

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

2013/0120A(NLE) - 01/10/2013 - Legislative proposal

PURPOSE : to conclude a Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part.

PROPOSED ACT : Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT : the Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND : in November 2004, the Council authorised the Commission to negotiate a Framework Agreement on Partnership and Cooperation (PCA) with Indonesia. In accordance with the Council Decision of 5 November 2009, the Framework Agreement was signed on 9 November 2009, subject to its conclusion at a later date. It would be the first of its kind between the EU and an ASEAN country.

The PCA should now be approved on behalf of the Union.

IMPACT ASSESSMENT : no impact assessment was undertaken.

LEGAL BASIS : Articles 91, 100, 191(4), 207 and 209, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT : the draft decision proposes that the Council conclude a Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part.

General principles: the Agreement aims to strengthen relations between the EU and Indonesia, and opens a new era in bilateral relations, based on shared principles such as equality, mutual respect, mutual benefit, democracy, rule of law and human rights. These principles underpin the internal and international policies of both Parties and constitutes an essential element of the Agreement.

General principles underlying the Agreement include:

- the fight against climate change and reaching the Millennium Development Goals (MDGs) ;
- good governance and the independence of the judiciary, as well as the fight against corruption ;
- equality and mutual benefit ;

Cooperation: the Agreement strengthens political, economic and sectoral cooperation across a wide range of policy fields:

- trade,

- environment,
- energy,
- science and technology,
- good governance,
- tourism and culture,
- migration,
- counter terrorism and the fight against corruption and organised crime.

It will further enhance cooperation on responding to global challenges, such as questions discussed in the G20.

Also covered are other sectors of common interest: financial services; taxation and customs; macro-economic policy; industrial policy and SMEs; information society; science and technology; energy; transport and transport safety; education and culture; human rights; environment and natural resources, including marine environment; forestry; agriculture and rural development; cooperation on marine and fisheries; health; food safety; animal health; statistics; personal data protection; cooperation on the modernisation of the state and public administration; and intellectual property rights; migration issues, including legal and illegal migration, and trafficking in human beings.

Cooperation covers, furthermore, **countering the proliferation of weapons of mass destruction**; civil society and strengthening NGOs.

The Agreement includes a clause permitting its extension to new areas of cooperation.

Political dialogue: the PCA will be regarded as a positive example for an inter-cultural/religious dialogue, given that Indonesia is the third most populous country in Asia and the largest Muslim country in the world.

Institutional framework: the Agreement will also include institutional provisions designed to establish a Joint Committee, composed of representatives of both sides at the highest possible level in order to ensure the proper functioning and implementation of this Agreement and resolve differences.

Duration of the Agreement: the Agreement is valid for a period of five years and will be automatically extended for further successive periods of one year, unless either Party puts forward a written objection.

N.B. : certain provisions of the Agreement concern the **readmission of persons illegally resident** and therefore fall within the scope of Title V of Part Three of the Treaty. A separate decision relating to those provisions is to be adopted in parallel to this Decision.

BUDGETARY IMPLICATIONS : the proposal has no implications for the EU budget.