Council of the European Union

Brussels, 15 November 2024
(OR. en, da)

15774/24

Interinstitutional File: 2023/0235(NLE)

FRONT 305
COWEB 184
MIGR 412

COVER NOTE

From:	Danish delegation
date of receipt:	7 November 2024
To:	General Secretariat of the Council
No. prev. doc.:	11945/23
Subject:	Council Decision on the conclusion of the Agreement between the European Union and the Republic of Albania on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Albania – Notification from Denmark

Delegations will find attached the notification from Denmark regarding the abovementioned Council Decision.

PERMANENT REPRESENTATION OF DENMARK
TO THE EUROPEAN UNION

Council of the European Union
Justice and Home Affairs
Rue de la Loi 175
B-1048 BRUSSELS

Rue d'Arlon/Aarlenstraat 73
B-1040 Bruxelles/Brussel
Tel.: +32 (0)2 233.08.11
E-mail: brurep@um.dk
eu.um.dk

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

BY HAND

Annex	File number	Office	Date
1	23/00855		7 November 2024

Letter to the Commission concerning Council Decision (EU) 2024/1169 of 12 April 2024 on the conclusion of the Agreement between the European Union and the Republic of Albania

Dear Ms Roger,

The Council has adopted the following legal act under the Treaty on the Functioning of the European Union, and in particular Article 77(2), points (b) and (d), and Article 79(2), point (c), in conjunction with Article 218(5) thereof,

> **Council Decision (EU) 2024/1169 of 12 April 2024 on the conclusion of the Agreement** between the European Union and the Republic of Albania on **operational activities carried out by the European** Border and Coast Guard Agency in the Republic of Albania

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 this measure 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 that measure. On that basis, Denmark hereby gives notice that it has decided to implement the above legal acts in Danish law in accordance with Article 4 of Protocol No 22.

(Complimentary close)

Christian Atzen
Counsellor