Council of the European Union

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RELEX 922
COAFR 306
COMIX 543

COVER NOTE

From:	Danish delegation
date of receipt:	26 October 2021
To:	General Secretariat of the Council
No. prev. doc.:	11748/21
Subject:	Council implementing Decision on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council with respect to The Gambia - notification from Denmark

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

PERMANENT REPRESENTATION
OF DENMARK TO THE
EUROPEAN UNION

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

BY HAND

Annex | Reference number 2021-34418 | 26 October 2021

Notification regarding Council Decision (EU) 2021/1781

Having regard to the Treaty on the Functioning of the European Union and Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), and in particular Article 25a(5)(a) thereof, the Council has adopted the following Implementing Decision:

- **Council Implementing Decision (EU) 2021/1781 of 7 October 2021 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council with respect to The Gambia**

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 this decision, which is not binding upon or applicable in Denmark (see Article 2 of the Protocol).

The implementing decision constitutes a development of the Schengen acquis.

In accordance with Article 4 of the Protocol, Denmark has to decide, within a period of six months after the Council has decided on a proposal to build upon the Schengen acquis covered by Title V of Part Three of the Treaty on the Functioning of the European Union, whether it will implement this decision 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 implementing decision.

On that basis, Denmark hereby gives notice that it has decided to implement the above implementing decision in Danish law in accordance with Article 4 of the Protocol.

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

(Complimentary close)

Mr Jonas Bering Liisberg
Ambassador, Permanent Representative