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(OR. en)

5344/21

Interinstitutional Files:
2020/0348(NLE)
2020/0319(NLE)

VISA 15
COAFR 13
MIGR 14

'I/A' ITEM NOTE

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

Subject: a) Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Cabo Verde amending 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

- Adoption

b) Council Decision on the conclusion of the same Agreement

- Request for the consent of the European Parliament

1. On 9 December 2020, the Commission submitted a proposal for a Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Cabo Verde amending 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 Union¹, together with a draft text of the said agreement in the annex to that proposal², and a proposal for a Council Decision on the conclusion of the same agreement³.

¹ 13864/20 VISA 136 COAFR 367 MIGR 172.

² 13864/20 VISA 136 COAFR 367 MIGR 172 ADD 1.

³ 13865/20 VISA 137 COAFR 368 MIGR 173.

2. On 16 December 2020, the JHA Counsellors agreed on these proposals.
3. The Decision on the signing 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; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
4. In accordance with Articles 1 and 2 of the Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
5. The Decision on the signing and the text of the agreement have been edited by the legal-linguistic experts. They are set out in respectively 5033/21 VISA 1 COAFR 4 MIGR 1 and 5035/21 VISA 3 COAFR 6 MIGR 3.

The Decision on the conclusion of the same agreement has also been edited by the legal-linguistic experts. The edited text is set out in 5034/21 VISA 2 COAFR 5 MIGR 2.

6. 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 5033/21;
 - b) decide to forward the draft Decision on the conclusion as set out in 5034/21 to the European Parliament for its consent once the agreement has been duly signed.

The Decision on the signing will be published in the OJ in accordance with the applicable rules.