Basic information

2013/0441(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Philippines Partnership and Cooperation Framework Agreement See also 2014/0224(NLE) See also 2015/2234(INI) **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.40.08 Relations with Asian countries **Geographical area** Philippines	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	BROK Elmar (PPE)	22/06/2015
	Shadow rapporteur BETTINI Goffredo Maria (S&D) TANNOCK Timothy Charles Ayrton (ECR) KYUCHYUK Ilhan (ALDE) HADJIGEORGIOU Takis (GUE/NGL) BÜTIKOFER Reinhard (Verts/ALE)	

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		

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3560	2017-09-25

European Commission

Commission DG	Commissioner
European External Action Service	ASHTON Catherine

Key events

Date	Event	Reference	Summary
18/12/2013	Preparatory document	COM(2013)0925	Summary
23/02/2015	Legislative proposal published	05431/2015	Summary
09/03/2015	Committee referral announced in Parliament		
19/04/2016	Vote in committee		
25/04/2016	Committee report tabled for plenary, 1st reading/single reading	A8-0149/2016	Summary
07/06/2016	Debate in Parliament		
08/06/2016	Decision by Parliament	T8-0262/2016	Summary
08/06/2016	Results of vote in Parliament		
25/09/2017	Act adopted by Council after consultation of Parliament		
25/09/2017	End of procedure in Parliament		
22/12/2017	Final act published in Official Journal		

Technical information

Procedure reference	2013/0441(NLE)
Procedure type	NLE - Non-legislative enactments

Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2014/0224(NLE) See also 2015/2234(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/8/00301

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE567.744	06/10/2015	
Committee report tabled for plenary, 1st reading/single reading		A8-0149/2016	25/04/2016	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0262/2016	08/06/2016	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	15616/2010	21/01/2011	
Legislative proposal	05431/2015	23/02/2015	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2013)0925	18/12/2013	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2017/2414
OJ L 343 22.12.2017, p. 0001 Summary

EU/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 18/12/2013

PURPOSE: to conclude the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, 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 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 the Philippines started in February 2009 and were concluded in June 2010. Both sides initialled the PCA on 25 June 2010. The PCA was signed in Phnom Penh on 11 July 2012, on the occasion of the ASEAN Regional Forum ministerial meeting.

The PCA with the Philippines is the first-ever bilateral agreement with the Philippines 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 (ASEAN).

It is now necessary to approve the Framework-Agreement on behalf of the European Union.

LEGAL BASIS: the Commission notes that Council Decision No 2012/272/EU on the signature of the PCA with the Philippines is the subject of **Court Case** C-377/12: the Commission asked the Court to annul the above-mentioned Decision insofar as the Council had added the legal bases relating to transport (Articles 91 and 100 TFEU), readmission (Article 79(3) TFEU) and the environment (Article 191(4) TFEU). The Commission asked the Court to maintain the effects of the contested decision. Subject to the Court ruling in Case-377/12, this proposal for a Council Decision on the conclusion of the PCA is based on Articles 207, 209 and 218(6).

The Framework Agreement 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: with this proposed Decision, the Council is called upon to approve, on behalf of the Union, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, of the other part.

General principles and political dialogue: the PCA with the Philippines marks an important step towards strengthening bilateral relations and the EU’s role in South-East Asia, based on

shared universal values such as democracy and human rights. It paves the way for enhanced political, regional and global cooperation.

Foreign policy: the PCA contains commitments which are central to the EU’s foreign policy, including provisions on:

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

It also includes areas of current interest such as the peace process and disaster risk management.

Economic and trade cooperation: the PCA considerably broadens the scope for mutual engagement in the economic and trade domain. It has an important trade cooperation section, which should facilitate free trade agreement (FTA) negotiations. 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. Additionally, the PCA has an important development component, including strict provisions on protecting the EU’s financial interests.

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

- migration,
- taxation,
- environment,
- energy,
- science and technology,
- maritime and air transport,
- tourism,
- culture,
- money laundering and terrorist financing, illicit drugs, organised crime and corruption.

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/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 25/04/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted the report by Elmar BROK (EPP, DE) on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part.

In light of the recommendations expressed in motion for a non-legislative resolution on the present draft Decision, the committee recommended that the European Parliament give its **consent to the conclusion of the Agreement**.

EU/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 23/02/2015 - 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 the Philippines, 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 2012/272/EU, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, of the other part, was signed on 11 July 2012, subject to its conclusion. It 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 (ASEAN).

CONTENT: with this proposed Decision, the Council is called upon to approve, on behalf of the Union, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, of the other part.

General principles and political dialogue: the PCA with the Philippines marks an important step towards strengthening bilateral relations and the EU's role in South-East Asia, based on shared universal values such as democracy and human rights. It paves the way for enhanced political, regional and global cooperation.

Foreign policy: the PCA contains commitments which are central to the EU's foreign policy, including provisions on:

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- counter-terrorism,
- the International Criminal Court.

It also includes areas of current interest such as the peace process and disaster risk management.

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

- migration,
- taxation,
- environment,
- energy,
- science and technology,
- maritime and air transport,
- tourism,
- culture,
- money laundering and terrorist financing, illicit drugs, organised crime and corruption.

Economic and trade cooperation: the PCA considerably broadens the scope for mutual engagement in the economic and trade domain. It has an important trade cooperation section, which should facilitate free trade agreement (FTA) negotiations.

Additionally, the PCA has an important development component, including strict provisions on protecting the EU's financial interests.

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/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 18/12/2013 - Preparatory document

PURPOSE: to conclude the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, 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 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 the Philippines started in February 2009 and were concluded in June 2010. Both sides initialled the PCA on 25 June 2010. The PCA was signed in Phnom Penh on 11 July 2012, on the occasion of the ASEAN Regional Forum ministerial meeting.

The PCA with the Philippines is the first-ever bilateral agreement with the Philippines 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 (ASEAN).

It is now necessary to approve the Framework-Agreement on behalf of the European Union.

LEGAL BASIS: the Commission notes that Council Decision No 2012/272/EU on the signature of the PCA with the Philippines is the subject of **Court Case** C-377/12: the Commission asked the Court to annul the above-mentioned Decision insofar as the Council had added the legal bases relating to transport (Articles 91 and 100 TFEU), readmission (Article 79(3) TFEU) and the environment (Article 191(4) TFEU). The Commission asked the Court to maintain the effects of the contested decision. Subject to the Court ruling in Case-377/12, this proposal for a Council Decision on the conclusion of the PCA is based on Articles 207, 209 and 218(6).

The Framework Agreement 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: with this proposed Decision, the Council is called upon to approve, on behalf of the Union, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, of the other part.

General principles and political dialogue: the PCA with the Philippines marks an important step towards strengthening bilateral relations and the EU’s role in South-East Asia, based on

shared universal values such as democracy and human rights. It paves the way for enhanced political, regional and global cooperation.

Foreign policy: the PCA contains commitments which are central to the EU’s foreign policy, including provisions on:

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

It also includes areas of current interest such as the peace process and disaster risk management.

Economic and trade cooperation: the PCA considerably broadens the scope for mutual engagement in the economic and trade domain. It has an important trade cooperation section, which should facilitate free trade agreement (FTA) negotiations. 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. Additionally, the PCA has an important development component, including strict provisions on protecting the EU’s financial interests.

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

- migration,
- taxation,
- environment,
- energy,
- science and technology,
- maritime and air transport,
- tourism,
- culture,
- money laundering and terrorist financing, illicit drugs, organised crime and corruption.

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/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 25/09/2017 - Final act

PURPOSE: to approve the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines, of the other part.

NON-LEGISLATIVE ACT: Council Decision (EU) 2017/2414 on the conclusion, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part.

CONTENT: by this Decision, the **Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Philippines**, of the other part, is hereby approved on behalf of the Union.

The Framework Agreement was signed on 11 July 2012, subject to its conclusion at a later date.

General principles: respect for **democratic principles and human rights**, as laid down in the Universal Declaration of Human Rights, constitutes an essential element of this Agreement.

The Parties reaffirm their attachment to the principle of good governance and confirm their commitment to promoting **sustainable development**, cooperating to address the challenges of climate change and to contributing to the internationally agreed **development goals**, including those contained in the Millennium Development Goals.

Areas of cooperation: with a view to strengthening their bilateral relationship, the Parties undertake to hold a comprehensive dialogue and promote further cooperation in the following areas:

- political, social, and economic matters in all relevant regional and international fora and organisations;
- combating terrorism and transnational crimes;
- human rights and dialogue on the fight against serious crimes of international concern;
- countering the proliferation of weapons of mass destruction, small arms and light weapons as well as promoting peace processes and conflict prevention;
- trade and investment;
- justice and security, including legal cooperation; illicit drugs; money laundering; combating organised crime and corruption; data protection and refugees and internally displaced persons;
- migration and maritime labour.

The Parties also undertake to establish cooperation in all **other areas of mutual interest**, in particular employment, development cooperation, economic policy, good governance in the tax area, industrial policy and SMEs, information and communication technologies (ICTs), science and technology, transport, tourism, education, intercultural and interfaith dialogue, energy, environment and natural resources including climate change, agriculture, fisheries, health and disaster risk management.

The Agreement contains institutional arrangements to set up a **joint committee** composed of representatives of both sides to ensure the proper functioning and implementation of the agreement and resolve disputes.

ENTRY INTO FORCE: 22.12.2017.

EU/Philippines Partnership and Cooperation Framework Agreement

2013/0441(NLE) - 08/06/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 574 votes to 63, with 43 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part.

In light of the recommendations expressed in motion for a non-legislative resolution on the present draft Decision, Parliament gave its **consent to the conclusion of the Agreement**.