 115.

<sup>2</sup> 12020/15 ADD 1 VISA 288 COLAC 88.

<sup>3</sup> 12023/15 VISA 283 COASI 116 + ADD 1.

3. On 26 October 2015, the Council authorised the signing of the Agreement with the Republic of Palau. The Agreement was signed on 7 December 2015 with a provisional application from the day after its signature<sup>1</sup>.
4. 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.
5. On 26 October 2015, the Council decided to forward the draft Decision on conclusion as well as the text of the Agreement to the European Parliament for its consent.
6. On 8 June 2016, the European Parliament gave its consent to the conclusion of the Agreement and instructed its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Palau.
7. 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 acquis<sup>2</sup>. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
8. 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 acquis<sup>3</sup>; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

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<sup>1</sup> Published in OJ L 333, 19.12.2015, p. 1.

<sup>2</sup> OJ L 131, 1.6.2000, p. 43.

<sup>3</sup> OJ L 64, 7.3.2002, p. 20.

9. The Permanent Representatives Committee is invited to confirm the agreement reached on the Decision on conclusion of the Agreement between the European Union and the Republic of Palau on the short-stay visa waiver, and to suggest that the Council:
- Adopt, under part "A" of the agenda of a forthcoming session, the Decision as set out in 12080/15 VISA 296 COLAC 123.
  - Decide that the text of the above Decision and of the Agreement be published in the Official Journal, "L" series, in accordance with Article 17(1)(d) of the Council's Rules of Procedures.
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