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(OR. en)

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**Interinstitutional File:**  
**2015/0199 (NLE)**

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VISA 253  
COLAC 66

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
No. prev. doc.: 12099/15  
No. Cion doc.: 12049/15 + ADD 1, COM (2015) 439 final  
Subject: Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Peru 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 Peru 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 Agreement have been edited by the Legal-Linguistic experts.

The edited text of the Decision on the signing is set out in 12096/15 VISA 306 COLAC 95.

The edited text of the Decision on the conclusion is set out in 12099/15 VISA 308 COASI 97.

The edited text of the Agreement is set out in 12097/15 VISA 307 COLAC 96 + COR 1.

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<sup>1</sup> 12048/15 VISA 290 COLAC 90.

<sup>2</sup> 12048/15 ADD 1 VISA 290 COLAC 90.

<sup>3</sup> 12049/15 VISA 291 COLAC 91 + ADD 1.

3. On 10 March 2016, the Council authorised the signing of the Agreement with the Republic of Peru. The Agreement was signed on 14 March 2016 with a provisional application from the day after its signature.
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 10 March 2016, 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 5 July 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 Peru.
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>1</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>2</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> OJ L 131, 1.6.2000, p. 43.

<sup>2</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 Peru 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 12099/15 VISA 308 COLAC 97.
  - 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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