



Council of the  
European Union

Brussels, 20 November 2015  
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**Interinstitutional File:**  
**2015/0232 (NLE)**

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**VISA 360**  
**COAFR 333**

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	12680/15 VISA 321 COAFR 287 + ADD 1 (COM(2015) 482 final)
Subject:	Adoption of a Council Decision establishing the position to be taken on behalf of the European Union within the Joint Committee set up under the Agreement between the European Union and the Republic of Cape Verde on the facilitation of the issuance of visas to citizens of the Republic of Cape Verde and of the European Union, with regard to the adoption of Common Guidelines for the implementation of the Agreement

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1. On 2 October 2015, the Commission submitted to the Council a proposal for a Council Decision establishing the position to be taken on behalf of the European Union within the Joint Committee set up under the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union with regard to the adoption of common Guidelines for the implementation of the Agreement, together with a draft Decision of the Joint Committee and the Common Guidelines, set out respectively in 12680/15 VISA 321 COAFR 287 + ADD 1.

2. Following examination of the Common Guidelines by the Visa Working Party on 7 April, 11 May and 13 July 2015, the Commission consulted on these Guidelines with the responsible authorities in Cape Verde. Finally, in the Visa Working Party on 26 October 2015, Member States expressed agreement on the basis of 12680/15 VISA 321 COAFR 287 + ADD 1 and the Chair concluded that there was an agreement to forward the text of the draft Council Decision together with its Annex to the Directorate for Quality of Legislation for their legal and linguistic revision with a view to their adoption as an A item by the Council on the agenda of one of its forthcoming sessions.
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<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.
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<sup>2</sup>; Ireland is therefore not taking part in its adoption 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 and of its Annex (Draft Decision of the Joint Committee with regard to the adoption of common guidelines for the implementation of the Agreement) have been edited by the Legal-Linguistic experts. The edited text is set out in 13890/15 VISA 355 COAFR 327 (to be issued).

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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.

7. The Permanent Representatives Committee is invited to ask the Council to adopt the draft Council Decision as set out in 13890/15 VISA 355 COAFR 327, under the "A" part of the agenda of one of its forthcoming sessions.
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