EC/Montenegro Stabilisation and Association Agreement

2007/0123(NLE) - 29/03/2010 - Final act

PURPOSE: to conclude a Stabilisation and Association Agreement (SAA) with Montenegro.

LEGISLATIVE ACT: Council and Commission Decision (2010/224/Euratom) on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part.

CONTENT: under this Decision, the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, the Annexes and Protocols annexed thereto, as well as the joint declarations and the declaration by the Community attached to the Final Act, are hereby approved on behalf of the European Union and the European Atomic Energy Community.

Lisbon Treaty: it should be noted that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to “the European Community” in the text of the Agreement are, where appropriate, to be read as “the European Union.”

Main points of the Agreement: the Agreement aims to strengthen cooperation and to stimulate the integration process of Montenegro with the European structures.

The Stabilisation and Association Agreement focuses on the following main elements:

- provision for political dialogue with Montenegro;
- provisions on enhanced regional co-operation, including the perspective of establishing free trade areas between the countries of the region;
- the perspective of the establishment of a free-trade area between the Community and Montenegro within five years of the entry into force of the Agreement;
- provisions on the movement of workers, freedom of establishment, supply of services, current payments and movement of capital;
- the commitment by Montenegro to approximate its legislation to that of the EC, notably in key areas of the internal market;
- provisions on co-operation with Montenegro in a wide range of fields, including justice, freedom and security.
- provision for the establishment of a Stabilisation and Association Council which supervises the implementation of the Agreement, of a Stabilisation and Association Committee and a Stabilisation and Association Parliamentary Committee.

Amongst the **general principles** on which the Agreement is based, on notes in particular:

- a safeguard clause;
- a clause relating to the implementation of international obligations, notably the full cooperation with ICTY;
- a specific clause as regards international and regional peace and stability, the development of good neighbourly relations, human rights and the respect and protection of minorities;
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a clause on the fight against the proliferation of weapons of mass destruction and their means of delivery constitutes an essential element of this Agreement;

- a clause concerning the movement of persons, goods, capital and services as well as the development of projects of common interest, notably those related to border management and combating organised crime, corruption, money laundering, illegal migration and trafficking, including in particular in human beings, small arms and light weapons, as well as illicit drugs.
- a specific clause stating the importance of the fight against terrorism and the implementation of international obligations in this area.

The Agreement makes reference to the European Union's readiness to integrate Montenegro to the fullest possible extent into the political and economic mainstream of Europe and its status as a potential candidate for EU membership and fulfilment of the classic Copenhagen criteria as well as to the successful implementation of this Agreement, notably regarding regional cooperation.

ENTRY INTO FORCE: pending the completion of the procedures necessary for the entry into force of this Agreement, the provisions of certain parts of this Agreement, in particular those relating to the free movement of goods as well as the relevant provisions on transport, are put into effect by means of Interim Agreements between the Community and Montenegro.