Basic information

2022/0221(NLE) NLE - Non-legislative enactments Decision	Awaiting final decision
EU-Malaysia Partnership and Cooperation Agreement Accompanying procedure 2022/0221M(NLE) **Subject** 6.40.08 Relations with Asian countries **Geographical area** Malaysia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	NISTOR Gheorghe-Vlad (EPP)	08/09/2022
	Shadow rapporteur PICULA Tonino (S&D) PAET Urmas (Renew) SOLÉ Jordi (Greens/EFA) KARSKI Karol (ECR)	

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.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

ITRE	Industry, Research and Energy	The committee decided not to give an opinion.	
TRAN	Transport and Tourism	The committee decided not to give an opinion.	
AGRI	Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH	Fisheries	The committee decided not to give an opinion.	
CULT	Culture and Education	The committee decided not to give an opinion.	
JURI	Legal Affairs	The committee decided not to give an opinion.	
LIBE	Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
European External Action Service	BORRELL FONTELLES Josep

Key events

Date	Event	Reference	Summary
01/08/2022	Preparatory document	COM(2022)0353	Summary
16/12/2022	Legislative proposal published	11714/2022	Summary
16/01/2023	Committee referral announced in Parliament		
24/05/2023	Vote in committee		
24/05/2023	Committee report tabled for plenary, 1st reading/single reading	A9-0190/2023	Summary
14/06/2023	Decision by Parliament	T9-0233/2023	Summary
14/06/2023	Results of vote in Parliament		

Technical information

Procedure reference	2022/0221(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	Accompanying procedure 2022/0221M(NLE)
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting final decision
Committee dossier	AFET/9/10016

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE742.469	20/02/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0190/2023	24/05/2023	Summary
Text adopted by Parliament, 1st reading/single reading		T9-0233/2023	14/06/2023	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	11714/2022	16/12/2022	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2022)0353	01/08/2022	Summary
Document attached to the procedure	COM(2022)0354	01/08/2022	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

EU-Malaysia Partnership and Cooperation Agreement

2022/0221(NLE) - 16/12/2022 - Legislative proposal

PURPOSE: to conclude, on behalf of the European Union, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Government of Malaysia, 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 a Council Decision, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Government of Malaysia, of the other part, was signed, subject to its conclusion at a later date. It is therefore necessary to approve the Agreement on behalf of the Union.

CONTENT: the purpose of the draft Council Decision is 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 Government of Malaysia, of the other part.

The objective of the Agreement is to establish a strengthened partnership between the Union and Malaysia and to deepen and enhance cooperation on issues of mutual interest, including human rights, non-proliferation of weapons of mass destruction, counterterrorism, the fight against corruption and organised crime, trade, migration, the environment, energy, climate change, transport, science and technology, employment and social affairs, education and agriculture.

Respect for democratic principles and human rights, as enshrined in the Universal Declaration of Human Rights (UDHR) and other relevant international human rights instruments applicable to the Parties, on the one hand, and for the principle of the rule of law on the other, underpins the internal and international policies of the Parties and constitutes an essential element of the Agreement.

Under the Agreement, the Parties:

- confirm their shared values as expressed in the Charter of the United Nations;

- confirm their commitment to promoting sustainable development, to cooperating to address the challenges of climate change as well as globalisation, and to contributing to the internationally agreed development goals, in particular to strengthening a global partnership for development as renewed in the 2030 Agenda;

- reaffirm their attachment to the principles of good governance in all its aspects.

The implementation of this Agreement shall be based on the principles of dialogue, mutual respect, equal partnership, consensus and respect for international law. The Agreement establishes a Joint Committee composed of representatives of the Parties at an appropriate high level, that will monitor the development of the bilateral relationship between the Parties.

It is the common understanding of the Parties to the Agreement that pursuant to Article 58(1) of the Agreement and in accordance with the Federal Constitution of Malaysia, the notification by the Government of Malaysia expressing its consent to be bound by the Agreement binds Malaysia as a whole.

EU-Malaysia Partnership and Cooperation Agreement

2022/0221(NLE) - 01/08/2022 - Preparatory document

PURPOSE: to conclude, on behalf of the European Union, the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Government of Malaysia, 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 Malaysia started in February 2011. They were concluded following the 11th round of negotiations on 12 December 2015. Both sides initialled the PCA in Putrajaya on 6 April 2016.

The European Parliament was kept regularly informed throughout the negotiations.

The Commission considered that the objectives set by the Council in its negotiating directives had been met and that the draft agreement could be submitted for signature and conclusion.

On 4 July 2018, the High Representative and the Commission presented to the Council a new Joint Proposal for a Council Decision on the signing of the Framework Agreement (as a mixed agreement) and its provisional application. However, while agreeing on the mixity of the Agreement, Malaysia preferred not to apply the Agreement provisionally. Member States formally accepted not to apply the PCA provisionally.

The Commission's new proposal follows an exchange of letters between the chief negotiators, in which it is clarified that the signature of the Government of Malaysia on the agreement is on behalf of the country as a whole, i.e. at both federal and state level. By signing, the Government of Malaysia would express its intention to bind the whole of Malaysia, including States of Sabah and Sarawak. Following the entry into force of Agreement as stated in Article 58 of the Agreement, Malaysia as a whole would be bound by the Agreement.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, the Framework Partnership and Cooperation Agreement (PCA) between the European Union and its Member States, of the one part, and the Government of Malaysia, of the other part.

The PCA is the first ever bilateral agreement between the EU and Malaysia and replaces the existing legal framework of the 1980 Cooperation Agreement between the European Economic Community and the member countries of the Association of South-East Asian Nations.

The PCA:

- contains legally binding commitments that are central to the EU's foreign policy, including provisions on human rights, non-proliferation, counter-terrorism, the International Criminal Court, migration and taxation;

- broadens considerably the scope for mutual engagement in the economic and trade domain as well as justice and home affairs;

- strengthens cooperation in a wide range of policy areas, including human rights, non-proliferation of weapons of mass destruction, counter-terrorism, fight against corruption and organised crime, trade, migration, environment, energy, climate change, transport, science and technology, employment and social affairs, education, agriculture, culture etc.

An important part of the PCA is devoted to trade cooperation, which paves the way for the conclusion of the ongoing negotiations on a free trade agreement (FTA).

The Agreement establishes a Joint Committee that will monitor the development of the bilateral relationship between the Parties. The Agreement includes a non-execution clause that provides for the possibility of suspending the application of the Agreement in case of violation of essential elements.

On a political note, the PCA with Malaysia marks an important step towards strengthening the EU’s role in South-East Asia, based on shared universal values such as democracy and human rights. It paves the way for enhancing political, regional and global cooperation between two likeminded partners.

EU-Malaysia Partnership and Cooperation Agreement

2022/0221(NLE) - 24/05/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Foreign Affairs adopted the report by Gheorghe-Vlad NISTOR (EPP, RO) 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 Government of Malaysia, of the other part.

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

The agreement aims to establish a stronger partnership between the EU and Malaysia and to deepen and strengthen cooperation on issues of mutual interest, including human rights, non-proliferation of weapons of mass destruction, the fight against terrorism, the fight against corruption and organised crime, trade, migration, environment, energy, climate change, transport, science and technology, employment and social affairs, education and agriculture.

EU-Malaysia Partnership and Cooperation Agreement

2022/0221(NLE) - 14/06/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 553 votes to 38, with 25 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 Government of Malaysia, of the other part.

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

The agreement aims to establish a stronger partnership between the EU and Malaysia and to deepen and strengthen cooperation on issues of mutual interest, including human rights, non-proliferation of weapons of mass destruction, the fight against terrorism, the fight against corruption and organised crime, trade, migration, environment, energy, climate change, transport, science and technology, employment and social affairs, education and agriculture.

Respect for democratic principles and human rights, as enshrined in the Universal Declaration of Human Rights (UDHR), on the one hand, and for the principle of the rule of law on the other, underpins the domestic and international policies of the parties and constitutes an essential element of the agreement.

Parliament also adopted a non-legislative resolution on the draft Council decision.