



Council of the
European Union

Brussels, 14 July 2022
(OR. en, da)

11415/22

Interinstitutional Files:
2021/0398(NLE)
2021/0397(NLE)

JAI 1046
FREMP 158
COVID-19 139
FRONT 289
MI 585
SAN 469
TRANS 499
IPCR 84
COCON 49
VISA 127
COMIX 372

COVER NOTE

From:	Danish delegation
date of receipt:	14 July 2022
To:	General Secretariat of the Council

No. prev. doc.:	5402/1/22 REV 1; 6159/22
-----------------	--------------------------

Subject:	Council Recommendation amending Council Recommendation (EU) 2020/1632 as regards a coordinated approach to facilitate safe travel during the COVID-19 pandemic in the Schengen area Council Recommendation amending Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction - notification from Denmark
----------	--

Delegations will find attached the notification from Denmark regarding the abovementioned Recommendations.

**PERMANENT REPRESENTATION
OF DENMARK TO THE
EUROPEAN UNION**

Council of the European Union
Secretary General
Rue de la Loi 175
B-1048 Brussels

Rue d'Arlon 73
B-1040 Bruxelles
Tel.: +32 (0)2 233.08.11
E-mail: brurep@um.dk
eu.um.dk

BY HAND

Enclosure

File
2021-4831

Department

Date
14 July 2021

Implementation by Denmark of Council Recommendation (EU) 2022/108 of 25 May 2022 and Council Recommendation (EU) 2022/290 of 22 February 2022.

Dear Director-General,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(b), (c) and (e) and Article 292, first and second sentence thereof, the Council has adopted the following non-binding legal acts:

- **Council Recommendation (EU) 2022/108 of 25 January 2022 amending Recommendation (EU) 2020/1632 as regards a coordinated approach to facilitate safe travel during the COVID-19 pandemic in the Schengen area**
- **Council Recommendation (EU) 2022/290 of 22 February 2022 amending Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction**

In accordance with Article 1 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, Denmark does not take part in the adoption by the Council of proposed measures pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union.

Denmark therefore did not take part in the Council's adoption of the above legal acts, which are not applicable in Denmark (see Article 2 of the Protocol).

The measures constitute a development of the Schengen acquis, although it is of a non-binding nature.

In accordance with Article 4 of the Protocol, Denmark has to decide, within a period of six months after the Council has decided on a proposal to build upon the Schengen acquis covered by Title V of Part Three of the Treaty on the Functioning of the European Union, whether it will implement the legal act. As they are not binding measures, Denmark's implementation of the Recommendations will not lead to an obligation under international law for Denmark. The Recommendations will thus have the same status for Denmark as they have for the other Member States.

On that basis, Denmark hereby gives notice that it has decided to implement the above measures in accordance with Article 4 of the Protocol.

A copy of this letter is being sent, for information, to the European Commission's Directorate-General for Home Affairs.

(Complimentary close)

Mr Jonas Bering Liisberg
Ambassador, Permanent Representative
