



Council of the
European Union

Brussels, 7 March 2024
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COVER NOTE

From:	Danish delegation
date of receipt:	6 March 2024
To:	General Secretariat of the Council
No. prev. doc.:	11940/23
Subject:	Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania – notification from Denmark

Delegations will find attached the notification from Denmark regarding the above-mentioned Council Decision.

The Ministry of
Immigration and
Integration

Ministry of Foreign Affairs
Asiatisk Plads 2
1448 Copenhagen K

1 March 2023

The Ministry of Immigration and Integration
Division for International Cooperation on Migration
Slotsholmsgade 10
1216 Copenhagen K

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File number 2021 15659
File 2S37165

The Ministry of Immigration and Integration asks the Ministry of Foreign Affairs to provide written notification of the following to the Council, via the Permanent Representation of Denmark to the European Union:

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

Council Decision (EU) 2023/2105 on the signing, on behalf of the Union, of the provisional application of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania

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 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 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 that measure.

On that basis, Denmark hereby gives notice that it has decided to implement the above legal acts in Danish law in accordance with Article 4 of Protocol No 22.

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

The letter to the Council can be sent to:

Council of the European Union
Justice and Home Affairs
Rue de la Loi/Wetstraat 175
B-1048 Bruxelles/Brussel
Director-General, Ms Christine Roger

The letter to the Commission can be sent to:

European Commission
DG HOME
Rue de la Loi/Wetstraat 200
B-1049 Bruxelles/Brussel
(Acting) Director-General, Ms Beate Gminder

The Ministry for Immigration and Integration requests a copy of the Permanent Representation's letter to the Council and the European Commission.

(Complimentary close)
