

UNILATERAL DECLARATIONS OF DENMARK,
TO BE ASSOCIATED TO THE DANISH ACT
OF RATIFICATION OF THE TREATY ON EUROPEAN UNION
AND OF WHICH THE ELEVEN OTHER MEMBER STATES
WILL TAKE COGNIZANCE

DECLARATION ON CITIZENSHIP OF THE UNION

1. Citizenship of the Union is a political and legal concept which is entirely different from the concept of citizenship within the meaning of the Constitution of the Kingdom of Denmark and of the Danish legal system. Nothing in the Treaty on European Union implies or foresees an undertaking to create a citizenship of the Union in the sense of citizenship of a nation-state. The question of Denmark participating in any such development does, therefore, not arise.
2. Citizenship of the Union in no way in itself gives a national of another Member State the right to obtain Danish citizenship or any of the rights, duties, privileges or advantages that are inherent in Danish citizenship by virtue of Denmark's constitutional, legal and administrative rules. Denmark will fully respect all specific rights expressly provided for in the Treaty and applying to nationals of the Member States.
3. Nationals of the other Member States of the European Community enjoy in Denmark the right to vote and to stand as a candidate at municipal elections, foreseen in Article 8b of the European Community Treaty. Denmark intends to introduce legislation granting nationals of the other Member States the right to vote and to stand as a candidate for elections to the European Parliament in good time before the next elections in 1994. Denmark has no intention of accepting that the detailed arrangements foreseen in paragraphs 1 and 2 of this Article could lead to rules detracting from the rights already given in Denmark in that matter.

4. Without prejudice to the other provisions of the Treaty establishing the European Community, Article 8e requires the unanimity of all the Members of the Council of the European Communities, i.e. all Member States, for the adoption of any provision to strengthen or to add to the rights laid down in Part Two of the EC Treaty. Moreover, any unanimous decision of the Council, before coming into force, will have to be adopted in each Member State, in accordance with its constitutional requirements. In Denmark, such adoption will, in the case of a transfer of sovereignty, as defined in the Danish Constitution, require either a majority of 5/6 of Members of the Folketing or both a majority of the Members of the Folketing and a majority of voters in a referendum.

DECLARATION ON COOPERATION IN THE FIELDS OF JUSTICE AND HOME AFFAIRS

Article K 9 of the Treaty on European Union requires the unanimity of all the Members of the Council of the European Union, i.e. all Member States, to the adoption of any decision to apply Article 100 C of the Treaty establishing the European Community to action in areas referred to in Article K 1 (1) to (6). Moreover, any unanimous decision of the Council, before coming into force, will have to be adopted in each Member State, in accordance with its constitutional requirements. In Denmark, such adoption will, in the case of a transfer of sovereignty, as defined in the Danish Constitution, require either a majority of 5/6 of Members of the Folketing or both a majority of the Members of the Folketing and a majority of voters in a referendum.

FINAL DECLARATION

The Decision and Declarations above are a response to the result of the Danish referendum of 2 June 1992 on ratification of the Maastricht Treaty. As far as Denmark is concerned, the objectives of that Treaty in the four areas mentioned in sections A to D of the Decision are to be seen in the light of these documents, which are compatible with the Treaty and do not call its objectives into question.
