EU/Kosovo Framework Agreement: participation of Kosovo in Union programmes

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PURPOSE : to conclude a Framework Agreement between the European Union and Kosovo, establishing the general principles for the participation of Kosovo in Union programmes.

PROPOSED ACT : Council Decision.

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

BACKGROUND : in its 2009 Communication 'Kosovo – Fulfilling its European Perspective' the European Commission recommended examining the possibility of a Framework Agreement with Kosovo on the general principles of the latter's participation in Union programmes, and on this basis preparing negotiating directives.

The Council adopted the proposal for negotiating directives on 22 October 2012 and welcomed the Commission's on-going efforts to negotiate a Framework Agreement with Kosovo concerning its participation in Union programmes.

Kosovo confirmed its agreement with the draft Framework Agreement in writing on 16 January 2013.

It is now necessary to conclude the Agreement.

IMPACT ASSESSMENT : no impact assessment was undertaken.

LEGAL BASIS : Article 212, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT : the proposal states that Kosovo should be eligible to participate in the following Union programmes:

- existing Union programmes which are listed in the Annex of the Framework Agreement and their successor programmes, which are open to candidate countries and potential candidate countries benefiting from the pre-accession strategy for the Western Balkans, in accordance with the provisions of these programmes, once the Framework Agreement enters into force;
- Union programmes established or renewed after the entry into force of the Agreement and which contain an opening clause that provides for the participation of Kosovo.

The draft agreement contains provisions regarding the terms and conditions specifically applicable to the participation of Kosovo in each programme, particularly with regard to its financial contribution to the EU budget.

It also provides that Kosovo's representatives should be allowed to take part, as observers and for the points that concern Kosovo, in the management committees responsible for monitoring the programmes to which Kosovo contributes financially.

Duration of the agreement: the Agreement should apply for an indeterminate period.

BUDGETARY IMPLICATIONS : the proposal has no implications for the EU budget. Kosovo must **make a financial contribution to the Union budget** to the extent that it participates in the programmes listed in the Annex. In order to finance its participation, Kosovo may apply for assistance on the basis of the Instrument for Pre-Accession Assistance.