

COUNCIL AND COMMISSION DECISION

of 26 February 2009

concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part

(2009/332/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,
THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 310 in conjunction with Article 300(2), first subparagraph, last sentence and Article 300(3), second subparagraph thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,

Having regard to the approval of the Council granted pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, has been signed on behalf of the European Community in Luxembourg on 12 June 2006, subject to its conclusion.
- (2) The commercial provisions contained in the Agreement are of an exceptional nature, connected with the policy implemented within the framework of the Stabilisation and Association process and will not constitute, for the European Union, any precedent in the commercial policy of the Community with regard to third countries other than those of the western Balkans.
- (3) The Agreement should be approved,

HAVE DECIDED AS FOLLOWS:

Article 1

1. The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part (hereinafter referred to as 'the Agreement'), the Annexes and Protocols

annexed thereto, as well as the Declarations attached to the Final Act are hereby approved on behalf of the European Community and the European Atomic Energy Community.

2. The texts referred to in paragraph 1 are attached to this Decision.

Article 2

1. The position to be taken by the Community within the Stabilisation and Association Council and within the Stabilisation and Association Committee when the latter is empowered to act by the Stabilisation and Association Council shall be determined by the Council, on a proposal by the Commission, or, where appropriate, by the Commission, each in accordance with the corresponding provisions of the Treaties.

2. The President of the Council shall, in accordance with Article 117(4) of the Agreement, chair the Stabilisation and Association Council. A representative of the Commission shall chair the Stabilisation and Association Committee, in accordance with the Rules of Procedure thereof.

3. The decision to publish the decisions of the Stabilisation and Association Council and the Stabilisation and Association Committee in the *Official Journal of the European Union* shall be taken on a case-by-case basis by the Council and the Commission respectively.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered, on behalf of the European Community, to deposit the instrument of approval provided for in Article 135 of the Agreement. The President of the Commission shall deposit the said instrument of approval on behalf of the European Atomic Energy Community.

Done at Brussels, 26 February 2009.

For the Council
The President
I. LANGER

For the Commission
The President
José Manuel BARROSO