



Council of the  
European Union

Brussels, 12 April 2023  
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**Interinstitutional File:**  
**2022/0376(NLE)**

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**VISA 64**  
**MIGR 128**  
**RELEX 445**  
**COAFR 129**  
**COMIX 174**

**COVER NOTE**

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From:	Danish delegation
date of receipt:	3 April 2023
To:	General Secretariat of the Council
No. prev. doc.:	15216/22
Subject:	Council Implementing Decision on the application of an increased visa fee with respect to The Gambia – Notification by Denmark

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Council of the European Union  
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**For the attention of: Ms Christine Roger, Director-General**

**BY HAND**

Enclosure	File	Department	Date
1	2022-36382		3 April 2023

**Notification concerning the implementation by Denmark of Council Implementing Decision (EU) 2022/2459**

Dear Ms Roger,

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 point (b) of Article 25a(5) thereof, the Council has adopted the following implementing decision:

- Council Implementing Decision (EU) 2022/2459 of 8 December 2022  
on the application of an increased visa fee 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 under the provisions of Title V of Part Three TFEU, whether it will implement that 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)

**Per Fabricius Andersen**  
Ambassador, Permanent Representative

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