

Procedure file

Basic information	
NLE - Non-legislative enactments	2013/0120A(NLE)
Procedure completed	
EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation See also 2013/0120B(NLE) See also 2014/0220(NLE)	
Subject 6.20.03 Bilateral economic and trade agreements and relations 6.40.08 Relations with Asian countries	
Geographical area Indonesia	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AFET Foreign Affairs		30/05/2013
		S&D GOMES Ana	
		Shadow rapporteur	
		PPE OOMEN-RUIJTEN Ria	
		ALDE WATSON Sir Graham	
		Verts/ALE BÜTIKOFER Reinhard	
		ECR DE MARTINI Susy	
	Former committee responsible		
	AFET Foreign Affairs		30/05/2013
		S&D GOMES Ana	
	Former committee for opinion		
	INTA International Trade	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Foreign Affairs	3309	14/04/2014

Key events			
24/04/2013	Preparatory document	COM(2013)0230	Summary
01/10/2013	Legislative proposal published	11250/2013	Summary
24/10/2013	Committee referral announced in Parliament		
21/01/2014	Vote in committee		

21/01/2014	Vote in committee		
10/02/2014	Committee interim report tabled for plenary	A7-0093/2014	
20/02/2014	Committee report tabled for plenary, 1st reading/single reading	A7-0134/2014	Summary
26/02/2014	Results of vote in Parliament		
26/02/2014	Decision by Parliament		
26/02/2014	Decision by Parliament	T7-0141/2014	Summary
14/04/2014	Act adopted by Council after consultation of Parliament		
14/04/2014	End of procedure in Parliament		
26/04/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0120A(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
	See also 2013/0120B(NLE) See also 2014/0220(NLE)
Legal basis	Treaty on the Functioning of the EU TFEU 207; Treaty on the Functioning of the EU TFEU 091; Treaty on the Functioning of the EU TFEU 191; Treaty on the Functioning of the EU TFEU 209-p1; Treaty on the Functioning of the EU TFEU 100-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/12572; AFET/7/14410

Documentation gateway

Document attached to the procedure	14032/2009	21/10/2009	CSL	
Preparatory document	COM(2013)0230	24/04/2013	EC	Summary
Committee draft report	PE513.093	06/09/2013	EP	
Legislative proposal	11250/2013	01/10/2013	CSL	Summary
Amendments tabled in committee	PE521.590	15/10/2013	EP	
Committee draft report	PE522.786	22/11/2013	EP	
Committee interim report tabled for plenary	A7-0093/2014	10/02/2014	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0134/2014	20/02/2014	EP	Summary
Interim resolution adopted by Parliament	T7-0141/2014	26/02/2014	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T7-0142/2014	26/02/2014	EP	Summary
Commission response to text adopted in plenary	SP(2014)447	22/07/2014	EC	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex
Final act	
Decision 2014/230 OJ L 125 26.04.2014, p. 0044 Summary	

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

PURPOSE : to conclude a Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and

Indonesia, of the other part.

PROPOSED ACT : Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT : the 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 a Framework Agreement on Partnership and Cooperation (PCA) with Indonesia. In accordance with the Council Decision of 5 November 2009, the Framework Agreement was signed on 9 November 2009, subject to its conclusion at a later date. It would be the first of its kind between the EU and an ASEAN country.

The PCA should now be approved on behalf of the Union.

IMPACT ASSESSMENT : no impact assessment was undertaken.

LEGAL BASIS : Articles 91, 100, 191(4), 207 and 209, in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT : the draft decision proposes that the Council conclude a Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part.

General principles: the Agreement aims to strengthen relations between the EU and Indonesia, and opens a new era in bilateral relations, based on shared principles such as equality, mutual respect, mutual benefit, democracy, rule of law and human rights. These principles underpin the internal and international policies of both Parties and constitutes an essential element of the Agreement.

General principles underlying the Agreement include:

- the fight against climate change and reaching the Millennium Development Goals (MDGs) ;
- good governance and the independence of the judiciary, as well as the fight against corruption ;
- equality and mutual benefit ;

Cooperation: the Agreement strengthens political, economic and sectoral cooperation across a wide range of policy fields:

- trade,
- environment,
- energy,
- science and technology,
- good governance,
- tourism and culture,
- migration,
- counter terrorism and the fight against corruption and organised crime.

It will further enhance cooperation on responding to global challenges, such as questions discussed in the G20.

Also covered are other sectors of common interest: financial services; taxation and customs; macro-economic policy; industrial policy and SMEs; information society; science and technology; energy; transport and transport safety; education and culture; human rights; environment and natural resources, including marine environment; forestry; agriculture and rural development; cooperation on marine and fisheries; health; food safety; animal health; statistics; personal data protection; cooperation on the modernisation of the state and public administration; and intellectual property rights; migration issues, including legal and illegal migration, and trafficking in human beings.

Cooperation covers, furthermore, countering the proliferation of weapons of mass destruction; civil society and strengthening NGOs.

The Agreement includes a clause permitting its extension to new areas of cooperation.

Political dialogue: the PCA will be regarded as a positive example for an inter-cultural/religious dialogue, given that Indonesia is the third most populous country in Asia and the largest Muslim country in the world.

Institutional framework: the Agreement will also include institutional provisions designed to establish a Joint Committee, composed of representatives of both sides at the highest possible level in order to ensure the proper functioning and implementation of this Agreement and resolve differences.

Duration of the Agreement: the Agreement is valid for a period of five years and will be automatically extended for further successive periods of one year, unless either Party puts forward a written objection.

N.B. : certain provisions of the Agreement concern the readmission of persons illegally resident and therefore fall within the scope of Title V of Part Three of the Treaty. A separate decision relating to those provisions is to be adopted in parallel to this Decision.

BUDGETARY IMPLICATIONS : the proposal has no implications for the EU budget.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

The Committee on Foreign Affairs adopted the interim report by Ana GOMES (S&D, PT) the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, with the exception of matters related to readmission.

Members recalled that Indonesia is the worlds fourth most populous nation, the third largest democracy and the largest Muslim majority country.

Taking account these elements, Members called on the Council to take account of the following recommendations in the framework of this interim report and before final consent of the Agreement:

- the recommendation stressed that the PCA aims to further strengthen relations between the EU and Indonesia, in addition to the existing cooperation mechanisms, and to cooperate in addressing global challenges, based on the shared principles of equality, mutual respect, mutual benefit, democracy, active civil society participation, the rule of law, good governance and human rights, by developing political and economic cooperation in all matters;
- Members believed that the relationship between Indonesia and the EU ought to be recognised as strategic and that regular summits should be held to review bilateral and global developments;
- Members urged the EU and Indonesia to make full use of the PCA in order to achieve long-term geostrategic benefits in facing global security challenges, such as tackling climate change and the proliferation of WMD, piracy;
- the recommendation stressed the need to combat corruption.

Human rights: Members stressed the inconsistency of Law 8/1985 and the new Law on Mass Organisations 17/2013 (repealing the former Law on Associations 8/1985) on civil organisations (the Ormas Bill), which, despite the stated purpose of ensuring tolerance and preventing violence against society groups, if not revised to conform with international human rights standards, risks imposing unnecessary and sometimes onerous administrative, legal and financial restrictions on the activities of nongovernmental organisations.

Members called on both national and foreign enterprises operating in Indonesia need to develop their activities in accordance with the principles of corporate social responsibility.

Freedom of culture: Members noted with regret that the increasingly strong focus on Islamic teachings in the public education system, to the detriment of the stress on religious, ethnic and cultural plurality and diversity enshrined in the Indonesian motto Bhineka Tunggal Ika (Unity in Diversity), and expressed their concern as regards acts of violence towards religious minorities and the closure of churches in some parts of the country.

Death penalty: Members recalled that the abolition of the death penalty is a key objective of the Union's human rights policy and called on the Indonesian authorities to consider abolishing the death penalty, or at least declaring a moratorium on its application. They also called for the end of acts of violence against the civilian population in Papua and West Papua.

Members called for further efforts to:

- eradicate genital mutilation,
- eliminate the worst forms of child labour, and its legal framework to tackle child exploitation;
- diversify energy supplies by developing new and renewable forms of energy,
- apply the moratorium on the clearing of new forest decided by the Government in 2011,
- develop sustainable tourism models,
- starting negotiations on visa facilitation with a view to increasing people-to-people exchanges,
- modernise the public administration,
- reduce plantations of palm oil and rubber,
- improve efficiency in asset recovery and fighting terrorism, piracy, organised crime, money laundering and tax havens.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

The Committee on Foreign Affairs adopted the report by Ana GOMES (S&D, PT) on the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, with the exception of matters related to readmission.

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

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

The European Parliament adopted an interim report on the draft Council decision on the conclusion of the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, with the exception of matters related to readmission.

Parliament recalled that Indonesia is the world's fourth most populous nation, the third largest democracy and the largest Muslim majority country.

Taking account of these elements, it called on the Council to take account of the following recommendations in the framework of the consent of the Agreement:

- the recommendation stressed that the PCA aims to further strengthen relations between the EU and Indonesia, in addition to the existing cooperation mechanisms, and to cooperate in addressing global challenges, based on the shared principles of equality, mutual respect, mutual benefit, democracy, active civil society participation, the rule of law, good governance and human rights, by developing political and economic cooperation in all matters;
- Parliament believed that the relationship between Indonesia and the EU ought to be recognised as strategic and that regular summits should be held to review bilateral and global developments;
- Parliament urged the EU and Indonesia to make full use of the PCA in order to achieve long-term geostrategic benefits in facing global security challenges, such as tackling climate change and the proliferation of WMD, piracy;
- Parliament stressed the need to combat corruption.

Economic expansion: Parliament highlighted that Indonesia's 15-year process of democratic, political, social and economic transformation, after 33 years of authoritarian military rule and that Indonesia is urbanising rapidly. It has a fast-rising middle class (of over 70 million), ample natural resources, the largest economy in Southeast Asia (GDP growing by more than 6% in the last two years), with half of the world's trade passing its northern maritime border, and an increasing diplomatic presence in regional and global fora, such as the UN, the WTO, the IOC and the G20, as well as the ASEAN, of which Indonesia is both a founder and its largest member, and recognises the important role played by Indonesia in the broader region. In this respect, Parliament recognised the important role of Indonesia in the region as a whole.

Human rights: Parliament stressed the inconsistency of Law 8/1985 and the new Law on Mass Organisations 17/2013 (repealing the former Law on Associations 8/1985) on civil organisations (the Ormas Bill), which, despite the stated purpose of ensuring tolerance and preventing violence against society groups, if not revised to conform with international human rights standards, risks imposing unnecessary and sometimes onerous administrative, legal and financial restrictions on the activities of non-governmental organisations.

It called on both national and foreign enterprises operating in Indonesia need to develop their activities in accordance with the principles of corporate social responsibility.

Freedom of culture: Parliament noted with regret that the increasingly strong focus on Islamic teachings in the public education system, to the detriment of the stress on religious, ethnic and cultural plurality and diversity enshrined in the Indonesian motto *Bhineka Tunggal Ika* (Unity in Diversity), and expressed their concern as regards acts of violence towards religious minorities and the closure of churches in some parts of the country.

Death penalty: Parliament recalled that the abolition of the death penalty is a key objective of the Union's human rights policy and called on the Indonesian authorities to consider abolishing the death penalty, or at least declaring a moratorium on its application. They also called for the end of acts of violence against the civilian population in Papua and West Papua.

Parliament also called for further efforts to:

- eradicate genital mutilation,
- eliminate the worst forms of child labour, and its legal framework to tackle child exploitation;
- diversify energy supplies by developing new and renewable forms of energy,
- apply the moratorium on the clearing of new forest decided by the Government in 2011,
- develop sustainable tourism models,
- starting negotiations on visa facilitation with a view to increasing people-to-people exchanges,
- modernise the public administration,
- reduce plantations of palm oil and rubber,
- improve efficiency in asset recovery and fighting terrorism, piracy, organised crime, money laundering and tax havens.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of a Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, with the exception of matters related to readmission.

The European Parliament gave its approval to the conclusion of the agreement.

EC/Indonesia Framework Agreement on Comprehensive Partnership and Cooperation

PURPOSE: to conclude the Framework Agreement on Comprehensive Partnership and cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part.

NON-LEGISLATIVE ACT: Council Decision 2014/230/EU on the conclusion of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part, with the exception of matters related to readmission.

BACKGROUND: in accordance with Council Decision 2014/229/EU, the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and Indonesia, of the other part (the Agreement) was signed on 9 November 2009, subject to its conclusion at a later date.

It is now appropriate to approve the agreement on behalf of the Union.

CONTENT: by means of this decision, the Council approves on behalf of the European Union, with the consent of the European Parliament, a Framework Agreement on Comprehensive Partnership and Cooperation between the EU and its Member States, of the one part, and Indonesia, of the other part, with the exception of matters related to readmission which is the subject of a [separate decision](#) (Art 34(3)).

General principles: the Agreement seeks to strengthen EU-Indonesian relations and opens a new era in bilateral relations, based on shared principles such as equality, mutual respect, mutual benefit, democracy, rule of law and human rights. These instruments applicable to both Parties underpin the internal and international policies of both Parties and constitute an essential element of this Agreement.

Amongst the other main principles defined as the basis of the Agreement, are the following:

- the challenge of climate change and the achievement of the Millennium Development Goals;
- the attachment to the principles of good governance, the rule of law, including the independence of the judiciary, and the fight against corruption;
- the principles of equality and mutual benefit.

Sectoral cooperation: the Agreement strengthens political, economic and sectoral cooperation across a wide range of policy fields, including:

- trade,
- environment,
- energy,
- science and technology,
- tourism and culture,
- migration,
- counter-terrorism and the fight against corruption and organised crime.

It will further enhance cooperation on responding to global challenges, where both Indonesia and the EU are playing an increasingly important role, such as in the G20.

Other sectors shall also be covered: financial services, taxation and customs, macroeconomic policy, industrial policy and SMEs, information society, energy, transport, education and culture, natural resources, including marine environment; forestry; agriculture and rural development; personal data protection; cooperation on the modernisation of the state and public administration; and intellectual property rights, migration issues, legal and illegal migration, smuggling and trafficking in human beings.

Cooperation should also be established as regards countering the proliferation of weapons of mass destruction, combating illicit drugs, civil society and the strengthening of NGOs.

The Agreement also includes a future development clause allowing for the Parties to put forward suggestions to widen the scope of cooperation.

Political dialogue: the PCA will be regarded as a positive example for an inter-cultural/religious dialogue, given that Indonesia is the third most populous country in Asia and the largest Muslim country in the world.

Institutional framework: the draft Agreement includes institutional provisions which aim to put in place a joint committee, comprising representatives of both sides at the highest possible level, to ensure the proper functioning and application of the agreement and to resolve potential differences.

Duration of the Agreement: this Agreement is valid for a period of five years. It shall be automatically extended for further successive periods, unless either Party notifies the other Party in writing of its intention not to extend it.

ENTRY INTO FORCE: 14.04.2014. The date of the entry into force of the agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.