EU/Mongolia Partnership and Cooperation Framework Agreement

2015/0114(NLE) - 30/05/2016 - Legislative proposal

PURPOSE: to conclude the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, 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: on 27 July 2009, the Council authorised the Commission to negotiate a Framework Agreement on Partnership and Cooperation (PCA) with Mongolia.

Negotiations were launched in Ulaan Baatar in January 2010 and concluded in October 2010. The two sides initialled the PCA on 20 December 2010 and signed it on 30 April 2013.

The PCA will supersede the current legal framework of the 1993 Agreement on trade and economic cooperation between the European Economic Community and Mongolia.

The PCA will allow the EU to assume greater responsibility and influence in the region, and to promote European values and enhance concrete cooperation in a wide range of areas of mutual interest.

Legal note: following the 11 June 2014 ruling of the Court of Justice of the European Union in Case C-377/12 Commission v Council regarding the Council Decision on the signature of the PCA with the Philippines, this proposal should be based on Articles 207, 209 and 218(6) of the Treaty on the Functioning of the European Union (TFEU).

In the light of the above judgment, it follows that the Protocols referred to in the recital do not apply to the PCA itself. The EU side should inform the Mongolian side of these internal developments by means of a *note verbale*.

The Agreement should now be approved on behalf of the European Union.

CONTENT: the Council is called upon to adopt a decision, approving on behalf of the European Union, on the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part.

The text of the Agreement is annexed to the decision.

CONTENT: The draft Agreement focuses in the following issues:

Respect for democratic principles: the PCA is testimony to the growing importance of EU-Mongolia relations based on shared principles such as equality, mutual respect, mutual benefit, democracy, the rule of law and human rights.

It includes the EU’s standard political clauses on:

- human rights,
- weapons of mass destruction (WMDs),
- the International Criminal Court (ICC),
- small arms and light weapons (SALWs) and counter-terrorism.

It also promotes bilateral, regional and international cooperation.

Trade cooperation: the Agreement strengthens political, economic and sectoral cooperation across a wide range of policy fields, including **trade and investment**, development, justice, freedom and security.

It encompasses areas such as cooperation on:

- principles, norms and standards,
- raw materials,
- migration,
- organised crime and corruption,
- industrial policy and small and medium-sized enterprises,
- tourism,
- energy,
- education and culture,
- the environment,
- climate change and natural resources,
- agriculture,
- health,
- civil society and
- the modernisation of the state and public administration.