



Brussels, 23.5.2016  
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2016/0146 (NLE)

Proposal for a

## **COUNCIL DECISION**

**establishing the position to be taken on behalf of the European Union within the  
Stabilisation and Association Council established by the Stabilisation and Association  
Agreement between the European Union and the European Atomic Energy Community,  
of the one part, and Kosovo<sup>\*</sup>, of the other part, concerning a Decision of the Stabilisation  
and Association Council adopting its rules of procedure**

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

## **EXPLANATORY MEMORANDUM**

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, has entered into force on 1 April 2016.

The Stabilisation and Association Council established by Article 126 of the said Agreement supervises the implementation of the Agreement and examines any major issues arising within its framework and any other bilateral or international issues of mutual interest.

As provided in Article 127 of the Stabilisation and Association Agreement, the Stabilisation and Association Council shall establish its rules of procedure. In conformity with Article 129 of the Agreement, these rules of procedure determine the duties of the Stabilisation and Association Committee, which shall assist the Stabilisation and Association Council in the performance of its duties.

In accordance with Article 218 (9) of the TFEU, the position to be taken by the Union in the Stabilisation and Association Council concerning a Decision of the Stabilisation and Association Council adopting its rules of procedure shall be established by a decision of the Council, acting on a proposal from the Commission.

The Council is therefore invited to adopt the attached proposal for a Decision on the European Union's position concerning a Decision of the Stabilisation and Association Council on its rules of procedure.

For the information of the Council, the draft rules of procedure of the relevant sub-Committees and special groups are provided in a separate document.

Proposal for a

## COUNCIL DECISION

**establishing the position to be taken on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo<sup>\*</sup>, of the other part, concerning a Decision of the Stabilisation and Association Council adopting its rules of procedure**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 in conjunction with Article 218, paragraph 9 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 126 of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo<sup>\*</sup>, of the other part ('the Agreement'), establishes a Stabilisation and Association Council.
- (2) Article 127 (2) of the Agreement provides that the Stabilisation and Association Council is to adopt its own rules of procedure.
- (3) Article 129 (1) of the Agreement provides that the Stabilisation and Association Council is to be assisted by a Stabilisation and Association Committee ('the Committee').
- (4) Article 129 (2) and (3) of the Agreement provides that the Stabilisation and Association Council is to, in its rules of procedure, determine the duties of the Committee and that the Stabilisation and Association Council may delegate any of its powers to the Committee.
- (5) Article 131 of the Agreement provides that the Stabilisation and Association Council may decide to set up other special committees or bodies that can assist it in carrying out its duties. It further provides that the Stabilisation and Association Council is to, in its rules of procedure, determine the composition and the duties of such committees and bodies and how they are to function,

HAS ADOPTED THIS DECISION:

### *Article 1*

The European Union shall, within the Stabilisation and Association Council established by Article 126 of the Agreement, take the position to support the adoption of the rules of

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procedures, based on the draft Decision of the Stabilisation and Association Council, annexed to this Decision.

Minor amendments to this draft Decision may be accepted without further decision by the Council.

*Article 2*

The Member States shall form part of the delegation of the European Union to the meetings of the Stabilisation and Association Council. In view of Article 3 of the rules of procedure, Member States shall provide the High Representative of the Union for Foreign Affairs and Security Policy, Vice-President of the Commission, with the necessary information to that effect.

Done at Brussels,

*For the Council*  
*The President*