EU/Malaysia Framework Agreement on Partnership and Cooperation

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PURPOSE: to conclude the Framework Agreement on Partnership and Cooperation between the European Union and Malaysia.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: 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 individual Framework Agreements on Partnership and Cooperation (PCA) with Thailand, Indonesia, Singapore, the Philippines, Malaysia and Brunei.

Negotiations with Malaysia started in February 2011 following an agreement to launch the negotiations in October 2010 by Commission President Barroso and Prime Minister Najib Razak. The negotiations were concluded following the 11th round of negotiations on 12 December 2015. Both sides initialled the PCA in Putrajaya on 6 April 2016.

It is now necessary to conclude this Agreement on behalf of the Union.

CONTENT: with this Joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the Commission, it is proposed that the Council adopt a decision in which it is called upon to conclude, on behalf of the EU, a Framework Agreement on Partnership and Cooperation between the European Union and Malaysia.

Aim of the Agreement: the PCA is the first-ever bilateral agreement between the EU and Malaysia and supersedes the current legal framework of the 1980 Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations.

The PCA contains **legally binding commitments** which are central to the EU’s foreign policy, including provisions on:

- human rights,
- non-proliferation,
- counter-terrorism,
- the International Criminal Court,
- migration and taxation.

Trade commitments: the PCA broadens considerably the scope for mutual engagement in the economic and trade domain as well as justice and home affairs. The Agreement strengthens the cooperation across a wide spectrum of policy fields such as:

- trade,
- the environment,
- energy,
- climate change,

- transport,
- science and technology,
- employment and social affairs,
- education,
- agriculture,
- culture, etc.

It also includes provisions to protect the EU's financial interests. The PCA also has an important trade cooperation section, which paves the way for the conclusion of the ongoing free trade agreement (FTA) negotiations.

Human rights: the PCA with Malaysia marks an important step towards strengthening the EU's role in South-East Asia, based on shared universal values such as democracy and human rights. It paves the way for enhancing political, regional and global cooperation between two like-minded partners.

The implementation of the PCA will entail practical benefits for both sides, forming a basis for the promotion of the EU's broader political and economic interests.

Institutional component: the Agreement establishes a Joint Committee that will monitor the development of the bilateral relationship between the Parties. The Agreement includes a non-execution clause that provides for the possibility of suspending the application of the Agreement in case of violation of essential elements.