



Council of the  
European Union

Brussels, 26 January 2021  
(OR. en)

5034/21

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**Interinstitutional File:**  
2020/0319 (NLE)

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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION on the conclusion on behalf of the Union of the Agreement between the European Union and the Republic of Cabo Verde amending the Agreement on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union

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**COUNCIL DECISION (EU) 2021/....**

**of ...**

**on the conclusion on behalf of the Union of the Agreement  
between the European Union and the Republic of Cabo Verde  
amending the Agreement on facilitating the issue of short-stay visas to citizens  
of the Republic of Cape Verde and of the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with point (a) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>1</sup>,

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<sup>1</sup> Consent of ... (not yet published in the Official Journal).

Whereas:

- (1) In the Conclusions of 20 November 2007, the Council and the representatives of the governments of the Member States meeting within the Council welcomed the Commission communication on the future of relations between the European Union and the Republic of Cape Verde. In particular, the Council welcomed the deepening of relations between the Union and Cabo Verde through the implementation of an Action Plan for the development of a "special partnership" between the two parties. Furthermore, that communication provides that the aim of that "special partnership" is to develop an open, constructive and pragmatic dialogue and that tackling illegal immigration is a shared strategic priority.
- (2) On 1 December 2014, an 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<sup>1</sup> ("the 2014 Agreement") entered into force.

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<sup>1</sup> OJ L 282, 24.10.2013, p. 3.

- (3) Since 1 December 2014, the Union and Cabo Verdean legislation has evolved, with the revision of the Visa Code by Regulation (EU) 2019/1155 of the European Parliament and of the Council<sup>1</sup> and Cabo Verde's decision to exempt Union citizens from the visa requirement for stays of up to 30 days. In light of those changes and in view of the assessment carried out by the Joint Committee established under Article 10 of the 2014 Agreement and tasked with monitoring the implementation of the 2014 Agreement, some of the provisions facilitating the issuance of visas to citizens of Cabo Verde and, on the basis of reciprocity, of the Union, for an intended stay of no more than 90 days in any 180-day period, should be adjusted and complemented by an amending Agreement.
- (4) In accordance with Council Decision (EU) 2021/...<sup>2+</sup>, 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 ("the amending Agreement") was signed on ...<sup>++</sup>, subject to its conclusion at a later date.

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<sup>1</sup> Regulation (EU) 2019/1155 of the European Parliament and of the Council of 20 June 2019 amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) (OJ L 188, 12.7.2019, p. 25).

<sup>2</sup> Council Decision (EU) 2021/... of ... on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Cabo Verde amending the Agreement on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union (OJ L [...], [...], p. [...]).

<sup>+</sup> OJ: please insert in the text the number of the Council Decision contained in document ST 5033/21 and complete the corresponding footnote.

<sup>++</sup> OJ: Please insert the date of signing of the amending Agreement in ST 5035/21.

- (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<sup>1</sup>. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) In accordance with Articles 1 and 2 of 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.
- (7) The amending Agreement should be approved,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

### *Article 1*

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 is hereby approved on behalf of the Union<sup>1+ ++</sup>.

### *Article 2*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 2(1) of the amending Agreement<sup>2</sup>.

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<sup>1</sup> The text of the amending Agreement is published in ....

<sup>+</sup> OJ: please insert in the footnote the OJ reference of the amending Agreement contained in document ST 5035/21.

<sup>++</sup> Delegations: see document ST 5035/21.

<sup>2</sup> The date of entry into force of the amending Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

*Article 3*

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

Done at Brussels,

*For the Council*

*The President*

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