Council of the European Union

Brussels, 24 November 2021
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COVER NOTE

From:	Danish delegation
date of receipt:	19 November 2021
To:	General Secretariat of the Council
No. prev. doc.:	8822/1/21 REV 1
Subject:	Council Recommendation amending Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction - notification by Denmark

Delegations will find attached a notification by Denmark regarding the above-mentioned Recommendation.

PERMANENT REPRESENTATION OF DENMARK TO THE EUROPEAN UNION

IM 011561 2021
23.11.2021

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Council of the European Union
Justice and Home Affairs
Rue de la Loi/Wetstraat 175
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For the attention of: Director-General, Ms Christine Roger
BY HAND

Ref. no.
2021-4831

Date
19 November 2021

Notification regarding Council Recommendation (EU) 2021/816

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(b) and (e) and Article 292, first and second sentence, thereof, the Council has adopted the following non-binding legal act:

- COUNCIL RECOMMENDATION (EU) 2021/816 of 20 May 2021 amending Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction

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 (hereinafter: TFEU), Denmark does not take part in the adoption by the Council of proposed measures pursuant to Title V of Part Three TFEU. Denmark therefore did not take part in the adoption of the Recommendation, which is not applicable in Denmark (see Article 2 of the Protocol).

However, the measure constitutes a development of the Schengen acquis, although it is of a non-binding nature.

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 under the provisions of Title V of Part Three TFEU, whether it will implement this

measure. As it is not a binding measure, Denmark's implementation of the Recommendation will not lead to an obligation under international law for Denmark.
The Recommendation will thus have the same status for Denmark as it has for the other Member States. On that basis, Denmark hereby gives notice that it has decided to implement the above measure 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)



Jonas Bering Liisberg
Ambassador, Permanent Representative

ROYAL DANISH EMBASSY
PERMANENT REPRESENTATION OF DENMARK
TO THE EUROPEAN UNION
BRUSSELS

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19 -It- 2021

KONINKLIJKE AMBASSADE VAN DENEMARKEN
DE PERMANENTE VERTEGENWOORDIGING VAN DANEMARK
DENEMARKEN BIJ DE EUROPESE UNIE

ROYAL DANISH EMBASSY
PERMANENT REPRESENTATION OF DENMARK
TO THE EUROPEAN UNION