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#### INFORMATION NOTE

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From:	General Secretariat of the Council
To:	Delegations
Subject:	List of Union acts adopted pursuant to Article 26(1), Article 42 and Articles 43 to 46 of the Treaty on European Union, to be applied to Denmark as from 1 July 2022

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**List of Union acts adopted pursuant to Article 26(1), Article 42 and Articles 43 to 46 of the Treaty on European Union, to be applied to Denmark as from 1 July 2022**

NOTE TO THE READER

This list of Union legal acts has been established for transparency reasons and is published for information purposes only.

Protocol (No 22) on the position of Denmark annexed to the Treaties provides in Article 5, first paragraph, that: "*With regard to measures adopted by the Council pursuant to Article 26(1), Article 42 and Articles 43 to 46 of the Treaty on European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications. Therefore Denmark shall not participate in their adoption. Denmark will not prevent the other Member States from further developing their cooperation in this area. Denmark shall not be obliged to contribute to the financing of operational expenditure arising from such measures, nor to make military capabilities available to the Union*". This Protocol provides in Article 7 that: "*At any time Denmark may, in accordance with its constitutional requirements, inform the other Member States that it no longer wishes to avail itself of all or part of this Protocol. In that event, Denmark will apply in full all relevant measures then in force taken within the framework of the European Union.*"

In accordance with Article 7 of Protocol (22) on the Position of Denmark, by letter of 20 June 2022, Denmark informed the other Member States that it no longer wishes to avail itself of Article 5 of the Protocol as from 1 July 2022.

As a consequence of this information, as from 1 July 2022 the following references shall no longer apply:

- all references to the specific position of Denmark based on Article 5 of the Protocol, in decisions adopted by the Council pursuant to Title V, Chapter 2, TEU;
- all references to the specific position of Denmark based on Article 5 of the Protocol, in decisions adopted by the Political and Security Committee pursuant to Article 38(3) TEU concerning the political control and strategic direction of crisis management operations referred to in Articles 42 and 43 TEU, which have defence implications.

<b>Missions and operations</b>	
<b>Mission</b>	<b>Relevant legal acts</b>
EUTM Mozambique	<p>Council Decision (CFSP) 2021/1143 of 12 July 2021 on a European Union Military Training Mission in Mozambique (EUTM Mozambique)</p> <p>Council Decision (CFSP) 2021/1818 of 15 October 2021 launching the European Union Military Training Mission in Mozambique (EUTM Mozambique)</p>
EUNAVFOR MED IRINI	<p>Council Decision (CFSP) 2020/472 of 31 March 2020 on a European Union military operation in the Mediterranean (EUNAVFOR MED IRINI)</p> <p>Political and Security Committee Decision (CFSP) 2021/1745 of 23 September 2021 on the appointment of the EU Operation Commander for the European Union military operation in the Mediterranean (EUNAVFOR MED IRINI) (EUNAVFOR MED IRINI/3/2021)</p> <p>Political and Security Committee Decision (CFSP) 2022/513 of 29 March 2022 on the appointment of the EU Force Commander for the European Union military operation in the Mediterranean (EUNAVFOR MED IRINI) and repealing Decision (CFSP) 2021/1748 (EUNAVFOR MED IRINI/2/2022)</p>
EUTM RCA	<p>Council Decision (CFSP) 2016/610 of 19 April 2016 on a European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA)</p> <p>Council Decision (CFSP) 2016/1137 of 12 July 2016 on the launch of the European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA)</p> <p>Council Decision (CFSP) 2016/1791 of 12 July 2016 on the signing and conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Central African Republic on the status of the European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA)</p> <p>Political and Security Committee Decision (CFSP) 2022/105 of 19 January 2022 on the appointment of the EU Mission Force Commander of the European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA) and repealing Decision (CFSP) 2021/1435 (EUTM RCA/1/2022)</p>

EUTM Mali	<p>Council Decision 2013/34/CFSP of 17 January 2013 on a European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali)</p> <p>Council Decision 2013/87/CFSP of 18 February 2013 on the launch of a European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali)</p> <p>Council Decision 2013/178/CFSP of 25 February 2013 on the signing and conclusion of the Agreement between the European Union and the Republic of Mali on the status in the Republic of Mali of the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali)</p> <p>Political and Security Committee Decision (CFSP) 2022/657 of 12 April 2022 on the appointment of the EU Mission Force Commander of the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali), and repealing Decision (CFSP) 2021/2209 (EUTM Mali/1/2022)</p>
EUTM Somalia	<p>Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces</p> <p>Council Decision 2010/197/CFSP of 31 March 2010 on the launch of a European Union military mission to contribute to the training of Somali security forces (EUTM Somalia)</p> <p>Council Decision (CFSP) 2021/905 of 3 December 2020 on the signing and conclusion on behalf of the Union of the Agreement between the European Union and the Federal Republic of Somalia on the status of the European Union military mission to contribute to the training of Somali security forces (EUTM Somalia) in the Federal Republic of Somalia</p> <p>Political and Security Committee Decision (CFSP) 2022/170 of 8 February 2022 on the appointment of the EU Mission Force Commander of the European Union military mission to contribute to the training of Somali security forces (EUTM Somalia) and repealing Decision (CFSP) 2020/1072 (EUTM Somalia/1/2022)</p>

EUNAVFOR ATALANTA	<p>Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast</p> <p>Council Decision 2008/918/CFSP of 8 December 2008 on the launch of a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)</p> <p>Council Decision 2009/29/CFSP of 22 December 2008 concerning the conclusion of the Agreement between the European Union and the Somali Republic on the status of the European Union-led naval force in the Somali Republic in the framework of the EU military operation Atalanta</p> <p>Council Decision 2009/88/CFSP of 22 December 2008 concerning the conclusion of the Agreement between the European Union and the Republic of Djibouti on the status of the European Union-led forces in the Republic of Djibouti in the framework of the EU military operation Atalanta</p> <p>Council Decision 2009/293/CFSP of 26 February 2009 concerning the Exchange of Letters between the European Union and the Government of Kenya on the conditions and modalities for the transfer of persons suspected of having committed acts of piracy and detained by the European Union-led naval force (EUNAVFOR), and seized property in the possession of EUNAVFOR, from EUNAVFOR to Kenya and for their treatment after such transfer</p> <p>Council Decision 2009/877/CFSP of 23 October 2009 on the signing and provisional application of the Exchange of Letters between the European Union and the Republic of Seychelles on the conditions and modalities for the transfer of suspected pirates and armed robbers from EUNAVFOR to the Republic of Seychelles and for their treatment after such transfer</p>
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	<p>Council Decision 2009/916/CFSP of 23 October 2009 concerning the signing and conclusion of the Agreement between the European Union and the Republic of Seychelles on the status of the European Union-led force in the Republic of Seychelles in the framework of the EU military operation Atalanta</p> <p>Council Decision 2011/640/CFSP of 12 July 2011 on the signing and conclusion of the Agreement between the European Union and the Republic of Mauritius on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the Republic of Mauritius and on the conditions of suspected pirates after transfer</p> <p>Council Decision 2014/198/CFSP of 10 March 2014 on the signing and conclusion of the Agreement between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the United Republic of Tanzania</p> <p>Political and Security Committee Decision (CFSP) 2021/661 of 20 April 2021 on the appointment of the EU Operation Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2021/87 (ATALANTA/3/2021)</p> <p>Political and Security Committee Decision (CFSP) 2022/217 of 15 February 2022 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2022/41 (ATALANTA/3/2022)</p>
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<p>EUFOR ALTHEA</p>	<p>Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina</p> <p>Council Decision 2004/803/CFSP of 25 November 2004 on the launching of the European Union military operation in Bosnia and Herzegovina</p> <p>Political and Security Committee Decision (CFSP) 2020/1010 of 2 July 2020 on the appointment of the EU Operation Commander for the European Union military operation in Bosnia and Herzegovina and repealing Decision (CFSP) 2019/264 (BiH/29/2020)</p> <p>Political and Security Committee Decision (CFSP) 2022/59 of 10 January 2022 on the appointment of the EU Force Commander for the European Union military operation in Bosnia and Herzegovina and repealing Decision (CFSP) 2021/5 (BiH/32/2022)</p>
<p>Acquisition and Cross-Servicing Agreement between the European Union and the United States of America</p>	<p>Council Decision (CFSP) 2016/2360 of 28 November 2016 on the signing and conclusion of the Acquisition and Cross-Servicing Agreement between the European Union and the United States of America</p>

<b>PESCO<sup>1</sup></b>
Council Decision (CFSP) 2017/2315 of 11 December 2017 establishing permanent structured cooperation (PESCO) and determining the list of participating Member States
<b>European Defence Agency<sup>2</sup></b>
Council Decision (CFSP) 2015/1835 of 12 October 2015 defining the statute, seat and operational rules of the European Defence Agency
<b>European Peace Facility</b>
Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528
<b>European Union Satellite Centre</b>
Council Decision 2014/401/CFSP of 26 June 2014 on the European Union Satellite Centre and repealing Joint Action 2001/555/CFSP on the establishment of a European Union Satellite Centre
<b>Military Planning and Conduct Capability</b>
Council Decision (EU) 2017/971 of 8 June 2017 determining the planning and conduct arrangements for EU non-executive military CSDP missions and amending Decisions 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces, 2013/34/CFSP on a European Union military mission to contribute to the training of the Malian armed forces (EUTM Mali) and (CFSP) 2016/610 on a European Union CSDP military training mission in the Central African Republic (EUTM RCA)

<sup>1</sup> Denmark will be able to notify its intention to participate in PESCO, when the defence opt-out has been abolished. Abolishing the defence opt-out will not automatically result in Danish participation in PESCO.

<sup>2</sup> Denmark may participate in the European Defence Agency, when the defence opt-out has been abolished. Abolishing the defence opt-out will not automatically result in Danish participation in the European Defence Agency.