Council of the European Union

Brussels, 8 September 2026
(OR. en)

12868/26
ADD 2

Interinstitutional File:
2026/0245 (NLE)

FRONT 160
MIGR 242
VISA 97

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	7 September 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2026) 442 annex
Subject:	ANNEX 2 to the Proposal for a Council decision on the signing and provisional application of the Agreement between the European Union and the Republic of San Marino on several aspects in the field of border management

Delegations will find attached document COM(2026) 442 annex 2.

Encl.: COM(2026) 442 annex 2

EUROPEAN
COMMISSION

Brussels, 7.9.2026
COM(2026) 442 final

ANNEX 2

ANNEX

to the

Proposal for a Council decision

on the signing and provisional application of the Agreement between the European Union and the Republic of San Marino on several aspects in the field of border management

ANNEX 2

Declaration on the Accession of States applying the Schengen *acquis* in full under international law

In order to ensure the coherence and well-functioning of the Schengen area, it should be possible for Denmark and any State that applies the Schengen *acquis* in full on the basis of an agreement providing for its association with the implementation, application and development of the Schengen *acquis* ('Schengen Association Agreement'), who are not subject to this Decision, to accede to the Agreement.

In order to ensure the effective representation of all the Member States that apply the Schengen *acquis* in full under Union law as well as the States that apply the Schengen *acquis* in full under international law and which have acceded to the Agreement ('Schengen States'), there should be regular dialogue and consultation between those States and the Union, including through the exchange of views in the Mixed Committee established pursuant to the Schengen Association Agreements. Within the framework of these consultations, Schengen States may make proposals to ensure that their specific situation and their interests are duly taken into consideration.

The Union and the Schengen States shall also coordinate closely with a view to ensuring that the positions expressed by the Union in the context of exercising rights under the Agreement, including within the Joint Committee and in the application of the provisions on dispute settlement, take due account of the views expressed by the Schengen States.

In the event that a State which has acceded to this Agreement wishes to withdraw from the Agreement, then without prejudice to Protocol 22 or the relevant Schengen Association Agreements, as applicable, the Union and the withdrawing State shall agree on appropriate and proportionate measures to be jointly adopted with the view to preserving the coherence and well-functioning of the Schengen area.