



Council of the
European Union

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COVER NOTE

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| From: | Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director |
| date of receipt: | 17 March 2016 |
| To: | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2016) 149 final |
| Subject: | 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 the rules of procedure of the Joint Committee for the management of the Agreement |

Delegations will find attached document COM(2016) 149 final.

Encl.: COM(2016) 149 final



Brussels, 16.3.2016
COM(2016) 149 final

2016/0081 (NLE)

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 the rules of procedure of the Joint Committee for the management of
the Agreement**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

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 entered into force on 1 December 2014. The Agreement established, on the basis of reciprocity, legally binding rights and obligations for the purpose of simplifying the visa issuing procedures for the citizens of Cape Verde and for the EU citizens. Article 10 of this Agreement sets up a Joint Committee tasked to monitor the implementation of the Agreement. The Joint Committee is obliged by Article 10(4) of the Agreement to lay down its rules of procedure.

The rules of procedure to be adopted will not be part of the Agreement.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The rules of procedure, which are to be adopted on the basis of the empowerment given to the representative of the Commission in the Joint Committee on the basis of this proposal will organise the work of the Joint Committee and help in preparing and managing its meetings.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

The rules of procedure as annexed to the Annex of this proposal for a Council Decision are the outcome of consultation with responsible authorities in Cape Verde in June 2015. The Member States have been consulted in the written procedure which ended on 23.10.2015.

4. BUDGETARY IMPLICATIONS

This proposal has no impact on the EU budget.

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with regard
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the Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular to Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 10 of 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 ('the Agreement') sets up a Joint Committee. Point 4 of this Article provides that the Joint Committee shall lay down its rules of procedure.
- (2) The rules of procedure are necessary to organise the work of the Joint Committee which has been tasked to manage the Agreement and to monitor its implementation.
- (3) It is appropriate to establish the position to be adopted on the Union's behalf within the Joint Committee with regard to the adoption of the rules of procedure of the Joint Committee for the management of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the Joint Committee set up by Article 10 of 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 the rules of procedure of the Joint Committee for the management of the Agreement, shall be based on the draft Decision of the Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council
The President*