Basic information

2013/0440(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation See also 2015/2096(INI) **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.40.08 Relations with Asian countries **Geographical area** Vietnam	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	LOCHBIHLER Barbara (Verts/ALE)	31/03/2015
	Shadow rapporteur PREDA Cristian Dan (PPE) GILL Neena (S&D) BASHIR Amjad (ECR) VAUTMANS Hilde (ALDE) SCHOLZ Helmut (GUE/NGL) CASTALDO Fabio Massimo (EFDD)	

Former committee responsible	Former rapporteur	Appointed
AFET Foreign Affairs		

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
INTA International Trade	The committee decided not to give an opinion.	

	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Former committee for opinion	Former rapporteur for opinion	Appointed
DEVE Development		
INTA International Trade		
BUDG Budgets		

Council of the European Union	
European Commission	

Commission DG	Commissioner
European External Action Service	ASHTON Catherine

Key events

Date	Event	Reference	Summary
18/12/2013	Preparatory document	COM(2013)0924	Summary
02/02/2015	Legislative proposal published	05432/2015	Summary
09/03/2015	Committee referral announced in Parliament		
16/11/2015	Vote in committee		
23/11/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0339/2015	Summary
16/12/2015	Debate in Parliament		
17/12/2015	Decision by Parliament	T8-0467/2015	Summary
17/12/2015	Results of vote in Parliament		
29/09/2016	Act adopted by Council after consultation of Parliament		
29/09/2016	End of procedure in Parliament		
03/12/2016	Final act published in Official Journal		

Technical information

Procedure reference	2013/0440(NLE)
Procedure type	NLE - Non-legislative enactments

Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2015/2096(INI)
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 207 Treaty on the Functioning of the European Union TFEU 209-p1
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/8/00297

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE560.913	30/06/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0339/2015	23/11/2015	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0467/2015	17/12/2015	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	18204/2010	16/06/2011	
Legislative proposal	05432/2015	02/02/2015	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2013)0924	18/12/2013	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2016/2117
OJ L 329 03.12.2016, p. 0006 Summary

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 18/12/2013

PURPOSE: to conclude the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, 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 2007, the Council authorised the Commission to negotiate a Framework Agreement on Partnership and Cooperation (PCA) with Vietnam, based on the November 2004 authorisation for negotiations with Thailand, Indonesia, Singapore, the Philippines, Malaysia and Brunei. Negotiations with Vietnam were launched in Hanoi in November 2007. The PCA was signed in Brussels on 27 June 2012.

The PCA with Vietnam will supersede the current legal framework of the 1995 Agreement between the European Community and Vietnam and the 1980 Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations (ASEAN), which was extended in 1999 to include Vietnam.

It is now necessary to approve the PCA on behalf of the European Union.

LEGAL BASIS: the Commission notes that Council Decision No 2012/272/EU on the signature of the PCA Philippines is the subject of **Court Case** C-377/12: the Commission asked the Court to annul this Decision insofar as the Council had added legal bases relating to transport (Articles 91 and 100 TFEU), readmission (Article 79(3) TFEU) and the environment (Article 191(4) TFEU).

Council Decision No 2012/279/EU on the signature of the PCA Vietnam raises, *mutatis mutandis*, the same legal issues as Council Decision No 2012 /272/EU on the signature of the PCA Philippines. Court Case C-377/12 is therefore of relevance to the proposal for a Council Decision on the conclusion of the PCA with Vietnam too.

Subject to the Court ruling in Case-377/12, this proposal for a Council Decision on the conclusion of the PCA Vietnam is based on Articles 207, 209 and 218(6).

The PCA draws the attention of the Council to the recital in the Agreement relating to the specific position of the UK, Ireland and Denmark based on Protocols 21 and 22 of the Treaties. The addition of this recital is due to the genesis of this text only. Depending on the outcome of case C-377/12, currently pending before the Court of Justice, this recital may have to be dropped or reworded at a later stage.

The Commission takes the view that, as long as this case is pending, the procedure for conclusion of this Agreement cannot be finalised.

CONTENT: under this proposal, the Council is called upon to approve, on behalf of the European Union, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, of the other part.

General principles and political dialogue: the PCA with Vietnam constitutes an important step towards enhanced political and economic involvement of the EU in South-East Asia.

Foreign policy: the draft PCA covers the EU's standard political clauses on:

- human rights,
- International Criminal Court,
- weapons of mass destruction,
- small arms and light weapons and counter-terrorism.

It also addresses legal cooperation, money laundering and terrorist financing, organised crime and corruption, and covers areas of particular interest to Vietnam such as cooperation on human rights and the rule of law, remnants of war and **natural disaster prevention**.

Economic and trade cooperation: the draft PCA provides the basis for more effective engagement by the EU and its Member States with Vietnam in the development, trade and economic fields and will facilitate the **conclusion of a Free Trade Agreement with Vietnam**.

The conclusion of the PCA 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.

Sectoral cooperation: the PCA strengthens the sectoral cooperation across a wide range of policy fields, such as:

- taxation,
- migration,
- health,
- environment,
- climate change,
- energy,
- education and culture,

- labour,
- employment and social affairs,
- science and technology,
- transport.

Institutional framework: the draft Agreement also includes institutional provisions to put in place a joint committee composed of representatives of the two Parties with the aim of ensuring the correct application of the Agreement and resolving conflicts.

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 17/12/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 523 votes to 56, with 48 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part.

Parliament **gave its consent** to the conclusion of the agreement.

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 18/12/2013 - Preparatory document

PURPOSE: to conclude the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, 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 2007, the Council authorised the Commission to negotiate a Framework Agreement on Partnership and Cooperation (PCA) with Vietnam, based on the November 2004 authorisation for negotiations with Thailand, Indonesia, Singapore, the Philippines, Malaysia and Brunei. Negotiations with Vietnam were launched in Hanoi in November 2007. The PCA was signed in Brussels on 27 June 2012.

The PCA with Vietnam will supersede the current legal framework of the 1995 Agreement between the European Community and Vietnam and the 1980 Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations (ASEAN), which was extended in 1999 to include Vietnam.

It is now necessary to approve the PCA on behalf of the European Union.

LEGAL BASIS: the Commission notes that Council Decision No 2012/272/EU on the signature of the PCA Philippines is the subject of **Court Case** C-377/12: the Commission asked the Court to annul this Decision insofar as the Council had added legal bases relating to transport (Articles 91 and 100 TFEU), readmission (Article 79(3) TFEU) and the environment (Article 191(4) TFEU).

Council Decision No 2012/279/EU on the signature of the PCA Vietnam raises, *mutatis mutandis*, the same legal issues as Council Decision No 2012 /272/EU on the signature of the PCA Philippines. Court Case C-377/12 is therefore of relevance to the proposal for a Council Decision on the conclusion of the PCA with Vietnam too.

Subject to the Court ruling in Case-377/12, this proposal for a Council Decision on the conclusion of the PCA Vietnam is based on Articles 207, 209 and 218(6).

The PCA draws the attention of the Council to the recital in the Agreement relating to the specific position of the UK, Ireland and Denmark based on Protocols 21 and 22 of the Treaties. The addition of this recital is due to the genesis of this text only. Depending on the outcome of case C-377/12, currently pending before the Court of Justice, this recital may have to be dropped or reworded at a later stage.

The Commission takes the view that, as long as this case is pending, the procedure for conclusion of this Agreement cannot be finalised.

CONTENT: under this proposal, the Council is called upon to approve, on behalf of the European Union, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, of the other part.

General principles and political dialogue: the PCA with Vietnam constitutes an important step towards enhanced political and economic involvement of the EU in South-East Asia.

Foreign policy: the draft PCA covers the EU's standard political clauses on:

- human rights,

- International Criminal Court,
- weapons of mass destruction,
- small arms and light weapons and counter-terrorism.

It also addresses legal cooperation, money laundering and terrorist financing, organised crime and corruption, and covers areas of particular interest to Vietnam such as cooperation on human rights and the rule of law, remnants of war and **natural disaster prevention**.

Economic and trade cooperation: the draft PCA provides the basis for more effective engagement by the EU and its Member States with Vietnam in the development, trade and economic fields and will facilitate the **conclusion of a Free Trade Agreement with Vietnam**.

The conclusion of the PCA 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.

Sectoral cooperation: the PCA strengthens the sectoral cooperation across a wide range of policy fields, such as:

- taxation,
- migration,
- health,
- environment,
- climate change,
- energy,
- education and culture,
- labour,
- employment and social affairs,
- science and technology,
- transport.

Institutional framework: the draft Agreement also includes institutional provisions to put in place a joint committee composed of representatives of the two Parties with the aim of ensuring the correct application of the Agreement and resolving conflicts.

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 02/02/2015 - Legislative proposal

PURPOSE: to conclude the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, 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 accordance with Council Decision 2012/279/EU, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Vietnam, of the other part, was signed on 27 June 2012, subject to its conclusion.

It is now necessary to approve the PCA on behalf of the European Union.

The PCA with Vietnam will supersede the current legal framework of the 1995 Agreement between the European Community and Vietnam and the 1980 Cooperation Agreement between the European Economic Community and member countries of the Association of South-East Asian Nations (ASEAN), which was extended in 1999 to include Vietnam.

CONTENT: under this proposal, the Council is called upon to approve, on behalf of the European Union, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Viet Nam, of the other part.

General principles and political dialogue: the PCA with Vietnam constitutes an important step towards enhanced political and economic involvement of the EU in South-East Asia.

Foreign policy: the draft PCA covers the EU’s standard political clauses on:

- human rights,
- International Criminal Court,
- weapons of mass destruction,
- small arms and light weapons and counter-terrorism.

It also addresses legal cooperation, money laundering and terrorist financing, organised crime and corruption, and covers areas of particular interest to Vietnam such as cooperation on human rights and the rule of law, remnants of war and **natural disaster prevention**.

Economic and trade cooperation: the draft PCA provides the basis for more effective engagement by the EU and its Member States with Vietnam in the development, trade and economic fields and will facilitate the **conclusion of a Free Trade Agreement with Vietnam**.

The conclusion of the PCA 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.

Sectoral cooperation: the PCA strengthens the sectoral cooperation across a wide range of policy fields, such as:

- taxation,
- migration,
- health,
- environment,
- climate change,
- energy,
- education and culture,
- labour,
- employment and social affairs,
- science and technology,
- transport.

Institutional framework: the draft Agreement also includes institutional provisions to put in place a joint committee composed of representatives of the two Parties with the aim of ensuring the correct application of the Agreement and resolving conflicts.

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 23/11/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted the report by Barbara LOCHBIHLER (Greens/EFA, DE) on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part.

The committee recommended the European Parliament to give its consent to conclusion of the agreement.

EU/Vietnam Framework Agreement on Comprehensive Partnership and Cooperation

2013/0440(NLE) - 29/09/2016 - Final act

PURPOSE: to conclude the framework agreement on comprehensive partnership and cooperation between the European Union and its Member States, of the one part, and Viet Nam, of the other part.

NON-LEGISLATIVE ACT: Council Decision (EU) 2016/2117 on the conclusion, on behalf of the Union, of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part.

CONTENT: with this Decision, the Council approved, on behalf of the European Union, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and Vietnam, of the other part (PCA).

The main objectives of the Agreement are as follows :

Foreign policy: the PCA covers the EU’s standard political clauses on:

- human rights,
- International Criminal Court,
- weapons of mass destruction,
- small arms and light weapons,
- counter-terrorism,
- International Criminal Court.

The Agreement also addresses legal cooperation, money laundering and terrorist financing, organised crime and corruption, and covers areas of particular interest to Vietnam such as cooperation on human rights and the rule of law, remnants of war and natural disaster prevention.

Economic and trade cooperation: the Agreement provides the basis for more effective engagement by the EU and its Member States with Vietnam in the development, trade and economic fields and will facilitate the conclusion of a Free Trade Agreement with Vietnam.

Sectoral cooperation: the PCA strengthens the sectoral cooperation across a wide range of policy fields, such as:

- taxation,
- migration,
- health,
- environment, climate change, energy,
- education and culture,
- labour, employment and social affairs,
- science and technology,
- transport.

Institutional framework: lastly, the Agreement includes institutional provisions to put in place a joint committee composed of representatives of the two Parties with the aim of ensuring the correct application of the Agreement and resolving conflicts.

ENTRY INTO FORCE: 29.9.2016. The date of entry into force of the Protocol will be published in the Official Journal of the European Union by the General Secretariat of the Council.