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European Union

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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 539/2001 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*) - Outcome of the European Parliament's second reading (Strasbourg, 17 to 20 April 2023)

I. VOTE

On 18 April 2023, the President of the European Parliament declared the Council's position¹ at first reading approved without amendments.

The text of the European Parliament's legislative resolution is annexed to this note.

* 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 5103/1/23 REV 1.

II. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING

Since the European Parliament has approved the Council's position at first reading without amendments, the act in question is deemed to have been adopted in the wording which corresponds to the Council's position at first reading, as provided for in Article 294(7)(a) of the TFEU.

After signature by the Presidents of the European Parliament and of the Council and the Secretaries-General of the two Institutions, the act will be published in the *Official Journal of the European Union*.

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Third countries whose nationals are subject to or exempt from a visa requirement: Kosovo

European Parliament legislative resolution of 18 April 2023 on the Council position at first reading with a view to the adoption of a 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^{*}) (05103/1/2023 – C9-0047/2023 – 2016/0139(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (05103/1/2023 – C9-0047/2023),
- having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2016)0277),
- having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
- having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure,
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on Civil Liberties, Justice and Home Affairs (A9-0076/2023),

^{*} 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 OJ C 108, 26.3.2021, p. 877.

1. Approves the Council position at first reading;
 2. Notes that the act is adopted in accordance with the Council position;
 3. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
 4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;
 5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
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