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European Union

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From:	Permanent Representation of Denmark to the European Union
date of receipt:	18 July 2019
To:	General Secretariat of the Council
No. prev. doc.:	6845/19
Subject:	Council Decision on the signing, on behalf of the Union, of the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro - Notification by Denmark

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

PERMANENT REPRESENTATION OF DENMARK TO THE EUROPEAN UNION
Brussels

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For the attention of: Director-General, Ms Christine Roger

BY HAND

Annex	Reference number	
1	2019-28085	16 July 2019

Notification regarding Council Decision (EU) 2019/453

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) 2019/453 of 19 March 2019 on the signing, on behalf of the Union, of the Status Agreement between the European Union and Montenegro on actions carried out by the European Border and Coast Guard Agency in Montenegro**

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 the legal act 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, under Article 4 of Protocol No 22 on the position of Denmark.

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

(Complimentary close)

Kim Jørgensen
Ambassador, Permanent Representative