Basic information

2016/0367(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Australia Framework Agreement See also 2017/2227(INI) **Subject** 6.20.03 Bilateral economic and trade agreements and relations 6.40.11 Relations with industrialised countries **Geographical area** Australia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	MILLÁN MON Francisco José (PPE)	05/10/2017
	Shadow rapporteur ASSIS Francisco (S&D) TANNOCK Timothy Charles Ayrton (ECR) VAJGL Ivo (ALDE) KOHLÍČEK Jaromír (GUE/NGL) SOLÉ Jordi (Verts/ALE) CASTALDO Fabio Massimo (EFDD)	

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

Council of the European Union

European Commission

Commission DG	Commissioner
European External Action Service	MOGHERINI Federica

Key events

Date	Event	Reference	Summary
28/11/2016	Preparatory document	JOIN(2016)0051	Summary
06/01/2017	Legislative proposal published	15467/2016	Summary
05/10/2017	Committee referral announced in Parliament		
20/03/2018	Vote in committee		
26/03/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0110/2018	Summary
17/04/2018	Debate in Parliament		
18/04/2018	Decision by Parliament	T8-0108/2018	Summary
18/04/2018	Results of vote in Parliament		
20/09/2022	Act adopted by Council after consultation of Parliament		
03/10/2022	Final act published in Official Journal		

Technical information

Procedure reference	2016/0367(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2017/2227(INI)
Legal basis	Treaty on European Union TEU 37 Treaty on the Functioning of the European Union TFEU 207 Treaty on the Functioning of the European Union TFEU 218-p8-a2 Treaty on the Functioning of the European Union TFEU 212 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/8/08615

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE616.851	29/01/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0110/2018	26/03/2018	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0108/2018	18/04/2018	Summary

Council of the EU

Document type	Reference	Date	Summary

Document attached to the procedure	09776/2016	05/07/2016	
Legislative proposal	15467/2016	06/01/2017	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ECHR	Preparatory document	JOIN(2016)0051	28/11/2016	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act
Decision 2022/1664 OJ L 255 03.10.2022, p. 0001

EU/Australia Framework Agreement

2016/0367(NLE) - 06/01/2017 - Legislative proposal

PURPOSE: to approve the conclusion, on behalf of the Union, of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, 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: the Framework Agreement between the European Union and its Member States and Australia was signed and some of its provisions are being applied on a provisional basis pending its entry into force.

The Agreement must now be approved.

CONTENT: the draft Council Decision seeks the approval, on behalf of the Union, of the Framework Agreement **between the European Union and its Member States, of the one part, and Australia**, of the other part.

The Agreement seeks to **strengthen cooperation** in a wide range of areas, including:

- human rights,
- non-proliferation of weapons of mass destruction,
- the fight against terrorism,
- cooperation on economic and trade matters,
- health,
- the environment,
- climate change,
- energy,
- education,
- culture,
- labour,
- disaster management,
- fisheries and maritime affairs,
- transport,
- legal cooperation and the combating of money laundering,
- terrorist financing,
-

- organised crime and corruption.

For further details on the content of the Agreement, please refer to the summary of the Commission's initial legislative proposal dated 28.11.2016.

EU/Australia Framework Agreement

2016/0367(NLE) - 28/11/2016 - Preparatory document

PURPOSE: to conclude the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has approved the latter.

BACKGROUND: on 10 October 2011, the Council adopted a decision authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to negotiate a Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part. Negotiations began in December 2011 and were successfully concluded with the initialling of the Agreement on 5 March 2015. Pending its entry into force, certain parts of the Agreement, as mutually determined by the EU and Australia, are provisionally applied.

The Agreement will contribute significantly to the improvement of the partnership between the EU and Australia, a partnership which is based on common values and principles, including respect for democratic principles, human rights and fundamental freedoms, the rule of law, international peace and security. The Agreement is premised on respect for human rights and democratic principles, and for international law and the principles set out in the

Charter of the United Nations, which constitute the basis for cooperation between the Parties.

Note on legal basis: the Agreement pursues objectives and has components in the areas of common foreign and security policy, common commercial policy and development cooperation. These aspects of the agreement are **inseparably linked** without one being incidental to the other.

Article 218(6)(a)(iii) of the Treaty on the Functioning of the European Union (TFEU) provides that, where an agreement establishes a specific institutional framework by organising cooperation procedures, the Council must adopt a decision concluding the agreement after obtaining **consent of the European Parliament.** Moreover, the second subparagraph of Article

218(8) of the TFEU provides that the Council must act unanimously when the agreement covers a field for which unanimity is required for the adoption of a Union act.

The common foreign and security policy is a field for which unanimity is required for the adoption of a Union act. Equally, the Agreement establishes an institutional framework by organising cooperation procedures between the EU and its Member States, of the one part, and Australia, of the other part.

In light of the above, the legal basis of the proposed decision should therefore be Article 37 of the Treaty of the European Union (TEU), Article 207 TFEU and Article 212(1) TFEU read in conjunction with Article 218(6)(a) TFEU and the second subparagraph of Article 218(8) TFEU.

CONTENT : the Commission and of the High Representative of the Union for Foreign Affairs and Security Policy jointly propose that the Council adopt a decision approving the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part, on behalf of the Union.

The text of the Agreement is attached to the Decision.

The purpose of the Agreement is 'to establish a strengthened Partnership between the Parties; to provide a framework to facilitate and promote cooperation across a broad range of areas of mutual interest; and to enhance cooperation to develop solutions to regional and global challenges'.

The content of the Agreement covers three pillars:

-political cooperation on foreign policy and security issues of common interest, including weapons of mass destruction (WMD), small arms and light weapons (SALW), counter-terrorism, promoting international peace and security and cooperation in multilateral fora. The Agreement includes binding political clauses based on the shared values. These clauses are in line with the standard clauses found in similar agreements signed by the EU;

-cooperation on economic and trade matters, including economic policy dialogue, promoting trade and investment matters, and sectoral economic and trade issues, such as :

- agriculture,
- technical barriers to trade,
- sanitary and phytosanitary issues,
- government procurement and intellectual property.

-sectoral cooperation, including in the areas of:

- environment,
- climate change,
- migration and asylum,

- tourism,
- research and innovation,
- education and culture,
- consular protection,
- protection of personal data,
- the fight against organised crime and cybercrime and judicial cooperation.

-Institutional framework: the Agreement establishes a Joint Committee, the objective of which is to monitor the development of the bilateral relationship between the Parties.

Suspension mechanism: the Agreement includes a suspension mechanism. In cases of particularly serious and substantial violation of the essential elements of the Agreement, the Agreement may be suspended or terminated, and other appropriate measures affecting other agreements may be taken in accordance with the rights and obligations of the Parties under such agreements. Once in force, the Agreement will create a coherent, legally binding overall framework for the EU's relations with Australia.

EU/Australia Framework Agreement

2016/0367(NLE) - 18/04/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 482 votes to 59, with 33 abstentions, a legislative resolution on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part.

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

EU/Australia Framework Agreement

2016/0367(NLE) - 26/03/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted the report by Francisco José MILLÁN MON (EPP, ES) on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part.

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

The purpose of the Agreement is to: (i) establish a strengthened Partnership between the Parties; (ii) provide a framework to facilitate and promote cooperation across a broad range of areas of mutual interest; (iii) enhance cooperation to develop solutions to regional and global challenges.

The content of the Agreement covers **three pillars**:

- political cooperation on foreign policy and security issues of common interest,
- cooperation on economic and trade matters, including economic policy dialogue, promoting trade and investment matters, and sectoral economic and trade issues,
- sectoral cooperation, including in the areas of environment, climate change, migration and asylum, research and innovation.

EU/Australia Framework Agreement

2016/0367(NLE) - 28/11/2016

PURPOSE: to conclude the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has approved the latter.

BACKGROUND: on 10 October 2011, the Council adopted a decision authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to negotiate a Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part. Negotiations began in December 2011 and were successfully concluded with the initialling of the Agreement on 5 March 2015. Pending its entry into force, certain parts of the Agreement, as mutually determined by the EU and Australia, are provisionally applied.

The Agreement will contribute significantly to the improvement of the partnership between the EU and Australia, a partnership which is based on common values and principles, including respect for democratic principles, human rights and fundamental freedoms, the rule of law, international peace and security. The Agreement is premised on respect for human rights and democratic principles, and for international law and the principles set out in the

Charter of the United Nations, which constitute the basis for cooperation between the Parties.

Note on legal basis: the Agreement pursues objectives and has components in the areas of common foreign and security policy, common commercial policy and development cooperation. These aspects of the agreement are **inseparably linked** without one being incidental to the other.

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CONTENT : the Commission and of the High Representative of the Union for Foreign Affairs and Security Policy jointly propose that the Council adopt a decision approving the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part, on behalf of the Union.

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-sectoral cooperation, including in the areas of:

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- climate change,
- migration and asylum,
- tourism,
- research and innovation,
- education and culture,
- consular protection,
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