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VISA 395
CHINE 32

"I/A" ITEM NOTE

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

Subject: a) Council Decisions on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports
- Adoption
b) Council Decision on the conclusion of the Agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports
- Request by the Council for the consent of the European Parliament

1. On 15 December 2015, the Commission submitted a proposal for a Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports¹, and a proposal for a Council Decision on the conclusion of the same Agreement², together with a draft text of the Agreement in the annexes to these proposals³.
2. At its meeting on 18 and 19 January 2016, the Visa Working Party agreed on these proposals.

¹ 15208/15 VISA 385 CHINE 25.

² 15210/15 VISA 386 CHINE 26.

³ 15208/15 VISA 385 CHINE 25 ADD 1, 15210/15 VISA 386 CHINE 26 ADD 1.

3. These decisions constitute 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 2000¹; the United Kingdom is therefore not taking part in their adoption and is not bound by them or subject to their application.
4. These decisions constitute 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 2002²; Ireland is therefore not taking part in their adoption and is not bound by them or subject to their application.
5. The Decision on the signing and the text of the Agreement have been edited by the Lawyer-Linguistic experts. The edited text of the Decision on the signing is set out in 15466/15 VISA 392 CHINE 29. The edited text of the Agreement is set out in 15469/15 VISA 393 CHINE 30.
6. The Decision on the conclusion of the Agreement has also been edited by the Lawyer-Linguistic experts. The edited text is set out in 15470/15 VISA 394 CHINE 31.
7. Since the Agreement is due to be provisionally applicable from the third day following the date set for its signature, the Presidency will subsequently notify as soon as possible to Member States the date set for the signature.

¹ OJ L 131, 1.6.2000, p. 43.

² OJ L 64, 7.3.2002, p. 20.

8. The Permanent Representatives Committee is accordingly invited to recommend that the Council:

- a) adopt, as an "A" item of the agenda of one of its forthcoming sessions, the Decision on the signing as set out in 15466/15 VISA 392 CHINE 29;
- b) decide to forward the draft Decision on conclusion as set out in 15470/15 VISA 394 CHINA 31 to the European Parliament for its consent once the agreements have been duly signed.

The Decision on the signing together with the text of the Agreement will be published in the OJ in accordance with the applicable rules.
