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2011/0465 (COD)

**COMMUNICATION FROM THE COMMISSION  
TO THE EUROPEAN PARLIAMENT**

**pursuant to Article 294(6) of the Treaty on the Functioning of the European Union**

**concerning 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**

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**1. BACKGROUND**

Date of transmission of the proposal to the European Parliament and to the Council 10 January 2012  
(document COM(2011) 0938 – 2011/0465 COD):

Date of the opinion of the European Economic and Social Committee: n.a.

Date of the position of the European Parliament, first reading: 25 October 2012

Date of transmission of the amended proposal: n.a.

Date of adoption of the position of the Council: 28 January 2014

**2. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION**

The objective of the proposal is to adopt a regulation on rules and procedures for the implementation of certain trade related provisions of the Stabilisation and Accession Agreement between the European Communities and their Member States of the one part, and the Republic of Serbia, of the other part (SAA), and of the Interim Agreement on trade and trade-related matters between the European Community, on the one part, and the Republic of Serbia, on the other part (IA), such as those regarding trade concessions, technical adaptations, safeguard measures, competition and fraud.

**3. COMMENTS ON THE POSITION OF THE COUNCIL**

This proposal depended upon the result of the Trade Omnibus I package. The Trade Omnibus I package aimed at amending existing trade regulations with the view to introducing the new comitology rules, following the entry into force of the Treaty of Lisbon. Some of the regulations concerned are regulations for the implementation of SAAs with other Western Balkan countries, which are similar to the present proposal.

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 IA ceased to exist when the SAA entered into force on 1 September 2013. Finally, 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.

#### **4. CONCLUSION**

The Commission can therefore accept the amendments introduced by the Council to its proposal.