Basic information

2015/0094(NLE) NLE - Non-legislative enactments	Procedure completed
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	

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

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

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.