

No. 30685

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND, BELGIUM, DENMARK,  
FRANCE, GERMANY, GREECE, IRELAND, ITALY,  
LUXEMBOURG, NETHERLANDS, PORTUGAL  
and  
SPAIN**

**Decision constituting an agreement concerning certain problems raised by Denmark on the Treaty on European Union (with conclusions and declarations). Concluded at Edinburgh on 12 December 1992**

*Authentic text: English.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on 18 February 1994*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD, ALLEMAGNE, BELGIQUE,  
DANEMARK, ESPAGNE, FRANCE, GRÈCE,  
IRLANDE, ITALIE, LUXEMBOURG, PAYS-BAS  
et  
PORTUGAL**

**Décision constituant un accord relative à certains problèmes soulevés par le Danemark concernant le Traité sur l'Union européenne (avec conclusions et déclarations). Conclue à Edimbourg le 12 décembre 1992**

*Texte authentique : anglais.*

*Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 18 février 1994.*

[DECISION<sup>1</sup> CONSTITUTING AN AGREEMENT CONCERNING  
CERTAIN PROBLEMS RAISED BY DENMARK ON THE  
TREATY ON EUROPEAN UNION]

CONCLUSIONS OF THE PRESIDENCY

The European Council recalled that the entry into force of the Treaty signed in Maastricht requires ratification by all the twelve Member States in accordance with their respective constitutional requirements, and reaffirmed the importance of concluding the process as soon as possible, without reopening the present text, as foreseen in Article R of the Treaty.

The European Council noted that Denmark has submitted to Member States on 30 October a document entitled "Denmark in Europe", which sets out the following points as being of particular importance:

- the defence policy dimension,
- the third stage of Economic and Monetary Union,
- citizenship of the Union,
- co-operation in the fields of justice and home affairs,
- openness and transparency in the Community's decision making process,
- the effective application of the principle of subsidiarity,
- promotion of co-operation between the Member States to combat unemployment.

Against this background, the European Council has agreed on the following set of arrangements, which are fully compatible with the Treaty, are designed to meet Danish concerns, and therefore apply exclusively to Denmark and not to other existing or acceding Member States:

- (a) Decision concerning certain problems raised by Denmark on the Treaty on European Union<sup>1</sup> (Annex 1). This Decision will take effect on the date of entry into force of the Treaty on European Union;
- (b) The declaration in Annex 2.

The European Council has also taken cognizance of the unilateral declarations in Annex 3, which will be associated with the Danish act of ratification of the Treaty on European Union.

<sup>1</sup>United Nations, *Treaty Series*, vol. 1755 to 1759, No. I-30615.

## ANNEX 1

DECISION<sup>1</sup> OF THE HEADS OF STATE AND GOVERNMENT, MEETING WITHIN THE EUROPEAN COUNCIL, CONCERNING CERTAIN PROBLEMS RAISED BY DENMARK ON THE TREATY ON EUROPEAN UNION

The Heads of State and Government, meeting within the European Council, whose Governments are signatories of the Treaty on European Union, which involves independent and sovereign States having freely decided, in accordance with the existing Treaties, to exercise in common some of their competencies,

- desiring to settle, in conformity with the Treaty on European Union, particular problems existing at the present time specifically for Denmark and raised in its Memorandum “Denmark in Europe” of 30 October 1992,
- having regard to the conclusions of the Edinburgh European Council on subsidiarity and transparency,
- noting the declarations of the Edinburgh European Council relating to Denmark,
- taking cognizance of the unilateral declarations of Denmark made on the same occasion which will be associated with its act of ratification,
- noting that Denmark does not intend to make use of the following provisions in such a way as to prevent closer co-operation and action among Member States compatible with the Treaty and within the framework of the Union and its objectives,

Have agreed on the following decision:

## SECTION A

**Citizenship**

The provisions of Part Two of the Treaty establishing the European Community relating to citizenship of the Union give nationals of the Member States additional rights and protection as specified in that Part. They do not in any way take the place of national citizenship. The question whether an individual possesses the nationality of a Member State will be settled solely by reference to the national law of the Member State concerned.

## SECTION B

**Economic and Monetary Union**

1. The Protocol on certain provisions relating to Denmark attached to the Treaty establishing the European Community gives Denmark the right to notify the Council of the European Communities of its position concerning participation in the third stage of Economic and Monetary Union. Denmark has given notification that it will not participate in the third stage. This notification will take effect upon the coming into effect of this decision.

<sup>1</sup> Came into force on 1 November 1993, the date of entry into force of the Treaty on European Union, in accordance with section E.1.