



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 19 March 2014
(OR. en)**

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2013/0356 (NLE)**

**VISA 70
COEST 84**

"I/A" ITEM NOTE

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

No. Cion doc.: 14823/13 VISA 207 COEST 317 (COM(2013) 742 final)

Subject: Adoption of the Council Decision on the conclusion of the Agreement between the European Union and the Republic of Azerbaijan on the facilitation of the issuance of visas

1. On 29 October 2013, the Commission submitted a proposal for a Council Decision on the signature¹ and a proposal concerning the conclusion² of the said agreement.
2. Following their legal and linguistic revision, the Decision on signature³ was adopted by the Council on 25 November 2013, and the Agreement⁴ was signed on 29 November 2013 in Vilnius in the margins of the Third Eastern Partnership Summit.
3. 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.

¹ 14822/13 VISA 206 COEST 316.

² 14823/13 VISA 207 COEST 317.

³ 15553/13 VISA 217 COEST 341, published in OJ L 320, 30.11.2013, p.7.

⁴ 15554/13 VISA 218 COEST 342.

4. On 17 February 2014, the Council decided to forward the draft Decision on conclusion as contained in 17846/13 VISA 283 COEST 410 as well as the text of the Agreement as contained in 15554/13 VISA 218 COEST 342 (texts finalised by the legal linguist experts) to the European Parliament for its consent.
5. On 12 March 2014, 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 Azerbaijan¹.
6. In parallel to the Agreement on the facilitation of the issuance of visas, a Council Decision concerning the conclusion of a Readmission Agreement with Azerbaijan has also to be adopted by the Council.²
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 acquis³; 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 acquis⁴; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
9. 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.

¹ See doc. P7_TA-PROV(2014)0214.

² See 7644/14 MIGR 32 COEST 78.

³ OJ L 131, 1.6.2000, p. 43.

⁴ OJ L 64, 7.3.2002, p. 20.

10. 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 Azerbaijan on the facilitation of the issue of visas and to suggest that the Council:
- adopt, under part "A" of the agenda of a forthcoming session, the Decision on conclusion as contained in 17846/13 VISA 283 COEST 410 as well as the text of the Agreement as contained in 15554/13 VISA 218 COEST 342 (texts finalised by the legal linguist experts);
 - 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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