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VISA 26
MOG 21
COLAC 2
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"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: 6945/15, COM(2015) 103 final
6946/15, COM(2015) 110 final
6948/15, COM(2015) 97 final
6949/15, COM(2015) 102 final
6952/15, COM(2015) 111 final
6953/15, COM(2015) 101 final
6954/15, COM(2015) 104 final
6957/15, COM(2015) 108 final
6963/15, COM(2015) 106 final

Subject: Adoption of Council Decisions concerning the conclusion of the Agreements between the European Union and the United Arab Emirates, Saint Lucia, the Commonwealth of Dominica, Grenada, Saint Vincent and the Grenadines, the Republic of Vanuatu, the Democratic Republic of Timor-Leste, the Independent State of Samoa and the Republic of Trinidad and Tobago, on the short-stay visa waiver

1. On 5 March 2015, the Commission submitted proposals for Council decisions on the signing¹, on behalf of the European Union, and provisional application of the agreements between the European Union and:

the United Arab Emirates, Saint Lucia, the Commonwealth of Dominica, Grenada, Saint Vincent and the Grenadines, the Republic of Vanuatu, the Democratic Republic of Timor-Leste, the Independent State of Samoa and the Republic of Trinidad and Tobago,

on the short-stay visa waiver, together with a draft text of the said agreements in the annex to those proposals², and proposals for Council decisions on the conclusion of the same agreements³.

2. With a view to their adoption by the Council, the Decisions on the signing, on the conclusion and the text of the Agreements have been edited by the Legal-Linguistic experts.

The edited texts of the Decisions on the signing are set out respectively in 7099/15 VISA 82 COMEM 53, 7104/15 VISA 84 COLAC 19, 7109/15 VISA 86 COLAC 21, 7112/15 VISA 88 COLAC 23, 7114/15 VISA 90 COLAC 25, 7117/15 VISA 92 COASI 26, 7123/15 VISA 94 COASI 28, 7126/15 VISA 96 COASI 30, 7128/15 VISA 98 COLAC 27.

¹ 6884/15 VISA 56 COMEM 48 (COM(2015) 91 final), 6885/15 VISA 57 COLAC 11 (COM(2015) 96 final), 6886/15 VISA 58 COLAC 10 (COM (2015) 95 final), 6887/15 VISA 59 COLAC 13 (COM(2015) 93 final), 6889/15 VISA 60 COLAC 9 (COM(2015) 109 final), 6890/15 VISA 61 COASI 19 (COM (2015) 92 final), 6892/15 VISA 62 COASI 21 (COM(2015) 94 final), 6893/15 VISA 63 COASI 20 (COM(2015) 107 final), 6894/15 VISA 64 COLAC 12 (COM(2015) 105 final).

² 6884/15 ADD 1 VISA 56 COMEM 48, 6885/15 ADD 1 VISA 57 COLAC 11, 6886/15 ADD 1 VISA 58 COLAC 10, 6887/15 ADD 1 VISA 59 COLAC 13, 6889/15 ADD 1 VISA 60 COLAC 9, 6890/15 ADD 1 VISA 61 COASI 19, 6892/15 ADD 1 VISA 62 COASI 21, 6893/15 ADD 1 VISA 63 COASI 20, 6894/15 ADD 1 VISA 64 COLAC 12.

³ 6945/15 VISA 68 COMEM 49 (COM(2015) 103 final), 6946/15 VISA 69 COLAC 14 (COM(2015) 110 final), 6948/15 VISA 70 COLAC 15 (COM(2015) 97 final), 6949/15 VISA 71 COLAC 16 (COM(2015) 102 final), 6952/15 VISA 72 COLAC 17 (COM(2015) 111 final), 6953/15 VISA 73 COASI 22 (COM(2015) 101 final), 6954/15 VISA 74 COASI 23 (COM(2015) 104 final), 6957/15 VISA 75 COASI 24 (COM(2015) 108 final), 6963/15 VISA 76 COLAC 18 (COM(2015) 106 final).

The edited texts of the Decisions on the conclusion are set out respectively in 7185/15 VISA 104 COMEM 55, 7187/15 VISA 105 COLAC 30, 7189/15 VISA 106 COLAC 31, 7190/15 VISA 107 COLAC 32, 7191/15 VISA 108 COLAC 33, 7192/15 VISA 109 COASI 32, 7194/15 VISA 110 COASI 33, 7195/15 VISA 111 COASI 34, 7196/15 VISA 112 COLAC 34.

The edited texts of the Agreements are set out respectively in 7103/15 VISA 83 COMEM 54, 7107/15 VISA 85 COLAC 20, 7111/15 VISA 87 COLAC 22, 7113/15 VISA 89 COLAC 24, 7115/15 VISA 91 COLAC 26, 7119/15 VISA 93 COASI 27, 7125/15 VISA 95 COASI 29, 7127/15 VISA 97 COASI 31, 7129/15 VISA 99 COLAC 28.

3. On 20 April 2015, the Council authorised the signing of the Agreement with the United Arab Emirates. The Agreement was signed on 6 May 2015 with a provisional application from the same date¹.

On 7 May 2015, the Council authorised the signing of the Agreement with the eight remaining countries.

The Agreement with Timor-Leste was signed on 26 May 2015 with a provisional application from that date.²

The Agreements with St Lucia, Dominica, Grenada, St Vincent and the Grenadines, Vanuatu, Samoa, Trinidad Tobago were signed on 28 May 2015 with a provisional application from that date.³

4. In accordance with Article 218(6)(a)(v) of the Treaty on the functioning of the European Union, the Council shall adopt the Decisions concluding the Agreements after obtaining the consent of the European Parliament.
5. On 20 April and 7 May 2015, the Council decided to forward the draft Decisions on conclusion as well as the text of the Agreements (texts finalised by the legal linguist experts) to the European Parliament for its consent.

¹ Published in OJ L 125, 21.5.2015, p.1.

² Published in OJ L 173, 3.7.2015, p. 3.

³ Published in OJ L 173, 3.7.2015, see from p. 10.

6. On 15 December 2015, the European Parliament gave its consent to the conclusion of the Agreements 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 countries concerned¹.
7. The 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 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 acquis². The United Kingdom is therefore not taking part in their adoption and is not bound by them or subject to their application.
8. The 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 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis³; Ireland is therefore not taking part in their adoption and is not bound by them or subject to their application.
9. The Permanent Representatives Committee is invited to confirm the agreement reached on the Decisions on conclusion of the Agreements between the European Union and the United Arab Emirates, Saint Lucia, the Commonwealth of Dominica, Grenada, Saint Vincent and the Grenadines, the Republic of Vanuatu, the Democratic Republic of Timor-Leste, the Independent State of Samoa and the Republic of Trinidad and Tobago on the short-stay visa waiver, and to suggest that the Council:

¹ See the following legislative resolutions of 15 December 2015 of the European Parliament:

- United Arab Emirates: P8_TA PROV (2015) 0433
- Saint Lucia: P8_TA PROV (2015) 0431
- Dominica: P8_TA PROV (2015) 0425
- Grenada: P8_TA PROV (2015) 0429
- Saint Vincent and the Grenadines: P8_TA PROV (2015) 0432
- Vanuatu: P8_TA PROV (2015) 0426
- Timor Leste: P8_TA PROV (2015) 0430
- Samoa: P8_TA PROV (2015) 0428
- Trinidad and Tobago: P8_TA PROV (2015) 0427

² OJ L 131, 1.6.2000, p. 43.

³ OJ L 64, 7.3.2002, p. 20.

- adopt, under part "A" of the agenda of a forthcoming session, the Decisions as set out respectively in 7185/15 VISA 104 COMEM 55, 7187/15 VISA 105 COLAC 30, 7189/15 VISA 106 COLAC 31, 7190/15 VISA 107 COLAC 32, 7191/15 VISA 108 COLAC 33, 7192/15 VISA 109 COASI 32, 7194/15 VISA 110 COASI 33, 7195/15 VISA 111 COASI 34, 7196/15 VISA 112 COLAC 34 (texts finalised by the Legal Linguistic experts);
- decide that the text of the above Decisions and of the Agreements be published in the Official Journal, "L" series, in accordance with Article 17(1)(d) of the Council's Rules of Procedures.
