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'I/A' ITEM NOTE

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

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2018/1806 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Kosovo*) **(first reading)**
- Adoption of the Council's position at first reading and of the statement of the Council's reasons

1. On 10 May 2016 the Commission sent its proposal¹, based on Article 77(2)(a) TFEU, to the Council.
2. The European Parliament adopted its position at first reading on 28 March 2019².
3. The Permanent Representatives Committee confirmed on 20 December 2022 the provisional agreement reached by the co-legislators.
4. On 12 January 2023, the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) confirmed the provisional agreement, and its chair subsequently sent a letter to the chair of Coreper declaring that the European Parliament should, at its second reading, approve the Council's position at first reading (following a legal-linguistic review) without amendments.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

1 8670/16.

2 7807/19.

5. The Permanent Representatives Committee is therefore asked to suggest that the Council³ adopt its position at first reading, as set out in document 5103/23 and the statement of reasons, as set out in document 5103/23 ADD 1, as an 'A' item at a forthcoming meeting.
6. The statement for the minutes of the Council meeting is set out in the Addendum 1 to this note.

³ Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.