



Council of the  
European Union

130729/EU XXV. GP  
Eingelangt am 30/01/17

Brussels, 30 January 2017  
(OR. en)

---

---

**Interinstitutional File:**  
**2016/0218 (COD)**

---

---

5576/17  
ADD 1

CODEC 94  
COWEB 7  
WTO 13

#### **'I/A' ITEM NOTE**

---

|          |  |
|----------|--|
| From:    | General Secretariat of the Council   |
| To:      | Permanent Representatives Committee/Council  |
| Subject: | Draft Regulation of the European Parliament and of the Council on certain procedures for applying 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<br>- Adoption of the legislative act ( <b>LA + S</b> )<br>= statements |

---

#### **Statement by the Republic of Cyprus**

The Republic of Cyprus hereby recalls the content of its National Declaration that was submitted upon approval of the Council Decisions for the signing and conclusion of the Stabilisation and Association Agreement between the European Union and European Atomic Energy Community of one part, and Kosovo\*, of the other part (Annex II of Document 13020/15).

#### **Statement by Romania**

Romania recalls its declaration on the signing and concluding of the Stabilisation and Association Agreement between the European Union and European Atomic Energy Community of one part, and Kosovo\*, of the other part (doc. 13020/15).

---

\* 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.

Furthermore, Romania underlines that any procedures related to the Stabilization and Association Agreement application should be considered in light of the above mentioned declaration.

### **Statement by Spain**

Spain's position concerning the Council adoption of the decisions on the signing and on the conclusion of the Stabilization and Association Agreement with Kosovo\* is without prejudice to the Spanish position on the international status of Kosovo and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

The use of the legal basis for the Stabilization and Association Agreement with Kosovo of article 37 of the Treaty of the European Union in relation with article 31 of the Treaty of the European Union, as well as of article 217 of the Treaty on the Functioning of the European Union in relation with article 218 of the Treaty on the Functioning of the European Union, is without prejudice to the Spanish position on the international status of Kosovo and is in conformity with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

Wording referring Kosovo's European perspective can only be understood as approximation to the EU, without the ultimate objective of EU accession, as the unilateral declaration of independence is not unanimously recognized.

---

---

\* 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.