EC/Montenegro Stabilisation and Association Agreement: application. Codification

2014/0190(COD) - 25/06/2014 - Legislative proposal

PURPOSE: to codify Council Regulation (EC) No 140/2008 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Montenegro, of the other part, and for applying the Interim Agreement between the European Community, of the one part, and Montenegro, of the other part.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Council Regulation (EC) No 140/2008 has been substantially amended. It is recalled that on 1 April 1987 the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Conclusions of the Presidency of the December 1992 Edinburgh European Council confirmed this, stressing the importance of codification.

The European Parliament, the Council and the Commission agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and rationality, the purpose of this proposal is to **undertake a codification of Council Regulation (EC) No 140/2008** of 19 November 2007 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Montenegro, of the other part, and for applying the Interim Agreement between the European Community, of the one part, and Montenegro, of the other part.

The new proposed Regulation will supersede the various acts incorporated in it; this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

Main provisions codified: the proposal lays down certain procedures for the adoption of detailed rules for the implementation of certain provisions 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 ('SAA'). It stipulates that fishery products originating in Montenegro may be imported into the Union at a reduced customs duty, within the limits of tariff quotas. It is therefore necessary to lay down provisions regulating the management of those tariff quotas.

Tariff quotas: the proposal sets out in particular:

- concessions for fish and fishery products
- certain tariff reductions.

The proposal also lays down conditions as regards the **safeguard clauses for agricultural and fishery products** provided for in the Agreement as well as a general safeguard clause.

The implementation of the bilateral safeguard clauses of the SAA requires uniform conditions for the adoption of safeguard and other measures. Those measures should be adopted in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to exceptional and critical circumstances arising, imperative grounds of urgency so require.

The proposal sets out conditions as regards the administrative cooperation to facilitate the management of the Agreement.

It should be noted that the future Regulation shall repeal Regulation (EC) No 140/2008.