



Council of the
European Union

Brussels, 16 March 2017
(OR. en)

7371/17

VISA 105
CHINE 11

'I/A' ITEM NOTE

From:	Presidency
To:	Permanent Representatives Committee (Part 2)/Council
No. prev. doc.:	6374/17
No. Cion doc.:	13395/16 + ADD1
Subject:	Adoption of a COUNCIL DECISION authorising the opening of negotiations with the People's Republic of China for an agreement between the European Union and the People's Republic of China on the facilitation of the issuance of short-stay visas

1. On 25 October 2016, the Commission submitted to the Council a recommendation for a Council Decision authorising the opening of negotiations on an Agreement between the European Union and the People's Republic of China on facilitating procedures for short-stay visas, together with negotiating directives, as set out in 13395/16 EU RESTRICTED and 13395/16 ADD 1 EU RESTRICTED, respectively.
2. At its meetings on 23 November 2016, 7 December 2016, 17 January 2017, and 13 February 2017, the Visa Working Party examined the above recommendation and the negotiating directives. Agreement on the negotiating directives was reached by Coreper at its meeting on 15 March 2017. The agreed text is set out in 7363/17 EU RESTRICTED.

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 *acquis*¹; the United Kingdom is therefore not taking part in the adoption of this Decision 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 *acquis*²; Ireland is therefore not taking part in the adoption of this Decision 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, which has undergone the necessary scrutiny by the lawyer-linguists, is set out in 6375/17 VISA 61 CHINE 7.
7. On this basis, **the Permanent Representatives Committee is invited to suggest that the Council adopt the Council Decision authorising the opening of negotiations with the People's Republic of China for an agreement between the European Union and the People's Republic of China on the facilitation of the issuance of short-stay visas, as set out in 6375/17, which refers to the negotiating directives as set out in 7363/17 EU RESTRICTED, 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.