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NOTE

From:	Presidency
To:	Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
Subject:	Revision of the visa suspension mechanism – Urgency procedures – diagram

During the last Visa Working Party, the Member States stressed that the introduction of an urgency procedure would be useful and would present actual added value to the revision of the suspension mechanism. The Member States mainly expressed their preference for the original urgency procedure proposed by the Commission, as well as for the alternative proposal from the Belgian Presidency. While the urgency procedure proposed by the Spanish Presidency was certainly rigorous and comprised many positive elements, it did not seem to have received much support from the delegations.

Although we believe the discussion was helpful, some doubts and questions remain and it is quite clear that, for some Member States at least, more information is needed in order to choose which of the proposed options would be the most appropriate. In particular, Member States noted that, while the Belgian Presidency proposal was interesting, it might take some time to secure a majority of Member States in order to trigger it.

In view of those concerns, we looked further into this issue and managed to find an alternative solution. The “revised” Belgian Presidency urgency procedure would (simply) consist of taking advantage of the already existing provisions of Regulation (EU) 182/2011 applicable “in duly justified cases” to shorten the deadlines for the adoption of a **regular** implementing act. We believe this procedure will therefore allow the Council to act swiftly – as **no more preliminary steps would be required** – while retaining control over the adoption of the implementing act.

To bring further clarity to this issue, the Presidency has drawn up the enclosed diagram, which provides for a concrete and detailed overview of the differences and implications of the two urgency procedures on the table. It should be noted that the boxes in green represent the stages of the procedure where the **Member States are involved**.

During the next Visa Working Party, the delegations will be invited to express their views on the proposed options. We hope the delegations will come to an agreement on this topic during the meeting.

