Basic information

2007/0255(NLE) NLE - Non-legislative enactments Decision	Procedure lapsed or withdrawn
EC/Serbia agreement: Stabilisation and Association Agreement **Subject** 6.40.03 Relations with South-East Europe and the Balkans 6.40.15 European neighbourhood policy **Geographical area** Serbia, from 06/2006	

Key players

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	General Affairs	2864	2008-04-29
	General Affairs	3040	2010-10-25
	General Affairs	2889	2008-09-15
European Commission	**Commission DG**		**Commissioner**
	Neighbourhood and Enlargement Negotiations		FÜLE Štefan

Key events

Date	Event	Reference	Summary
20/11/2007	Preparatory document	COM(2007)0743	Summary
29/04/2008	Resolution/conclusions adopted by Council		
15/09/2008	Debate in Council		
02/12/2009	Additional information		Summary
12/10/2010	Legislative proposal published	15619/2007	Summary
25/10/2010	Debate in Council		Summary
10/11/2010	Committee referral announced in Parliament		
01/12/2010	Vote in committee		Summary
08/12/2010	Committee report tabled for plenary, 1st reading/single reading	A7-0362/2010	
18/01/2011	Debate in Parliament		
19/01/2011	Decision by Parliament	T7-0015/2011	Summary
19/01/2011	Results of vote in Parliament		

26/04/2012	Proposal withdrawn by Commission		

Technical information

Procedure reference	2007/0255(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 217
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	AFET/7/00096

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE450.753	08/11/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0362/2010	08/12/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0015/2011	19/01/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	16005/2007	22/01/2008	
Legislative proposal	15619/2007	12/10/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2007)0743	20/11/2007	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

EC/Serbia agreement: Stabilisation and Association Agreement

2007/0255(NLE) - 25/10/2010

The Council adopted the following conclusions :

In December 2009, President Mr Boris Tadic presented the application of the Republic of Serbia for membership of the European Union. The Council decided to implement the procedure laid down in Article 49 of the Treaty on the European Union. Accordingly, the Commission is invited to submit its opinion.

Recalling the renewed consensus on enlargement as expressed in the conclusions of the European Council of 14/15 December 2006, the Council reaffirms that the future of the Western Balkans lies in the European Union. It reiterates that each country's progress towards the European Union depends on its individual efforts to comply with the Copenhagen criteria and the conditionality of the Stabilisation and Association Process.

The Council reiterates that a constructive approach towards regional cooperation is essential.

It also calls for progress in the process of dialogue between Belgrade and Pristina, under the facilitation of the EU and its High Representative for Foreign Affairs and Security Policy, welcomed in the United Nations General Assembly resolution of 9 September 2010 as a factor for peace, security and stability in the region.

It recalls that Serbia’s full cooperation with ICTY is already required by the Stabilisation and Association Agreement, as well as by the Interim Agreement. In line with the political criteria of Copenhagen full cooperation with ICTY is an essential condition for membership of the EU. In the context of Serbia’s application for membership of the European Union, the EU underlines that at each stage of Serbia’s path towards EU accession, further steps will be taken when the Council unanimously decides that full co-operation with the ICTY exists or continues to exist. In this context, the Council will closely monitor the progress reports by the Office of the Prosecutor. The EU and its Member States recall their readiness to assist Serbia in this respect.

The Council calls upon Serbia to implement recommendations presented by the ICTY Office of the Prosecutor to the United Nations Security Council in June 2010 concerning Serbia’s support in ongoing trials and appeals and Serbia’s assistance in the key matter of the arrest of the two remaining fugitives, Ratko Mladic and Goran Hadzic, which would be the most convincing proof of Serbia's efforts and cooperation with the ICTY.

EC/Serbia agreement: Stabilisation and Association Agreement

2007/0255(NLE) - 20/11/2007 - Preparatory document

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

PROPOSED ACT: Commission and Council Decision.

BACKGROUND: in April 2005, the Commission presented its Feasibility Report on an SAA with Serbia and Montenegro. It concluded that Serbia and Montenegro was sufficiently prepared to negotiate an SAA. The Council decided on 3 October 2005 to authorise the Commission to negotiate a Stabilisation and Association Agreement with Serbia and Montenegro. The negotiation for a Stabilisation and Association Agreement with Serbia and Montenegro was launched on 10 October 2005.

As Serbia did not fulfil the conditionality set in the Council Conclusion of 3 October 2005, to fully cooperate with the International Criminal Tribunal for the former Yugoslavia (ICTY), the Commission decided on 3 May 2006 to **call off** the SAA negotiations

Following a referendum in May 2006, the Montenegrin Parliament adopted on 3 June 2006 a Declaration of Independence and the Republic of Montenegro withdrew from the State Union of Serbia and Montenegro. Consequently, amended Negotiating Directives for Serbia were adopted on 24 July 2006

The improvements in the cooperation with the ICTY that the new Serbian Government was able to demonstrate in May and June 2007 enabled the Commission to resume negotiations on 13 June. These negotiations were finished on 10 September 2007 and after consultations with the EU Member States, the Stabilisation and Association Agreement was initialled on 7 November 2007.

The final decision to sign the SAA remains subject to Serbia meeting the political conditionality established when the Council adopted the negotiating Directives – the full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY).

The present proposal does not prejudge the assessment of Serbia's compliance with its obligations in this regard.

At the adoption of the negotiating Directives in October 2005, the Commission and the Council jointly declared that before the final decision can be taken:

1. the Commission will report on the political conditionality to the Council and that;

2. the Council and Commission will jointly review the progress made by Serbia.

Consequently, the Commission will, in due time and in line with the joint declaration, report to the Council and will jointly review progress with the Council before the final decision can be taken to sign the SAA with Serbia.

CONTENT: the Stabilisation and Association Agreement is in line with those already concluded or proposed with Croatia (AVC/2001/0149); the former Yugoslav Republic of Macedonia (AVC/2001/0049); Albania (AVC/2006/0044); and recently Montenegro (AVC/2007/0123). It focuses on the following main elements:

- provision for political dialogue with Serbia;
- 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 Serbia within 5 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 Serbia to approximate its legislation to that of the EC, notably in key areas of the internal market;
- provisions on co-operation with Serbia 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.

It should be noted that this proposal states that the commercial provisions contained in this agreement are of an exceptional nature, connected with the policy implemented within the framework of the stabilisation and association process and will not constitute, for the European Union, any precedent in the commercial policy of the Community with regard to third countries other than those of the Western Balkans.

As a prerequisite for the entry into force of the Agreement, the European Parliament must give its assent and it should be ratified by all Member States.

The procedures for the signature and the conclusion of the Agreement are different for the two European Communities: (the European Community and the European Atomic Energy Community):

a) as regards signature, the first indent, first sentence of Article 300 (2) of the EC Treaty provides for a separate Council Decision concerning the signing of the Agreement on behalf of the European Community; similar acts are not required under the EAEC Treaty;

b) as regards conclusion of the Agreement:

- the Council concludes the Agreement on behalf of the European Community, after having received the assent of the European Parliament, by virtue of Article 310 of the Treaty;

- the Council approves the Agreement on behalf of the European Atomic Energy Community by virtue of the second paragraph of Article 101 of the EAEC Treaty and the Agreement is then concluded by the Commission.

The Commission requests the Council to decide, as soon as the Council and Commission reach a positive joint review of the political conditionality to sign the Agreement on behalf of the European Community; to conclude the Agreement on behalf of the European Community and to give its approval for conclusion by Euratom.

EC/Serbia agreement: Stabilisation and Association Agreement

2007/0255(NLE) - 19/01/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution in which its gives its consent to the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part.

It should be noted that the Parliament expressed its position on the conclusion of this Agreement in a joint resolution adopted on the same day (see RSP/2010/2980).

EC/Serbia agreement: Stabilisation and Association Agreement

2007/0255(NLE) - 12/10/2010 - Legislative proposal

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

PROPOSED ACT: Council and Commission Decision.

BACKGROUND: the SAA between European Communities and their Member States, of the one part, and Serbia of the other part was been signed on behalf of the European Community in 2007, subject to its conclusion at a later date.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 310 in conjunction with Article 300(2), first subparagraph, last sentence and Article 300(3), second subparagraph of the Treaty establishing the European Community and the second paragraph of Article 101 of the Treaty establishing the European Atomic Energy Community.

CONTENT: under this proposed Decision, the SAA with Serbia is hereby approved on behalf of the European Community and the European Atomic Energy Community.

Institutional measures are laid down as regards the position to be taken by the Community within the Stabilisation and Association Council and within the Stabilisation and Association Committee.

The commercial provisions contained in this Agreement are of an exceptional nature, connected with the policy implemented within the framework of the stabilisation and association process and will not constitute, for the European Union, any precedent in the commercial policy of the Community with regard to third countries other than those of the Western Balkans.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.