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(OR. en)

11314/26

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'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Council implementing Decision suspending the application of certain provisions of Regulation (EC) 810/2009 of the European Parliament and of the Council with respect to Guinea
- Adoption

1. On 15 July 2025, the Commission submitted a proposal for a Council Implementing Decision on the suspension of certain provisions of Regulation (EC) 810/2009 of the European Parliament and of the Council with respect to Guinea¹.
2. At the Visa Working Party meeting on 19 September 2025, the Commission presented the proposal and the first exchange of views was held on the proposal. Guinea's readmission cooperation was regularly assessed at the Integration, Migration and Expulsion (IMEX Expulsion) working party meetings, including on 16 July 2025, 30-31 October 2025 and 13 January 2026. During these discussions, the level of Guinea's readmission cooperation was generally assessed as insufficient.

¹ 11613/25.

3. Given this insufficient cooperation, at its meeting on 9 June 2026, the IMEX Expulsion working party decided to invite the Visa Working Party to approve the proposal concerning the restrictive visa measures against Guinea. The proposal was subsequently approved at the Visa Working Party meeting on 25 June 2026.
4. 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. Given that this Decision builds upon the Schengen *acquis*, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Decision whether it will implement it in its national law.
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; 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 view of the above, the Permanent Representatives Committee is invited to suggest that the Council adopt, the abovementioned Implementing Decision as finalised by the legal/linguistic experts and set out in document 11169/26 as an "A" item on the agenda of a forthcoming meeting.

The Implementing Decision will be published in the Official Journal in accordance with the applicable rules.
