



Council of the  
European Union

Brussels, 26 August 2022  
(OR. en, da)

11924/22

---

---

**Interinstitutional File:  
2021/0140(NLE)**

---

---

**SCH-EVAL 103  
SCHENGEN 86  
DATAPROTECT 241  
ENFOPOL 429  
FRONT 305  
IXIM 201  
MIGR 239  
SIRIS 79  
VISA 134  
COMIX 393**

**COVER NOTE**

---

From:	Danish delegation
date of receipt:	25 August 2022
To:	General Secretariat of the Council
No. prev. doc.:	7609/22
Subject:	Council Regulation on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen <i>acquis</i> , and repealing Regulation (EU) No 1053/2013 – notification by Denmark

---

Delegations will find attached the notification by Denmark regarding the abovementioned Regulation.

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

Council of the European Union  
Justice and Home Affairs  
1048 Bruxelles

Rue d'Arlon/Aarlenstraat 73  
B-1040 Bruxelles/Brussel  
Tel.: +32 (0)2 233.08.11  
Email: [brurcp@um.dk](mailto:brurcp@um.dk)  
[eu.um.dk](http://eu.um.dk)

**Att. : Director-General, Ms Christine Roger**

**BY HAND**

Enclosure	File	Department	Date
	2022-12237		24 August 2022

**Notification regarding Council Regulation (EU) 2022/922**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 70 thereof, the Council has adopted the following legal act:

- **Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis, and repealing Regulation (EU) No 1053/2013**

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 (see, however, Article 6 of the Protocol as regards certain measures concerning visas).

Denmark therefore did not take part in the Council's adoption of the above legal act, which is not binding upon or applicable in Denmark (see Article 2 of the Protocol).

The measure constitutes a development of the Schengen acquis.

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 under the provisions of Title V of Part Three TFEU, whether it will implement this measure in its national law. If Denmark decides to do so,

that decision will create an obligation under international law between Denmark and the other Member States bound by the measure.

On that basis, Denmark hereby gives notice that it has decided to implement the above legal act in Danish law 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)

Nadja Schou Lauridsen  
Chargé d'affaires i.a.

---