













# Procedure file

Basic information	
NLE - Non-legislative enactments	2016/0166(NLE)
Awaiting final decision	
EU/Kazakhstan Enhanced Partnership and Cooperation Agreement	
See also <a href="#">2017/2035(INI)</a>	
Subject	
6.20.03 Bilateral economic and trade agreements and relations	
6.40.04.04 Relations with Caucasus countries	
Geographical area	
Kazakhstan	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Foreign Affairs</a>	 <a href="#">JAAKONSAARI Liisa</a>	13/12/2016
		Shadow rapporteur	
		 <a href="#">KUKAN Eduard</a>	
		 <a href="#">KARSKI Karol</a>	
		 <a href="#">PAET Urmas</a>	
		 <a href="#">SCHOLZ Helmut</a>	
		 <a href="#">MESZERICS Tamás</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	 <a href="#">Development</a>	The committee decided not to give an opinion.	
	 <a href="#">International Trade</a>		13/07/2016
		 <a href="#">BORRELLI David</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Foreign Affairs</a>	<a href="#">3498</a>	14/11/2016

Key events			
07/06/2016	Initial legislative proposal published	<a href="#">JOIN(2016)0026</a>	Summary
25/10/2016	Legislative proposal published	<a href="#">12409/2016</a>	Summary
14/11/2016	Debate in Council	<a href="#">3498</a>	
24/11/2016	Committee referral announced in Parliament, 1st reading/single reading		
10/10/2017	Vote in committee, 1st reading/single		

	reading		
23/10/2017	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0325/2017</a>	Summary
11/12/2017	Debate in Parliament		
12/12/2017	Results of vote in Parliament		
12/12/2017	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0484/2017</a>	Summary

### Technical information

Procedure reference	2016/0166(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
	See also <a href="#">2017/2035(INI)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 207; Treaty on the Functioning of the EU TFEU 209-p1; Treaty on the Functioning of the EU TFEU 337; Treaty on the Functioning of the EU TFEU 218-p8-a2; Treaty on the Functioning of the EU TFEU 218-p6a
Modified legal basis	Rules of Procedure EP 150
Stage reached in procedure	Awaiting final decision
Committee dossier	AFET/8/06811

### Documentation gateway

Initial legislative proposal		<a href="#">JOIN(2016)0026</a>	07/06/2016	ECHR	Summary
Legislative proposal		<a href="#">12409/2016</a>	25/10/2016	CSL	Summary
Committee draft report		<a href="#">PE608.080</a>	13/07/2017	EP	
Committee opinion		<a href="#">PE609.316</a>	27/09/2017	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A8-0325/2017</a>	23/10/2017	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T8-0484/2017</a>	12/12/2017	EP	Summary

## 2016/0166(NLE) - 07/06/2016 Initial legislative proposal

**PURPOSE:** to conclude the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, 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:** relations between the European Union (EU) and Kazakhstan are currently based on the [Partnership and Cooperation Agreement](#) signed in Brussels on 23 January 1995, which entered into force in June 1999.

On 13 April 2011, the Council adopted a Decision authorising the European Commission to negotiate the Enhanced Partnership and Cooperation Agreement between the European Union and Kazakhstan. Negotiation of the Agreement began in June 2011.

The Agreement between the parties was signed on 21 December 2015, subject to its conclusion at a later date.

For the EU, the Agreement constitutes an important step towards increased political and economic involvement in Central Asia. By strengthening political dialogue and improving cooperation in a broad range of areas, it will provide the basis for more effective bilateral engagement with Kazakhstan.

**Legal nature:** the Agreement was negotiated and initialled by the European Union and the Republic of Kazakhstan as the Union's Agreement

only. As the European Union's Member States were unanimous in preferring a mixed Agreement, it was agreed to amend the initialled text of the Agreement and the Joint Proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission for a Council Decision on the signing and provisional application of the Agreement accordingly.

In response to this measure, the European Commission made the following statement: "Given the political and economic relevance of the Enhanced Partnership and Cooperation Agreement (EPCA) with Kazakhstan, the Commission stresses the importance of signing and ratifying it swiftly. The Commission reiterates its position that a "mixed" agreement is legally unnecessary in the present case and that all matters covered by the agreement fall within the EU's competence. The Commission therefore regrets that the Member States insist on signing and ratifying the EPCA with Kazakhstan as a "mixed" agreement. The Commission reserves its position as to the future presentation of acts linked to the legal nature of an international agreement."

Following the adoption of the Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement, the Agreement was signed by the European Union and the Republic of Kazakhstan as a mixed Agreement.

**CONTENT:** the High Representative of the EU for Foreign Affairs and Security Policy and the European Commission jointly proposed that the Council adopt a Council Decision approving, on behalf of the European Union, the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and Kazakhstan, of the other part.

The text of the Agreement is attached to this Decision.

The Agreement is based on three key points:

1. Political dialogue and cooperation in the field of foreign and security policy: provisions are provided to set the political dialogue with this country as well as cooperation in the field of foreign and security policy. The Agreement includes the EU's standard political clauses on human rights, the international criminal courts, weapons of mass destruction, small arms and light weapons and counterterrorism.

Provisions are also laid down as regards:

- democracy and the rule of law,
- foreign and security policy,
- space security,
- serious crimes of international concern,
- conflict prevention and crisis management and counter-terrorism.

2. Trade and business: a specific title is provided for:

- trade in goods,
- customs,
- technical barriers to trade,
- sanitary and phytosanitary matters,
- services and establishment,
- capital movement and payments,
- intellectual property,
- government procurement,
- raw materials and energy,
- trade and sustainable development,
- competition and trade dispute settlement.

The Agreement contains a substantive trade section with important commitments in several trade policy areas. These will ensure a better regulatory environment for businesses in Kazakhstan, and thus bring substantial economic benefits for EU businesses.

3. Sectoral cooperation: a series of provisions on cooperation are provided in a wide range of areas:

- economic and sustainable development;
- freedom, security and justice;
- financial and technical cooperation;
- other types of cooperation include such as migration, the environment, taxation, transport, education, the information society, agriculture and rural development.

4. Institutional framework: the Agreement sets up an institutional framework comprising the Cooperation Council, the Cooperation Committee and the Parliamentary Cooperation Committee. It also introduces a procedure for settling disputes, to be used should one of the parties fail to fulfil its obligations under the Agreement.

**Duration of the Agreement:** the Agreement is concluded for an unlimited period, and can be terminated at six months' notice. As of its entry into force, the Agreement supersedes the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part, signed on 23 January 1995.

## 2016/0166(NLE) - 25/10/2016 Legislative proposal

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**PURPOSE:** to conclude the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, 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 (EU) 2016/123, the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and Kazakhstan, of the other part was signed on 21 December 2015, subject to its

conclusion at a later date.

The Agreement constitutes an important step towards increased political and economic involvement of the Union in Central Asia. By strengthening political dialogue and improving cooperation in a broad range of areas, it will provide the basis for more effective bilateral engagement with Kazakhstan.

It is now necessary for the Agreement to be approved on behalf of the European Union.

CONTENT: under this proposal, the Council is invited to adopt, on behalf of the Union, the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and Kazakhstan, of the other part.

The Agreement is attached to the draft Decision.

As regards its content, the Agreement is based on three key points:

- Political dialogue and cooperation in the field of foreign and security policy in order to enhance provisions on political dialogue, democracy and the rule of law;
- Trade and business to promote exchanges and trade with the EU;
- Sectoral cooperation in a wide range of areas including sustainable economic development.

(For further details on the measures of the draft Agreement, please refer to the initial legislative proposal from 7.6.2016).

Duration of the Agreement: the Agreement is concluded for an unlimited period, and can be terminated at six months notice.

As of its entry into force, the Agreement supersedes the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part, signed on 23 January 1995.

## 2016/0166(NLE) - 23/10/2017 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Foreign Affairs adopted the report by Liisa JAAKONSAARI (S&D, FI) on the draft Council decision on the conclusion, on behalf of the Union, of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part.

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

## 2016/0166(NLE) - 12/12/2017 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted by 511 votes to 115, with 28 abstentions, a legislative resolution on the conclusion, on behalf of the Union, of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part.

In line with the recommendation made by the Committee on Foreign Affairs and the opinion of the Committee on International Trade, Parliament gave its consent to the conclusion of the Agreement.

Parliament also adopted a [non-legislative resolution](#) on the draft decision.