EU/Kosovo Stabilisation and Association Agreement

2015/0094(NLE) - 09/10/2015 - Legislative proposal

PURPOSE: to conclude a Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and of Kosovo, of the other part.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

CONTENT: under this proposal, the Council is invited to approve, the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, and Kosovo, on behalf of the Union for the parts falling under the TEU and the Treaty on the Functioning of the European Union.

Legal basis: the 'First agreement on principles governing the normalisation of relations' was reached on 19 April 2013 in the framework of the EU-facilitated dialogue.

It provides for the establishment of an association between the Union and Kosovo involving reciprocal rights and obligations, common actions and special procedure.

It also contains provisions falling within the scope of Chapter 2 of Title V of the Treaty on European Union (TEU) concerning the Common Foreign and Security Policy of the Union.

The decision to conclude the Agreement should therefore be **based on the legal basis providing for the establishment of an association** allowing the Union to enter into commitments in all areas covered by the Treaties and on the legal basis for agreements in areas covered by Chapter 2 of Title V of the TEU.

This is an EU-only agreement.

The commitments and cooperation to be entered into by the Union under this Agreement relate only to the areas covered by the EU acquis or existing Union policies.

Main objectives of the Agreement: the Agreement provides for wide-ranging cooperation in various policy areas, including in justice and home affairs (*for details of these objectives, please refer to the summary of the initial legislative proposal dated from 30/04/2015*).

Overall, the cooperation is underpinned by EU financial and technical assistance, which provides Kosovo with the necessary support and assistance in the implementation of certain aspects of the agreement.

Recognition of Kosovo's international status: it is important to note that the conclusion of the future agreement is without prejudice to Member States' position on the status of Kosovo, which will be decided in accordance with their national practice and international law.

None of the terms, wording or definitions used in this proposal and the attached text of the Agreement, nor any recourse to all the necessary legal bases for the conclusion of the Agreement constitute recognition of Kosovo by the Union as an independent State nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step.