



Brussels, 8 February 2019  
(OR. da, en)

6157/19

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**Interinstitutional Files:**

2016/0246 (NLE)  
2016/0323 (NLE)  
2016/0247 (NLE)  
2016/0322 (NLE)  
2017/0089 (NLE)  
2018/0031 (NLE)  
2018/0319 (NLE)  
2018/0317 (NLE)

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FRONT 44  
VISA 28  
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SIRIS 25  
COMIX 70

**COVER NOTE**

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From:	Permanent Representation of Denmark to the European Union
date of receipt:	31 January 2019
To:	General Secretariat of the Council
No. prev. doc.:	12833/16, 13712/16, 12852/16, 13710/16, 9227/17, 6221/18, 12027/18, 12042/18
Subject:	Notifications by Denmark concerning several acts

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Delegations will find attached notifications by Denmark concerning the following acts:

- Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020
- Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020
- Council Decision on the conclusion on behalf of the European Union of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020

- Council Decision on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020
  - Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020
  - Council Decision on the signing, on behalf of the Union, of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020
  - Council Decision on the signing, on behalf of the Union, of the Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia
  - Council Decision on the signing, on behalf of the Union, of the Arrangement between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice
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**The Permanent Representation of Denmark**  
to the European Union  
Brussels

Council of the European Union  
General Secretariat of the Council of the European Union  
JAI - Justice and Home Affairs  
Rue de la Loi/Wetstraat 175  
B-1048 BRUXELLES/BRUSSEL

Rue d'Arlon/Aarlenstraat 73  
B-1040 Bruxelles/Brussel  
Tel.: (02) 233 08 11  
Fax: (02) 230 93 84  
Email: [brurep@um.dk](mailto:brurep@um.dk)  
[www.eurepraesentationen.um.dk](http://www.eurepraesentationen.um.dk)

For the attention of: Christine Roger, Director-General

**BY HAND**

Enclosure  
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File  
2019

Date  
30 January 2019

Dear Ms Roger,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 218(5) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2017/47 of 8 November 2016 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 218(5) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2017/479 of 8 December 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2) and point (a) of Article 218(6) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2017/657 of 3 April 2017 on the signing, on behalf of the European Union, of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2) and point (a) of Article 218(6) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2017/1249 of 16 June 2017 on the signing, on behalf of the Union, of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 218(5) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2018/398 of 12 June 2017 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 77(2) and 218(5) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2018/404 of 13 March 2018 on the signing, on behalf of the Union, of the Agreement between the European Union and the Swiss Confederation on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020**

Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2) and point (c) of Article 79(2), in conjunction with Article 218(5) thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2018/1535 of 28 September 2018 on the signing, on behalf of the Union, of the Status Agreement between the European Union and the former Yugoslav Republic of Macedonia on actions carried out by the European Border and Coast Guard Agency in the former Yugoslav Republic of Macedonia**

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 74, points (a) and (b) of Article 77(2), point (e) of Article 78(2), point (c) of Article 79(2), point (d) of Article 82(1), Article 85(1), point (a) of Article 87(2) and Article 88(2), in conjunction with Article 218(5), thereof, the Council has adopted the following legal act:

- **Council Decision (EU) 2018/1549 of 11 October 2018 on the signing, on behalf of the Union, of the Arrangement between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice.**

The measures constitute a development of the Schengen acquis.

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 participate in the Council's adoption of the above legal acts, which are not binding upon or applicable in Denmark (see Article 2 of the Protocol).

In accordance with Article 4 of Protocol No 22 on the position of Denmark, 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 the Treaty on the Functioning of the European Union, whether it will implement the legal acts 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 acts in Danish law, under Article 4 of Protocol No 22 on the position of Denmark.

A copy of this letter has been sent for information to the European Commission, Directorate-General for Home Affairs, and to Director-General Paraskevi Michou.

(Complimentary close).

(s.)

Kim Jørgensen

Ambassador

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