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CHINE 18

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	11021/15 VISA 239 CHINE 13 + ADD 1 (RESTREINT UE) (COM(2015) 393 final)
Subject:	Adoption of a Council Decision authorising the opening of negotiations on behalf of the European Union on a short-stay visa waiver Agreement for holders of diplomatic passports between the European Union and the People's Republic of China

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1. On 5 August 2015, the Commission submitted a Recommendation to the Council authorising the opening of negotiations on a short-stay visa waiver agreement for holders of diplomatic passports between the EU and Colombia and the People's Republic of China, together with negotiating directives, set out respectively in 11021/15 VISA 239 CHINE 13 + ADD 1 (RESTREINT UE).
2. Following examination of the Recommendation and of the negotiating directives by the Visa Working Party on 2 September 2015, it was concluded that there was a consensus among delegations on the recommendation of the Commission and on the draft negotiating directives. Consequently, it was announced that the Presidency would invite the Council to adopt a draft Council Decision authorising the opening of negotiations as an "A" item of the agenda of one of its forthcoming sessions, following its legal and linguistic revision.

3. Consequently, the draft Council Decision authorising the opening of negotiations, as set out in 11674/15 has been prepared on that basis.
4. That Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000<sup>1</sup>; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
5. That 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 of 28 February 2002<sup>2</sup>; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
6. The text of the Council Decision authorising the opening of negotiations on a short-stay visa waiver agreement for holders of diplomatic passports between the EU and the People's Republic of China Peru has been edited by the Legal-Linguistic experts. The edited text is set out in 11600/15 VISA 257 CHINE 16.
7. The Permanent Representatives Committee is accordingly invited to recommend that the Council adopt under the "A" part of the agenda of one of its forthcoming sessions, the Council Decision as set out in 11600/15 VISA 257 CHINE 16, which refers to the negotiating directives set out in 11021/15 VISA 239 CHINE 13 + ADD 1 (RESTREINT UE).

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<sup>1</sup> OJ L 131, 1.6.2000, p. 43.

<sup>2</sup> OJ L 64, 7.3.2002, p. 20.