EU/Korea Framework Agreement

2013/0267B(NLE) - 12/05/2014 - Final act

PURPOSE: to conclude a Framework Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part.

NON-LEGISLATIVE ACT: Council Decision 2014/278/EU on the conclusion of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, with the exception of matters related to readmission.

BACKGROUND: in accordance with the Council Decision of 2013/40/EU, the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, was signed on 10 May 2010, subject to its conclusion at a later date.

Certain provisions of the Agreement concern readmission, and therefore fall within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union. A separate Decision relating to those provisions, which are contained in Article 33(2) of the Agreement, will be adopted in parallel to this Decision.

It is now appropriate to conclude the agreement on behalf of the European Union.

CONTENT: by means of this decision, the Council approves on behalf of the European Union, with the consent of the European Parliament, the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, with the exception of its Article 33 (2).

Shared principles: the new Framework Agreement is a testimony to the importance of EU-Korean ties and opens a new era in bilateral relations, based on shared principles such as:

- equality,
- mutual respect, mutual benefit,
- respect for democracy, rule of law and human rights.

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

- peace and security,
- conflict prevention and crisis management,
- trade,
- environment,
- energy,
- science and technology,

- good governance,
- tourism and culture,
- counter terrorism,
- the fight against corruption and organised crime.

It will further enhance cooperation on responding to global challenges, where both Korea and the EU are playing an increasingly important role, such as in the G20.

The conclusion of the new Framework Agreement is in line with the EU's objective of creating a comprehensive and coherent economic and political framework for relations between the EU and ASEAN countries.

Institutional aspects: it is envisaged to establish a Joint Committee consisting of representatives of the members of the Council of the European Union and representatives of the European Commission, on the one hand, and representatives of the Korea, on the other.

The Joint Committee shall be responsible for ensuring the good functioning of the Agreement.

The High Representative of the Union for Foreign Affairs and Security Policy shall chair the Joint Committee provided for in the Agreement. The Union or, as the case may be, the Union and the Member States, shall be represented in the Joint Committee depending on the subject matter.

Modalities for implementation: implementation is covered by consensus and dialogue. If, however, there is divergence of views in the application or interpretation of this Agreement, either Party shall refer to the Joint Committee. If either Party considers that the other Party has failed to fulfil its obligations under this Agreement, it may take ‘appropriate measures’ in accordance with international law, having given prior notice to the Joint Committee of the reasons for the divergence and the possible modalities for mediation. In the selection of measures, priority must be given to those which least disrupt the functioning of the agreement.

Measures are also envisaged so that Parties may request arbitration in the event of a dispute.

Duration of the agreement: the Framework Agreement is concluded for an indefinite period.

ENTRY INTO FORCE: the decision enters into force on 12.05.2014. The date of the entry into force of the agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.