Basic information

2011/0465(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement **Subject** 6.20.03 Bilateral economic and trade agreements and relations 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

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	WINKLER Iuliu (PPE)	12/02/2014
	Shadow rapporteur KOPPA Maria Eleni (S&D) KAZAK Metin (ALDE) ANDERSDOTTER Amelia (Verts/ALE) CAMPBELL BANNERMAN David (ECR) RANSDORF Miloslav (GUE/NGL)	

Former committee responsible	Former rapporteur	Appointed
INTA International Trade	WINKLER Iuliu (PPE)	29/02/2012

Former committee for opinion	Former rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	

	AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	
	PECH Fisheries	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3290	2014-01-28

European Commission

Commission DG	Commissioner
Neighbourhood and Enlargement Negotiations	FÜLE Štefan

Key events

Date	Event	Reference	Summary
10/01/2012	Legislative proposal published	COM(2011)0938	Summary
02/02/2012	Committee referral announced in Parliament, 1st reading		
18/09/2012	Vote in committee, 1st reading		
19/09/2012	Committee report tabled for plenary, 1st reading	A7-0273/2012	Summary
25/10/2012	Decision by Parliament, 1st reading	T7-0389/2012	Summary
28/01/2014	Council position published	17930/1/2013	Summary
06/02/2014	Committee referral announced in Parliament, 2nd reading		
13/02/2014	Vote in committee, 2nd reading		
17/02/2014	Committee recommendation tabled for plenary, 2nd reading	A7-0116/2014	Summary
11/03/2014	Decision by Parliament, 2nd reading	T7-0188/2014	Summary
11/03/2014	Results of vote in Parliament		
11/03/2014	Final act signed		
11/03/2014	End of procedure in Parliament		
05/04/2014	Final act published in Official Journal		

Technical information

Procedure reference	2011/0465(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation

Legal basis	Treaty on the Functioning of the European Union TFEU 207
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/15169

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE489.383	07/05/2012	
Amendments tabled in committee		PE494.590	26/07/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0273/2012	19/09/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0389/2012	25/10/2012	Summary
Committee draft report		PE528.140	04/02/2014	
Committee recommendation tabled for plenary, 2nd reading		A7-0116/2014	17/02/2014	Summary
Text adopted by Parliament, 2nd reading		T7-0188/2014	11/03/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	17930/1/2013	28/01/2014	Summary
Draft final act	00052/2014/LEX	11/03/2014	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2011)0938	10/01/2012	Summary
Commission communication on Council's position	COM(2014)0058	31/01/2014	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Regulation 2014/0332
OJ L 103 05.04.2014, p. 0010

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 25/10/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 514 votes to 14, with 9 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council concerning certain procedures for applying 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, and for applying the Interim Agreement between the European Community, of the one part, and the Republic of Serbia, of the other part.

Parliament's position adopted at first reading in accordance with the ordinary legislative procedure, modifies the Commission's proposal as follows:

Implementing acts: Parliament asks that the Commission should be able to adopt as rapidly as possible immediately applicable implementing acts on duly justified imperative grounds of urgency (e.g. in the event of exceptional and critical circumstances) by means of the **advisory procedure** (and not the examination procedure, as provided for in the proposal), given the effects of these measures and their sequential logic in relation to the adoption of definitive measures. Where a delay in the imposition of measures would cause damage which would be difficult to repair it is necessary to allow the Commission to adopt immediately applicable provisional measures.

Written procedure: in accordance with Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, written procedure may be used in certain simple cases. This Regulation lays down that, except if otherwise provided, the written procedure may not be applied if a Member State objects. In line with the Trade Omnibus I and II reports, Parliament proposes that the written procedure is to be terminated without result **only if a qualified majority of Member States calls for this**.

Review: lastly, Parliament calls for provisions to be laid down regulating the management and **review** of these tariff quotas in order to allow for their thorough assessment.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 17/02/2014 - Committee recommendation tabled for plenary, 2nd reading

The Committee on International Trade adopted the recommendation for a second reading contained in the report by Iuliu WINKLER (EPP, RO) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on certain procedures for applying 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.

Bearing in mind the outcome of negotiations with Council, the Chairman of the Committee undertook in his letter of December 2013 to recommend that the plenary approve Council's position at first reading without amendment. Accordingly, Members propose that Parliament approve without amendment the Council position in first reading.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 11/03/2014 - Text adopted by Parliament, 2nd reading

The European Parliament approved the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on certain procedures for applying 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.

Parliament approved the Council position at first reading.

It should be noted that a proposal to reject the Council position presented by the EFD group was rejected in plenary.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 31/01/2014 - Commission communication on Council's position

In its opinion on the position of the Council on the adoption of a Regulation of the European Parliament and of the Council concerning certain procedures for applying 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, **the Commission stated that accepts the amendments introduced by the Council to its proposal**.

To recall, in July 2013, a compromise was found on the new comitology rules in the Trade Omnibus I package. The text of the proposal was amended in order to incorporate the revised comitology rules agreed under the Trade Omnibus I package on similar regulations. Furthermore, the proposal was also amended in order to take into account the fact that the Interim Agreement ceased to exist when the Stabilisation and Association Agreement entered into force on 1 September 2013.

Lastly, a provision on retroactive application of Articles 2, 3 and 4 of the Regulation was agreed in order to apply these provisions from 1 February 2010.

At an informal trilogue on 26 November 2013, a provisional agreement on this revised proposal was reached.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 28/01/2014 - Council position

The Council's Position at first reading reflects the compromise reached in negotiations between the Council and the European Parliament. This compromise was endorsed through the adoption of a political agreement by Coreper on 15 January 2014 and by the Council on 20 January 2014. On 18 December 2013, the Chair of that Committee addressed a letter to the Presidency indicating that, should the Council transmit formally to the Parliament its position in the form that it was presented in the Annex to that letter, the Chair would recommend to the Plenary to accept the Council's position without amendment.

The amendments of the Council mainly reflect the need to ensure consistency with the equivalent Western Balkan regulations as amended by the Trade Omnibus I-package.

Moreover, references to the Interim Agreement were removed where appropriate. **The European Parliament could accept these changes**. They refer to:

- **Comitology**: the examination procedure was provided for throughout, to be consistent with the equivalent Western Balkan regulations. The European Parliament's amendment, according to which a written procedure could be terminated without result upon decision by the Chair of the relevant Committee or a majority of Committee members, was not retained as it was not consistent with the equivalent Western Balkan regulations.
- **Interim Agreement**: it is provided that Articles 2, 3 and 4 of the Regulation apply from the date of entry into force of the Interim Agreement in order to ensure the effective application and management of tariff quotas granted under the Interim Agreement and the SAA, as well as to ensure legal certainty and equal treatment with regard to the levying of duties.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 11/03/2014 - Final act

PURPOSE: provide for certain procedures for applying the Stabilisation and Association Agreement between the European Union and Serbia.

LEGISLATIVE ACT: Regulation (EU) No 332/2014 of the European Parliament and of the Council on certain procedures for applying 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

BACKGROUND: a Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, was signed in Luxemburg on 29 April 2008.

This Agreement will enter into force when the Parties notify each other that their respective ratification procedures have been completed. The Interim Agreement (IA) between the same parties, signed on the same date to allow the early application of trade and trade-related provisions of the Stabilisation and Association Agreement (SAA), entered into force on 1 February 2010.

Accordingly, it is necessary to lay down rules for the implementation of certain provisions of the Interim Agreement, as well as the procedures for the adoption of detailed rules of implementation.

CONTENT: the Regulation lays down the rules and procedures for the adoption of detailed rules for the implementation of certain provisions of the Stabilisation and Association Agreement as well as of the Interim Agreement (IA) between the EU and Serbia.

Scope of the application measures: the SAA and the IA stipulate that **certain agricultural and fishery products originating in Serbia** may be imported into the Union at a reduced customs duty, within the limits of tariff quotas. The Regulation lays down provisions regulating the management of these tariff quotas.

Implementation powers: in order to ensure uniform conditions for the implementation of the Interim Agreement and the SAA, implementing powers are conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council and in accordance with the **examination procedure**.

Safeguard clause for agricultural and fishery products: the SAA stipulates that certain agricultural and fishery products originating in Serbia 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 and review of those tariff quotas in order to allow for their thorough assessment. The **Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures** by means of implementing acts adopted in accordance with the examination procedure. On duly justified imperative grounds of urgency, the Commission shall adopt **immediately** applicable implementing acts.

The Regulation also provides for surveillance measures.

Other technical provisions relating to the implementation of trade defence measures: where trade defence measures become necessary, they should be adopted in accordance with Council Regulation (EC) No 260/2009 on the common rules for imports, Council Regulation (EC) No 1225/2009 on protection against dumped imports from countries not members of the European Community or, as the case may be, Council Regulation (EC) No 597 /2009 on protection against subsidised imports from countries not members of the European Community.

Notification of fraud and failure to provide administrative cooperation: where a Member State provides information to the Commission on a possible fraud or failure to provide administrative cooperation, the relevant community legislation shall apply, in particular Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters.

ENTRY INTO FORCE: 25.04.2014. However, the Regulation applies retroactively from 1 September 2013 except for certain measures which apply from 1 February 2010.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 10/01/2012 - Legislative proposal

PURPOSE: provide for certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Serbia, of the other part, and for applying the Interim Agreement between these same parties.

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

BACKGROUND: a Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, was signed in Luxemburg on 29 April 2008. It will enter into force when the Parties notify each other that their respective ratification procedures have been completed.

The Interim Agreement (IA) between the same parties, signed on the same date to allow the early application of trade and trade-related provisions of the Stabilisation and Association Agreement (SAA), entered into force on 1 February 2010.

With the aim of the correct and smooth application of the IA, an Implementing Regulation is proposed, to lay down rules and procedures for the adoption of detailed rules for the implementation of certain provisions of these Agreements, as has been done for previous SAAs and Interim Agreements.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the aim of this proposal is to lay down rules for the implementation of certain provisions of the Interim Agreement, as well as the procedures for the adoption of detailed rules of implementation. Since the trade and trade-related provisions of these instruments are to a very large extent identical, this Regulation should also apply to the implementation of the SAA after its entry into force.

Scope of the application measures: the SAA and the IA stipulate that **certain agricultural and fishery products originating in Serbia** may be imported into the Union at a reduced customs duty, within the limits of tariff quotas. This proposal lays down provisions regulating the management of these tariff quotas.

Implementation powers: in order to ensure uniform conditions for the implementation of the Interim Agreement and the SAA, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. Given that the implementing measures form part of the common commercial policy, the examination procedure should be used for their adoption. In certain circumstances defined in the proposal, the Commission should adopt immediately such implementing acts.

Other technical provisions relating to the implementation of trade defence measures:

Where trade defence measures become necessary, they should be adopted in accordance with Council Regulation (EC) No 260/2009 on the common rules for imports, Council Regulation (EC) No 1061/2009 establishing common rules for exports, Council Regulation (EC) No 1225/2009 on protection against dumped imports from countries not members of the European Community or, as the case may be, Council Regulation (EC) No 597/2009 on protection against subsidised imports from countries not members of the European Community.

Notification of fraud and failure to provide administrative cooperation: where a Member State provides information to the Commission on a possible fraud or failure to provide administrative cooperation, the relevant community legislation shall apply, in particular Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters.

BUDGETARY IMPACT: the proposal has no impact on the EU's budget.

EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement

2011/0465(COD) - 19/09/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report by Iuliu WINKLER (EPP, RO) on the proposal for a regulation of the European Parliament and of the Council concerning certain procedures for applying 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, and for applying the Interim Agreement between the European Community, of the one part, and the Republic of Serbia, of the other part.

The parliamentary committee recommends that the European Parliament's position is adopted at first reading according to the ordinary legislative procedure. It amends the Commission's proposal as follows:

Implementing acts: Members ask that the Commission should be able to adopt as rapidly as possible immediately applicable implementing acts on duly justified imperative grounds of urgency (e.g. in the event of exceptional and critical circumstances) **by means of the advisory procedure** (and not the examination procedure, as provided for in the proposal), given the effects of these measures and their sequential logic in relation to the adoption of definitive measures. Where a delay in the imposition of measures would cause damage which would be difficult to repair it is necessary to allow the Commission to adopt immediately applicable provisional measures.

Written procedure: in accordance with Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers, written procedure may be used I certain simple cases. This Regulation lays down that, except if otherwise provided, the written procedure may not be applied if a Member State objects. In line with the Trade Omnibus I and II reports, Members propose that the written procedure is to be terminated without result **only if a qualified majority of Member States calls for this**.

Review: lastly, Members call for provisions to be laid down regulating the management and **review** of these tariff quotas in order to allow for their thorough assessment.