

Basic information	
<p>2013/0120B(NLE)</p> <p>NLE - Non-legislative enactments</p> <p>EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission</p> <p>See also 2013/0120A(NLE)</p> <p>Subject</p> <p>6.40.08 Relations with Asian countries 7.10.04 External borders crossing and controls, visas 7.10.08 Migration policy</p> <p>Geographical area</p> <p>Indonesia</p>	Procedure completed

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		GOMES Ana (S&D)	05/12/2013
			Shadow rapporteur	
			DÍAZ DE MERA GARCÍA CONSUEGRA Agustín (PPE)	
	Committee for opinion		Rapporteur for opinion	Appointed
	AFET Foreign Affairs		MENÉNDEZ DEL VALLE Emilio (S&D)	26/11/2013
Council of the European Union	Council configuration		Meetings	Date
	Foreign Affairs		3309	2014-04-14
European Commission	Commission DG		Commissioner	
	Migration and Home Affairs		MALMSTRÖM Cecilia	

Key events			
Date	Event	Reference	Summary
		COM(2013)0230	Summary

24/04/2013	Preparatory document		
02/10/2013	Legislative proposal published	11313/2013	Summary
24/10/2013	Committee referral announced in Parliament		
12/02/2014	Vote in committee		
17/02/2014	Committee report tabled for plenary, 1st reading/single reading	A7-0115/2014	Summary
26/02/2014	Decision by Parliament	T7-0143/2014	Summary
26/02/2014	Results of vote in Parliament		
14/04/2014	Act adopted by Council after consultation of Parliament		
14/04/2014	End of procedure in Parliament		
26/04/2014	Final act published in Official Journal		

Technical information	
Procedure reference	2013/0120B(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2013/0120A(NLE)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 079-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/14442

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE526.305	30/01/2014	
Committee opinion	AFET	PE526.352	06/02/2014	
Committee report tabled for plenary, 1st reading/single reading		A7-0115/2014	17/02/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0143/2014	26/02/2014	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Document attached to the procedure	14032/2009	21/10/2009		
Legislative proposal	11313/2013	02/10/2013	Summary	
European Commission				

Document type	Reference	Date	Summary
Preparatory document	COM(2013)0230 	24/04/2013	Summary

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act	
Decision 2014/0231 OJ L 125 26.04.2014, p. 0046	Summary

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission

2013/0120B(NLE) - 02/10/2013 - Legislative proposal

PURPOSE: to conclude the 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, as regards matters related to readmission.

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 accordance with the a 2009 Council Decision, the 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 was signed on 9 November 2009, subject to its conclusion at a later date.

The provisions of the Agreement other than those of Article 34(3) related to readmission are the subject of a separate Decision to be adopted in parallel to this Decision.

It is necessary to approve this Agreement on behalf of the European Union.

LEGAL BASIS: Article 79(3), in conjunction with Article 218(6)(a) on the Treaty on the Functioning of the European Union (TFEU).

CONTENT: under this proposal, the Council is invited to conclude the 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, as regards matters related to readmission.

The High Representative of the Union for Foreign Affairs and Security Policy or a representative of the High Representative shall chair the Joint Committee provided for in the Agreement.

For further details on the Agreement, *please refer to the summary of the initial legislative proposal dated 24/04/2013.*

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission

2013/0120B(NLE) - 24/04/2013 - Preparatory document

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

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 2004, the Council authorised the Commission to negotiate a Framework Agreements with Indonesia. Negotiations started in 2005 and were concluded in June 2007. The Agreement was co-signed on 9 November 2009 in Jakarta.

This comprehensive EU-Indonesia Partnership and Co-operation Agreement (PCA) was the first of its kind between the EU and ASEAN countries.

Union competences: in accordance with standing case-law of the Court, the Commission takes the view that, since the entry into force of the Treaty of Lisbon and the integration of CFSP into Union policies, framework agreements such as the PCA with Indonesia are entirely covered by competences conferred upon the EU by the Treaties. Therefore, it is the view of the Commission that such agreements are **EU only bilateral agreements**.

The fact that the Commission has submitted its proposal as an agreement of the Union and its Member States with Indonesia is exclusively linked to the genesis of this specific agreement under the rules of the Treaty before the entry into force of the Treaty of Lisbon and the international obligations that result therefrom for the Union.

IMPACT ASSESSMENT: no impact assessment was undertaken.

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

CONTENT: with this proposal, it is sought to approve, on behalf of the Union, the 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 draft Agreement is a testimony to the rapidly growing importance of EU-Indonesian ties 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 instruments applicable to both Parties underpin the internal and international policies of both Parties and constitute an essential element of this Agreement.

Amongst the other main principles defined as the basis of the draft Agreement, the following should be noted:

- the challenge of climate change and the achievement of the Millennium Development Goals;
- the attachment to the principles of good governance, the rule of law, including the independence of the judiciary, and the fight against corruption;
- the principles of equality and mutual benefit.

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

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

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

Other sectors shall also be covered: financial services, taxation and customs, macroeconomic policy, industrial policy and SMEs, information society, energy, transport, education and culture, natural resources, including marine environment; forestry; agriculture and rural development; personal data protection; cooperation on the modernisation of the state and public administration; and intellectual property rights, migration issues, legal and illegal migration, smuggling and trafficking in human beings.

Cooperation should also be established as regards **countering the proliferation of weapons of mass destruction**, combating illicit drugs, civil society and the strengthening of NGOs.

The draft Agreement also includes a future development clause allowing for the Parties to put forward suggestions to widen the scope 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 draft Agreement includes institutional provisions which aim to put in place a joint committee, composed representatives of both sides at the highest possible level, to ensure the proper functioning of any sectoral agreement or protocol concluded or to be concluded between the Community and Indonesia.

Duration of the Agreement: this Agreement is valid for a period of five years. It shall be automatically extended for further successive periods of one year, unless either Party notifies the other Party in writing of its intention not to extend it.

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

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission

2013/0120B(NLE) - 17/02/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by ANA GOMES (S&D, PT) on the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, as regards matters related to readmission.

The committee recommended the European Parliament to give its consent to the conclusion of the Agreement. It also recommended that in the future, EU and Indonesia should develop a **fully-fledged readmission agreement**, by implementing the enabling clause of the article 34(4) from the PCA between the EU and Indonesia. In this case, readmission will also include third country nationals as well as stateless persons, which is important since Indonesia is a major transit country for irregular migration to the EU.

Members recalled that Indonesia is the first ASEAN country to sign with the EU a PCA with a readmission agreement clause in order to prevent and control irregular immigration in compliance with international obligations and the non refoulement principle.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission

2013/0120B(NLE) - 26/02/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, as regards matters related to readmission.

Parliament approved the proposal without amendment.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation: matters related to readmission

2013/0120B(NLE) - 14/04/2014 - Final act

PURPOSE: to conclude a Framework Agreement between the European Union and its Member States, of the one part, and Indonesia, of the other part **as regards matters related to readmission**.

NON-LEGISLATIVE ACT: Council Decision 2014/231/EU on the conclusion of the Framework Agreement between the European Union and its Member States, on the one part, and Indonesia, on the other part, as regards matters related to readmission.

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, of the one part, and Indonesia, of the other part **as regards matters only related to readmission**. Other aspects of the framework agreement are the subject of a [separate decision](#).

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.

ENTRY INTO FORCE: the decision enters into force on 14.04.2014. 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.