Council Decision (EU) 2019/78 of 20 December 2018 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Republic of Mauritius amending the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver

COUNCIL DECISION (EU) 2019/78

of 20 December 2018

on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Republic of Mauritius amending the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver

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)(v) 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[(1)],

Whereas:

(1) By its Decision 2009/899/EC[(2)], the Council concluded the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver[(3)] (the 'Agreement'). The Agreement provides for visa-free travel for the citizens of the Union and for the citizens of the Republic of Mauritius when travelling to the territory of the other Contracting Party for a maximum period of three months during a six months period.

(2) Regulation (EU) No 610/2013 of the European Parliament and of the Council[(4)] introduced horizontal changes in the Union's visa and border *acquis* and defined a short stay as a maximum of 90 days in any 180-day period.

(3) It is necessary to incorporate this new definition into the Agreement in order to fully harmonise the Union's short-stay regime.

(4) The Commission has negotiated, on behalf of the Union an agreement with the Republic of Mauritius which amends the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver (the 'amending Agreement').

(5) In accordance with Council Decision (EU) 2017/2087[(5)], the amending Agreement has been signed.

(6) 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[(6)]; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2019/78. (See end of Document for details)*

(7) 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[(7)]; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

(8) The amending Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Republic of Mauritius amending the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver is hereby approved on behalf of the Union.

The text of the amending Agreement is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 2 of the amending Agreement[(8)].

Article 3

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

Done at Brussels, 20 December 2018.

For the Council

The President

E. KÖSTINGER