

Brussels, 19 November 2024  
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**MIGR 416**  
**ASILE 122**  
**FRONT 307**  
**IXIM 233**  
**JAI 1695**  
**COMIX 463**

**COVER NOTE**

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From:	Danish delegation
date of receipt:	18 November 2024
To:	General Secretariat of the Council
No. prev. doc.:	PE-CONS 20/24; PE-CONS 17/24
Subject:	Regulation of the European Parliament and of the Council introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 Regulation of the European Parliament and of the Council establishing a return border procedure, and amending Regulation (EU) 2021/1148 – notification from Denmark

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Delegations will find attached the notification from Denmark regarding the abovementioned Regulations.

IM 12678 2024  
18/11/2024

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

**BY HAND**

Annex	Reference number	Office	Date
2	23/00855		14 November 2024

**Letter to the Council concerning Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 and Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure, and amending Regulation (EU) 2021/1148**

Dear Ms Roger,

The Council has adopted the following legal acts 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) thereof,

- Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817
- Regulation (EU) 2024/1349 of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure, and amending Regulation (EU) 2021/1148

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 measures proposed pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union.

Denmark therefore did not take part in the Council's adoption of the above legal acts, which are not binding upon or applicable in Denmark (see Article 1 of the Protocol).

The legal acts constitute 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 acts 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 measures.

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

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