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A5-0132/2001

25 April 2001

RECOMMENDATION

on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part
(6726/2001 - COM(2001) 90 - C5-0157/2001 - 2001/0049(AVC))

Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

Rapporteur: Hannes Swoboda

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cupertino procedure (first reading)
majority of the votes cast
- **II Cupertino procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 23 April 2001 the Council requested Parliament's assent pursuant to Article 300, third paragraph, second indent in conjunction with Article 300 second paragraph, first indent, last sentence and Article 310 of the EC Treaty on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (6726/2001 - COM(2001) 90 - 2001/0049(AVC)).

At the sitting of 2 May 2001 the President of Parliament will announce that she had referred the proposal to the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy as the committee responsible and the Committee on Industry, External Trade, Research and Energy for its opinion (C5-0157/2001).

The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy appointed Hannes Swoboda rapporteur at its meeting of 20 March 2001.

The committee considered the proposal for a Council and Commission decision and the draft recommendation at its meeting of 20 March 2001.

At its meeting of 20 March 2001 it adopted the draft legislative resolution with 18 votes in favour and 1 vote against.

The following were present for the vote: William Francis Newton Dunn, acting chairman; Catherine Lalumière, vice-chairman; Hannes Swoboda rapporteur; Bastiaan Belder, María Carrilho (for Mario Soares), Olivier Dupuis (for Emma Bonino), Bertel Haarder, Efstratios Korakas, Jan Joost Lagendijk, Baroness Sarah Ludford (for Francesco Rutelli), Arie M. Oostlander, Doris Pack (for Alfred Gomolka), Hans-Gert Poettering, Elisabeth Schroedter, Ioannis Souldakis, Ursula Stenzel, Gary Titley, Geoffrey Van Orden, Christos Zacharakis.

The Committee on Industry, External Trade, Research and Energy decided not to give an opinion on 11 April 2001.

The recommendation was tabled on 25 April 2001.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (6726/2001 - COM(2001) 90 - C5-0157/2001 - 2001/0049 (AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council and Commission decision (COM(2001) 90)¹,
 - having regard to the Stabilisation and Association Agreement between the European Community and its Member States and the former Yugoslav Republic of Macedonia ,
 - having regard to the Council's request for Parliament's assent pursuant to Article 300, third paragraph, second indent in conjunction with Article 300, second paragraph, first indent, last sentence and Article 310 of the EC Treaty (C5-0157/2001),
 - having regard to Rules 86 and 97(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0132/2001),
1. Gives its assent to the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the former Yugoslav Republic of Macedonia.

EXPLANATORY STATEMENT

¹Not yet published in OJ.

BACKGROUND

- 1** The European Parliament indicated the main political guidelines and conditions to be fulfilled by the Former Yugoslav Republic of Macedonia (FYROM) in its resolution on the Commission Recommendation for a Council Decision authorising the Commission to negotiate a Stabilisation and Association Agreement with the former Yugoslav Republic of Macedonia¹.
- 2** This resolution underlines the important repercussions of the Macedonian model of co-existence on the neighbouring countries, in particular with regard to Albania and Kosovo. It also stresses the positive contribution of the Agreement to the political consolidation and economic development of the country, which are essential for its stability and the stability of the Western Balkans.
- 3** Negotiations were closed on 24 November 2000 and the Stabilisation and Association Agreement (SAA) was initialled at the same date, during the Zagreb Summit. The European Parliament has now been consulted, under the assent procedure, to take position on the outcome of these negotiations. The Council and the Commission will then be able to approve the Stabilisation and Association Agreement including its Annexes, Protocols and Declarations.

THE PRESENT POLITICAL SITUATION

- 4** On 23 February 2001, the Council Presidency adopted a Declaration, on behalf of the European Union, congratulating the Macedonian and the Serbian authorities for their Agreement on the Demarcation and Delineation of their common border.
- 5** Following the incidents of the end of February 2001, the Council Presidency adopted another Declaration (9 March) supporting the efforts of the Macedonian Government in combating the attacks in the border.
- 6** On 19 March 2001, the Committee on Foreign Affairs decided to give a clear signal supporting the efforts of the Macedonian population and of its government, in maintaining the stability of the country.
- 7** With a view to the deteriorating security situation due to increased armed activities by extremist ethnic Albanian terrorists, it adopted, therefore, a political statement, strongly condemning all violence along the northern border of FYROM with FRY/ Kosovo, and the terrorist attacks by sympathisers and members of the former UCK against the civilian population of FYROM and its armed forces.
- 8** The Committee supported the efforts of the Government of FYROM and the mainstream Albanian parties to avoid destructive and confrontational positions, and to direct their activities towards maintaining peace and democracy in a multi-ethnic society, which is essential for the implementation of the Stabilisation and Association Agreement.
- 9** The Committee also underlined that the pacification of the border region between

¹ EP Resolution of 17.02.2000, OJ C 339, 29.11.2000 p. 266

FYROM and Kosovo could only be achieved by fully supporting the authorities of FYROM and Kosovo in their fight against terrorism. This support included :

- the strict implementation of UN Security Council Resolution 1244 of 10 June 1999;
 - an enhanced presence and a strong commitment by KFOR along the entire northern border of FYROM with Kosovo, in order to ensure security in the region and to prevent it being used as a safe haven for armed terrorist groups;
 - preventive measures to disarm irregular troops, including an ultimatum to hand over their arms, otherwise military action would be taken.
- 10** The Committee encouraged the Government of FYROM to pursue its policy guaranteeing the fundamental rights of all ethnic groups.
- 11** It also recalled that reinforcing the Stabilisation and Association Process in the Region required the European Union and its Member States to urgently take a clear position supporting FYROM in its fight against terrorism and in stabilising its border region. It insisted, therefore, on the need to request the UN Security Council to give a clear mandate for peacekeeping and enforcement operations in the Region.
- 12** The Committee on Foreign Affairs finally recalled the necessity of urgent measures aimed at fighting uncontrolled or illegal transfer of small arms and light weapons (SALW) in the region.
- 13** The Stockholm European Council of 23 and 24 March also adopted a Declaration on the situation in FYROM where it welcomed the adoption of UNSCR 1345. The European Council invited the High Representative to follow the situation in the Region, to stay in close touch with the leaders and in consultation with the Commission and to make recommendations to the Council.
- 14** On 28 March 2001, the Committee on Foreign Affairs had an exchange of views with the EU High Representative and with Mr Jovan Tegovski, Ambassador of FYROM, during which the political guidelines previously defined by the Committee were underlined.

THE OUTCOME OF NEGOTIATIONS AND THE RAPPORTEUR'S PROPOSAL

- 15** Due to unacceptable technical and bureaucratic reasons, the EP was only consulted, under the assent procedure, more than 4 months after the Commission concluded negotiations and initialled the agreement (24 November). Such a situation should not be repeated for other agreements and the Council should be careful not to give wrong political messages to third countries, as a result of bureaucratic difficulties such as translation and terminology.
- 16** The Agreement negotiated establishes legal obligations for the former Yugoslav Republic of Macedonia to approximate its legislation to the *acquis communautaire* and to co-operate with the countries of the Western Balkans. It involves a political dialogue with the European Union, the perspective of the establishment of a free-trade area between the Community and the country, provisions on co-operation in a wide range of fields, including justice and home affairs. An Association and Stabilisation Council and Committee has been created to discuss and decide on issues related to this Agreement.

- 17** The Community will provide financial assistance to the former Yugoslav Republic of Macedonia, to help the Government achieve the objectives of the Agreement. Financial assistance will be provided through the Programme CARDS. Such assistance should in any case not jeopardise the possibility of providing assistance, whenever necessary, under humanitarian aid (ECHO), financing actions under the Democracy and Human Rights projects, or financing operations under CFSP/ESPD.
- 18** The implementation of this Agreement will be a key instrument in the preparation of Macedonia for the presentation of its application to accede to the European Union during the coming years. For this reason, it will be necessary that the Commission present an implementation report to the European Parliament at least every 2 years.
- 19** Under these conditions, the rapporteur proposes that the European Parliament give its assent to the proposed Stabilisation and Association Agreement.