Council of the European Union

Brussels, 2 March 2016
(OR. en)

6443/16

VISA 47
COLAC 8

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	12048/15 VISA 290 COLAC 90 + ADD 1 (COM(2015) 437 final) 12049/15 VISA 291 COLAC 91 + ADD 1 (COM(2015) 439 final)
Subject:	a) Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Peru on the short-stay visa waiver - Adoption b) Council Decision on the conclusion of the Agreement between the European Union and Peru on the short-stay visa waiver - Request by the Council for the consent of the European Parliament

1. On 14 September 2015, the Commission submitted a proposal for a Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Republic of Peru on the short-stay visa waiver[1], together with the draft text of the said Agreement in the annex to that proposal[2], and a proposal for a Council Decision on the conclusion of the same Agreement[3].

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[1]   12048/15 VISA 290 COLAC 90
[2]   12048/15 VISA 290 COLAC 90 ADD 1
[3]   12049/15 VISA 291 COLAC 91

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2. Following the presentation of the proposals by the Commission at the Visa Working Party on 30 September 2015, the text of those proposals was further discussed at the meeting of the Visa Working Party on 26 October, 7 December and 8 February 2016.

3. Following the meeting of 8 February 2016, delegations were invited to send by 19 February by e-mail the comments they might have on the revised text of the "Joint Declaration on the introduction of biometric passports by the Republic of Peru". Since no comments were expressed by delegations, the Presidency sent, as agreed, the text of the proposals and of the Agreement to the Directorate for Quality of Legislation for their legal and linguistic finalisation with a view to their swift adoption by the Council.

4. 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[1]; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

5. 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[2]; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

6. The Decision on the signing and the text of the Agreement have been edited by the Legal-Linguistic experts. The edited texts are set out respectively in 12096/15 VISA 306 COLAC 95 and 12097/15 VISA 307 COLAC 96 + COR 1.

7. The Decision on the conclusion has also been edited by the Legal-Linguistic experts. The edited text is set out in 12099/15 VISA 308 COLAC 97.

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[1] OJ L 131, 1.6.2000, p. 43.
[2] OJ L 64, 7.3.2002, p. 20.

8. Since the agreement is due to be provisionally applicable as from 15 March 2016, namely the day following the date set for its signature, which is currently settled on 14 March 2016, the Presidency will subsequently confirm as soon as possible to Member States that the agreement has duly been signed.

9. 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 12096/15 VISA 306 COLAC 95;

    b) decide to forward the draft Decision on conclusion as set out in 12099/15 VISA 308 COLAC 97 to the European Parliament for its consent once the Agreement has been 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.

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