

Basic information

2015/0094(NLE)

NLE - Non-legislative enactments

EU/Kosovo Stabilisation and Association Agreement

See also [2016/0218\(COD\)](#)

Subject

6.20.03 Bilateral economic and trade agreements and relations

6.40.03 Relations with South-East Europe and the Balkans

Geographical area

Kosovo under UNSCR 1244/1999

Procedure completed

Key players

| | | | |
|---------------------|---------------------------------|---|------------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AFET Foreign Affairs | LUNACEK Ulrike (Verts/ALE) | 05/11/2015 |
| | | Shadow rapporteur MCALLISTER David (PPE) ADAKTUSSON Lars (PPE) FAJON Tanja (S&D) PANZERI Pier Antonio (S&D) DZHAMBAZKI Angel (ECR) TANNOCK Timothy Charles Ayrton (ECR) VAJGL Ivo (ALDE) VAUTMANS Hilde (ALDE) COUSO PERMUY Javier (GUE/NGL) RANSDORF Miloslav (GUE/NGL) ŠOLTES Igor (Verts/ALE) CASTALDO Fabio Massimo (EFDD) | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | INTA International Trade | SZEJNFELD Adam (PPE) | 21/09/2015 |

| | | | |
|-------------------------------|--|-----------------|---------------------|
| Council of the European Union | Council configuration | Meetings | Date |
| | Economic and Financial Affairs ECOFIN | 3445 | 2016-02-12 |
| European Commission | Commission DG | | Commissioner |
| | Neighbourhood and Enlargement Negotiations | | HAHN Johannes |

| Key events | | | |
|------------|---|--|---------|
| Date | Event | Reference | Summary |
| 30/04/2015 | Preparatory document | COM(2015)0181  | Summary |
| 09/10/2015 | Legislative proposal published | 10725/2/2015 | Summary |
| 11/11/2015 | Committee referral announced in Parliament | | |
| 14/12/2015 | Vote in committee | | |
| 21/12/2015 | Committee report tabled for plenary, 1st reading/single reading | A8-0372/2015 | Summary |
| 20/01/2016 | Debate in Parliament |  | |
| 21/01/2016 | Decision by Parliament | T8-0017/2016 | Summary |
| 21/01/2016 | Results of vote in Parliament |  | |
| 12/02/2016 | Act adopted by Council after consultation of Parliament | | |
| 12/02/2016 | End of procedure in Parliament | | |
| 16/03/2016 | Final act published in Official Journal | | |

| Technical information | |
|-----------------------------------|---|
| Procedure reference | 2015/0094(NLE) |
| Procedure type | NLE - Non-legislative enactments |
| Procedure subtype | Consent by Parliament |
| Amendments and repeals | See also 2016/0218(COD) |
| Legal basis | Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 218-p8-a2 Treaty on the Functioning of the European Union TFEU 217 Treaty on the Functioning of the European Union TFEU 218-p7 |
| Other legal basis | Rules of Procedure EP 165 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | AFET/8/03911 |

[Documentation gateway](#)

European Parliament

| Document type | Committee | Reference | Date | Summary |
|---|----------------------|------------------------------|------------|-------------------------|
| Committee draft report | | PE571.603 | 05/11/2015 | |
| Committee opinion | INTA | PE569.826 | 10/12/2015 | |
| Committee report tabled for plenary, 1st reading/single reading | | A8-0372/2015 | 21/12/2015 | Summary |
| Text adopted by Parliament, 1st reading/single reading | | T8-0017/2016 | 21/01/2016 | Summary |

Council of the EU

| Document type | Reference | Date | Summary |
|------------------------------------|------------------------------|------------|-------------------------|
| Document attached to the procedure | 10728/1/2015 | 02/10/2015 | |
| Legislative proposal | 10725/2/2015 | 09/10/2015 | Summary |

European Commission

| Document type | Reference | Date | Summary |
|------------------------------------|--|------------|-------------------------|
| Preparatory document | COM(2015)0181  | 30/04/2015 | Summary |
| Document attached to the procedure | COM(2015)0183 | 30/04/2015 | |

Additional information

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

Final act

| | |
|--|-------------------------|
| Decision 2016/0342 OJ L 071 16.03.2016, p. 0001 | Summary |
|--|-------------------------|

Delegated acts

| Reference | Subject |
|--------------------------------|------------------------------|
| 2017/2719(DEA) | Examination of delegated act |

EU/Kosovo Stabilisation and Association Agreement

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.

BACKGROUND: in June 2013, the Council authorised the Commission to open negotiations with Kosovo on an EU-only Stabilisation and Association Agreement and adopted negotiating directives. The negotiations resulted in the initialling of the draft text of the agreement on 25 July 2014 which is the subject of this proposal.

CONTENT: in this proposal, the Council is called upon to adopt the 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, on behalf of the European Union, for the parts falling under the Treaty on European Union and the Treaty on the Functioning of the European Union.

Characteristics of the agreement: the Agreement is based on similar agreement signed with countries in the region, while taking into account that this is an EU-only agreement, as well as Kosovo's particular situation.

Legal basis: a 'First agreement on principles governing the normalisation of relations' was reached on 19 April 2013 in the framework of the EU-facilitated dialogue. The Agreement as signed provides for the establishment of an association between the EU and Kosovo involving reciprocal rights and obligations, common actions and special procedure. The decision to conclude this 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.

Main objectives of the Agreement: the Stabilisation and Association Agreement with Kosovo provides for wide-ranging cooperation:

- **political dialogue:** the agreement provides for a framework for political dialogue with Kosovo, both at a bilateral and regional level. It promotes regional cooperation and **Kosovo makes a strong commitment in the agreement to the normalisation of relations with Serbia;**
- **trade cooperation:** the deepening of economic and trade relations is one of the main goals of the agreement. The agreement sets out the perspective of establishing a **free trade area** covering goods and services, consistent with the relevant WTO principles, after a transitional period in specific areas. The length of the transitional period was established during the negotiations in light of the state of preparation of Kosovo.
- **internal market:** the agreement also includes provisions on establishment, supply of services, current payments and movement of capital. It includes the commitment by Kosovo to progressively harmonise its legislation with that of the EU, notably in key areas of the internal market. It establishes relations covering almost all areas of EU interest, including justice and home affairs, which is limited to technical, financial and economic aspects.

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.

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.

EU/Kosovo Stabilisation and Association Agreement

2015/0094(NLE) - 12/02/2016 - Final act

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.

NON-LEGISLATIVE ACT: Council Decision (EU) 2016/342 on the conclusion, on behalf of the Union, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part.

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

The Agreement was signed on behalf of the Union on 22 October 2015 subject to its conclusion at a later date.

It seeks to **strengthen the strong links and establish a close and lasting relationship based on reciprocity and mutual interest**, which should allow Kosovo to further strengthen and extend its relations with the Union

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

The aims of this association are:

- to support the efforts of Kosovo to **strengthen democracy** and the rule of law; respect for the democratic principles and human rights, international law principles, including full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) shall form the basis of the policies of the EU and of Kosovo and constitute essential elements of this Agreement;
- to contribute to **political, economic and institutional stability** in Kosovo, as well as to the stabilisation of the region;
- to provide an appropriate framework for **political dialogue**, allowing the development of close political relations between the Parties;
- to support the efforts of Kosovo to develop its **economic and international cooperation**, should objective circumstances so permit, including through the approximation of its legislation to that of the EU;
- to support the efforts of Kosovo to complete the **transition into a functioning market economy**;
- to promote harmonious economic relations and **gradually develop a free trade area** between the EU and Kosovo over a period lasting a maximum of 10 years starting from the entry into force of this Agreement in accordance with this Agreement and in conformity with the GATT 1994 and the provisions contained in the relevant WTO agreements;
- to foster **regional cooperation** in all the fields covered by this Agreement.

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. In addition, **none of the terms**, wording or definitions used in this Decision 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 previously taken such a step.

ENTRY INTO FORCE: 12.2.2016.

EU/Kosovo Stabilisation and Association Agreement

2015/0094(NLE) - 21/12/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted the report by Ulrike LUNACEK (Greens/EFA, AT) on the draft Council decision on the conclusion, on behalf of the Union, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part.

Member called on the Parliament to give its consent to the conclusion of the agreement which seeks to establish contractual relations which provides for enhanced political dialogue, closer trade integration and new forms of cooperation. This Agreement also includes provisions aiming to establish a free trade area.

The Agreement is a **very important first formal step towards the EU accession process** and the **European integration path on the Republic of Kosovo**.

EU/Kosovo Stabilisation and Association Agreement

2015/0094(NLE) - 21/01/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 468 votes to 102, with 81 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part.

Parliament gave its consent to the conclusion of the Agreement.

EU/Kosovo Stabilisation and Association Agreement

2015/0094(NLE) - 30/04/2015

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.

BACKGROUND: in June 2013, the Council authorised the Commission to open negotiations with Kosovo on an EU-only Stabilisation and Association Agreement and adopted negotiating directives. The negotiations resulted in the initialling of the draft text of the agreement on 25 July 2014 which is the subject of this proposal.

CONTENT: in this proposal, the Council is called upon to adopt the 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, on behalf of the European Union, for the parts falling under the Treaty on European Union and the Treaty on the Functioning of the European Union.

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- **internal market:** the agreement also includes provisions on establishment, supply of services, current payments and movement of capital. It includes the commitment by Kosovo to progressively harmonise its legislation with that of the EU, notably in key areas of the internal market. It establishes relations covering almost all areas of EU interest, including justice and home affairs, which is limited to technical, financial and economic aspects.

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.