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VISA 21
COASI 10

'I/A' ITEM NOTE

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

No. prev. doc.: 12092/15 VISA 302 COASI 129

Subject: COUNCIL DECISION on the conclusion, on behalf of the European Union, of the Agreement between European Union and the Republic of Kiribati on the short-stay visa waiver

1. On 14 September 2015, the Commission submitted a proposal for a Council decision on the signing¹, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Republic of Kiribati on the short-stay visa waiver, together with a draft text of the said agreement in the annex to that proposal², and a proposal for a Council decision on the conclusion of the same agreement³.
2. With a view to their adoption by the Council, the texts of the said Decisions 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 12090/15 VISA 300 COASI 127.
The edited text of the Decision on the conclusion is set out in 12092/15 VISA 302 COASI 129. The edited text of the Agreement is set out in 12091/15 VISA 301 COASI 128.

¹ 12043/15 VISA 286 COASI 119 (COM(2015) 440 final).

² 12043/15 VISA 286 COASI 119 ADD 1.

³ 12044/15 VISA 287 COASI 120 (COM(2015) 438 final).

3. On 26 October 2015, the Council authorised the signing of the Agreement with the Republic of Kiribati. The Agreement was signed on 23 June 2016 with a provisional application from the day after its signature⁴.
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 1 December 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 Kiribati.
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 acquis⁵. 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 acquis⁶; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

⁴ Published in OJ L 198, 23.7.2016, p. 1.

⁵ OJ L 131, 1.6.2000, p. 43.

⁶ 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 Kiribati 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 12092/15 VISA 302 COASI 129.
 - Decide that the text of the above Decision 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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