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From:	Danish delegation
date of receipt:	3 February 2020
To:	General Secretariat of the Council
No. prev. doc.:	PE-CONS 33/19
Subject:	Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 – Notification by Denmark

Delegations will find attached the notification from Denmark regarding the above-mentioned Regulation.

THE PERMANENT REPRESENTATION OF DENMARK
to the European Union
Brussels

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Director General, Ms. Christine Roger

BY HAND

Enclosure

Ref. no.
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Date
30 January 2020

Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 74 and Article 79(2) thereof, the European Parliament and the Council have adopted the following measure:

- **Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624**

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

However, the measure 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 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 measure 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).

(s.)

Jonas Bering Liisberg
Ambassador, Permanent Representative
