Basic information

2013/2052(INI) INI - Own-initiative procedure	Procedure completed
Negotiations for an EU/Malaysia partnership and cooperation agreement. Recommendation to the Council, the Commission and the EEAS **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.40.08 Relations with Asian countries **Geographical area** Malaysia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	MENÉNDEZ DEL VALLE Emilio (S&D)	19/02/2013

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

European Commission

Commission DG	Commissioner
Communications Networks, Content and Technology	KROES Neelie

Key events

Date	Event	Reference	Summary
18/04/2013	Committee referral announced in Parliament		
18/06/2013	Vote in committee		
25/06/2013	Committee report tabled for plenary	A7-0235/2013	Summary
11/09/2013	Decision by Parliament	T7-0367/2013	Summary
11/09/2013	Results of vote in Parliament		
11/09/2013	End of procedure in Parliament		

Technical information	
Procedure reference	2013/2052(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 117
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/12224

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE507.995	09/04/2013	
Amendments tabled in committee		PE510.657	07/05/2013	
Committee opinion	INTA	PE510.479	28/05/2013	
Committee report tabled for plenary, single reading		A7-0235/2013	25/06/2013	Summary
Text adopted by Parliament, single reading		T7-0367/2013	11/09/2013	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2013)816	19/12/2013	

Negotiations for an EU/Malaysia partnership and cooperation agreement. Recommendation to the Council, the Commission and the EEAS

2013/2052(INI) - 25/06/2013 - Committee report tabled for plenary, single reading

The Committee on Foreign Affairs adopted the own-initiative report by Emilio MENÉNDEZ del VALLE (S&D, ES) with a motion for a resolution on the recommendation to the Council, the Commission and the EEAS on the negotiations for an EU-Malaysia partnership and cooperation agreement.

Members recall that Malaysia is an emerging economy and has established successive socioeconomic restructuring programmes over the years. EU-Malaysia relations should be further developed through a broader partnership and cooperation agreement.

In this context, Members address the following recommendations to the Council, the Commission and the European External Action Service:

Partnership and cooperation agreement negotiations: Members emphasise that the EU-Malaysia partnership and cooperation agreement will provide unique opportunities to establish a **new level of strategic and political framework for the bilateral relations**, expand the EU's engagement in a number of areas of mutual interest – among others in trade cooperation, energy, science & technology, migration, counter-terrorism, human rights and fundamental freedoms, good governance, social standards and labour conditions, anti-corruption, trafficking in persons and non-proliferation – and strengthen the EU-Malaysia policy dialogue on environment, green technology and climate change. They call for a consistent approach to the PCA and FTA negotiations (the two negotiations should be dependent on each other and be carried out in parallel).

Political dialogue: Members commend the creation of the Malaysian Maritime Enforcement Agency (MMEA) combining all law enforcement activities of federal laws at sea in one agency. They commend the results of Malaysia's subregional cooperation with Singapore, Indonesia, the Philippines, Thailand, the Asia Maritime Security Initiative (AMARSECTIVE) and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery

Against Ships in Asia (ReCAAP). Members recall that Malaysia enjoyed an extraordinarily high degree of political stability over a long period even if the country has been hit by **ethnic and political tension**. Malaysia should continue developing socio-economic policies that ensure **fair treatment of all ethnic and religious groups** and that assure all citizens of Malaysia of their full rights.

Human rights and fundamental freedoms: Members consider it necessary to **promote human rights and fundamental freedoms throughout the negotiations for an EU-Malaysia partnership and cooperation agreement**, in particular the freedoms of expression, assembly and association, and sexual orientation and gender identity, and the promotion of ILO social and labour standards. Progress must be made in the area of the media.

Whilst welcoming the progress made as regards internal security Act (ISA), Members note shortcomings, for instance as regards the appeal system.

Members note that tensions have emerged between the judiciary and legal professionals and to raise concerns that the institutional framework has at the same time become more reserved as regards full respect for the independence of legal processes and the exclusivity of courts' judicial powers. They suggest that the government listen to and address the concerns over tensions caused by state-run sharia courts operating in parallel with the national, common-law system.

In parallel, the report also calls on Malaysia to comply with internationally agreed social standards and to protect the constitutional rights of all Malaysians to freedom of religion or belief. Members call for the Christians to be able to exercise fully their constitutional right to practise their religion according to their traditions and without interference or fear of prosecution.

In addition, they encourage the government to promote womens' rights.

Economic, scientific and cultural cooperation: Members welcome Malaysia's drive to increase energy efficiency, the use of renewable energies and investment in green technologies. They stress that renewable energies, such as **palm oil** and hydropower, must be produced in an environmentally sustainable way, **without reducing the size of tropical forests**, reducing biodiversity or replacing food production by fuel production. They recall the EU's internal debate about the dangers of allowing the production of biofuel to expand **at the expense of food production**.

While Malaysia is undoubtedly one of the most successful Southeast Asian economies, Members consider that it needs to invest progressively in the pursuit of academic and scientific knowledge if it is to reach the next level of standard of living and become a highly developed country. They call for the support of increased academic exchanges and cooperation through the Erasmus Mundus programme and the MYEULINK project.

Other provisions: lastly, Members encourage the EU negotiating team to continue its close cooperation with Parliament by providing up-to-date information on the progress of the negotiations.

Negotiations for an EU/Malaysia partnership and cooperation agreement. Recommendation to the Council, the Commission and the EEAS

2013/2052(INI) - 11/09/2013 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution with a recommendation to the Council, the Commission and the EEAS on the negotiations for an EU-Malaysia partnership and cooperation agreement.

Parliament recalls that Malaysia is an emerging economy and has established successive socioeconomic restructuring programmes over the years. EU-Malaysia relations should be further developed through a broader partnership and cooperation agreement.

In this context, Parliament addresses the following recommendations to the Council, the Commission and the European External Action Service:

Partnership and cooperation agreement negotiations: Parliament emphasises that the EU-Malaysia partnership and cooperation agreement will provide unique opportunities to establish a **new level of strategic and political framework for the bilateral relations**, expand the EU's engagement in a number of areas of mutual interest – among others in trade cooperation, energy, science & technology, migration, counter-terrorism, human rights and fundamental freedoms, good governance, social standards and labour conditions, anti-corruption, trafficking in persons and non-proliferation – and strengthen the EU-Malaysia policy dialogue on environment, green technology and climate change. It calls for a consistent approach to the PCA and FTA negotiations (the two negotiations should be dependent on each other and be carried out in parallel).

Political dialogue: Parliament commends the creation of the Malaysian Maritime Enforcement Agency (MMEA) combining all law enforcement activities of federal laws at sea in one agency. It also commends the results of Malaysia's subregional cooperation with Singapore, Indonesia, the Philippines, Thailand, the Asia Maritime Security Initiative (AMARSECTIVE) and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia (ReCAAP).

Parliament expresses appreciation for the fact that the Malaysian Armed Forces have taken part in the anti-piracy operations off the Somali coast. It also sees potential for closer EU-Malaysian cooperation in enhancing maritime security, in particular in coast guard capacity-building, information sharing, naval interoperability and the development of legal aspects. It welcomes cooperation and takes positive note of Malaysia's increased capability to combat terrorism, money laundering, drug and arms trafficking and the forgery of travel documents.

Parliament recalls that Malaysia enjoyed an extraordinarily high degree of political stability over a long period even if the country has been hit by **ethnic and political tension**. Malaysia should continue developing socio-economic policies that ensure **fair treatment of all ethnic and religious groups** and that assure all citizens of Malaysia of their full rights. Members reiterate the global importance of the South China Sea and appeal to all the parties involved to settle their conflicting territorial claims, including those relating to the Spratly/Nansha Islands, by means of international arbitration.

Human rights and fundamental freedoms: Parliament considers it necessary to **promote human rights and fundamental freedoms throughout the negotiations for an EU-Malaysia partnership and cooperation agreement**, in particular the freedoms of expression, assembly and association, and sexual orientation and gender identity, and the promotion of ILO social and labour standards. Progress must be made in the area of the media.

Whilst welcoming the progress made as regards internal security Act (ISA), Parliament notes shortcomings, for instance as regards the appeal system.

It also notes that tensions have emerged between the judiciary and legal professionals and to raise concerns that the institutional framework has at the same time become more reserved as regards full respect for the independence of legal processes and the exclusivity of courts' judicial powers. It suggests that the government listen to and address the concerns over tensions caused by state-run sharia courts operating in parallel with the national, common-law system.

In parallel, the resolution also calls on Malaysia to comply with internationally agreed social standards and to protect the constitutional rights of all Malaysians to **freedom of religion or belief**. Parliament calls for the Christians to be able to exercise fully their constitutional right to practise their religion according to their traditions and without interference or fear of prosecution. It calls for the speedy removal of the current administrative and legal obstacles to Muslims who convert to Christianity or Hinduism, and calls for the state to offer such converts protection from prosecution.

In addition, it encourages the government to promote **womens' rights** and to stop the use of caning as a punishment.

Economic, scientific and cultural cooperation: Members welcome Malaysia's drive to increase energy efficiency, the use of renewable energies and investment in green technologies. They stress that renewable energies, such as **palm oil and hydropower**, must be produced in an environmentally sustainable way.

As regards biofuels: Parliament recalls the EU's internal debate about the dangers of allowing the production of biofuel to expand at the **expense of food production**. For the Parliament, palm oil cultivation for biofuels must be carried out in a sustainable manner, avoiding forest conversion and loss of biodiversity, respecting the land rights of indigenous people and providing opportunities for the poorest communities to raise their living standards.

While Malaysia is undoubtedly one of the most successful Southeast Asian economies, Parliament considers that it needs to invest progressively in the pursuit of academic and scientific knowledge if it is to reach the next level of standard of living and become a highly developed country. It calls for the support of increased academic exchanges and cooperation through the Erasmus Mundus programme and the MYEULINK project.

Other provisions: lastly, Parliament encourages the EU negotiating team to continue its close cooperation with Parliament by providing up-to-date information on the progress of the negotiations.