EU/Mauritius Agreement: short-stay visa waiver

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PURPOSE: to conclude an agreement amending the agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by Decision of 30 November 2009, the Council concluded the agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver.

Regulation (EU) No 610/2013 amended the Convention implementing the Schengen Agreement (CISA), Regulation (EC) No 562/2006 (Schengen Borders Code) and Regulation (EC) No 810/2009 (the Visa Code). In so doing, it has **redefined the term of 'short-stay'** for third-country nationals in the Schengen area.

As from 18 October 2013, for third-country nationals – irrespective of being visa required or exempt – who intend to travel to the Schengen area for a short-stay, the maximum duration of authorised stay is defined as '90 days in any 180-day period'.

The agreement between the Union and the Republic of Mauritius on the short-stay visa waiver should incorporate this new definition.

With a view to implementing the new definition of short stay provided for in the amendment to the Schengen Borders Code, the Commission adopted on 16 July 2014 a recommendation for a Council Decision authorising negotiations to amend the Schengen the short-stay visa waiver between the European Union and **seven countries**: Antigua and Barbuda, the Bahamas, Barbados, Brazil, **Mauritius**, Saint Kitts and Nevis and the Seychelles.

The negotiations with Mauritius were successfully finalised by the initialling of the amending agreement on 11 November 2016.

CONTENT: this proposal is presented to the Council to authorise the conclusion of the **Agreement amending the Agreement between the European Community and the Republic of Mauritius** on the short-stay visa waiver.

The amendments introduced by the final agreement cover the following points:

Duration of stay: the final agreement provides for visa-free travel for the citizens of the European Union and for the citizens of Mauritius when travelling to the other Contracting Party for **a maximum period of 90 days in any 180-day period** (instead of a maximum period of three months during a six months period following the date of first entry).

A joint statement on the interpretation of the 90-day period over any 180-day period is attached to the amending agreement.

Suspension of the agreement: the agreement provides that suspension of the waiver shall be lifted if the suspension is no longer required.

All other provisions of the existing agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver remain unaffected by the amending agreement, including the territorial scope.

The provisions of the agreement shall not apply to the United Kingdom or to Ireland.