



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 17 July 2012  
(OR. en)**

**12282/12**

**Interinstitutional File:  
2012/0138 (NLE)**

**VISA 142  
COEST 243  
OC 392**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the conclusion of the Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas

**COMMON GUIDELINES**

**Consultation deadline for Croatia: 18.7.2012**

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**COUNCIL DECISION No .../2012/EU**

**of ...**

**on the conclusion of the Agreement between the European Union and Ukraine  
amending the Agreement between the European Community and Ukraine  
on the facilitation of the issuance of visas**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(a), in conjunction with Article 218 (6)(a), 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> OJ ....

Whereas:

- (1) In accordance with Council Decision No .../2012/EU of ...<sup>1\*</sup>, the Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas ("the Agreement") was signed on ..., subject to its conclusion.
- (2) The Agreement should be approved.
- (3) This 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 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis*<sup>2</sup>; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (4) 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 of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis*<sup>3</sup>; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

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<sup>1</sup> OJ ....

\* OJ: insert please the number, date and publication reference of Decision contained in document ST 11042/12.

<sup>2</sup> OJ L 131, 1.6.2000, p. 43.

<sup>3</sup> OJ L 64, 7.3.2002, p. 20.

- (5) 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,

HAS ADOPTED THIS DECISION:

*Article 1*

The Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision\*.

*Article 2*

The President of the Council shall designate the person(s) empowered to proceed, on behalf of the Union, to the notification provided for in Article 2 of the Agreement, in order to express the consent of the Union to be bound by the Agreement<sup>1</sup>.

*Article 3*

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

Done at ...,

*For the Council*

*The President*

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\* OJ: attach please document ST 11044/12.

<sup>1</sup> The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.